PANCHAYATI RAJ INSTITUTIONS IN GOA: STRUCTURAL AND FUNCTIONAL ANALYSIS.
The Balwantray Mehta committee\(^1\) (1957) suggested the establishment of a three-tier Panchayati Raj System. They are as follows:

1. Village Panchayat for the Village;
2. Panchayat Samiti for the Block; and

This was the standard pattern adopted in most of the states with local variations in composition, power, functions and nomenclatures. The Asoka Mehta Committee Report (1978) was in favour of a two-tier panchayat system in the form of the Zilla Parishad and Mandal Panchayat.\(^2\) It also suggested for retaining the existing Block level Panchayat Samiti in the form of Executive Committee rather than as a primary unit of rural local government.

The Constitution (Seventy-third Amendment) Act, 1992, provided for the establishment of Panchayats at the village, intermediate and district levels. It further suggested that Panchayats at the
intermediate level may not be constituted in the State having a population not exceeding twenty lakhs. The Act inserted a new Part IX in the Constitution.

The Goa Government, keeping in view its commitment to democratic decentralisation, passed a new legislation for setting up of Panchayati Raj Institutions called the Goa Panchayati Raj Act, 1994, (Goa Act No.14 of 1994). The legislation is the outcome of the recommendations of the Constitution (Seventy Third Amendment) Act, 1992. The structure enunciated for the new Panchayati Raj Institutions is discussed below:

GRAMSABHA:

Gramsabha is the lowest unit of panchayat system in Goa. It constitutes the basic foundation for the entire rural local system. Infact, the gramsabha inculcates the participative culture in rural areas. The Gramsabha consists of all persons whose names are being entered as electors in the electoral roll for a Panchayat.³

Meeting Of Gramsabha:⁴

1. There shall be four ordinary meetings of the Gramsabha to be held on any Sunday of January, April, July, and October of every year, to be convened by the Sarpanch;
2. There shall also be special meetings of the Gramsabha to be convened by the Sarpanch on 26th January, 15th August, 2nd October and 19th December, every year;

3. The meetings of the Gramsabha shall be presided over by the Sarpanch. In his absence by the Deputy Sarpanch or ward member or by any member chosen by the Gramsabha;

4. In the event, the Sarpanch fails to convene the meeting of the Gramsabha, as specified in sub-sections (1) and (2), the meeting shall be convened by the Block Development Officer in the following month;

5. The Sarpanch shall, upon a requisition in writing by not less than one-tenth of number of members call an extraordinary meeting of the Gramsabha, within thirty days from the receipt of such requisition;

6. One-tenth of the total number of members of the Gramsabha shall form the quorum for the meeting;

7. When there is no quorum for any meeting after fifteen minutes from the appointed time, the meeting shall stand adjourned for half an hour and when it re-assembles, no quorum shall be necessary to transact the business communicated to members in the agenda of the appointed meeting.
8. An officer nominated by the Block Development Officer shall attend the Gramsabha meetings.

Functions Of Gramsabha: 5

The Sarpanch shall place before the Gramsabha for its approval the following matters:

i. The annual statement of accounts;

ii. Annual administration report;

iii. Budget estimates;

iv. The development and other programmes of the work proposed for the current financial year;

v. The last audit report and the replies made thereto;

vi. Proposal for fresh taxation or enhanced taxation;

vii. Proposal for organising community service, voluntary labour or mobilisation of the local people for any specific work included in any programme;

viii. Identification of beneficiaries under various programmes of the Government;

ix. Determination of the priorities of the work to be undertaken by the Panchayat;
x. Utilisation certificate in respect of the developmental works undertaken by the Panchayat from the Grants-in-aid or Panchayat funds.

The Gramsabha shall constitute minimum two Supervisory Committees to supervise the panchayat work and other activities. The Committees shall submit report to the panchayat and also place a copy of their report in the meeting of the Gramsabha.⁶

The government shall constitute Vigilance Committees to oversee the quality of works, schemes and other activities for each Gram Panchayat.⁷

The decisions taken by the Gramsabha shall be binding on the Panchayat provided it is not contrary to the rules and regulations framed under this Act or any other law for the time being in force and it shall be the duty of the Sarpanch to execute the same as early as possible.⁸

Any person aggrieved by the decision of the Gramsabha, may prefer an appeal to the Director within a period of thirty days from the date of such decision and the Directors decision is final.⁹

Any member of the Gramsabha shall have the right to information relating to any developmental works undertaken by the panchayat as well as certified copies of the proceedings of the meeting of the Panchayat and Gramsabha.¹⁰

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The Gramsabha shall constitute two or more ward development committees.\textsuperscript{11}

VILLAGE PANCHAYAT:

Next in the hierarchy is the Village Panchayat. The Government may by notification, declare a local area, comprising of a village or a group of villages or any part or parts, there of or a combination of any two or more of them to be a Panchayat area.\textsuperscript{12} Population and contiguity are the main criteria for the formation of village panchayats. The number of members is as determined by the Government, by order. The members in each village panchayat so far as may be inaccordance with the following Table No. 2.1--\textsuperscript{13}

Table: 2.1 Membership Pattern in Village Panchayat:

<table>
<thead>
<tr>
<th>For a Panchayat with a population of</th>
<th>No. of members</th>
<th>Classification</th>
</tr>
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<tbody>
<tr>
<td>1500 or more but not more than 2000</td>
<td>5</td>
<td>D</td>
</tr>
<tr>
<td>2. More than 2000 but not more than 5000</td>
<td>7</td>
<td>C</td>
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<tr>
<td>More than 5000 but not more than 8000</td>
<td>9</td>
<td>B</td>
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<tr>
<td>More than 8000</td>
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</table>

Constitution Of Village Panchayat:

The Village Panchayat consists of two categories of members: (1) Elected and (2) Nominated.
In the elected member category, one member for every 400 (minimum) and above population is elected. In the elected category there are reservations for Scheduled Castes, Scheduled Tribes and Women.

In every Panchayat, seats shall be reserved for the Scheduled Castes and the Scheduled Tribes. The number of seats reserved shall be in proportion to the total number of seats in the panchayats and population of scheduled caste and scheduled tribe in the panchayat. The Government may by notification reserve any seat for women belonging to Scheduled Caste and Scheduled Tribe.14

The government may by notification reserve seats for Backward Classes in the panchayat on the basis of their population in the panchayat area.15

Further one-third of the total number of seats in the panchayat shall be reserved for women. This includes the number of seats reserved for women belonging to scheduled caste and scheduled tribes.16

**Qualification For Membership:**

Every person, whose name is in the list of voters of a village panchayat shall unless disqualified under the Act or under any other law for the time being in force, be qualified to be elected as a member of the village panchayat.17 This provision provides an opportunity to any
individual interested in becoming an elected member of the village panchayat.

Disqualification For Members:¹⁸

1. If a member of a Village Panchayat:
   i. is or becomes subject to any of the disqualification's mentioned in Section 10; or
   ii. absents himself for more than three consecutive ordinary meetings of the panchayat without the leave of the panchayat or is absent from the State of Goa for more than four consecutive months; or
   iii. absents himself with leave of the panchayat for a period not excluding six months but fails to attend the next meeting of panchayat after the expiry of such leave; or
   iv. votes or takes part in discussion in contravention of the provisions of sub-section (4) of section 55, his seat shall be deemed to be or to have become, as the case may be, vacant.

Provided that when an application is made by a member to the panchayat for leave to absent himself and the panchayat fails to inform the applicant of its decision on the application within a period of one month from the date of receipt of the application by the panchayat, the
leave applied for shall be deemed to have been granted by the panchayat.

