

# Gram Panchayat

## *Participation and Problem in Sadar Block Chapra Saran Bihar*

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**Abstract** –The present paper discuss the level of people participation and there problems in Panchayat activities. The study is done against the background of the Constitution (seventy third amendments), Act 1992 and Bihar Panchayati Raj Act 1993 and 2006 both of which aims to empower the Rural People by the strengthening the Gram Sabha. Gram is heart of Panchayati Raj system. Study is internally based on primary survey conducted in 21 Panchayat of Chapra Sadar Block of the District Saran Bihar India.

**Keywords** – Gram Panchayat, Gram Sabha, Panchayati Raj Institution, Block Development Officer, Self-Government.

### I. INTRODUCTION

The Panchayati Raj is a system of local self-government. The British Government, during its rule, gave the powers of self-government to the Panchayats in the rural sector. Gandhiji wanted to establish Panchayats for the self-sustenance of the rural areas. Initially, no efforts were made for the establishment of the Panchayati Raj. But after the failure of the Community Development Programme, Tt. Nehru felt the need for an agency at the village level. The Panchayati Raj was inaugurated in 1959 but, in the latter half of the 1960s, it went on a decline due to several factors. Panchayati Raj got constitutional recognition in 1992. It was felt that for the sustenance of democracy, democratization at the grass roots is required. The success of Panchayati Raj Institution would largely depend on the political grit and commitment.

**Gram Panchayat, its composition, jurisdiction and role in the Development of Village and its economy.**

**Panchayati Raj** (Rule of Village Committee) system is a three-tier system in the state with elected bodies at the Village, CD Block and District levels. It ensures greater participation of people and more effective implementation of rural development programmes. There will be a Gram Panchayat for a village or group of villages, a CD Block level Panchayat Samiti and Zilla Parishad at the district level. India has a plaid history of Panchayati Raj starting from a self-sufficient and self-governing village communities that survived the rise and fall of empires in the past to the modern institutions of governance at the third tier provided with Constitutional support.

The idea which produced the 73<sup>rd</sup> Amendment was not a response to pressure from the grassroots, but to an increasing recognition that the institutional initiatives of the preceding decade had not delivered, that the extent of rural poverty was still much too large and thus the existing structure of government needed to be reformed. It is interesting to note that this idea solution to the governmental crises that this country was experiencing. The Constitutional (73<sup>rd</sup> Amendment) Act, passed in 1992 by the Narasimha Rao government, came into force on April 24, 1993. It was meant to provide constitutional sanction to establish “democracy at the grassroots level as it is the state level or national level”.

#### **Composition of Gram Panchayat**

- (1) The Gram Panchayat consist of-
  - (a) The Mukhiya elected under the provisions of this Act;
  - (b) Such number of directly elected members as may be notified from time to time by the District Magistrate and each of such members representing as nearly as possible a population of five hundred of the Panchayat Area.
- (2) For the convenience of election, the District Magistrate, in accordance with such rules as prescribed in this behalf by the State Government, divides the area of the Gram Panchayat under the direction, control and supervision of the State Election Commission into territorial constituencies in such manner that the population of each constituency, so far as practicable, be the same throughout the Panchayat area.
- (3) One member is elected from each territorial constituency through direct election in the manner prescribed.
- (4) Every Gram Panchayat is notified in the District Gazette and shall come into office with effect from the date appointed for its first meeting.

Reservation of seats-

(1) In every Gram Panchayat, as nearly as but not exceeding fifty percent of the total seats of members of Gram Panchayat is reserved for

- (a) Scheduled Castes;
- (b) Scheduled Tribes; and
- (c) Backward Classes.

(2) As nearly as but not exceeding fifty percent of the total number of seats reserved under Sub-election (1) is reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and the Backward Classes, as the case may be.

(3) As nearly as but not exceeding fifty percent of the total number of seats not reserved for Scheduled Castes, Scheduled Tribes and Backward Classes shall be reserved for women.

(4) Such total number of seats reserved for women belonging to the Scheduled Castes, the Scheduled Tribes, the Backward Classes and unreserved category may be allotted by rotation by the District Magistrate under the direction, control and supervision of the State Election Commission to different constituencies in a Gram Panchayat in such manner as may be prescribed by it.

