



LOCAL AREA GOVERNANCE THROUGH PANCHAYATI RAJ SYSTEM IN INDIA: A HISTORICAL ANALYSIS

Abstract

The momentousness of the Panchayati Raj system in India can be comprehended from its inception per se. Infused as a system of five members working as a judicial body, the system today is a completely modified one. Panchayati Raj system in India is a system of local area governance. The concept of Federalism as accepted throughout the globe is given more power in India through this concept. Panchayati Raj system is often termed as the 'grassroots democracy', and fulfils the idea of Democracy at the doorstep of every individual. The following work is a result of an extensive study of the Panchayati Raj system in India with the intention to explore the system in depth and form suggestions to strengthen this system of local area governance.

Keywords

Panchayati Raj, Grassroots Democracy, Democratic Decentralization, Gram Sabha, Gram Panchayat, Local self Government, Nyaya Panchayats.

Introduction

There is still truth in the saying that India lives in her villages. Therefore, in the Indian context true democracy that can sustain itself and function effectively is democracy at the village level itself. This is because village communities have been the basic units wherein individual's happiness, freedom and independence were realised since ancient times.¹

Village is the fundamental, the indestructible unit of the Indian social system, which has survived the overthrow of dynasties and the fall of empires. Our village organisations carry the mind back to the dawn of

¹ Historical development of Panchayati Raj and Gram Sabha in India:

http://www.shodhganga.inflibnet.ac.in/bitstream/10603/354/11/09_chapter2.pdf (visited on June 9, 2016).

human civilisation and the early beginning of the local self- government. They are dead now, but the instinct is there, deep down in the national consciousness, and under the fostering care of a wise and beneficial government, such as we may now have it may be revived into a living flame. Our system of local self government has been built up from the top. That, perhaps, was inevitable under the circumstances. But time has now come when it should be strengthened from below and the foundations lay well and deep (Bhanumati v. State of U.P).²

The Concept

Panchayat, also spelled Panchayet, or Panchayet is the most important adjudicating and licensing agency in the self government of an Indian caste. These are of two types, permanent and impermanent. Literally a Panchayat consists of five members, but usually there are more; the Panchayat has a policy committee, however, often numbering five.³

In the structure of the Panchayat Raj, the village Panchayat is the lowest unit. There is a Panchayat for each village or a group of villages in case the population of these villages happen to be too small. The Panchayat chiefly consists of representatives elected by the people of the village.⁴

Panchayati Raj is a system of governance in which Gram Panchayats are the basic units of administration. Mahatma Gandhi advocated Panchayati Raj, a decentralised form of government. It is the oldest system of local self government in the Indian sub continent. This system was adopted by State governments during the 1950s and 60s as laws were passed to establish Panchayats in various States. It also found backing in the Indian Constitution with the 73rd Amendment in 1992 to accommodate the idea. Currently, the Panchayati Raj system exists in all the States except Nagaland, Meghalaya and Mizoram and in all Union Territories except Delhi.⁵

The word Panchayat is derived from the word “Pancha Panchasvanusthitah”, has references in to the existence of Gram Sanghas or rural communities. The institution of Panchayati Raj is as old as Indian civilisation itself. It was in existence since ancient periods, having an effective control over civil and judicial matters in the village community. The Rigveda, Manusamhita, Dharmashastras, Upnishads, Jatakas and others, refer extensively to local administration, i.e. the Panchayat system of administration. In the Manusmriti and Shanti-parva of Mahabharata, there are many references to the existence of Gram Sanghas or village councils.⁶

In State of U.P. v Pradhan Sangh Kshetra Samiti, the Supreme Court held that, Panchayat has been defined as an institution of self-government. No guidelines for organising village Panchayats are given. Hence, all that is required is that village Panchayats, however organised, have to be equipped with such powers and authority

² AIR 2010 SC 3804.

³ <http://www.britannica.com/EBchecked/topic/440944/panchayat> (visited on June 30, 2016).

