

PANCHAYATI RAJ AND RURAL DEVELOPMENT IN INDIA

Chetan Sharma

ABSTRACT

The socio-economic transformation in rural India. Effective and meaningful functioning of these bodies would depend on active involvement, contribution and participation of its citizens both male and female. Gandhiji's dream of every village being a republic and Panchayats having powers has been translated into reality with the introduction of the three-tier Panchayati Raj system to enlist people's participation in rural reconstruction. Balwant Rai Mehta committee in 1957 was set up to examine self-governing institutions at village level. In 1958, Panchayati Raj was suggested in the Committee's report. With the ratification of the Constitution (73rd Amendment) Act 1992 and the Constitution (74th Amendment) Act 1992, local self government both rural and urban have been given constitutional identification in our country and it is the third layer of government, the first two being the Central and the State government. April 24, 1993 is a landmark day in the history of Panchayati Raj in India as on this day the Constitution (73rd Amendment) Act, 1992 came into force to provide constitutional status to the Panchayati Raj institutions.

Keywords: Panchayati Raj, Human Resource Development, Organic farming, Gram Sabha.

INTRODUCTION

During the days of Aryans, Indian villages had a unique institution called Panchayats, very powerful, well accepted and almost independent institutions. After the independence, all possible measures were taken to revive the Panchayati Raj Institutions in order to involve the rural people not only in their own development but also in the development of the nation as a whole. Gandhiji was of the opinion that for actual development of the country, every village has to be self reliant and capable of managing its affairs. According to him, Gram Panchayats should be entrusted even with the dispensation of justice. The poor villagers need not go into the courts, spend hard earned money and waste weeks and months in towns for litigation. Although this was not practicable in 1947, the Constituent Assembly saw merit in Gandhiji's argument of democratic decentralized governance and included Panchayati Raj under the Directive Principles of State Policy. According Article 40, Directive Principles of State policy of our Constitution states, "The State shall take steps to organize village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of Local Self- Government." To give effect to this Directive Principle, the Parliament passed The Constitution (73rd Amendment) Act, 1992 which established a Panchayat Raj system in rural areas and The Constitution (74th Amendment) Act, 1992 to establish Municipalities system in urban areas.

THREE TIER STRUCTURE OF PANCHAYATI RAJ

It is a three - tier system of rural self government as given below :

Gram Panchayat

Gram Panchayat are local governments at the stage of villages and small towns. In reality the Gram Panchayat is the base of the Panchayati system in India. A Gram Panchayat is shaped in a village which has a population of 300 or more or else two or more villages are clubbed together. Sarpanch heads a Gram Panchayat.

The functions of Gram Panchayat includes

- Providing sufficient water supply.
- Maintenance of village roads.
- Making the arrangement of lights on village roads.
- Public health, hygiene and sanitation.
- Development of agricultural activities, etc.

Panchayat Samiti

Every district is separated into a number of Blocks consisting of some neighbouring villages. For each Block, there shall be one Panchayat Samiti of which the Block Development Officer (BOD) will take steps as ex-officio Executive Officer.

Zilla Parishad

Zilla Parishad looks after the administration of rural areas in a district. The officer of the Zilla Parishad is positioned in the district headquarters. The main function of this governing body revolves around providing the crucial facilities to the rural people and to commence the developing programmes in the village.

SALIENT FEATURES OF THE PANCHAYATI RAJ SYSTEM

- To provide 3-tier system of Panchayati Raj for all States.
- To hold Panchayat elections regularly every 5 years.
- To provide reservation of seats for Scheduled Castes, Scheduled Tribes and women (not less than 33%).
- To appoint State Finance Commission to make recommendations with regard to the financial powers of the Panchayats.
- To constitute District Planning Committee to prepare draft development plan for the district as a whole.

POWERS AND RESPONSIBILITIES

According to the Constitution, Panchayats shall be given powers and authority to function as institutions of self-government. The following powers and responsibilities are to be delegated to Panchayats at the appropriate level.