2. If any question arises as to whether a person is, or has become subject to disqualification under clause (ii) or (iii) stated above, the Block Development Officer may either suo moto or on a report made to him and after giving an opportunity to the person concerned of being heard, decide the question. The provisions about disqualification of members are meant to make the members to take appropriate interest in the deliberations of the Village Panchayat. The provisions are based on the assumption that without effective and responsible participation the village panchayat may not be able to function properly.

The members of village panchayat hold office for a term of five years. A member of a panchayat may resign his membership in writing under his handwriting addressed to the Sarpanch. Every village panchayat soon after its constitution at its first meeting shall elect from amongst themselves a Sarpanch and a Deputy Sarpanch. The Sarpanch and in his absence the Deputy Sarpanch is the presiding officer as well as head of the village panchayat. The term of Sarpanch and Deputy Sarpanch shall be the same as their term of membership. They may resign their posts before the expiry of their term. In the event of vacancy in the office of Sarpanch and Deputy Sarpanch due to death, resignation and removal, an officer appointed by the Director of
Panchayats shall exercise the powers and perform the duties of the Sarpanch until a new Sarpanch is elected. To elect a new Sarpanch and Deputy Sarpanch, the same procedure is adopted. Under section 45, one-third of the total number of offices of Sarpanch and Deputy Sarpanch of panchayats in the state are reserved for each of the categories which are reserved for persons belonging to the scheduled castes, scheduled tribes, backward classes and of those which are non-reserved, for women. The tenure of members of village panchayat is fixed at five years, which according to our understanding is neither too long nor too short a period. It is not too long in sense that it allows scope for other individuals to get elected after five years and it is not so short as to hinder any constructive activity which members may want to do in a period of five years.

**Motion Of No-Confidence:**

Section 51 of the Act provides for a motion of no-confidence against Sarpanch and Deputy Sarpanch of the village panchayat. The procedure is as follows:

A written notice of such intention signed by a majority of a total members of the panchayat shall be delivered to the Block Development Officer who shall within fifteen days convene a special meeting of the panchayat to consider the motion. A copy of the same shall be
delivered to the secretary of the panchayat. In the special meeting
called by the Block Development Officer, vote of no-confidence is
either passed or rejected in favour of Sarpanch or Deputy Sarpanch and
subsequently action will be initiated.

Meeting Of Village Panchayat:

Under section 54 of the Act the panchayat shall meet at least once
in fifteen days for the transaction of business. The sarpanch may hold a
special meeting upon the written request of not less than one-third of
the total number of members. Seven days notice of an ordinary meeting
and three days notice of a special meeting specifying the place, date and
time shall be given by the secretary of the panchayat to the members
and such government officers. The government officers having
jurisdiction over the panchayat area or any part thereof shall be entitled
to attend every meeting of the panchayat without right to vote. Section
55 of the Act provides that the quorum for a meeting of the panchayat
shall be one-third of the total number of members. The decisions in the
panchayat meetings are taken by a majority of votes of the members
present and voting. The presiding officer may cast his vote in case of
tie.
Powers And Duties Of The Sarpanch And Deputy Sarpanch:

The sarpanch of the panchayat exercises the following powers and functions:¹⁹

a. convene meeting of the Panchayat;
b. have access to the records of the Panchayat;
c. exercise supervision and control over the acts of the officers and employees of the panchayat;
d. incur expenditure not exceeding rupees one thousand per month on any matter in emergency and in public interest;
e. recommend or not, the sanction of any kind of leave to all the officers and employees of the panchayat including the Gram Sevak;
f. place all the correspondence received from the Government, Director, Chief Executive Officer, before the meeting of the panchayat;
g. hold regular Gramsabha and other meetings of the panchayat;
h. recover the tax, fees and other dues from the defaulters of the panchayat;
i. place the audit report before the meeting of the panchayat and ensure its due compliance;
j. stop any unauthorised construction erected in the panchayat area;
k. remove encroachment and obstruction upon public property, street, drains and open sites not being private property;
l. ensure due compliance of the provisions of the Act; and
m. comply with the directions / instructions issued by the Director, Chief Executive Officer, Deputy Director or Block Development Officer.

Executive Powers Of The Sarpanch Includes: 

i. The implement of the programmes of welfare schemes and other developmental works;

ii. Execution and implementation of the resolutions passed by the panchayat.

The Deputy Sarpanch shall exercise the powers and perform the duties of the Sarpanch, when the Sarpanch is absent or is on leave or is incapacitated from functioning.

Every panchayat may constitute the following Standing Committees by election:

1. Production Committee;

2. Social justice Committee; and

3. Amenities Committee.
Each committee consists of 3 to 5 members including the Chairman and Vice-Chairman. The Sarpanch shall be the Ex-officio member and Chairman of Production Committee and Amenities Committee. The Deputy Sarpanch shall be the Ex-officio member and Chairman of the Social Justice Committee. The Social Justice Committee shall include one member from the scheduled caste and scheduled tribe and the women category. In Production Committee provision has been made for co-opting members from co-operative societies and in other committees members of farmer's clubs, mahila mandals, yuvak mandals and other similar bodies recognised by the government.

Functions Of Standing Committees:

1. The Production Committee performs functions relating to agricultural production, animal husbandary and rural industries and poverty alleviation programmes;

2. The Social Justice Committee performs functions relating to:
   i. Promotion of educational, economic, social, cultural and other interests of scheduled castes and scheduled tribes and backward classes;
   ii. Protection of such castes and classes from social injustice and any form of exploitation;
iii. Welfare of women and children;

3. The Amenities Committee performs functions in respect of education, public, health, public work, etc.

**Joint Committee:**

A panchayat may join with one or more than one local authority or statutory body for the purpose in which they are jointly interested or jointly responsible and constitute a Joint Committee. A Committee may include persons possessing special qualifications or special interest to serve such a committee. The Committee may be dissolved after serving the purpose for which it is constituted.

**Functions and Responsibilities Of Village Panchayat:**

The village panchayats have been assigned with numerous functions and wide-ranging responsibilities. The functions and responsibilities of village panchayat can be classified into three categories:

1. Civic Functions;
2. Regulatory functions; and
3. Development functions.
Under civic functions, it has the following functions:

i. Sanitation, health and family welfare;

ii. Public works and amenities; and

iii. Adequate water supply.

Under regulatory functions, it performs the following functions:

i. Distribution of house sites and maintenance of records relating to the house, sites and other private and public properties;

ii. Construction and maintenance of roads, buildings, culverts, bridges, ferries, water ways and other means of communication;

iii. Providing for and maintenance of rural electrification;

iv. Promotion and development of non-conventional energy;

v. Promotion of social and cultural activities;

vi. Regulation of fairs and festivals;

vii. Promotion of public awareness and participation in poverty-alleviation programmes;

viii. Promotion of primary education;

ix. Promotion of adult literacy;

x. Promotion of village libraries and reading rooms;

xi. Maintenance of community assets;

xii. Construction and maintenance of cattle sheds, ponds and cart stands;
xiii Construction and maintenance of slaughter houses;
xiv Maintenance of public parks, playgrounds, etc;
xv Regulation of manure pits;
xvi Establishment and control of Shandies.

The Development functions include:

i. Preparation of plans for the development of the area within the village panchayat;

ii. Agriculture and animal husbandry;

iii. Development of fisheries in the village;

iv. Preservation and development of social and farm forestry;

v. Promotion of rural and cottage industry;

vi. Development of women and child;

vii Welfare of the handicapped and mentally retarded;

viii Welfare of scheduled castes and scheduled tribes;

ix. The village panchayat may also perform such other functions as may be entrusted.