⁴ Puja Mandal, “The three tier system of Panchayati Raj in India”: <http://www.yourarticlelibrary.com> (visited on June 30, 2016).

⁵ Lakhimi Dutta, “The three tier system of governance in rural India”: <http://www.civildatas.com> (visited on June 30, 2016).

⁶ “Panchayati Raj in pre-British period”: <http://www.shodhganga.inflibnet.ac.in> (visited on June 30, 2016).

as may be necessary to enable them to function as units of self-government. While organising a village Panchayat, what is necessary to be kept in mind is⁷:

- a) That they are to be self-governing at lowest end of the democratic polity.
- b) That being self-governing units, those who are governed by the said units and for whose benefit they are going to operate will have either a direct or an elective indirect representation in them.
- c) That they have an effective say in the conduct of their affairs including its plans, policies and programmes and their execution; and
- d) That thus they will not have only a sense and satisfaction of participation but also an experience in the governance of their own affairs.

The Panchayat Raj system comprises of three constituents often called the three tiers of the system i.e.⁸:

- a) Village level:

Village is the basic unit of Panchayati Raj institutions. It is generally a revenue unit. The unit of local government here is called village Panchayat. In the structure of Panchayati Raj, the village Panchayat is the lowest unit.

- b) Block level:

Block or Union is the second or intermediate level of local self government in rural India. It has been named differently in different states. In Andhra Pradesh it is known as Mandal Parishad, in Assam it is known as Anchalik Panchayat, in Bihar, Jharkhand, Haryana, Himachal Pradesh, Tripura, West Bengal, Maharashtra, Orissa, Punjab and Rajasthan it is known as Panchayati Samiti and so on.

- c) District level:

Except in the state of Jammu and Kashmir, the District/Zila Panchayat constitutes the apex body of the three-tier structure of the Panchayati Raj system. The Panchayat at the district level is called Zila parishad in most of the states.

Historical background of Panchayat Raj:

The administration in the villages by the local people has its origin in the period 236 B.C – 324 B.C when size of villages varied from 100 to 500 families and their boundaries were demarcated on the basis of natural resources like rivers, lakes, ponds etc. In that era the village administration staff comprised of Headman (Adhyaksha), accountant (Samakhaya), other officials (Sthanikas), medical officer (Chikitsaka) etc. with the objective of serving the whole community. But this village assembly lost its powers and utility in the regime of Mauryan emperors because of their focus on centralized administration. However for resolution of conflicts and other matter of disputes, the village assembly comprised of elder people of village. These village assemblies or Panchayats were also active in the era of Harshavardhan in 16th century. The system was in existence at the time of Gupta emperors with some changes in jargon. The villages were administered by Grampati assisted by village assemblies. Further, these village assemblies were fully competent in

⁷ AIR 1995 SC 1512.

⁸ Supra5.

acquisition and sale of land, utilization of common land for revenue generation and other purposes. The era of Mughals had despotism to great extent and the will of King (Sultan) was the law; as a result local self-governing institutions became deprived. Their roles were confined towards managing their own local affairs. With the arrival of Muslims after conquering Sindh & Multan in 712 A.D, the situation of village assemblies became pathetic and their independence began to diminish. The Mughal emperors were keenly interested in revenue generation by various ways and therefore they encouraged Indian as well as foreign investors for establishment and span of their businesses. With the advent and span of East India Company of England in India, the British Raj was established. In the British era, the village Panchayats were revived and again got full respect from the government. The British government had introduced the system of Zamindari for enhancing their access to each village and land revenue to be levied in terms of cash instead of food grains. The village assemblies or Panchayats had become a medium of levying taxes. It is hence evident that concept of local government is not novel and it has its origin in ancient India.⁹

