Chapter II

Panchayati Raj Act in Chhattisgarh

Introduction

Panchayat have been the backbone of rural development from time immemorial. Baden Powell in his book the Indian villages says that everything in India has been changing but it is very surprising that the villages in India have remained the same. The village communities were like ancient tiny republics, the kingdoms and empires with their kings and emperors have come and gone but these tiny village republics have remained the same. This surprising phenomenon is due to the fact that the villages had Panchayats. These Panchayats were autonomous and the kings and emperors never interfered in their working. The traditional Panchayats were caste Panchayats. These Panchayats made the villages self-sufficient in every field of life; social, economic, political and cultural. The people in the villages decided every thing pertaining to their villages. The emperors or the kings were interested in getting the taxes from the villages. They did not bother about other things. There was caste Panchayat that decided every dispute between the villagers.

The downfall of the Moghal Empire led to the downfall of these tiny republics or villages. The Britishers came and destroyed these republics and their autonomy. A rigid centralized system was imposed. The villages were previously the units of administration. Now the district with its Collector became the unit of administration. The Collector is assisted by the Deputy Collector, Tahsildar, Naib Tahsildar, Revenue Inspector and the Patwari. The villages are looked after by these officers. Heavy taxes are imposed without taking into consideration the financial condition of the villagers. The village disputes now are decided in the district head quarters. The rural people have to come to these head quarters for getting their cases decided. Litigation increases the villagers to come to the cities for getting their cases decided. This litigation is very costly. The village republics are destroyed, their autonomy is taken away by the Collector and his subordinates. The court system and the costly pleaders affected rural India. They have to live for days together in the cities to employ costly pleaders. The Patwari disturbs the village peace, without bribe he would not do anything. The Collectors and other subordinate officials are solely dependent on the Patwari. These officials encourage constant litigation. They are not interested on economic upliftment of the villagers. Slowly the villagers are in the grip of huge debts. The famine commission reported later on that the Indian farmer is born in debt, lives in debt and dies in debt.

National Movement

During the National movement the leaders demanded the revival of the ancient Panchayat system, which will give full autonomy to the villagers in the affairs of their villages, and the interference of the Centre and State Government was to be
avoided. Full autonomy to the villages will again make them self-sufficient and healthy units of administration. Seventy percent of Indian’s population lives in the villages. And ten percent of the people living in cities are to be counted as ‘floating population’. They come from villages after kharif season to earn a living in the cities and again return back to their villages during kharif season. Hence Nationalist leaders demanded the revival of the ancient village republic.

The Framers of the Constitution
When framers of the constitution drafted the constitution of India they reverted to the British system of centralization. Dr. Ambedkar, Pandit Jawaharlal Nehru and many others were not in favour of granting autonomy to the villages as well as to the States. They wanted to make the Central government very strong. The partition, the Hindu Muslim riots and problem of the integration of the Indian States were some of the reasons for making the Centre very strong. But the most important reason was Dr. Ambedkar’s aversion to the villages. Ambedkar thought the villages were very reactionary, conservative, backward, moved by casteism and the feeling of untouchability. These villages in his opinion could not be progressive. They were against the democratic spirit of liberty, equality, fraternity and social justice. He opposed tooth and nail to the revival of the ancient village republics. 1

When the draft constitution was sent to Mahatma Gandhi he threw it and said that where is the provision for granting autonomy to the villages and revival of the Panchayati System, which has been the backbone of the Indian society in the past. To appease Mahatma Gandhi the framers of the constitution provided in the Chapter on Directive Principles for the establishment of the autonomous village Panchayat. But being a part of the Directive Principle this provision was not mandatory for the Centre or the States to establish rural self-government or the village Panchayat. 2

From 1950-90, the Governments at the Center and the States were insincere in establishing the Panchayats. The different States established the Panchayats but these bodies had no constitutional backing and the Panchayats were dissolved at any time at the whim of the ruling party in the States.

The Consequences is no Development of Rural India
Billions and billions of funds were pumped by the Centre but these huge funds were not utilized for rural development; for the establishment of schools, rural hospitals, roads, irrigation projects, drinking water, afforestation, removal of poverty etc. The villages remained as backward as ever. The same was the fate of every plan; the first five year plan, the second five year plan, the third five year plan, the fourth and so on.