- Preparation of plan for economic development and social justice.
- Implementation of schemes for economic development and social justice in relation to 29 subjects given in Eleventh Schedule of the Constitution.
- To levy and collect appropriate taxes, duties, tolls and fees.

HISTORICAL BACKGROUND OF PANCHAYATI RAJ SYSTEM

Panchayati Raj has been considered as very old innovation. The village community in India used to utilize Panchayati Raj Institutions for the resolution of social conflicts. Religious and such social institutions had played a very significant role in the social dynamics in the ancient times. Unfortunately, with the advent of foreign domination, these institutions lost their significance and their social relevance declined considerably. After the advent of independence, national leadership, especially Mahatma Gmdhi and Pandit Jawaharlal Nehru lauded their importance and put great stress on the revival of Panchayati Raj Institutions (PRIs) and designated these institutions as almost important for the social, economic and political development of the nation.

Panchayati Raj Institutions in Ancient India

The village communities with communal functions and ownership have been the most common forms of early human society. The village has always remained the most important unit of our social and economic life in the history of India. It has naturally constituted the primary territorial unit of administration ever since very ancient times. Manu distinguishes among three kinds of settlements village (Gram), town (Pura) and city (Nagara). But even according to him, the village was a fundamental unit of administration.¹

Panchayati Raj in Aryan Era

The remarkable thing in this regard was that the political life flourished well before the establishment of the state. It was not the outcome of king's sovereignty, rather the states originated among the people already accustomed to political life. The nature of these bodies was different in ancient Indian republics. The institutions were known as Gana. These assemblies were popular in the sense that the governing power vested in a group of people but there was no electoral role giving a list of qualified voters; nor were there any periodical elections held. Gana was the assembly or Parliament and Ganarajya,

¹ S.V. Samant, Village Panchayat, Bombay: Local Self Government Institute, p. 1.

consequently, denoted government by Assembly Parliament.²

Buddhist and Jain Period

The villages were classified according to the size and mode of habitation. The villages during Buddhist and Jain period were self-sufficient and self-reliant. The pastures and the forests were collectively owned and managed, while the agricultural land was parcelled into individual holdings. The villagers were free to participate in the decision making process and various other local programmes. The village headman was frequently consulted in local affairs, but he could not violate the public opinion. No one liked to go to the king for doing up paid work (begar), because 'begar' was criticized as a mental task.

Panchayati Raj Institution in Mauryan Era During the Mauryan empire, India was united under a strong central government. However, Chandragupta was not a despot but a constitutional Monarch bound by the common law of Aryavarta. His great Minister Kautilya in his famous Arthashastra, gives an elaborate classification of villages for revenue, economy and defense purpose and makes a mention of Gramika or the village headman. Villages were classified according to population and administration during this period was closely linked with agriculture.³

REVIEW OF LITERATURE

Iqbal Narayan (1970 P.53) and et.al. have pointed out that “however the administrative control and supervision is essentially negative in nature and restrictive in scope and its main purpose is to prevent Panchayat Raj Institutions from taking decisions or actions which violate, contravene or transgress the statutory provisions defining their powers and functions”. This study argues effectively that a system of unified local organization would result in (a) elimination of real lack of Organisation in our strategies for development; (b) more dynamically conceived PRI's; (c) making democratic decentralization and people's participation in planning process more meaningful; (d) solving the problem of rural urban dichotomy; (e) taking the fruits of socio-economic progress to the neglected majority of our poor groups and subgroups in rural and urban areas; (f) promoting an orderly growth of human habitat in rural and urban areas; and (g) creating better and efficient information system for planning.

Joel Bhoose (2003) has rightly observed that “Development is no longer a favour or a privilege to the people. They cannot be treated as mute observers or passive input receivers as they are powerless and

² A. S. Altekar, op. cit, p. 26.

³ Jataka, 1/119, 1343, Ibid., p. 9.

unendowed. They are supposed to be the prime movers of development at any given point of time". (Ibid, PP. 133).