Growth of Panchayati Raj system after Independence

At the time of framing of India's Constitution, the talk of the constituent assembly was to draft a constitution that would serve the ultimate goal of social revolution and of national renaissance. Assembly members searched for the nation's rich heritage to find indigenous institutions capable of meeting these needs that would result most likely in basing the Constitution on the village and its Panchayat and erecting upon them a super structure of indirect decentralised government in the Gandhian manner. According to Gandhi:- "The government of the village will be conducted by the Panchayat of five elected persons annually elected by the villagers, male and female, possessing minimum prescribed qualifications; these will have all authority and jurisdiction required. Any village can become such a republic today without much interference". However, there was no mention of village Panchayat in the draft Constitution prepared by the Drafting Committee headed by Dr. Ambedkar.¹⁰

In the Draft Constitution "organisation of village Panchayats" did not find a place. The subject was brought up much later, before the Constituent Assembly through the initiation of Dr. Rajendra Prasad himself, the Chairman of the Constituent Assembly and an ardent Gandhian, who wrote to the adviser sir B.N. Rau that the structure of the Constitution should begin from the foundation and then go up. Others also suggested that instead of copying western models, the Constitution should have been drafted on the ancient Hindu model of a State, and built upon village Panchayat.¹¹

Dr. B.R. Ambedkar, however, remarked: "it is said that the new Constitution should be drafted on ancient Hindu model of a State and that instead of incorporating western theories the new Constitution should have been raised and built upon village Panchayats and District Panchayats. There are others who have taken a

⁹ Puneet Kumar, Dharminder Kumar, "ICT in local self governance: A study of rural India", International journal of computer applications (vol. 83-no 6, December 2013).

¹⁰ Dr. Raghuvinder Singh, "Decentralisation of economic powers under Panchayati Raj institution in the State of Himachal Pradesh" vol.4 Chotanagpur Law Journal, (Chotanagpur Law College, Ranchi, Jharkhand).

¹¹ Dr. Durga Das Basu, *Commentary on the Constitution of India 4102* (vol. 3, 8th edn.).

more extreme view. They do not want any central or provincial governments. They just want India to contain so many village governments. The love of the intellectual Indians for the village community is of course infinite if not pathetic. It is largely due to the fulsome praise bestowed upon it by Metcalfe who described them as little republics having nearly everything that they want within themselves, and almost independent of any foreign relations. The existence of these village communities each one forming a separate little State in itself has according to Metcalfe contributed more than any other cause to the preservation of the people of India, through all the revolution and changes which they have suffered, and is in a high degree conducive to their happiness and to the enjoyment of a great portion of the freedom and independence. No doubt the village communities have lasted where nothing else lasts. But those who take pride in village communities do not care to consider what little part they have played in the affairs and destiny of the country; and why? Their part in the destiny of the country has been well described by Metcalfe himself who says: “Dynasty after dynasty tumbles down. Revolution succeeds to revolution. Hindu, Pathan, Mogul, Maratha, Sikh, English are all masters in turn but the village communities remain the same. In times of trouble they arm and fortify themselves. A hostile army passes through the country. The village communities collect their little cattle within their walls, and let the enemies pass unprovoked”. Such is the part the village communities have played in the history of their country. Knowing this, what pride can one feel in them? That they have survived through all vicissitudes may be a fact. But mere survival has no value. The question is on what plane they have survived? I hold that these village republics have been the ruination of India. I am therefore surprised that those who condemn provincialism and communalism should come forward as champions of the village. What is the village but a sink of localism, a den of ignorance, narrow mindedness and communalism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit.”¹²

Dr. Ambedkar met stiff oppositions from all sections of the Constituent Assembly. He ultimately gave in and accepted the amendment which finally took shape of Article 40 of the Constitution. Political autonomy and economic independence were both advocated for the village Panchayats. The amendments which incorporated the idea of “self-sufficiency”, etc. were dropped and the language of the Article was kept flexible providing for latitude to the states to determine the nature of powers, its areas and functions, etc. as they thought appropriate.¹³

Article 40 of The Constitution of India:

Article 40 directs the State to take steps to organise village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government. The object of this provision is to introduce democracy at the grass roots.¹⁴

¹²Vol. VII, CAD 38-39.