## II. OBJECTIVES OF THE STUDY

My paper will find out the following objective with some remedial measures

- To discuss the composition of Gram Panchayat.
- To analyze Jurisdiction of Gram Panchayat.
- To find the existing condition of Gram Panchayat.
- To know people participation through Gram Sabha.
- To suggest remedial measures to solve the problem related to Gram Panchayat.

## III. RESEARCH METHODOLOGY

The study is based on Primary data collected through structured questionnaires and group discussion, which is supported by secondary data collected from the record maintained by various institution of Central, State and Local Self- government such as District Rural Development Agency (DRDA), Block Development Office (BDO), District Census Handbook (DCH), and the Panchayati Raj Institution (PRI) records.

## IV. AREA OF AREA

The District of Saran is situated between 25<sup>0</sup>30' North latitude and 84<sup>0</sup>24' and 85<sup>0</sup>15' N East latitude in the southern part, often newly created Saran Division of north Bihar. The Ganges constitutes the Southern boundary of the district beyond which lie the districts of Bhojpur and Patna. To the north lie the districts of Siwan and Gopalganj. The Gandak forms the dividing line with Vaishali and Muzaffarpur districts in the east. To the west of Saran lies part of Siwan and the state of Uttar Pradesh (UP), the Ghagra constituting a natural boundary between Saran and the state of Uttar Pradesh, the Ghagra constituting a natural boundary between Saran and Ballia (UP) contains three Sub-Divisions viz., Chapra Sadar, Marhaura and Sonepur with headquarters at Chapra, Chapra happens to be the principal town of the district. There are 20 Community Development Blocks.

The historical background of the district as available in the Ain-I-Akbari records Saran as one of the Six Sarkars (Revenue division) constituting the province of Bihar. At the time of grant of diwani to the East India Company in 1765, there were eight Sarkars including Saran and Champaran. These two were later combined to form a single unit named Saran. Saran (along with Champaran) was included in the Patna Division when the commissioners division were set up in 1829. It was separated from Champaran in 1866 when it (Champaran) was constituted into a separate district. Saran was made a part of Tirhut Division, when later was created in 1908. By this time there were three Sub-Division in this district namely Saran, Siwan and Gopalganj. In 1972 each sub-division of the old Saran district became an independent district.

The headquarters of Saran district after separation of Siwan and Gopalganj remained at Chapra. Various hypothesis have been put forward about the origin of the name Saran. General Cunningham suggested that Saran was earlier known as Sarana or asylum which was a name given to a stumpled (Pillar) built by Emperor Ashoka to commemorate the conversion to Buddhism of some legendary demons who ate human flesh. He considered that the site of stupa must be some where near Arrah. Another view holds that the name Saran has been derived from saranga-aranya or the deer forest. The district being famous for its wide expanses of forest and deer in perhistoric time. According to another account worthy of recapitulation, Saran is a derivative of Sakra Aranya, the forest of Sakra which is another name for Indra. This forest is said to have covered the country around Visala at which place king Sumati received Lord Ramchandra when he was proceeding with Vaishwamitra on way from Ayodhya to Mithila. Yet another legend explains the three names Arrah, Saran and Champaran as corrupt forms of old Sanskrit names Aranya, Saranya and Champaranya derived from the thick forests covering these areas.

The district of Saran played a glorious role in the movement in the present century. Prominent persons who took part in the freedom movement were Dr. Rajendra Prasad, Sri Jaiprakash Narayan and others.

Pride of Bihar Babu Braj Kishor Prasad who rendered his valuable support to Mahatma Gandhi in epic struggle in Champaran in 1917 was born at Shrinagar which falls now in Siwan district.

Dr. Rajendra Prasad the first President of Indian Republic was born at Ziradei (now in Siwan district) which before recognition of district was a part of old Saran district. His association with the Congress started as far back as 1906 when he was a volunteer in the annual session of the Indian National Congress at Calcutta (now Kolkata). He was actively associated with Mahatma Gandhi's epic struggle in Champaran. Thereafter, his political stature grew day by day and he played a decisive role in the affairs of this country before and after independence. He was undoubtedly the greatest son of Bihar in the present era. Another important and illustrious leader produced by this district was Sri Jaiprakash Narayan.

The history of the district during the following year is of too recent origin and perhaps needs no recapitulation here. Suffice to say that Saran is among the enlightened and progressive district of the state with a healthy and study people full of initiative and enterprise. Its biggest problem, the heavy pressure of population on land, is reflected in the large number of emigrants mostly males and working as general labours, mill hands, plantation workers, constable, etc, who are often met with in the streets of Calcutta (Kolkata) or in the tea garden of Assam and other distant places.