Every five years the achievement of these five-year plans were discussed and debated. A sorry picture emerged. If the villages are not developed, India will
never develop. The majority of people about seventy to eighty percent live in the
villages, will remain backward.

Rajiv Gandhi’s effort to give to the Village Panchayats with Constitutional
backing
The five-year plans were failing miserably. Huge amounts were pumped by the
Central Government for the eradication of poverty, illiteracy, ill health, in building
roads, in assisting rural industries etc. Rajiv Gandhi was a man of science well
versed in computer calculation. He calculated that the amount sent to the States
for rural development is misappropriated, much of the money goes into the drain
of red tape and corruption. This drain or pipe swallows everything. Out of 100
sent to the villages only 10 percent is utilized by the States for the development of
the villages and 90 percent is given to the bureaucracy at different levels like the
Collectors, the Deputy Collectors, the Tahsildars, the Naib Tahsildars, the
Revenue Inspector and the Patwaris. The politicians and police have a lions share
in this loot. The bureaucracy, the politicians, the policemen combine together in
this loot. You cannot catch hold of any person; a politician or a bureaucrat or a
policeman as there is no evidence written or oral of the loot. Sometimes the files
are stolen. Hence no evidence of the loot remains.
Reviewing the whole rural seen Rajiv Gandhi thought of reviving the rural
Panchayat and to transfer power to them. A bill was prepared under his initiative
and presented in the parliament. But the elections to the Lok Sabha started as the
Parliament was dissolved. And hence the bill was not passed.
Then Narasimha Rao was elected as the Prime Minister. He got this bill on
Panchayati Raj passed in the year 1992. The 73rd constitutional amendment was
passed which led to the passing of the Panchayati Raj Act. The States in the
country also passed acts in their states for the establishment of three tier
Panchayati Raj Institutions in their States.

Madhya Pradesh Panchayati Raj Act 1993
The State of Madhya Pradesh passed the Panchayati Raj Act as per the 76th
constitutional amendment. The elections were held in the following years and
Panchayati Raj Institutions were established in the State in all the districts. Hence
constitutional Panchayats were established by the M. P. Panchayati Raj Act 1993.

Establishment of the Chhattisgarh State in 1999 and the passing of the
Panchayati Raj Act in Chhattisgarh, Panchayati Raj Act on 18th June 2001
The State of Chhattisgarh did not have a separate Act for the establishment of the
three tiers Panchayati Raj in the State, but it adapted to the M. P. Act of 1993.
Very few amendments have been made to this Act of Madhya Pradesh while
adopting it for Chhattisgarh; some of the important amendments are made in the
qualification of Panch. He must have studied up to primary stage (minimum) and
should not have more than two children after being a Panch or a Sarpanch. But
this provision of two children has been contested in the courts as some of the Panchs and Sarpanchs have been removed from their post on the basis of having more than two children. The first election to the Panchayats in Chhattisgarh has been in April-May 2004.

Chhattisgarh Panchayati Raj Adhiniyam—the aim is to establish Gramin Swarajya
The Chhattisgarh Panchayati Raj Adhiniyam is also known as the Gram Swarajya Adhiniyam as the aim is to establish Gram Swarajya through the Panchayati Raj Institution at three levels: the village, the block, and the district. The aim is to hand power to the Panchayats. The power was previously vested in the bureaucracy. The Britishers destroyed our ancient village republics by concentrating power in the district bureaucracy. Through this bureaucracy the State Government controlled the villages. The State Governments in the past could abolish Panchayats at their will. The villages had no money to carry on the development of the villages. The State Governments received a lot of money from the Centre. This money received from the Centre was misspent by the States and lot of money went into the drain of corruption. That is why India remains so backward in human development. The World Bank, the Asian Bank, the International Monetary Fund, published data of the different countries of the world. Out of nearly 180 countries India practically remains at the bottom at 130th number.

The Chief Features of the Chhattisgarh Panchayati Raj Adhiniyam and Gram Swaraj Adhiniyam 1993
The act has given constitutional status to village Panchayat - It is divided into 15 chapters.

1) Preliminary (It defines several technical and legal terms).
2) Gram Sabha
3) Establishment of Panchayats
4) Conduct of Panchayat Elections.
5) Conduct of Panchayat Functions and Panchayat Conferences and Meetings.
6) Functions of Panchayats.
7) Colonization (Building of colonies)
8) Panchayat Funds and the property of Panchayats.
9) Establishment of Panchayats, Budgets and Accounts.
10) Imposition of taxes and collection of claims.
11) Control
12) Penalty
13) Miscellaneous
14) Audit
15) Repeal
Part of the Constitution of India

The 73rd amendment 1992 was incorporated into the constitution of India after part 8, it is part 9 of the constitution of India. The short assume of this Act is the Act of 1992 (73rd amendment).