¹³ “Evolution of local self-government (Panchayat raj institutions)”: <http://www.finance.mp.gov.in/rlb4e.pdf>. (visited on June 21, 2016).

¹⁴ Dr. J.N. Pandey, *The Constitutional Law of India 421* (Central Law Agency, 49th edn.).

Article 40 does not give guidelines for organising village Panchayats. All that is required is that the village Panchayats howsoever organised have to be equipped with such powers and authority as may be necessary to enable them to function as units of self-government. There is, however, no doubt that when the Article speaks of village Panchayats as units of self-government, it has in view the organisation of the lowest level units of self governance in the hierarchy of self-governing, democratic, policy making and administrative units. This being so, while organising the village Panchayats, what is necessary to be kept in mind is, (a) that they are to be the self-governing units at the lowest end of the democratic polity, (b) that being self-governing units, those who are governed by the said units and have either an indirect or an elective indirect representation in them, (c) that they will have an effective say in the conduct of their affairs including its plans, policies and programmes and their execution and, (d) thus they will have not only a sense and satisfaction of participation but also an experience in the governance of their own affairs (State of U.P v Pradhan Sangh Kshetra Samiti).¹⁵

The Constitution 73rd Amendment Act, 1992:

First concrete measure to give constitutional sanction to Panchayati Raj Institutions was taken by Rajiv Gandhi's Government by introducing the 64th Constitutional Amendment Bill on local government in 1989. But it was defeated with a small margin in Rajya Sabha. But Narasimha Rao' government has been successful in enacting the Constitution Amendment Act, 1992, which includes various provisions for strengthening Panchayat at all levels. The former Prime Minister Rajiv Gandhi said, "It (Panchayati Raj Act) is a revolution that will bring democracy to the doorsteps of crores of Indians. It is a revolution that will bring development to lakhs of our villages. It is a revolution that will open doors of opportunity to millions of Scheduled Castes and Scheduled Tribes and half the population of our Country, the women of India".¹⁶

The governments in the evolutionary societies face the dilemma of maintaining its old institutions as well as effecting changes in them. With political compulsions requiring changes in such institutions, the method resorted to usually is the strengthening of the legal mechanism. This is what the 73rd amendment to the Constitution appears to have done by inserting part IX containing Articles 243 - 243-O and adding Article 280(bb) and eleventh schedule, seeking to give a new lease of life to Panchayats, by giving them Constitutional status.¹⁷

What was in a nebulous state as one of the Directive Principles under Article 40, through 73rd Constitutional amendment, metamorphosed to a distinct part of Constitutional dispensation with detailed provision for functioning of Panchayat. The main purpose behind this is to ensure democratic decentralisation on the Gandhian principle of participatory democracy so that the Panchayat may become viable and responsive people's bodies as an institution of governance and thus it may acquire the necessary status and function

¹⁵ AIR 1995 SC 1512.

¹⁶ Supra 1.

¹⁷ Vinay Kumar, "The constitutional status of Panchayats- old wine in a new bottle" Journ.Vol. AIR 1996.

with dignity by inspiring respect of common man. This 73rd amendment of the Constitution was introduced for strengthening the perambular vision of democratic republicanism which is inherent in the Constitutional framework (*Bhanumati v State of U.P.*).¹⁸

The major features of the Constitution (Seventy - third Amendment) Act are as follows:¹⁹

1. In all states there shall be a Gram Sabha in each village to which the Panchayat will be accountable. The power and functions shall be assigned by a law passed by the state legislature.
2. All states will have a three-tier Panchayati-Raj system- Panchayats at the village, intermediate and district levels. The composition and number of members of these bodies will be determined by a law passed by the State legislature.
3. All the members of three levels of Panchayats shall be chosen by direct election. The modality of election of chairperson of Panchayats has been left to the discretion of state governments.
4. Mandatory periodic elections are envisaged every five years and where superseded mid-term, a mid-term election within six months.
5. The government should ensure the appointment of a Finance Commission to review the financial position of Panchayats and make suitable recommendations to the state on distribution of funds between the state and local bodies.
6. One-third seats of the total seats in Panchayati-Raj bodies will be reserved for women and these seats may be allotted by rotation to different constituencies in a Panchayat. Similar reservations have been made in respect of office of Chairpersons too.
7. Panchayati Raj bodies will prepare plans for economic development, social justice and social welfare on subjects enumerated in the Eleventh schedule.