ZILLA PANCHAYAT:

The new Act provides for the establishment of Zilla Panchayat at the apex of the panchayat structure in Goa. The researcher attempts to trace the constitution, powers, functions, duties and various aspects of
Zilla Panchayat as provided under the Act and the subsequent rules passed thereof. In Goa, the Act provides for the constitution of two Zilla Panchayats – one for North-Goa and another for South Goa. The Zilla Panchayat has jurisdiction over the entire district excluding Municipal Council or a notified area. Every zilla panchayat shall consist of: 22

i. Twenty elected members. Reservation of the seats for women, scheduled castes and scheduled tribes as are applicable to the gram panchayat under the provisions of sub-sections (4) to (6) of section 7, mutatis mutandis apply to the elections of the members of Zilla Panchayat.

ii. The members of the House of the People and the members of the Council of States.

iii. The members of the State Legislative Assembly provided no such member is a Minister or the Speaker or the Deputy speaker or the Leader of Opposition. Provided further that the total number of such members shall not exceed the number of talukas in the Zilla Panchayat and such members shall be elected from amongst themselves.

iv. There shall be a Chairperson of panchayat from each taluka of the district elected from amongst themselves. One Chairperson
for a taluka having up to 15 panchayats and two Chairpersons for a taluka having more than 15 panchayats.

Qualifications To Contest Elections:

Following are the qualifications prescribed for contesting Zilla Panchayat elections:

i. The provisions of section 10 shall apply for a person for being chosen as and for being a member of a zilla panchayat.

ii. The candidates name must be included in the electoral role of the Zilla Panchayat at the time of election.

iii. In case of a seat reserved for the scheduled caste and scheduled tribes or backward classes or women, such person must be a member of these castes or tribes or a woman.

A person elected as a member of the Zilla Panchayat is or becomes a member of the House of the People, the Council of States, the State Legislative Assembly, a Municipal Council or a Gram Panchayat, within 15 days of such election the member has to decide to retain his membership of either of the seats. The term of office of a member of Zilla Panchayat is five years. A member may resign his membership in writing under his hand addressed to the Adhyaksha of Zilla Panchayat.
Adhyaksha And Upadhyaksha:

Soon after the constitution of zilla panchayat, the members from amongst themselves elect two members as Adhyaksha and Upadhyaksha respectively. The government may reserve one office each for a Adhyaksha and Upadhyaksha to be filled by women. The Adhyaksha and Upadhyaksha hold office for the term of office of members of the Zilla Panchayat. The Adhyaksha or Upadhyaksha may resign his / her office at any time by writing under his / her hand addressed to the Director or Adhyaksha respectively. They can be removed from office if a resolution expressing want of confidence is passed by a majority of the total number of elected members of the Zilla Panchayat at a meeting specially convened for this purpose. The salary and allowances of Adhyaksha and Upadhyaksha and other members shall be as prescribed. If an elected member is absent for more than three consecutive ordinary meetings of the Zilla Panchayat unless leave for the same is granted by the Zilla Panchayat, or is absent from the state of Goa for over four consecutive months, his / her seat shall be deemed to be vacant.

Meetings Of The Zilla Panchayat:

The zilla panchayat shall meet, ordinarily at the headquarters of the Zilla Panchayat, at least once in two months for transaction of
business. The Adhayaksha may call for special meetings if one-third of the total number of members request to convene the meeting. Ten days notice of an ordinary meeting and seven days notice of a special meeting specifying the time and business to be transacted thereat, shall be sent to the members. One-third of the total number of members form the quorum for transacting business. Every meeting shall be presided over by the Adhayaksha. In his absence, by the Upadhayaksha. If both are absent, the members present shall elect one from amongst themselves to preside. All questions shall be decided by a majority of votes of the members present and voting. The presiding officer has casting vote in case of equality of votes on any issue. A member shall not preside or vote or take part in the discussion if he / she has any pecuniary interest. The Zilla Panchayat may request the government officers to be present at the meetings.

Standing Committees Of The Zilla Panchayat:

The working of the zilla panchayat is mainly carried on with the help of the following committees:

1. The General Standing Committee;
2. Finance, Audit and Planning Committee;
3. Social Justice Committee;
4. Education and Health Committee;
5. Agriculture and Industries Committee;
6. Taluka Development Committee.

Each standing committee shall consist of not more than five members elected by the members of the Zilla Panchayat from amongst themselves. The Adhayaksha shall be the Ex-officio member and Chairman of the General Standing Committee and the Finance, Audit and Planning committee. Upadhayaksha shall be the Ex-officio member and Chairman of the Social Justice Committee. The other standing committees shall elect the chairman from amongst their members. No member shall serve on more than two standing committees. The Chief Executive Officer shall be the Ex-officio Secretary of all the standing committees. The standing committees shall perform such functions, as may be specified in the regulations made by the zilla panchayat.

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Functions, Duties And Powers Of The Zilla Panchayat:

The functions, duties and powers of the Zilla Panchayat are as follows:25

I. General functions: Overall supervision, co-ordination and integration of development schemes at taluka and district levels and preparing the plan for the development of the district.

II. Agriculture and Horticulture:
a. Promotion of measures to increase agricultural production and to popularise the use of improved agricultural practices;

b. Opening and maintenance of agricultural and horticultural farms and commercial farms;

c. Establishment and maintenance of godowns;

d. Conducting agricultural fairs and exhibitions;

e. Management of agricultural and horticultural extensions and training centres; and

f. Training of farmers.

III. Land improvement and soil conservation: Planning and implementation of land improvement and soil conservation programmes entrusted by the government.

IV. Irrigation:

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

b. Providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the zilla panchayat;

c. Watershed development programmes; and

d. Development of ground water resources.

V. Animal Husbandary:
a. Establishment and maintenance of taluka and village veterinary hospitals, first aid centres and mobile veterinary dispensaries;
b. Improvement of breed of cattle, poultry and other live stock;
c. Promotion of dairy, farming, poultry and piggory; and
d. Prevention of epidemics and contagious diseases.

VI. Fisheries:

a. Development of fisheries in irrigation works vested in the zilla panchayat;
b. Promotion of inland, brackish water and marine fish culture; and
c. Implementation of fisherman's welfare programmes.

VII. Khadi, Village and Cottage Industries:

a. Promotion of rural and cottage industries;
b. Establishment of management of training-cum-production centre;
c. Organization of marketing facilities for products of cottage and village industries; and
d. Implementation of schemes of State Boards and All India Boards and Commissions for Development of Rural and Cottage Industries.
VIII. Promotion of Small-Scale industries including food processing industries.

IX. Promotion of Rural Housing programmes.

X. Promotion of drinking water and rural sanitation.

XI. Minor Forest produce and Fuel and Fodder:
   a. Promotion of social and farm forestry, fuel plantation, fodder development;
   b. Management of minor forest produce of the forests raised community lands; and
   c. Development of waste lands.

XII. Roads, Buildings, Bridges, Ferries, Water ways and other means of communication:
   a. Construction and maintenance of district roads and culverts, causeways and bridges (excluding state highways and village roads); and
   b. Construction of administrative and other buildings connected with the requirement of zilla panchayat.

XIII. Non-conventional energy sources: Promotions and development of non-conventional energy sources.

XIV. Poverty Alleviation programmes: Planning, supervision and monitoring the implementation of poverty alleviation programmes.
XV. Education including primary schools:
   a. Promotion of educational activities in the district including
      the establishment and maintenance of primary schools;
   b. Establishment and maintenance of ashram, school and
      orphanages; and
   c. Survey and evaluation of education activities.