According to **Joel Bhoose (2003;145)** people's participation intends to achieve multiple objectives of social development. It might assure many vital forms Therefore, according to Joel Bhoose participation has an aim or an objective; this is followed by adoption of action or strategy. So participation includes the organization efforts to increase control over resources. Peter Oakley? has interpreted participation as collaboration, a process of inclusive growth for the poor and collaboration, a process of inclusive growth for the poor and ordinary people; it is also viewed as an organization and peoples empowering process.

Manuela Ferro and et.al., (2004: 174-75) have observed that: "Decentralization is one means to improve government accountability, particularly in geographically or demographically large nations, such as India it may be easier for poor people to voice their opinions at the local level, and greater responsibility at the local level can allow local governments to design public policies according to the particular preferences and needs of the local population empirically, it is difficult to draw a precise conclusion on the impact of decentralization in India. Most observers probably would agree that the increasing role of the states in Indian has had a beneficial impact along these lines, and it seems to be an inevitable part of the process of reducing central government controls on economic and political life more generally.

Reservations for Women

73rd Amendment of the Constitution in the year 1992 reserved 33% seats for women in Panchayats. This provision is a major move towards strengthening the position of rural women. The introduction of women in sizable numbers into the new Panchayat could bring significant changes in the functioning of these grass-root level institutions. Involvement of women in the Panchayati Raj Institutions is expect to bring qualitative change in the matters relating to health, nutrition, children welfare, family care, drinking water etc.

Reservations for SC/ST

Dec. 24, 1996, the Panchayat network has been extended to the tribal areas of the country. The provisions of the Panchayats (extension to the schedule areas) Act 1996, extends Panchayats to the tribal areas of Andhra Pradesh, Chhatisgarh, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Madhya Pradesh, Orissa and Rajasthan. The reservation for SC/ST is another significant aspect for development of disadvantaged group in the rural areas.

SIGNIFICANCE OF PANCHAYATI RAJ SYSTEM

Human Resource Development

Panchayati Raj Institution ensures development of human resources by providing opportunities like education, training, basic health services necessary for growth and development to weak and under privileged. It also ensures that all the sections of the society particularly weaker section including women and girl child gets adequate opportunity for developing human resource potential. Panchayat can play a major role in development of human resource for weaker section by disseminating information on special development programmes for them. Voluntary groups and local agencies should be encouraged by PRIs in effective implementation of human resource development programmes.

Social Mobilization

Panchayati Raj system has provided avenues for facilitating people's participation at the grass-root level in the following ways:

- a. Gram Sabha will provide an open forum for discussion on various village level development activities thereby ensuring peoples' participation.
- b. Representation of weaker sections in the decision making process.
- c. Empowering rural women through an induction of 1/3 reservation in the Panchayati Raj bodies.

Role of Gram Sabha

According to Article 234 B of the Constitution, Gram Sabha means a body consisting of persons registered in the electoral rolls of a village within the area of Gram Panchayat- As per Article 243 A, a Gram Sabha may exercise such powers and perform such functions at the village, as the legislature of a State, according to the law. Accordingly all villagers over 18 years of age, have an inherent right to determine their own destiny. This is the forum where even a poor villager can make his presence felt. Gram Sabha plays very important role in functioning of the Gram Panchayats in ensuring transparency in the working and equitable distribution of benefits in creation of community assets and bringing about social involvement in the developmental process.

Implementation of Different schemes

Through Gram Panchayats, activities in MGNREGS are handed out and auditing of work is done. MGNREGS has brought a sigh of relief for rural populace. As rural distress was brewing due to unemployment. MGNREGS has become a cog in the wheel of growth and development. Gram Sabha as a pivotal body is involved for building infrastructure and providing employment to people in rural areas. Many State and Central Government schemes have been implemented at the grass root level by these bodies. Schemes of rural housing (Pradhan Mantri Awas Yojana, Gramin), Rural electrification schemes (Gramin Vidyut Abhiyantas), Health and sanitation (ICDS and Swachh Bharat Mission), Physical infrastructure (Pradhan Mantri Gram Sadak Yojana) etc have made conspicuous difference in rural areas.