Critical analysis of the grass roots Democracy:

Critics of local government point out that it narrows the outlook of the people. Instead of thinking in terms of the country as a whole, the people start thinking in terms of local interests. The parochial attitude is not good for the country as a whole. Regionalism, if taken in extremes, is bound to harm the national interests. Local patriotism is a thing to be condemned if it is not linked up with patriotism for the country. It is also pointed out that the devolution of authority to local bodies multiplies the staff to be employed and that is responsible for a lot of waste and extravagance. The officers of the local bodies locally selected, locally directed and locally controlled and much cannot be expected from them. They do not possess the high standards of efficiency which their work demands. They manage to go on by influencing and humouring the local bosses and joining hands with the unscrupulous politicians. Very often, the local bodies are the centres

¹⁸ Sopra 2.

¹⁹Dr. B.L. Fadia and Dr. Kuldeep Fadia, *Indian Government and Politics 577 (Sahitya Bhawan, 12th edn.)*.

of corruption and inefficiency. Group rivalries always stand in the way of efficient working of the local bodies.²⁰

Despite the positives like enactment of State Panchayati Raj Acts, Setting up of State Election Commission and State Finance Commissions, and holding of regular Panchayat elections providing reservation for SCs/STs/Women in Panchayats, the results of implementation of the Constitution (73rd Amendment) Act, 1992 at the ground level have fallen far short of expectations. Stating specifically:

1. Although the political decentralization can be clearly seen in the regular Panchayat elections with good participation of people, the administrative and fiscal decentralization have remained rather limited. The State Governments have failed to give up their control on matters of local administration and finance.
2. Panchayats have not been granted enough powers for revenue generation. As a result, they only have limited functional autonomy.
3. Recommendations of State Finance Commissions (SFCs) are generally not taken seriously.
4. Powers given to the State Election Commissions also vary from State to State. They should have been given powers to deal with all matter relating to Panchayat elections namely, delimitation of constituencies, rotation of reserved seats in Panchayats, finalization of electoral rolls, etc.
5. Gram Sabhas have not been empowered and strengthened to ensure greater people's participation and transparency in functioning of Panchayats as envisaged in the Panchayat Act.²¹

Conclusion:

The 73rd Constitutional Amendment Act is a landmark in the Constitutional history of India. This paves the way for the creation of a participatory government at the village level to usher in growth and development. This is a system that has the capacity to transform the personality of an individual prone to bring peace and prosperity. The success and failure of any system depends on how it is being perceived and understood by the users. Hence the success of the new system purely depends on how best the people join themselves together to nurture this system and how much of meticulous people care take to maintain this system. It is for the first time that an honest attempt has been made to decentralise political powers after the introduction of the 73rd Constitution Amendment Act, 1992 and thereby eliciting people's participation for a meaningful decentralised planning at the village, block and district levels. Economists and rural development experts say that planning at the grass root level involving well informed village leaders and experts alone can solve the pressing problems in the rural areas especially in a huge Democratic country like India. As a result of macro planning, today we are facing the adverse effects of big industries and mechanised farming. This is therefore an opportune time to start planning and implementing programs from the village level.²²

²⁰ Dr. V.D Mahajan, *Political Theory (Principles of Political Science)* 92 (S. Chand and co. 5th edn.).

²¹ "Panchayat Raj system in India": <http://socialissuesindia.wordprocess.com/2012/09/06>. (Visited on June 16, 2016).

