



FUNCTIONING OF PANCHAYATI RAJ INSTITUTION IN INDIA: ITS PROS AND CONS

Inderjeet Singh

Ph.D Research Scholar, Department of Law, Punjabi University, Patiala, Punjab, India.

Abstract

Panchayati Raj Institutions are working really well and becoming the backbone of the Indian Parliamentary system. According to one of the famous sociologists of his times, AR Desai, “Panchayati Raj’ is claimed as a real democratic political apparatus which would bring the masses into active political control from below, from the vast majority of the weaker, poor sections of rural India.” Panchayats are now an indispensable characteristic of Indian democratic landscape and are have been commissioned in implementing, developing and monitoring social protection programs with varying results across different States. It is also important to note that the Panchayati Raj Institutions (PRIs) are those primary democratic Panchayati Raj Institutions of democracy, where people from all the four corners of the country can participate and attain the dream of real swaraj.

Keywords : Indian Constitution, Panchayati Raj, Ashok Mehta committee, 73rd Amendment Act, Real Swaraj, Balwant Rai Mehta committee

I. INTRODUCTION

The emergence of Panchayats had been considered as the main spine of the Indian villages since the beginning of the logged history. Mahatama gandhi’s dream of each village being a republic has been deciphered into reality with the primer of three-tier Panchayati Raj System to conscript people’s participation in rural reconstruction. Panchayati Raj system was in existence throughout Vedic period and medieval period. During the period of the British rule there were efforts to set-up local Governments. The Panchayati Raj system was a brain - child of the late Balwant Rai Mehta who had revealed that it was the community development programmes structure which was not responding to the call of time, since then, the Panchayati Raj institutions, as visualized by him, has working in the country.

Subsequently after the attainment of Independence of india, the Government of India as a free country was devoted to set up Panchayati Raj Institution system to provide the real Swaraj to the people of India, to exterminate poverty, illiteracy, unemployment, diseases etc.¹The objective was to foster democratic participation to involve villagers in the development effort and to helping the administrative burden on the states. The subject of implementation of the Panchayati Raj was compiled in the state list. In the initial years after gaining independence, no efforts were made for the setting up of the Panchayati Raj.² The system of Panchayati Raj finds an explicit reference in part IV of the constitution under Article 40 which enjoins upon the government to ensure the organization of Panchayati Raj in the country in order to take governance down to the level of the masses. The constitutional reference acted as the stimulus to make efforts for the operationalization of the Panchayati Raj in country right from the decades after Independence. In the Post-Independence times, despite the real and favor for democratization of the polity in the members of the constituent assembly, the Gandhian plea for a village-based system of political formation fostered by states. Classless society was initially rejected by the congress constitution committee, believing that the congress could neither forgo its political function nor become so utterly decentralized. However, Gandhi’s stubbornness with the Idea of Panchayati Raj finding a place in the constitutional framework of the country persuaded the farmers to provide a place of relative insignificance to the dream of Panchayati Raj by placing it in Part IV of the constitution without any mandatory sanction for the government to operationalize the Panchayati Raj with the

inauguration of the constitution on 26th January 1950. Consequently, for almost a decade after the inauguration of the constitution, no efforts were made to put into practice the mandate suggested by Article 40 of the constitution.³ An attempt has been made to highlight the role of Panchayati Raj Institution to uplift socio-economic and political justice at grass root level.

II. PANCHAYATI RAJ AND DEMOCRATIC DECENTRALIZATION

Many efforts in India were made after independence, both by individuals and voluntary association for rural reconstruction by decentralizing the political and administrative powers. The pattern of decentralization as evolves in India involves both the delegation or decentralization and devolution or transfer of political and administrative powers. Thus the degree of democratization and decentralization is determined by the politico-economic objective and the operational procedures designed to regulate the administrative mechanism democratic decentralization in India is identified with Panchayati Raj. The development needs and concern for democratization of the administrative mechanism determine the function of political and administrative institution in the country. The real meaning and significance of democratic decentralization can be understood in the light of the prevailing social, economic and political conditions which determine the purpose and pattern of democratic process. India has greater diversities in terms of culture, languages, caste groups and economic stratification apart from authoritarian political tradition. Side by side the demands for eradication of proportion and require massive efforts. This challenging taste emphasizes economic priorities and increasing public participation to fulfill the rising expectations of the vast masses. At the same time aspiration aroused by political freedom requires a widening of the base for political participation with a view to contain the force of diversities; the emerging trend is tilting the balance towards decentralization.⁴