Part 9 - Outline of the Panchayats

The Panchayats are now constitutional bodies and their constitutional status is defined in the 73rd amendment; Art 243 of the constitution mentions the outline of the Panchayats.

Article 243 mentions:

1. Gram Sabha.
2. The Organization of the Panchayats.
3. The number of Panchayats.
4. Inspection of Places.
5. Disqualification for membership.
6. Power of the Panchayats, their rights and responsibilities.
7. The taxation powers of the Panchayats, Panchayat Funds.
8. The term of the Panchayats.
9. The establishment of Finance commission for reviewing and recommending measures for development of the Panchayats.
10. Panchayat accounts and their audit.
11. Election of Panchayats.
12. The courts cannot interfere in the election of Panchayats. 3

The Constitution of Panchayats

In every State the three tier Panchayats will be established in each district.

1. The village Panchayat
2. The Block Panchayat
3. The District Panchayat 4

The State Legislatures frame rules and laws for the constitution of the three tiers Panchayats. The population to the village Panchayat shall be as far as possible uniform for all the villages.

The seats to Gram Panchayat, the Block and the District will be filled by election as per laws and rules framed by the State Legislatures.

The seats to the Gram Panchayat and the Blocks will be filled by direct election. The population of a Gram Panchayat and the number of Panchs in each village shall be the same as far as possible in all the villages of the State. The population of the village will be the population given in the latest census. The village will be as declared by the Government's notification for this purpose. 5

The Gram Sabha will consist of all the eligible voters in the village. In every District Panchayats will be established at 3 levels (three tiers Panchayati Raj); the Village, the Block, and the District. 6
The voters in the Village Panchayat area will elect their Panchayat and they will constitute the Village Panchayats. The voters in the Block will elect the Block Panchayat.

**District Panchayat**

The seats in the District Panchayats shall be filled in as per rules and laws framed by the Legislatures of State. The election to the District Panchayat will be indirect. The State Legislatures will frame laws and rules for electing the members of the District Panchayat.

1. The Sarpanchs will elect the members of the District Panchayat.
2. The Block Chairmen will participate in the election of the District Panchayat.
3. The M.P.s and M.L.A.s of the District will participate in the election of the District Panchayat.

Thus Sarpanch of the Village Panchayat in the District, the Block Chairman, the M.P.s and the Vidhan Sabha members will elect the District Panchayat members. All the voters of the villages in the Block area will elect the Block members.

There is provision for reservation in the Panchayat. One-third seats are reserved for the SC, the ST and the women in the Village Panchayat, the Block and the District. The State Legislators will frame rules and laws for the reservation and election of the above.

Similarly, there are reservations for SC, ST and women for the post of Sarpanchs in the villages. This takes place in rotation. The State Legislatures can make provision for the reservation of backward classes in the three tiers Panchayats. This includes the reservation for OBC also.

The backward classes have been classified into: (a) Scheduled Castes (b) Scheduled Tribes (c) OBC or other backward classes.

**The Term of the Three Tiers Panchayat**

The Village Panchayat, the Block Panchayat and the District Panchayat shall have a term of five years from the first day of the first session of these bodies. The Gram Panchayat, the Block Panchayat and the District Panchayat will have a term of five years.

The new Panchayat should be elected within six months of the previous Panchayat dissolution after completing the term of five years.

**Disqualification for being elected as Panchs**

1. If he is disqualified for being member of a State Legislature.
2. He has not completed the age of 21 years.
3. If he is disqualified under any law framed by the State Legislature.

The State Government will appoint an authority for determining the disqualification of a member of the Panchayat.
Powers and Functions and the Duties of the Panchayats

The State Legislatures can make laws and rules for determining the powers, functions and duties of the Panchayats. But these rules must be such as to enable the Panchayats to function in a democratic way. It should be remembered that the Panchayats are constitutional bodies and autonomous in their area. The State Governments' or the State Legislatures are debarred by the constitution to take away this autonomy or independence of the Panchayats and the Panchayats can go to the court of law to protect their autonomy and independence.