²² Dr. Raghuvinder Singh "Decentralisation of economic powers under Panchayati Raj institutions in the State of Himachal Pradesh" Vol. 4 Chotanagpur Law Journal (Chotanagpur Law College, Namkun, Ranchi).

The spirit of democratic decentralisation as evolved over the years could be practiced only in a limited way. The 73rd Constitution Amendment was a logical step towards integration of the concept of people's participation and taking democracy closest to the people. Democratic decentralisation was accepted as key to the planning process in the country. Rural development programmes started in the ninth plan have reckoned with this reality and have made mandatory provisions that the rural local and participatory bodies should play the key role in planning, implementation and beneficiary selection. It may also be noted that the nineties witnessed a general trend in favour of greater decentralisation all over the world. The Constitution (73rd Amendment Act) 1992 provided a constitutional status to the Panchayati Raj Institutions and ensured their durability, continuity. In consonance with the objective of realisation of social justice, it has also provided reservation for women and weaker sections. The Act provided for a statutory Gram Sabha. These measures will herald a new beginning in the history of decentralisation in the country.²³

It is not enough to build up a case for revival of Panchayati Raj. One must also talk about prerequisites of the revival so that Panchayat Raj may not undergo another eclipse on the earlier pattern. What one really needs today is another Nehru who could say with a sense of pride as he did while inaugurating PR in Rajasthan in 1959: "We are going to lay the foundation of democracy or Panchayati Raj in our country."²⁴

Suggestions:

Panchayati Raj system is a great idea in making the Nation rise, and yet time requires certain enhancements in it. The dream of Mahatma Gandhi ultimately seemed to turn to reality with the 73rd Amendment Act. And yet, that dream is half done. Gandhiji envisaged local autonomy to ensure his 'Sarvodaya' and 'Ram Rajya'. Part IX no doubt gave to the people an autonomous system, but it did not stand to the expectations.

1. It is well-established that democracy runs through three wings, i.e. the Legislature, the Executive and the Judiciary. Democracy at the grass roots is the best way a nation can grow. But a Democratic setup without a judiciary cannot be imagined. Part IX remains silent about any sort of judicial establishment for the local bodies. As a result, the decision is left at the sake of the States. Gram Nyayalayas were established in many States but they don't seem to exist even. The reason being their existence at the mercy of the States. The success story of the higher Judiciary is out of their regulation by the Constitution. Whereas, the pitiable condition of the district courts even, is quite evident in various States. Leave aside the Gram Nyayalayas. Time has hence arrived that new dimensions be given to these courts and provisions for them should be enshrined in the Constitution as a mandate. The Judiciary of the country is often quoted to be overburdened. Whereas, it is to be noted that more than half of the pending cases in courts belong to the residents of rural local level. The 114th report of the Law Commission of India was out of the view that increase in the number of judges has not helped the nation to the extent that it was supposed to. Increase in the number of courts and judges in therefore not enough, but effective increase surely is. Strengthening of judiciary

²³ Supra 16.

²⁴ Supra 19 at p. 592.

at lower levels by getting them Constitutional recognition, regulation and mandate is an effective measure and tackles issues at grass roots itself. It is an effective way of maintaining the Independence of Judiciary, stopping malpractices of the sort of illegal possession and misuse of government resources (especially Panchayati land by the so called real estate businessman), and thereby maintaining law and order and ensuring a civilised life. This measure shall also lead to awareness among the local masses as well as generation of employment, which is in National interest. Dr. Ambedkar has been of the view that villages are, but a den of ignorance. The question, however, how should the condition be improved? Is it by ignoring them, or should they be strengthened by effective measures as suggested above?