The concept of decentralization, as it applies to India, present a different approach to the decentralization of political and administrative powers. Having its mixed goals of democracy, decentralization and development, it refers to the programmes and tendencies which implies devaluation of governmental power and responsibilities, decentralization of political institutions, development of local leadership and strengthening the efforts for economic modernization. It means the authority of special rights to local institution or local government at local level so that they can solve their problems at their level.⁵ It has very importance. Mahatma Gandhi had also emphasized on decentralization. Independent India had also adopted this concept due to democracy. India is very big country, without decentralization, it can't be developed. India is a secular country too. Decentralization helps to maintain secularity.⁶

Numerous countries are experimenting with decentralization initiatives to devolves powers and responsibilities to elected councils at the lower tiers of the political and administrative system.⁷ James Manor and Richard Crook, who have made one of the most important and recent contributions to the decentralization studies. Genes, say that decentralization is the more general term for the transfer of power away from a central authority to lower levels in a territorial hierarchy. It means that the central government gives up some of its power for example, to tax and spend, and may even have only limited or minor legislative competence. In other words, decentralization is the umbrella term for reallocating power in certain way and devolution and de-concentration are two different methods used for different purposes. Decentralization can be defined as „The transfer of Power from the Centre of public administration at the state or regional level to public administration units at a lower level of the bureaucratic hierarchy or elected bodies at the same level or a lower level.⁸

Post-independence India adopted a democratic system of governance. Institution of democracy in India developed mechanism. Decentralized governance is good for the people; in fact it began to grow during the colonial rule. The provision of democracy was found in India, in 1950. In India, Mahatma Gandhi, Jawaharlal Nehru and Jai Prakash Narayan described Democracy as the government that gives “Power to the People”. Gandhi said, “True democracy could not be worked by some persons sitting at the top. It had to be worked from below by the people of every village.” Democracy at the top could not be a success unless it was built from below. In India the Panchayati Raj institutions can set an example for the world to emulate in the matter of democratic decentralization. Decentralization leads to the empowerment of the local people through de-concentration and devolution decentralized governance seeks to tap local initiatives and practices by involving grass roots organizations such as self-help groups representative democracy and participatory democracy by become possible through decentralized governance. Another important feature of decentralized governance is interactive policy making which leads to decentralized decision making. Interactive policy is a process where government and non-governmental sectors such as private sector, non-governmental organizations, and pressure groups all participate in decision-making so as to influence issue and suggest alternatives. Therefore, decentralized governance is an alternative strategy of development which is people-centered, participatory and bottom-up the people will have a better understanding of what the government does. It is an extension of the democratic principle aims at widening the area of the people's participation, authority and autonomy through devolution of power to people's representative organizations from the top level to the lowest level in three dimensions of political decision making, financial control and administrative management. It stands for people's right to initiate their own projects for local well-being and the power to execute and operate them in an

autonomous manner. So decentralization is prime mechanism through which democracy becomes truly representative and responsive.

III. PANCHAYATI RAJ AND FIVE YEAR PLANS

After Independence, Community Development (CD) and National Extension Service (NES) programmes were launched in 1952 and 1953 respectively for the development of rural areas. But they failed to achieve their development objectives. The review of the working of the CD and NES movement revealed that its attempt to evoke popular initiative was one of its least successful aspects.⁹ Decentralized planning is not a new concept on India. Every five year plan has emphasized decentralized planning but not much progress in this regard has taken place except in a few states. The first step towards decentralization was taken in the light of experience of the first plan which had mooted the idea of a village production council for agriculture, planning, village, block and district plans were required to be prepared on the eve of the formulation of the second five year plan. The third plan also described a methodology for preparing state plans for rural development, on the basis of the district and block plans. In 1969, the planning commission framed guidelines for district plans. The guidelines stressed the need for decentralized planning and suggested the involvement of local say-government bodies and progressive farmers and in the agreement of available resources and the existing administrative situation and in the fixing of priorities. Some of the states did prepare district plans, but these plans did not mark any effective step towards decentralized planning. The period of further plan was a landmark so far as the decentralized planning is concerned. During this period, the call for decentralized planning came into prominence and a central scheme was initiated to assist the states for strengthening their planning setup and extending it up to the district level. One of the important attempts in this direction is the report of the working group on block level planning (1978). This report known as the report of the Dantwala committee, grew out of the concern for (a) generating employment (b) assuring basic minimum infrastructure, and (d) promoting equity. In fact the committee in its report enumerated these, inter alia as the goals of the block-level planning. Fifth plan was proposed to achieve two main objectives: removal of poverty and attainment of self-reliance. The key instruments of this plan were promotion of high rate of development, better distribution of income and significant development in the domestic rate of saving. Sixth plan focused on the technology, poverty and unemployment and also population control.¹⁰