(1) The State Legislatures will pass laws for imposition of taxes, fees, prices, toll taxes, road taxes etc. within their area.

(2) To receive grants and aids from the consolidated fund of the State.

(3) The State Legislatures can make laws, rules, provision for the depositing of taxes and other levies in the banks.

(4) The Panchayats can draw the needed amount from their deposits in the banks.14

The Finance Commission for reviewing the financial position of the Panchayats

The Governor of the State can order for the constitution of a finance commission for reviewing of the financial position of the villages. The finance commission will have the following functions:

(1) The distribution from the funds raised by the State by way of taxes, fees, fines etc, between the State and the Panchayats.

(2) The State Legislatures can make laws for the qualification and conditions for the appointment of the members of the finance commission.

(3) The State legislature will also frame laws and rules for the functioning of the finance commission.

(4) The commission will prepare a report with recommendation to the government about the proper functioning of the Panchayats as regards their financial position.

(5) The report with recommendation of the finance commission will be placed before the State Legislatures by the order of the Governor. 15

Election of the Panchayats, the State Election Commission

The voters’ list for every State will be prepared under the direction of the State Election Commission. The State Election Commission will be appointed by the Governor. The Governor will frame rules for the appointment of the Commission. These rules will lay down the qualification of the State Election Commissioner. But the State Election Commissioner cannot be removed from his post. He can be removed on those conditions and procedure laid down for the removal of a judge of the High court. His salary will be paid to him from the consolidated fund of the State and cannot be reduced during his term.
The Election Commission will request for the appointment of such staff as he thinks fit for the discharge of his duties and the Governor will make such appointments.

The Functions of the Panchayats

1. Development and extension of agriculture in the village.
2. Improvement of village land, consolidation and preservation of land.
3. Small irrigation projects.
4. Cattle rearing, dairy, poultry.
5. Fishery development.
6. Social and farm forestry.
7. Small forest products.
8. Small industries including food processing.
10. Rural housing.
11. Drinking water.
12. Cattle wealth and fodder.
13. Village roads, culverts, village waterways, and other means of communication.
15. Non-conventional power resources.
16. Undertaking measures for the eradication of rural poverty and unemployment.
17. Primary and middle education.
18. Technical and professional education.
19. Adult and informal education.
22. Markets and Fairs.
23. Health and sanitation that includes hospitals, primary health centers and hospitals.
24. Family welfare.
26. Social welfare that includes welfare of disabled and mentally retarded persons.
27. Welfare of weaker sections with special reference to scheduled castes and scheduled tribes.
28. Social distribution system.
29. To protect the property of the village.

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Gram Sabha
The village will be recognized by the Governor for the purpose of this Act. The electoral role will be prepared by the commission for a village and the voters will constitute the Gram Sabha of the village. Thus the Gram Sabha will include all the voters (above 18 years of age) of the village. The person who normally resides in the village who is above 18 years will be entitled to be a voter of the village. Anyone will not be entitled to be a voter of the village if he is disqualified to be a voter for the Vidhan Sabha of the State. Such a voter of the State will not be entitled to be a voter in any other village. He cannot get his name registered in more than one village. If he is registered as a voter in any other village or in a municipal voter list he will not be a voter for the village. The State Government will notify the establishment of the Gram Panchayat and this cannot be challenged in a court of law.

The constitution and regulation of the Gram Sabha
Every village will have a Gram Sabha. The Gram Sabha will be incorporated body by a name of the village. It will have a seal and perennial responsibility. The Gram Sabha can file a suit on this (name of the village) and a case can be filed against it on that name. The Gram Sabha will have the right to purchase or sell property in the village as per the provisions of the Panchayat Act. It will have the right to sell the property. The Gram Sabha can perform other functions under the Panchayati Raj Act.