XVI. Technical Training and Vocational education:
   a. Establishment and maintenance of rural artisan vocational
      training centres; and
   b. Encouraging and assisting rural vocational training centre.

XVII. Adult and Non-formal education: Planning and implementation
       of programmes of adult literacy and non-formal education
       programme.

XVIII. Markets and fairs: Regulation of important fairs and
        festivals in the district.

XIX Health and Family Welfare:
   a. Management of hospitals and dispensaries excluding those
      under the management of government or any local
      authority;
   b. Implementation of maternity and child health programmes;
   c. Implementation of family welfare programmes; and
d. Implementation of immunization and vaccination programme.

XX. Women and Child Development:

a. Promotion of programme relating to development of women and children;
b. Promotion of school health and nutrition programme; and
c. Promotion of participation of voluntary organisations in women and child development programmes.

XXI. Welfare of the weaker sections:

a. Promotion of social welfare programmes, including welfare of handicapped, mentally retarded and destitutes;
b. Promotion of educational, economic, social, cultural and other interest of the scheduled castes, scheduled tribes and backward classes;
c. Protecting such castes, tribes and classes from social injustice and all forms of exploitation;
d. Establishment and management of hostel for such castes, tribes and classes; and
e. Supervision and management of hostels in the district, distribution of grants, loans and subsidies to individuals and other schemes for the welfare of scheduled castes, scheduled tribes and backward classes.
XXII. Maintenance of community assets:

a. Maintenance of community assets vested in it or transferred to it by the government or any local authorities or organization; and

b. Assisting the government in the preservation and maintenance of other community assets.

XXIII. Cultural Activities: Promotion of social and cultural activities.

XXIV. Rural Electrification.

XXV. Co-operation: Promotion of co-operative activities.

XXVI. Libraries: Promotion of libraries.

XXVII. Such other functions as may be entrusted.

General Powers Of Zilla Panchayat Include: 26

1. All acts necessary for or incidental for carrying out the functions entrusted or delegated to it or to exercise all powers specified under this act;

2. Subject to the general or special orders of the government, a Zilla Panchayat may:

   a. incur expenditure on education or medical relief outside its jurisdiction;
b. provide for carrying out any work or measure likely to promote the health, safety, education, comfort, convenience or social or economic or cultural well-being of the inhabitants of the district;

c. contribute to associations of all India, State or Inter-State level, concerned with the promotions of local government and to exhibitions, seminars and conferences within the district related to the activities of Panchayat and Zilla Panchayat; and

d. render financial or other assistance to any person for carrying-on activity related to the functions of the said bodies.

Powers And Duties Of The Adhayaksha And Upadhayaksha:

The Adhayaksha of the zilla panchayat shall:

a. convene, preside and conduct meetings of the zilla panchayat;

b. discharge all duties imposed and exercise all the powers conferred on him by or under this act or perform such functions entrusted by the government from time to time;
c. exercise supervision and control over the Chief Executive Officer;

d. exercise supervision over the financial and executive administration of the zilla panchayat and place before the zilla panchayat all questions connected there with and may call for records of the zilla panchayat; and

e. have power to accord sanction upto a sum of rupees one lakh in a year for the purpose of providing immediate relief to those who are affected by natural calamities in the district.

In the absence of Adhayaksha, the Upadhayaksha shall exercise the powers and perform the functions of the Adhayaksha.

ADMINISTRATIVE ORGANIZATION AND HIERARCHY:

Along with the above said political mechanism for democratic decentralization a corresponding administrative hierarchy and organization has been devised. This administrative hierarchy is in fact a supportive mechanism to fulfill the cherished goals of Panchayati Raj Institutions.

In order to carry out village panchayat activities smoothly and efficiently a Secretary has been appointed to the village panchayat by the government who draws his salary and allowances from the
panchayat fund. The government, by order, may specify the staffing pattern, the scales of pay and mode of recruitment of staff of panchayats.

Executive Powers And Functions Of Secretary:

The Secretary shall exercise his powers on the following matters:\n
a. issue the license for construction, repairs, modification, alteration and occupancy certificate;

b. initiate action for stopping and/or demolishing an unauthorised structure / building constructed without the permission of the panchayat after resolution is passed to that effect;

c. execute the resolution passed by the panchayat body.

Duties, Powers And Responsibilities Of Panchayat Secretary:

The Secretary shall exercise and perform the below mentioned duties and be responsible for omissions in such duties:\n
a. attend every meeting of the Panchayat and Gramsabha meetings;

b. write the proceedings of every meeting in the minutes book;
c. place all the correspondence received by him from the Government, the Director and other authorities before the Sarpanch and the members;
d. scrutinize and dispose-off all correspondence after completing them in all respects;
e. finalize the agenda of every meeting in consultation with the Sarpanch;
f. report within seven days to the Block Development Officer about any vacancy in the office or continuous absence of any member for more than three consecutive meetings of the Panchayat;
g. report to the Block Development Officer any illegal act or misconduct or misuse or abuse of powers or any infringement of the provisions of this Act by the Sarpanch, Deputy Sarpanch and the members of the Panchayat;
h. report to the Block Development Officer if any attracts disqualification under Section 10 of this Act;
i. maintains all the registers prescribed under various Rules;
j. responsible for safe custody of Panchayat funds, assets and registers of the panchayat;
k. comply with the instructions issued by the Block Development Officer and Superior authorities;
l. maintain cordial relations with elected representatives;
m. ensure that the Grants-in-aid released by the Government is spent only for the purpose for which it is sanctioned.

Zilla Panchayat:

The Zilla Panchayat administration is under the control and direction of the Chief Executive Officer. The Government shall appoint an Officer not below the rank of the Collector of a district as Chief Executive Officer of the Zilla Panchayat. The Government shall also appoint a Chief Accounts Officer and such other Officers as considered necessary.

Functions, Powers And Duties Of The Chief Executive Officers And Other Officers:

The Chief Executive Officer performs the following functions: 30

a. exercise all the powers specially imposed or conferred upon him by or under this Act or under any other law for the time being in force;

b. lay down the duties and supervise and control the officers and officials of, or holding office under the Zilla Panchayat in-accordance with rules made by the Government;

c. supervise and control the execution of all works of the Zilla Panchayat;
d. take necessary measures for the speedy execution of all works and developmental schemes of the Zilla Panchayat;

e. have custody of all papers and documents connected with the proceedings of the meetings of the Zilla Panchayat and its Committees;

f. draw and disburse moneys out of the Zilla Panchayat fund; and

g. exercise such other powers and discharge such other functions as may be prescribed.

The Chief Executive Officer shall attend every meeting of the Zilla Panchayat and any Committee and take part in the discussions without right to move resolution or to vote.

The Chief Accounts Officer shall advise the Zilla Panchayat in matters of financial policy and shall be responsible for all matters relating to the accounts of the Zilla Panchayat including the preparation of the annual accounts and budgets.

The Chief Accounts Officer shall ensure that no expenditure is incurred except under proper sanction and in accordance with this Act and the rules and regulations made there under and shall disallow any expenditure not warranted by this Act or the rules or regulations made there under for which no provision was made in the budget.

All Officers of the Zilla Panchayat shall assist the Chief Executive Officer in the performance of his duties.
Inspection And Supervision:

The Secretary to the Government incharge of Panchayat Raj Department in case of the Zilla Panchayat, and the Chief Executive Officer and the Director or any other Officer authorised by him in this behalf may inspect the offices or premises of or works taken up by any Zilla Panchayat or Panchayat and for this purpose may examine books of accounts, registers and other documents concerned. He may also call for any return statement, account or report of the Zilla Panchayat or Panchayat concerned.  