#### ***Chapra Sadar Block of Saran District***

Chapra Sadar Block is one of the 20 blocks constituting Saran district. The block has total 109 villages under 21 Panchayats. It is situated near the Junction of the River Ganga-River Ghagra. As per census 2011 the block had a population of 2,28,925 (1,20,698 Males and 1,08,227 Females). The sex ratio is 897 Females per 1,000 males. Literacy rate stands at 75.86 percent (males 82.22 percent and females 69.05 percent). This Block consists of 21 Panchayat namely.

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|------------------------|-------------------|-----------------|--------------------|--------------|
| 1. Naini               | 2. Fakuli         | 3. Karinga      | 4. Sadha           | 5. Mouna     |
| 6. Tenua               | 7. Badlu Tola     | 8. Lohari       | 9. Purwi Telpa     | 10. Sherpur  |
| 11. Bishunupura        | 12. Khalpura Bala | 13. Maharajganj | 14. Chirand        | 15. Jalalpur |
| 16. Bhairampur Nijamat | 17. Dumri         | 18. Musepur     | 19. Raipur Bingawa |              |
| 20. Kotwapatti Rampur  | 21. Manjhi        |                 |                    |              |

#### ***Infrastructure-***

School

Primary School- 77, Middle School- 43, Secondary School- 14, Senior Secondary School- 02

Primary Health Centre- 02, Primary Health Sub-centre- 19, Hospital etc.

There are 77 Primary School, 43 Middle School, 14 Secondary School and 2 Senior Secondary School, 02 Primary health Centre, 19 Primary health sub centre in this block.

The power structure is concentrated in the hands of the dominant castes like Rajput and Yadav, and people with political or muscle power. They dominate the activities of the village as well as their own community. These people control the flow of resources and technology coming from outside. The phenomenon of the dominant caste and dominant personalities among all castes is a common feature to all villages in this region.

The women are worst victims. Without any asset base, and several social disabilities they are unable to sustain any economic activity, and have to depend on others for means of livelihood. Consequently, they are exploited, and live at subsistence levels without any saving. Agriculture and its allied sectors and the main sources of Income. The block is well connected with Roads and Rail.

### ***Jurisdiction and Role of Panchayat in the Development of Village and its economy***

As per the Constitution, Panchayats in their respective areas would prepare plans for economic development and social justice and also execute them. To facilities this, states are supposed to devolve functions to Panchayats (29 subjects are mandate) and also make funds available for doing these (as per State Finance Commission's recommendations). The functions of Panchayats are divided among different Committees (as ministries are formed in state and union governments), which are called Standing Committees/Sthayee Samitis/Upa Samitis etc. One of the members remains in charge of each of such committees while the over-all charge rests with the chairperson of the Panchayat. Panchayats are supported by a host of other of officials, the number of which varies from state to state.

Apart from grants received from the government under the recommendation of the Finance Commission, Panchayats receive schematic funds for implementation of several schemes. They can also raise revenue by imposing taxes, fees, penalties etc. as per rule of the state.

Main features of Jurisdiction and role of Panchayats are as follows:

The Gram Shabha or village assembly as a deliberative body to decentralized governance has been envisaged as the foundation the Panchayati Raj System

All the seats in a Panchayat at every level are to be filled by elections from respective territorial constituencies.

An indicative list of 29 items has been given in Eleventh Schedule of the Constitution. Gram Sabha assigns work to the Gram Panchayat and Panchayats are expected to play an effective role in planning and implementation of works related to these 29 items mentioned in the 11<sup>th</sup> schedule of the constitution.

Different Ministries/Departments of the State Govt. have delegated or intended to delegate financial powers to PRIs through various letters and notifications issued on 24/09/2001, 25/09/2001, 02/07/2008 and 21/10/2008.

There are 323 Gram Panchayat spread over the length and breadth of the district.

The Constitution visualizes panchayats as institutions of self-governance. However, giving due consideration to the federal structure of our polity, most of the financial powers and authorities to be endowed on panchayats have been left at the discretion of concerned state legislatures. Consequently, the powers and functions vested in PRIs vary from state to state. These provisions combine representative and direct democracy into a synergy and are expected to result in an extension and deepening of democracy in India. Hence, panchayats have journeyed from an institution within the culture of India to attain constitutional status.