Meeting of the Gram Sabha
(1) The Gram Sabha will meet at least once a month. The Secretary of the Gram Sabha will commence such a meeting. The Sarpanch will fix the date, time and place of the meeting. After this meeting the Gram Sabha will determine the time, place and date of future meetings.
(2) The quorum for the meeting will be $\frac{1}{5}$th of the number of members of the Gram Sabha. In this the minimum number of women members will be $\frac{1}{3}$rd. Similarly $\frac{1}{3}$rd of SC and ST members should also be present. For every meeting of the Gram Sabha the quorum is essential.
(3) The Gram Sabha will be presided over by the Sarpanch or in his absence by the Upasaranach. If both are absent then the Gram Sabha will elect a Panch who is present in the meeting.
(4) Only members in the electoral role of the village who have voted in the election will be present in the Gram Sabha. If there is a dispute whether a person is eligible to attend the meeting of the Gram Sabha, such a question will be decided by the Gram Sabha by looking at the electoral roll. The decision of the presiding person will be final.
(5) Any dispute in the village will be decided in the meeting of the Gram Sabha.
(6) The Gram Sabha will meet at least once in a month. But in very important matters more than one meeting can be held: (i) Where the matter is a matter of dispute and has to be decided by the whole village. (ii) Where it is necessary to pass resolutions on important matters or to do some important work. The first meeting of the Gram Sabha will be convened by the Sarpanch but succeeding meetings date, time, place will be fixed by the Gram Sabha.

(7) The quorum of the Gram Sabha will be 1/5th of Gram Sabha.

(8) The meetings of the Gram Sabha will be convened to discuss matters laid down in the Act. All the members of Gram Sabha will be duly informed of the date, time, and place of the meeting.

The Act says that the meetings of the Gram Sabha will be the meeting of “the Panch Parmeshwar”, Five Gods or Justices sitting in the meeting to decide a matter very impartially without being effected by caste, creed, family relation or high or law. The Gram Sabha meetings are supposed to be conducted and deliberated in such a way that there is feeling of brotherhood, love and affection. The meetings are supposed to be very orderly and no one should feel that he is high or low, and he should not feel as above others by wealth or caste or religion or any other matter. The feeling of equality and brotherhood must permeate the members in the meeting. They must follow the ideals of the preamble of the Indian constitution; equality, liberty, fraternity and social justice.

No Panch, Sarpanch, or member should feel himself above others. They must deliberate justice on any matter. There should be no heated discussion. A problem should be given a proper thought; there should be no prejudices. Every member should hear the others and should not impose his will on others. The Gram Sabha should decide the matter by consensus of all the members present and if the differences persist then the matter should be decided by majority vote. 20

Special Meeting of the Gram Sabha

If the Sarpanch or 10 percent or 50 members whichever is more, decide to call a special meeting of the Gram Sabha, then the Secretary will convene such a meeting within 7 days of the receipt of such a request for convening special meeting.

The Secretary of the Gram Sabha

The Secretary of the Gram Sabha will also be the Secretary of the Gram Panchayat. The Secretary will be controlled by the Gram Sabha and will perform such duties and functions as are ordered by the Gram Sabha. 21

Decisions of the Gram Sabha

The Panchayati Raj Act or the Gram Swaraj Act presupposes that the decisions of the Gram Sabha will be arrived at by unanimous decisions or by consensus and where it is not possible it is to be decided by the majority of the members present. If in two consecutive meetings a matter is not decided, then it should be decided
by a majority in the next meeting. If the matter is not decided by consensus then in the next consecutive meeting the matter should be decided by a majority of members present, the voting will be by secret ballot.

If the presence of a member in such a meeting is disputed, then the question is to be decided by the presiding member after looking at the voters' list of the village.

Annual Meeting - powers, functions and duties of the Gram Sabha

The Gram Sabha will have functions and duties as mentioned in the Act or rules or orders in this respect from time to time.

1. To discuss, decide about the various schemes for the development of the village.

2. The schemes for social and economic development of the village including the annual plans for the development of the village. The Gram Panchayat will take the approval of the Gram Sabha before implementing such schemes.

3. Gram Sabha will discuss the review reports of the action taken on village development by the Panchayat.

4. To discuss and decide the annual budget of the Gram Panchayat and to make recommendations on them.

5. To approve the funds required to implement the development plans by the village Panchayats.

6. To decide the BPL. The persons to be chosen by the Gram Sabha for the villagers to place in the list of Below the Poverty Level (BPL).

7. To decide as to what amount is and what help is to be given to such BPL persons.

8. To encourage the villagers for community development works.

9. To give all facilities to the villagers for carrying village development work and to encourage the active participation of the community for such work.

10. To assist workers appointed by the Gram Panchayat for social development work.

11. Keep the village clean and remove all nuisances.

12. Functions connected with water supply; public wells, tanks etc. should be maintained properly.

13. Arrange for drinking water for cattle and other livestock and to arrange for bathing ghats etc.

14. To construct and maintain public roads, latrines, drains, tanks, wells and to construct and maintain other public works.