Appointment Of An Administrator:

Whenever:

a. any general election to a Zilla Panchayat under this Act or any proceedings consequent there on has been stayed by an order of a competant court or authority; or  
b. when all the members or more than one-half of the members of a Zilla Panchayat resign, the Government shall by notification in the Official Gazette, appoint an Administrator for such period as may be specified in the notification and may curtail or extend the period of such appointment, however the total period of such appointment shall not exceed six months.
During the period of such appointment the Zilla Panchayat and the Committees there-of and the Adhayaksha or Upadhayaksha of such Panchayat, the Sarpanch or the Deputy Sarpanch or members, charged with carrying out the provisions of this Act, or of any other law, shall cease to exercise any powers and perform and discharge any duties or functions conferred or imposed on them by or under this Act or any other law and all such powers shall be exercised and all such duties and functions shall be performed and discharged by the Administrator.

In order to maintain the administrative hierarchy and organisation a supporting administrative mechanism, in between the Village Panchayat and the Zilla Panchayat, is devised by the Government to fulfill the goals and objectives set for the Panchayat Raj Institutions.

**BLOCK ADVISORY COMMITTEE (B. A. C.):**

At each block level, the Government has constituted a Block Advisory Committee which is mainly an Advisory body to the Panchayats and does not constitute a second-tier of the system. The term of the Block Advisory Committee is 4 years. This Committee comprises of both elected as well as nominated members. They include:

1. the local Member of Parliament;
2. the local members of legislative assembly;
3. the Sarpanchas of all the village panchayats within the taluka;
4. representatives of local institutions like the co-operative societies, banks and local organisations;

5. representatives of the Scheduled Castes the Scheduled Tribes; and

6. the Government Officials.

The Chairman and Vice-Chairman of the Block Advisory Committee are elected from amongst the Members of Legislative Assembly and the Sarpanchas only. The right to vote is enjoyed by all members except the Government Officials. The Block Development Officer functions in the capacity of a Member-Secretary of the Committee and convenes the meetings of the Block Advisory Committee. The Committee meets atleast 4 times in a year.

**Structural Organisation Of The Block Advisory Committee:**

The Block Advisory Officer is the head of the Block Advisory Committee. In fact the Block Development Officers of all Eleven Development Blocks function under the administrative control and supervision of Directorate of Panchayats appointed by the Government. The Directorate of Panchayats is composed of a Director and two Deputy Directors (One for North Goa District and One for South Goa.
District), who perform their official functions with the assistance of their own staff appointed by the Government.

The Block Development Officer has a team of development Officers in the form of Extension functionaries. Except the Extension Officer for Panchayats, the other Extension Officers are recruited, paid and technically directed and controlled by their parent departments to whom they are responsible. Only for administrative purpose, they are responsible to the Block Development Officer. Chart-2a clearly depicts the existing organisational set-up at the Block level.
CHART 2a: Organisational Setup at the Block Level:

**STATE LEVEL**

- Director for Panchayats

**DISTRICT LEVEL**

- Deputy Director for Panchayats

**BLOCK LEVEL**

- Block Development Officer

- Extension Staff
  - Extension Officer (Panchayats)
  - Extension Officer (Agriculture)
  - Extension Officer (Animal Husbandry)
  - Extension Officer (Rural Industries)
  - Extension Officer (Fisheries)
  - Extension Officer (Rural Engineering)
  - Extension Officer (Social Education)

- Office Staff
  - Head - Clerk
  - Cashier
  - Clerks
  - Typist
  - Peons
  - Driver

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80
FUNCTIONAL ANALYSIS OF PANCHAYATI RAJ INSTITUTIONS:

GRAMSABHA:

Among the local democratic institutions, Gramsabha constitutes the hub of all activities at the lowest level. Without Gramsabha at the base, the purpose of democratic decentralisation will remain fragile. It is an effective tool for the participation and involvement of the people in the democratic process. This is a structure based entirely on Lokshakti (people’s power) expressing itself in the form of Gramshakti (village power). It is an enlightened body of citizens who can ensure fulfilment of the concept “power to the people” through decentralised democracy. In this connection, Gramsabha as a base of Panchayati Raj Institutions constitutes the basic source of political education to the common man in rural areas. The essence of India’s parliamentary democracy is the executive arising out of legislation and who in turn is responsible to it for its acts of omissions and commissions. The functioning of this type of democracy is to be made known to the people through their actual participation. The Gramsabha also facilitates the accountability of higher ruling organisations for their acts of omissions and commissions to it. Thus Gramsabha provides
experience and understanding to those involved in the process of parliamentary democracy.

The Gramsabha plays an important role in strengthening developmental orientation. Development implies development from below, development of each individual and development of the village. Such a development process can generate realistic plans and programmes for the socio economic regeneration of the common man. The Gramsabha facilitates active dialogue between the village people and their elected leaders regarding development programmes to be undertaken. This enables the village community to involve itself in the decision-making process.

**Working Of Gramsabha In South Goa District:**

The 73rd Amendment to the Constitution recognised Gramsabha as a basic institution of the new Panchayati Raj System. It is praise worthy that the new Act has mandated for reviving constitution of Gramsabha. The States are to recognise and strengthen the Gramsabhas by making adequate provisions in their Statutes. The new Panchayat Act passed by the State of Goa specifies the role of Gramsabhas which includes participation, deliberation, decision-making, planning, implementation and evaluation of the schemes concerning the villages. The
Government, time and often has issued notifications, circulars and orders to activise the Gramsabhas. The Government of Goa has issued comprehensive guidelines through a Notification for the effective functioning of Gramsabhas in order to fulfill the Statutory obligations.  

These rules along with the Goa Panchayat Raj (Second Amendment) Bill, 1999, specify the task of the Gramsabha meetings:

a. The Sarpanch or in his absence, the Deputy Sarpanch must preside over the Gramsabha meetings;

b. The Gramsabha shall ordinarily meet on any Sunday of January, April, July and October of every year, to be convened by the Sarpanch;

c. The Sarpanch shall convene special meetings of the Gramsabha on 26th January, 15th August, 2nd October and 19th December, every year;

d. The Gramsabha shall ordinarily meet in the office of the Panchayat or at a convenient place accessible to all the villagers;

e. A notice of at least seven days before for an ordinary meeting and four days before for an extraordinary meeting shall be given;

f. One-tenth of the total number of members of the Gramsabha shall form the quorum for the meeting;

g. An Officer nominated by the Block Development Officer shall attend the Gramsabha meetings;
h. Discuss the development and other Programmes;

i. Discuss proposal for fresh taxation or enhanced taxation;

j. Organise community service, voluntary labour or mobilise local people for any specific work included in the programme;

k. Identify the beneficiaries under various programmes of the Government

l. The Gramsabha shall constitute minimum two Supervisory Committees to supervise the Panchayat work and other activities;

m. The Government shall constitute Vigilance Committees to oversee the quality of works, schemes and other activities for each Gram Panchayat;

n. The Gramsabha shall constitute two or more ward Development Committees;

o. A copy of the proceedings of the Gramsabha shall be sent to the Director of Panchayats within seven days from the date of the meeting.

The past experience was not encouraging. Studies reveal that many of the Gramsabhas did not meet for years, except on special occasions. The rural people showed very insignificant participation through Gramsabha. Involving the rural people in the developmental process was considered most important in the programme planning and
The Constitutional Amendment by strengthening the Panchayati Raj System has assigned more important role to the Gramsabha.