This is one of the biggest democracies in the world where village level democratic structures are functioning for their development.

### ***People's Participation through Gram Sabha***

Only an active involvement of people and community through participation can bring about a sustainable rural transformation. Active peoples' participation is the prerequisite condition for successful implementation in rural development programs. The idea of peoples' active participation in rural development was realized through mandatory provision of Gram Sabha in the Constitution's 73<sup>rd</sup> Amendment Act. The Gram Sabha is an institution giving collective strength to the poor and deprived, who in turn gain self-confidence to stand on their own and regain the spirit of self-reliance and human dignity.

Gram Sabha means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level. In Bihar, every revenue village has been considered as a Gram Sabha. Since a revenue village in Bihar has an average population more than 3,000, it is very difficult to assemble them all at single place and time.

A Gram Sabha may exercise such powers and perform such functions at the village level as the legislature of a state may by law provide. Thus the ball is in the state legislature's court, which for all practical purpose means the state government. The members of Gram Sabha have nothing to do except constituting the Sabha. The state government dominates, and Gram Sabhas faces a perpetual situation of dependency and uncertainty. The Government of Bihar has delegated following powers and functions to Gram Sabha:

#### V. POWER OF GRAM SABHA

5.1 To prepare the annual plan of the Gram Panchayat;

5.2 To pass annual budget of the Panchayat;

5.3 To prepare development reports of the last and next year of the Panchayat; and

5.4 To constitute vigilance committees.

#### VI. FUNCTIONS OF GRAM SABHA

6.1 To help in the implementation of rural development programs in the village.

6.2 To identify beneficiaries of different rural development programs.

6.3 To provide funds for or help in the social welfare programs of the village.

6.4 To help in the education and family welfare programs in the village.

6.5 To demand income and expenditure report under various rural development schemes from Gram Panchayat.

#### VII. PROBLEM OF GRAM SABHA IN THE SELECTED BLOCK

As the Gram Sabha prepares plans and budget, and audits reports, one may argue that it has effective control over the Gram Panchayat, but not necessarily in reality. The legal position is different. The Gram Sabha makes recommendations and suggestions, and the Gram Panchayat given due consideration to its recommendations and suggestions. There is no legal obligation on the Gram Panchayat to accept the recommendations and suggestions of Gram Panchayat. This has created the problem of Mukhia Raj instead of Gram Swaraj. This has made Gram Sabha meaningless.

While attending few meeting of Gram Sabha in surveyed block, it was observed that women participants were silent spectators. Even women members of Panchayat were neglected. It was learnt that the power given to women members is exercised by their male relatives-father, brother, husband or son. Further, the block officials do not entertain them. So they hesitate to visit block headquarters and interact with the officials. Thus, woman empowerment remains a constitutional provision with ground reality being very much different. All attempts to interview a female Panchayat member were either resented or answered by their male relatives. In some cases, the male relative even declined to reveal the name of the women member, who is legally the ward member in the Panchayat. This reveals the story of male dominance in the villages of Bihar, and perhaps much of India.

Higher participation of scheduled castes in the Panchayat activities is partly due to the fact that most of the rural development programs have special provisions for them. Here too they remain mere spectator. It was observed in most cases that the Mukhia or a member of the dominant caste (powerful) decides who will get what. No one pays attention to economically and socially

marginalized members, and women. The dominant class and caste in the rural society controls the poor and deprived sections. Though the constitution attempted to change the situation, and minimize the political and social divide in the villages, there is no sign of change in the mindset of the dominant classes and castes in the rural society. The new arrangements are still in the process of getting stabilized.

#### VIII. CONCLUSIONS

Self-mobilized participation of people in rural development is a critical factor, which is possible through a vibrant and powerful Gram Sabha. Unfortunately participation of rural people in Gram Sabha is very low in the villages of Bihar. This is attributed to strong caste segregation; class difference and gender divide in the villages of Bihar. Two prominent groups of people lead the Panchayat; the first group includes traditional influential persons, and the second group consists of new and raw entrants. Significance of participation in the Panchayat activities and implementation of rural development programs has not yet been realized by the common man. Women representatives are much neglected. Thus there is a need to empower them by providing them proper training and education. Peoples' participation in rural development remains little due to poor literacy rate and little awareness of the rural development programs. Thus there is a need to educate and create awareness among the members of Gram Panchayat about their powers and functions.

#### IX. REFERENCES

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