15. To remove hindrances on public roads and roads inside the village.

16. To clean unused wells and other unused sources of water.

17. To have a watch on the suppliers of milk, fruits, sweets, and other eatable things in the village.
(18) To arrange for playgrounds, entertainments etc.
(19) To construct or arrange for funeral places and disposal of dead animals.
(20) To construct pits for composed, waste products etc.
(21) To regulate and control the sale of meet.
(22) To keep records of livestock in the village and to establish Kanji house.
(23) To assist in census and other surveys carried on by the State Government.
(24) To protect the historical places (except those protected by the act of parliament), to provide for grazing grounds in the village.
(25) To keep the records of birth and death.
(26) To prevent the break of epidemics and other diseases.
(27) To assist in insulation and vaccination. To assist the Government establishments in such duties.
(28) To assist the disabled and those who have no one to look after.
(29) To conduct activities connected with youth welfare, family welfare and sports.
(30) To maintain and protect life and property.
(31) To take precautionary measures against the outbreak of fire and to take all measures connected with the protection of property during fire. To establish a committee for such function.
(32) Plantation of trees and protection of village forests.
(33) To take measures against dowry.
(34) To take steps and help those poor who are suffering from serious diseases.
(35) To help poor people during funeral.
(36) To grant loans to the poor people.
(37) To work for the removal of untouchability and to help the scheduled castes and scheduled tribes for their development.
(38) To perform such functions which are entrusted to it by the Janpad Panchayat or the District Panchayat.
(39) To perform those functions which are entrusted to it by the State Government.
(40) To prepare plans for the basic facilities in the village.
(41) To select the beneficiaries within various schemes of development.
(42) To complete, supervise and to keep a watch on the development schemes in the village which are meant for different categories of beneficiaries in the village. And also to monitor such schemes.
(43) To promote awareness and awakening in the villagers towards the welfare schemes.
(44) To arrange for self help and labour (without payment of wages) for community development schemes.
(45) To prepare plans for the construction of the irrigation and drinking water schemes in the village and for this to spot the places where sources of water are available. To hand over such schemes to the villagers.

(46) To give on lease such water reservoir for fishing and other commercial purposes.

(47) To regulate and notify river streams for small irrigation projects.

(48) To control the social functions of the Gram Sabha and give them directives for further work.

(49) The annual meeting of the Gram Sabha will be held at least three months before the financial session. The Gram Panchayat will place before such meetings the following:
- Annual accounts.
- Report of the previous financial year.
- Further schemes for the coming year.
- Audit report with the explanations.
- Annual budget of the Gram Panchayat.
- To keep such things before the Gram Sabha as has been directed by the Janpad (Block) the District Panchayat or the Collector or other authority of the State Government.
- The Gram Panchayat is supposed to implement the orders, decisions, resolutions etc. of the Gram Sabha.

The Standing and the Ad hoc Committees of the Gram Sabha

In order to carry on the obligations under the Panchayati Raj Act, the Gram Sabha will appoint the following Standing and Ad hoc Committees:

1. Village Development Committee
2. Public Property Committee
3. Agriculture Committee
4. Health Committee
5. Village Safety Committee
6. Infrastructure Committee
7. Education Committee
8. Social Justice Committee

The above 8 Committees are all Standing or Permanent Committees. Besides, the Gram Sabha can appoint such Ad hoc Committees it thinks necessary that the circumstances demand the appointment of such Ad hoc or Temporary Committees will submit a report of their work. After the report is submitted to the Gram Sabha the Committees will wind up its existence.

Chairman of the Committees and their Members.

Every Committee will have a Chairman who will be elected by the members of the Committee. The term of the Chairman will be for one year. The members of the Committee will be elected from the following by rotation; scheduled castes
members, scheduled tribe members, other backward class members and women of the village (who are voters).
The Village Development Committee will have all the Chairmen from the Standing Committees. The Sarpanch and the Uparpanch will be the Chairman and Deputy Chairman of the Village Development Committee.
There will be 8 Chairmen of the Standing Committee and one Chairman elected by these 8 Chairmen that is there will be 9 members in the Gram Vikas Samiti. 24