The study of the working of Gramsabha is supported by the primary data and wherever essential, secondary data has been used to supplement the former. A sample of sixty voter respondents have been selected randomly, thirty from each taluka which means fifteen each from a Village Panchayat. The respondents consisted of voter- members between the age group of 20-70 years belonging to different castes, various occupations, various educational status and experience in public life.

**Gramsabha Meetings:**

The 73rd Constitutional Amendment Act has given the Gramsabha a constitutional status which is usually required to meet at least two times in a year. In Goa, the new Act requires the Gramsabhas to ordinarily meet at least for four times in a year and also meet on special occasions i.e., on 26th January, 15th August, 2nd October and 19th December, every year. Since the elections in January, 1977, the Gramsabha meetings are conducted regularly but, there is very low turn-out for the meetings. Government circulars, rules and orders have not been successful in generating the desired enthusiasm among the
people. Table-2.2 shows the awareness of the people regarding the regular conduct of Gramsabha meetings. In Nuvem Village Panchayat 73.3 percent, in Paroda Village Panchayat 56.67 percent, both in Sancoale Village Panchayat and Verna Village Panchayat 40 percent members are unaware of the regular conduct of Gramsabha meetings. In all 48.3 percent members are unaware of the meetings while 46.6 percent are aware of the meetings, while only 5 percent members have replied that Gramsabha meetings are not conducted regularly. This is rather disappointing that nearly half of the rural population is unaware of the conduct of Gramsabha meetings.

**TABLE -2.2 : Response of the members of the Gramsabha regarding the conduct of the Gramsabha meetings regularly :**

<table>
<thead>
<tr>
<th>Response</th>
<th>Salcete Taluka</th>
<th>Mormugao Taluka</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nuvem V.P.</td>
<td>Paroda V.P.</td>
<td>Sancoale V.P.</td>
</tr>
<tr>
<td>Yes</td>
<td>4(26.67)</td>
<td>8(53.33)</td>
<td>8(53.33)</td>
</tr>
<tr>
<td>No</td>
<td>0(0.00)</td>
<td>1(6.67)</td>
<td>1(6.67)</td>
</tr>
<tr>
<td>Don't know</td>
<td>11(73.33)</td>
<td>6(40.00)</td>
<td>6(40.00)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
</tr>
</tbody>
</table>

As regards the presence and participation of the people in the Gramsabha meetings the responses were further discouraging.
Table-2.3 provides the responses of the members of the Gramsabha regarding regularly attending the Gramsabha meetings. Overall 45 percent members do not attend the meetings, 36.6 percent attend occasionally while only 18.3 percent members attend regularly.

TABLE -2.3 : Response of the members of the Gramsabha regarding attending the Gramsabha meetings regularly:

<table>
<thead>
<tr>
<th>Response</th>
<th>Salcete Taluka</th>
<th>Mormugao Taluka</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nuvem V.P.</td>
<td>Paroda V.P.</td>
<td>Sancoale V.P.</td>
</tr>
<tr>
<td>Attend</td>
<td>3(20.00)</td>
<td>2(13.33)</td>
<td>4(26.70)</td>
</tr>
<tr>
<td>Not attend</td>
<td>10(66.67)</td>
<td>6(40.00)</td>
<td>5(33.30)</td>
</tr>
<tr>
<td>Attend occasionally</td>
<td>2(13.33)</td>
<td>7(46.67)</td>
<td>6(40.00)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
</tr>
</tbody>
</table>

On the basis of above responses, it is evident that the people are not interested in local politics, developmental programmes or ideological concepts. There is lack of interest and intelligent participation among the local masses. The reason may be that the people are not acquainted with the new and innovative experiment in local self-government. It could also be that, effective effort is not made by the Government to educate the people about the significance of this
institution. This is because, the idea of Gramsabha has still not struck roots in the minds of the people. The rural people are still unable to distinguish between Gramsabha and Village Panchayat in terms of their operational dynamics and structural significance. Another significant reason is that in Goa although a large number of persons in the village are better qualified, the candidates contesting elections are overwhelmingly from among the less educated, some even being literally illiterate. The educated and upper classes lack confidence in the capacity of panchayat leaders. Instead they prefer to approach directly the officials of the Government or the Ministers to get their work done. The villagers seldom have shown awareness of their rights and responsibilities as members of the Gramsabha.

It is observed that many a times the Gramsabha meetings turn out to be merely for the presentation of budget and audit reports, discussion of the annual administrative report and the progress report of the development works. The members are least interested in discussing about the developmental works and problems of the village community. In order to analyse the active involvement of the members and the people in the local community matters, the persons were enquired about whether their opinions / problems were considered in the Gramsabha meetings. Table-2.4 depicts the responses of the persons regarding consideration of peoples voice in the Gramsabha meetings. The Table
reveals that 43.3 percent members say that the peoples views are considered sometimes only, 23.3 percent members have not expressed any opinion, 21.6 percent members state that public opinion is considered and only 11.6 percent members say their views are not considered in the Gramsabha meetings.

TABLE – 2.4: Opinion of the members of the Gramsabha about consideration of people's opinions/problems in the Gramsabha meetings:

<table>
<thead>
<tr>
<th>Response</th>
<th>Salcete Taluka</th>
<th>Mormugao Taluka</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nuvem V.P.</td>
<td>Paroda V.P.</td>
<td>Sancoale V.P.</td>
</tr>
<tr>
<td>Considered</td>
<td>5(33.33)</td>
<td>2(13.33)</td>
<td>4(26.70)</td>
</tr>
<tr>
<td>Not considered</td>
<td>1(6.67)</td>
<td>2(13.33)</td>
<td>3(20.00)</td>
</tr>
<tr>
<td>Some times</td>
<td>2(13.33)</td>
<td>8(53.33)</td>
<td>7(46.70)</td>
</tr>
<tr>
<td>No opinion</td>
<td>7(46.67)</td>
<td>3(20.00)</td>
<td>1(6.67)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
</tr>
</tbody>
</table>

The discussion with the Gramsabha members in connection with the above table evolves that the Panchayat members are least interested in the management of village lands and forests, settle disputes among the people, implement welfare schemes and plan and carry-out
developmental programmes. The panchayat members are many times hesitant to go before the Gramsabha because the Gramsabha may demand accountability from their representatives. The members are responsible for fulfillment of the assurances made before the Gramsabha. This raises the issue of non-performance by village panchayats in particular villages. The ethics of non-performance may pervade the whole scheme of Gramsabhas. The interest of the Gramsabha members is waning because of the non-fulfillment of commitments made by the Panchayats.

During the discussions, the voters mentioned divergent views about the performance, quality and commitment of the leaders. Regarding the local leaders, Table 2.5(A) and Table 2.5(B) provides the positive and negative perception of the respondents respectively.

Table 2.5(A) reveals a very disappointing prospect for the grassroots leadership. There is a unanimous response that it does not possess any charismatic leaders. 48.3 percent members mention that the leaders maintain cordial relationship with officials. This is inevitable for the survival of both, before the public as well as for their own purposes. 40 percent maintain that the leaders are interested in local development, which is again not very satisfying. 11.6 percent members perceive that the leaders are not corrupt which is also a discouraging factor.