2. The judges of the Gram Nyayalas should be elected by the State Public Service Commission on the basis of an examination. The eligibility for appearing in the above said examination should be on the basis of experience as a practising advocate at the district court or higher judiciary. It is to be noted that the judges to the District Courts are selected on the basis of merits. The judges so selected are hence sound intellectuals in the field of law and capable to ensure that things go in accordance to the law. However, these intellectuals lack practicability of situations occurring at the Grass roots. As a result, they are dependent upon the maps and reports of the patwaris which are often incorrect. Selecting Judges in Gram Nyayalayas on the basis of experience along with the merit shall ensure a unique combination of intellect and practical knowledge. Legislations of the likes of Arbitration and other ADR techniques shall be revived. Also, the law of equity shall gain importance and hence speedy justice delivery. Disposal at grass roots shall ensure only appeal, review appeal and reference cases at the District Courts and hence the overburdened Judiciary shall not remain so.
3. Panchayats, as they originated, no longer mean the same. The system that started as an adjudicatory body of five persons is dead in time. Panchayati Raj of present is a governmental administrative body. This system, however, seems much like a puppet in the hands of the State government. With the growth in population in villages and reduction in agriculture, village community is changing and can no longer be neglected. It is hence required that provisions for Panchayati Raj system be provided in the Constitution. The present provisions i.e. part IX are only establishing ones, leaving the procedure and conduct in the hands of the State. Such a system no longer stands justified in time. A separate part for the Panchayats (owing not only to substantive nature which is already there, but in fact procedural in nature), is hence required. This shall filter the Legislature, the Executive and the Judiciary from the grass roots to the leaf tip of the democratic tree.
4. Political parties and their programmes and politics directly or indirectly influence the deliberations of the Panchayats. When questions concerning education, agriculture, industry, water supply, road etc. come up before them, what is desirable is that the discussions should be free and frank and not politically biased. Further it is agreed that party politics will destroy unity and the spirit of consensus. Political organisations are necessary for the training of general masses in case of parliamentary and legislative elections, because members are directly elected but, on the contrary, the members of Block Samithi and Zila Parishad are elected indirectly on Panchayat basis. Therefore, interference by

political parties in their working is not called for.²⁵ It is henceforth suggested that political parties be kept out of the framework of the Panchayati Raj system. This can be done only through an expressed provision as to bar the parties from intervening or getting involved in any other way in the Panchayati Raj system. Leaving everything for the court to decide is a curative measure and not a preventive one.

5. Another problem that arises at this level and must be discussed is the irregularity in the meetings of the Panchayat. The issues discussed and evolved in these meetings are of a great importance and deal mainly with eradicating evils of the sort of deforestation, child labour, education, women education, health and medication etc. and yet, little or no interest is shown by the Panchayat members towards them. Moreover, it is to be stated here that most of the Panchayat ghars are seen locked throughout the year. Here my intellect fails to understand as to why is there no mandate and punishment on not following such a mandate. There should be put some sanction behind such sort of activities or else the purpose behind establishment of village Panchayats shall fail.
6. Though a lot has been done and is still under doing for the empowerment of women, it does not seem enough. The condition of women at the grass roots has not yet shown improvements as was expected. The majority of women are still uneducated in the rural areas. Moreover, even the members and Pradhans in some places are mere stamp holders without even knowing the meaning of it. Women members at some places are not in actual members even but only a means of the ambitions of their husbands. While these members sit at home, their husbands go around the area working, work which is in most of the cases, illegal. Incidents of selling of government property through illegal means of course are the most often heard and experienced ones. On inquiry and questioning the pradhans dust off their hands contending to be ignorant of such a situation. Hence, while the husband of the women pradhan becomes a real estate businessman (dealing in government property) the pradhan remains ignorant of the situation. What do we call it? Ignorance of one and wilful disobedience of the other? It is therewith suggested to have educational programs or awareness camps whatsoever for elected representatives of people at the grass roots. In places where such practices are already being availed their effective implementation should be guaranteed through legislative norms of preventive nature.

²⁵ "Conceptual framework of the problem": http://www.shodhganga.inflibnet.ac.in/bitstream/10603/21400/6/06_chapter1.pdf. (Visited on June 24, 2016).