The Functions and Duties of the Different Committees
Every Committee will perform such functions and duties as are entrusted to it by the Gram Sabha from time to time. The Village Development Committee (Gram Vikas Samiti) will be responsible to the Gram Sabha and will function under its supervision and direction. The Gram Sabha, on a written complaint from its members, can remove any member of the Committee.
The Gram Vikas Samiti will prepare a comprehensive plan for the development of the village and submit it to the Gram Sabha for debate, discussion and approval by the members. 25
The Standing Committees will have their Chairman elected by themselves from the members of the Gram Sabha by a two third vote. But the Chairman of the Health Committee can be nominated from the State Government Health Department Personnel in the village. But no one can be appointed as a Secretary if he is a relative of any members of the Committee.
Appeals against the decision of the Gram Sabha can be made to the Appeal Committee. 26

Budget
Every Gram Sabha will prepare the budget showing its income and expenditure in the way as prescribed in the Act for the coming year. 27

Gram kosh (Village Fund)
Every Gram Sabha will prepare a Gram Kosh or Fund which will consist of four parts:

(i) Inner Fund (Ant Kosh)
(ii) Labour Fund (Shram Kosh)
(iii) Commodity Fund (Vastu Kosh)
(iv) Cash Fund (Nakad Kosh)

The following will be deposited in this Fund:
(a) Gift and donations
(b) Income from other sources
(c) Any fund received from the Village Panchayat Fund that will include receipt from land revenue and fees received from school. These will be divided as per the directive of the State Government.
(i) Taxes to be imposed by the Gram Sabha
(ii) Amount given to the Gram Sabha by the Central or State Government.

The above Gram Kosh can be spent on the performance of functions and duties connected with the development of the village as approved by the Gram Sabha. But the above expenditure from the Gram Kosh for the development of the village will be in accordance with the directives received from the State or the Central Government. This rule is to be applicable to those schemes for which the village receives grants or aid from the Centre or State.

The Gram Kosh will be kept in such a way as is prescribed by rules. Any amount to be spent the Kosh should be withdrawn by the joint signature of the Secretary and the Treasurer of the Fund. The Gram Kosh will be operated by the Treasurer of the Gram Kosh. He will be nominated by the Gram Vikas Samiti.

It is the duty of the Gram Sabha to get the accounts and audit of all its incomes and expenditures in a proper way as laid down in the rules. The audit reports will be placed in the Gram Sabha annually.

Power of the Government
The State Government can entrust, enhance the duties, functions and powers of the Gram Sabha.

Conclusion
Elections were held under the Chhattisgarh Panchayat Raj Act 2001, which has adopted the M.P. Act with very few amendments. The amendments were made mostly about the literacy and the number of child of a Panch or a Sarpanch. Previously any body could become a Panch whether he had more than two children or whether he is illiterate or literate.

The present Act has removed the above defects of the previous Panchayati Raj Institutions where illiterate persons could become Panchs or Sarpanchs. Panchs and Sarpanchs had large families also.

Generally the critics pointed out that self-governing institutions couldn't establish real democratic institutions when the Panchs and Sarpanchs have large families to maintain and are illiterate.

Moreover the amendment would help in checking the population of villages, which are increasing by leaps and bounds. Moreover the literate Panchs and Sarpanchs will play their role properly.

Democracy presupposes a literate, well-read and cultured people. They should be well fed, not subjected to diseases or disabilities. But the Indian villages suffer from all these defaults. The villagers suffer from poverty and hence are prone to all sorts of diseases and disabilities. Small families will make the villagers happy and comfortable, less prone to diseases. By reading and writing they will develop the faculties of understanding the society surrounding them and the State and the Country in which they live.
Reference:
2. Ibid
4. Ibid
5. Ibid
6. Ibid
7. Art 243 (A)
8. Art 243 (B)
9. 2 Art 243(C)
10. Art 243 (D)
11. Art 243 (E)
12. Art 243 (F)
13. Ibid.
15. Ibid
16. Art 243 (G, H), Eleventh Schedule
18. Section 5
19. Section 6
20. Panch Parmeshwar is the title of the story of the famous novelist Premchand. It means in short the dispute in the village is to be decided by the Panchs as if the God or Parmeshwar is deliberating a dispute very impartially, Section 6 A
21. Section 6 B
22. Ibid Section 6C
23. Section 7 K
24. Section 7 G
25. Section 7 H
26. Section 7 I
27. Section 7 J
28. Section 7 K
29. Section 7 L

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