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<table>
<thead>
<tr>
<th>Response</th>
<th>Salcete Taluka</th>
<th>Mormugao Taluka</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nuve V.P.</td>
<td>Paroda V.P.</td>
<td>Sancoale V.P.</td>
</tr>
<tr>
<td>Charismatic Leadership</td>
<td>0(0.00)</td>
<td>0(0.00)</td>
<td>0(0.00)</td>
</tr>
<tr>
<td>Not corrupt</td>
<td>1(6.67)</td>
<td>3(20.00)</td>
<td>1(6.67)</td>
</tr>
<tr>
<td>Interested in local development</td>
<td>8(53.33)</td>
<td>0(0.00)</td>
<td>7(46.70)</td>
</tr>
<tr>
<td>Maintain cordial Relationship with officials</td>
<td>6(40.00)</td>
<td>12(80.00)</td>
<td>7(46.70)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
</tr>
</tbody>
</table>

Table 2.5 (B) provides that 46.6 percent members express that the leaders are not interested in local development. This affects the very purpose of local self-government. 30 percent opine that the leaders are self-interested and 16.6 percent express that they are corrupt. This type of leadership hampers the development and welfare of the village. Only 6.6 percent members feel that the leaders maintain difference with officials.
TABLE – 2.5(B): People’s perception about local leaders:

<table>
<thead>
<tr>
<th>Response</th>
<th>Salcete Taluka</th>
<th>Mormugao Taluka</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nuvem V.P.</td>
<td>Paroda V.P.</td>
<td>Sancoale V.P.</td>
</tr>
<tr>
<td>Self interested</td>
<td>4(26.67)</td>
<td>0(0.00)</td>
<td>6(40.00)</td>
</tr>
<tr>
<td>Corrupt</td>
<td>5(33.33)</td>
<td>0(0.00)</td>
<td>4(26.70)</td>
</tr>
<tr>
<td>Not interested in local development</td>
<td>5(33.33)</td>
<td>15(100.00)</td>
<td>3(20.00)</td>
</tr>
<tr>
<td>Maintain difference with officials</td>
<td>1(6.67)</td>
<td>0(0.00)</td>
<td>2(13.33)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
<td>15(100.00)</td>
</tr>
</tbody>
</table>

These perceptions are not an encouraging sign for the new experiment of local self-government. The villagers generally feel that by casting their votes and electing the leaders, their responsibility is over and the leaders will do everything for them. They never think of the politics, programmes and ideological concepts. Gramsabhas in fact play a crucial role in evaluating the performance of the Village Panchayats. If they abdicate this responsibility, the whole edifice of the local self-government institution may collapse because of a weak foundation. Hence it may be argued that people’s participation is bound to decline in Gramsabha meetings due to non-performance and non-
fulfilment of promises made by the higher units like Village Panchayat and Zilla Panchayat.

In the Gramsabha meetings attended by the researcher, the attendance was meagre compared to the total population of the village. The meeting proceedings reveal that Gramsabha seek to actively associate in the various stages of developmental work. To foster socio-economic development the Gramsabha has performed four distinct functions. First of all, the Gramsabha evaluated the progress made under the various schemes in the villages. The work done by the village panchayat during 1997-98 is assessed and the amount spent is discussed. Thus its function is evaluative in nature and significance. Secondly, it approved the budget estimates concerning the village development activities. The budget sanctioned during 1998-99 was made known to the people and their assent was taken. Hence the second function is approval of the budget. The third function is deliberative in its manifestation. The Gramsabha proposed a number of works concerning the villages and deliberated on the new proposals regarding the development works concerning the village. The deliberative function is very crucial in the sense that it provides an opportunity for the villagers in re-designing or re-structuring the schemes as per the village agronomy, ecological conditions and the socio-economic status of the population. Lastly, the Government is implementing a number of
poverty alleviation schemes and other related programmes, like, the Integrated Rural Development Programme (IRDP). The Gramsabha meetings provide an opportunity for selecting genuine and needy beneficiaries under such schemes. The villagers themselves being the members of Gramsabha can identify, on the basis of socio-economic status the genuine beneficiaries to deliver Governmental assistance and services.

The Gramsabha has become an instrument for the ventilation of villager’s grievances and provide an opportunity for useful follow-up action. It provides an opportunity for the villagers to rectify the mistakes in the implementation of rural development schemes. It also acts as a corrective machinery, that ensures popular participation. The same has been highlighted by the Diwakar Committee which says that the Gramsabha was intended to develop a system of internal checks and balances in the misuse of authority by officials and non-officials. 38

The above discussions reveal that the Gramsabha is an institutional form of participatory democracy performing four distinct functions. They are evaluative, budget approval, deliberative and selective. These functions provide an opportunity to all the people to participate in the developmental process. This is a landmark development in the post-independent India. The Gramsabha may usher
in a democratic socio-economic revolution from below bring about peaceful root and branch changes in the ruritarian set up.

The Gramsabha shall function in the true and effective spirit of parliamentary democracy both in theory and in practice. Parliamentary democracy operates on two aspects. Firstly, the Executive or Government that originates out of the parliament or the legislature. Secondly, the Executive or Government is responsible for its acts of omissions and commissions to parliament or legislature. The crux of parliamentary democracy is accountability. With the introduction of Gramsabha and Village Panchayat, parliamentary democracy is brought in practice at the grassroot level. The Gramsabha forms the legislature where as the village acts as an Executive or Government. The village panchayat shall provide parliamentary accountability to the Gramsabha for its acts of omissions and commissions. In the Gramsabha meetings the Village Panchayat members are expected to respond in a convincing manner to the various quaries raised relating to the developmental activities in the concerned village. Thus in the Gramsabha meetings the Village Panchayat is put to severe test about the social welfare programmes and schemes pertaining to the village. Hence, people’s representatives in the Panchayati Raj Institutions are accountable to the villagers and villages through the mechanism of the Gramsabha.
The Gramsabhas are a model for direct democracy at the grassroots. Thus, it is an attempt to give the people their own brand of socialism which must not seem to be imposed from outside. To make Gramsabhas effective and efficient grass-roots democratic units a few reforms may be contemplated in respect of the Gramsabha functions, agenda, time, venue, attendance, business procedure, recording and reporting. The role of the Gramsabhas with regard to the deliberative and executive dimensions has to be clearly spelt out. The village panchayats should be made fully responsible for convening and conducting Gramsabha meetings. The Gramsabhas must bring about the integration of all sections of the society with a view to build Jayaprakash Narayan's dream of a communitarian democracy. Such a communitarian polity can also be a participatory democracy, the ideal of democracy. It is only in such a society that an individual will be able to save himself from the fate of robotism to which the modern civilization has condemned him and find freedom and self-significance as a member of the community.
VILLAGE PANCHAYAT ITS STRUCTURE AND OPERATIONAL DYNAMICS:

Village Panchayats are formed by grouping a number of revenue villages.\(^{41}\) The reason behind this clustering of villages is to ensure proper balance between technological requirements and possibilities for meaningful participation by the people in development management. The village panchayat should be constituted so as to serve the given locality with an emphasis on development of growth centres. Hence while constituting village panchayats growth centres should be identified, and villages should be clustered with the growth centre so as to facilitate technological requirements and people’s participation in an effective manner. Such an approach in constituting village panchayats will ensure not only economic viability but also enable the people to supervise over the large number of micro-projects which are near to the people.\(^{42}\) In South Goa District the village panchayats are constituted on the basis of growth centres and in conformity with the provisions of the Act. There are sixty nine village panchayats in the South Goa District. The following Table-2.6 shows the talukawise strength of the village panchayats in the South Goa District.
### TABLE 2.6 - Taluka Wise Strength Of Village Panchayats In The South Goa District:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the Taluka</th>
<th>Number of Village Panchayats</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Salcete</td>
<td>30</td>
</tr>
<tr>
<td>2</td>
<td>Mormugao</td>
<td>09</td>
</tr>
<tr>
<td>3</td>
<td>Quepem</td>
<td>11</td>
</tr>
<tr>
<td>4</td>
<td>Sanguem</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>Canacona</td>
<td>07</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>69</strong></td>
</tr>
</tbody>
</table>