Agricultural Reforms

In the field of agriculture, these bodies have contributed enormously. Awareness about organic farming, soil health card scheme has been implemented with the help of Gram Sabha. Similarly, many infrastructure projects, animal husbandry activities, fisheries etc have been carried out by these bodies. Cooperatives like AMUL were conceived at these levels. Therefore, pooling of resources and efforts have been their hallmark. Similarly, concepts of social forestry, agro-forestry has been encouraged by panchayats.

Growth of Small Scale Industry

Panchayats have mandate to make plans and implement them in areas of small scale industries, food processing industries, khadi and cottage industries. These industries require proper planning and financing. With coordination among Central, State and Panchayat level bodies it will help in realising the full potential.

JUDICIAL TRENDS

Smt.Karnail Kaur Vs Smt.Balbir Kaur On 8 December, 2008

The following substantial questions are involved in this appeal:

- (i) Whether in case of equality of votes or a tie in the election of Sarpanch or Panch under the Haryana Panchayati Raj Act, 1994 and Haryana Panchayati Raj Election Rules, 1994, Returning officer should proceed to decide by lots or by toss of a coin.
- (ii) Whether in the absence of any provision under the Haryana Panchayati Raj Election Rules, 1994, Returning Officer (Panchayat) has the jurisdiction to decide by toss of the coin between the candidates whose votes are equal.

Javed & Ors Vs State Of Haryana & Ors On 30 July, 2003

Leave granted in all the Special Leave Petitions. In this batch of writ petitions and appeals the core issue is the vires of the provisions of Section 175(1)(q) and 177(1) of the **Haryana Panchayati Raj Act, 1994 (Act No.11 of 1994)** (hereinafter referred to as the **Act**, for short). The relevant provisions are extracted and reproduced hereunder:-No person shall be a Sarpanch or a Panch of a Gram Panchayat or a member of a Panchayat Samiti or Zila Parishad or continue as such who –

. Family Welfare.

Women and child development.

In pursuance to the powers given to the State Legislature to enact laws the **Haryana** Legislature enacted the **Haryana Panchayati Raj Act, 1994 (Haryana Act No.11 of 1994)**.

CONCLUSION

Thus, the Panchayat System in India assumes a very significant role. This system is quite rational practicable and in perfect harmony with the spirit of democracy and should be further strengthened and encouraged. It should be made economically viable and self-sufficient by providing adequate resources, funds and generous grants. The reservation of seats for women, Scheduled Castes and Tribes in Panchayats is a welcome step, for it would make the institution of Panchayat more democratic, representative and balanced. The Panchayat elections are conducted and supervised by the Election Commission to ensure free and fair elections. All these measures ensure a bright and long lasting future of Panchayat System in India.

In India, elimination of poverty has always been on the national policy agenda since the beginning of the planning era and shall continue to do so in future. The Panchayati Raj institutions are considered as local self-government meant for providing basic infrastructure facilities, empowering weaker sections of the society and initiate the development process at the grass-roots level of rural India, where the sole of India lives. The need for decentralization was realized long back but the recent effort to give constitutional back-up to rural local governments is significant. With the passage of 73rd Amendment Act, in 1992, people's participation in the process of planning, decision-making, implementation and delivery system in rural India has been recognized. As per the 29 items of the Eleventh Schedule of the Constitution, three functions i.e functions, functionaries and funds have to be devolved on the Panchayati Raj Institutions for planning and implementation of schemes pertaining to a particular sector. Panchayat elections have been regularly held in all the States and Union Territories except Jharkhand, reservations have been provided to the women, Schedule Castes, Schedule Tribes and the Other Backward Classes (in some of the states) in proportion to their share of the population in each panchayat area.

II. REFERENCES

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