Regarding the meetings of the village panchayat, the experience is not very encouraging. The new Act provides that the panchayats shall meet atleast once in fifteen days for the transaction of business. This statutory obligation has not been strictly followed in the selected village panchayats. There is a gap of more than fifteen days and sometimes even a month. The violation of statutory requirement is not a good reflection on the functioning of the village Panchayats. It could also mean that the members either not interested in the affairs of the village panchayats or their perception is that, these rural institutions may not be able to satisfy their goals. As a result, the Sarpanchas and Panchas may not enjoy a good reputation and may be regarded as incompetant,
inefficient and ignorant of the panchayat system. It also implies some kind of apathy to participate in a collective process for bringing about common good. The irregular meetings demoralises and degrades the basic spirit of the village panchayats. These are new and growing institutions and regularity has to be maintained so that they can contribute effectively to the allround development of the villages.

The proceedings and deliberations of the meetings exhibit the nature of functions performed by the village panchayats. Village panchayats have three specific functions to perform, viz., developmental, civic and regulatory. These three functions figure prominently in the proceedings of the meetings of the village panchayats selected for study. Of these three functions, the major discussions are centered mainly on civic amenities and regulatory functions, whereas the development functions have figured the least. The provision of civic amenities like drinking water supply, construction and repair of roads, power supply, health and hygiene have figured prominently. This shows that rural India still lacks minimum civic necessities. This is indeed a sorry state of affairs that even after five decades of independence, local self-government institutions have to grapple with the provision of basic civic amenities. Does this imply a retarded growth or ineffectiveness of rural institutions? Or does it mean that the human resources do not measure upto the challenges thrown up
by rural India? Does it mean indifference on the part of the Government or apathy on the part of the rural population? Or is it that there are built-in limitations in the rural masses like illiteracy, hunger, disease which inhibit rapid socio-economic transformation of the rural areas. Regulatory functions like administrative aspects and maintenance of village facilities, etc., have figured in the meeting discussions. Discussions on the budget have also figured in the meetings. Regarding the budget, interestingly the question of resource mobilisation has been regularly discussed and actions have been initiated in this direction. There is a regular revision of taxes to make provision for additional financial resources to provide adequate civic or municipal services like street lighting, road building, water supply, etc. This is indeed a good augury in the sense that rural institutions now are gradually giving up the financial dependence on the Government and other semi-government funding agencies.

In the development side, the discussions in the meetings centre prominently around the problems pertaining to Backward Classes, Scheduled Castes and Scheduled Tribes, weaker sections like old people, women and children, unemployment and land allotment. The notable feature of these discussions is the complete absence of the core development sections like development of agriculture, animal husbandry, rural industries, sericulture and other allied activities. Infact,
these subjects should have been given priority as these are important sectors in the rural development field. Another notable aspect of village panchayat meetings is complete absence of discussions on planning. Planning is an important aspect of development administration that has never figured prominently in the meetings of the village panchayats. The panchayats are also concerned with the small saving schemes. The various issues discussed in the meetings of the selected village panchayats reveal the whole gamut of village panchayat’s activities and orientation regarding development and societal construction activities. Due to personal and party politics, enthusiasm has reduced drastically and the village panchayats have almost neglected their mandatory role in developmental and constructive activities in the rural areas.

In order to ensure smooth functioning of the Panchayati Raj Institutions, the Act has provided for the appointment of various committees by the panchayats. However these committees have not been constituted by the panchayats. This shows that panchayats are least interested in rural development activities and welfare of the people. The system of standing committees is an important innovation in the Panchayati Raj Institutional set up. The committee system facilitates detailed discussions of technical and specific issues. The committees operating on the principle of administrative and functional decentralisation provides an opportunity to members to participate in
the decision-making process. Failure to constitute these committees by the panchayats has undoubtedly affected the entire functioning of the Panchayati Raj Institutions.

The Zilla panchayats in Goa have been constituted in the month of February 2000. As such, it is too early to analyse and discuss the exact structure and operation of this institution. However the Government is making some serious efforts to constitute Zilla Panchayats and assign them powers and functions in accordance with the Goa Panchayat Raj Act, 1994.

This Chapter dealt with the discussion on the organisational and structural aspects of the Panchayati Raj Institutions in the South Goa District. It may be mentioned that these institutions are still in their infancy as the revolutionary experiment in Goa is comparatively new. The Gramsabhas and the Village Panchayats have begun to function in a more meaningful fashion than was the case in the earlier years. In a participatory democracy, the participation of the people’s representatives is a good augury for the future development of Panchayati Raj Institutions.
NOTES AND REFERENCES:


4. Section 5; Substituted to the principal Act, 1994, by the Goa Panchayat Raj (Second Amendment) Act, 1999.

5. Ibid; Section 6(1).

6. Ibid; Section 6(2).

7. Ibid; Section 6 (3).

8. Ibid; Section 6 (4).

9. Ibid; Section 6(5).

10. Ibid; Section 6 (7).

11. Ibid; Section 6 (8).

12. Section 3; Goa Panchayati Raj Act, 1994; op.cit.
13. Ibid; Section 7 (1).

14. Ibid; Section 7 (4). The total population of Scheduled Caste and Scheduled Tribe in Goa is about 2%. In some village Panchayats their population is above 500, whereas in some they are below 100. As such reservation is in proportion to their population i.e., in the ratio of 400:1. Hence there is no uniformity in the reservation. The same is the case with the Backward Classes.

15. Ibid; Section 7 (5).

16. Ibid; Section 7 (6).

17. Ibid; Section 9.

18. Ibid; Section 12 (1) and (2).

19. Ibid; Section 64 (1); Clauses (d) to (m) inserted by the Goa Panchayat (First Amendment) Act, 1996, (Panaji, Department of Law and Judiciary, Government of Goa).

20. Ibid, Section 47-A; Inserted by the Goa Panchayat (First Amendment) Act, 1996; op. cit.


22. Section 117, Goa Panchayati Raj Act, 1994; op. cit.

23. The posts of Adhayaksha and Upadhayaksha are restricted only to the elected members of the Zilla Panchayat.

24. Section 142; Goa Panchayati Raj Act, 1994; op.cit.

25. Ibid; Section 140 (As specified under Schedule II of the Act).
26. Ibid; Section 145.
27. Ibid; Section 147 and 148.
29. Ibid; Section 113-A; Inserted by the Goa Panchayati Raj (First Amendment) Act, 1996.
30. Section 151; Goa Panchayati Raj Act, 1994; op.cit.
31. Ibid; Section 173.
32. Ibid Section 180.
37. Report Of The Study Team On The Position Of Gramsabha In Panchayati Raj Movement, (Chairman, R. R. Diwakar), (New
Delhi, Ministry of Community Development And Co-operation, Government of India, 1963), Para, 19(1).

38. Ibid; Para,2-18.


41. The Controversy regarding the size of the local government area is not a peculiar problem which we alone have to confront in India. Stressing the complexity of this issue, Laski long back commented that “No problem in local government is more difficult than the delimitation of the areas of local government. Every principle that has been recommended seems almost inevitable at some point to betray us”. Harold J. Laski, A Grammar of Politics, (London, George Allen and Union, 1963), p. 414.