The approach paper to ninth five year plan has given due consideration for decentralized planning. The approach paper states that the states are required to endow the panchayats with such powers and authority which enables them to function as institutions of say government as envisaged in the constitution. To enable the panchayats to prepare the plan for economic development and social justice, they should be backed with adequate finance, personnel and administrative supports. Mobilization of own resources by the panchayat will be one of the important priorities in the Ninth plan. In the ninth plan, it is expected that the 29 subjects Identified in the Eleventh schedule would be transferred to PRIs. It is also proposed to implement the recommendations of the IXth Committee of setting aside 41 percent of plan resources for decentralized planning. This could include a proportion as united funds and as incentive grants to match the contribution raised by PRIs. Thereafter sectorial allocations at the state level should be on the basis of demands made from below by the districts and in keeping with national priorities. In order to strengthen the decentralized planning machinery, the approach paper has suggested a core planning term comprising experts from various disciplines for helping the formulation of the district plan. A comprehensive and time bound training cum awareness building policy about various provisions of decentralized governance, planning and development has been envisaged in the Ninth plan in order to ensure that the Panchayati Raj functionaries are equipped with information regarding various programmer/schemes of the governments, available technologies and other relevant information which have to be disseminated amongst the local people.¹¹

The 10th five year plan (2002-2007) is clearly conscious of the ill effects of fertilizers use and seeks to promote the use of bio-fertilizers after a gap of several years (and several 5-year plans). For the first time, it also talks of promoting organic farming. How far the above planning percolates to grass-roots is, however, not clear, in the current plan period, for example, in order to growing number of farmer suicides in the country, the most publicized government efforts include schemes to cancel the debts of indebted farmers, give them more credit, free power etc. These schemes are announced either in disregard or ignorance of numerous studies that pin these suicides on wide spread adoption of chemical intensive agriculture.¹² The main focus of the 11th five year plan (2007-12) was on a farther and more inclusive development. The priority areas of this plan are: agriculture, irrigation and water resources: education, health, infrastructure, and employment along with a programme for upliftment of SCs/STs other backward classes, minorities, women and children. This plan stresses that benefits of development should reach all sections of population. But this plan has also failed to achieve some of its important objectives, like black money has generated a parallel economy. The planning could not eradicate poverty, hunger, unemployment, exploitation child labour and injustice etc.¹³

The 12th five year plan document provides alternate development scenarios during 2012-13 to 2016-17. The plan document outlines the three scenarios in which development may out in there five years. The first scenario is

strong inclusive development in which development could average 8.2 percent. The second scenario considers insufficient policy action where by the broad direction of policy is pro-development but implementation of the require reforms is tardy. From a reading of the macroeconomic framework for the 12th plan, three key challenges emerge. There are in the realm of resources use efficiency in the system government finances and external payments.¹⁴

IV. ROLE OF COMMITTEES FOR DEVELOPMENT OF PANCHAYATI RAJ INSTITUTION:

The Panchayat movement in India reached a turning point in 1977 with the constitution of the Ashok Mehta committee. This committee was set up to inquire into the working of the Panchayati Raj institution and to suggest measures to strengthen them so as to enable a decentralized system planning and development to be effective. The Ashok Mehta committee Report (1978) paved way to foundations for second-generation Panchayats. The Ashok Mehta committee's Recommendations were:

- Favored two-tier model for Panchayati Raj-Zila parishad & mandal Panchayat.
- Direct elections to these bodies, reservation of constituencies for SC, STs and Women.
- State governments should not supersede the PRIs. All development functions should be put under the Zila Parishad.
- Preparation of exhaustive list of functions based on location-specific programmes.
- PRIs should be allowed to mobilize resources by granting them powers of taxation.
- Improved interface between PRIs, voluntary agencies, cooperatives and local-government institutions for capacity building and human resource development. Later the, G.V.K. Rao committee was constituted in 1985 for reviewing the administrative arrangements for rural development programmes and poverty alleviation schemes. It agreed that the district should be the basic unit of policy planning and programme implementation, but it emphasized the need for regular election to the panchayats.¹⁵

V. CONCLUDING REMARKS

In the terms of reference of committee apart from other issues, one of the important matters was to study the function of Panchayati Raj bodies and their relationship with the proposed administrative set-up and to make appropriate recommendations in this regard with a view to achieve the PRIs. The committee gave several useful suggestions as district being the prime unit for overall planning and development. It suggested strengthening Zila Parishad by introducing a system of sub-committees constituted on the basis of proportional representation. This would encourage and enhance the participatory democracy. Planning, plan-implementation and monitoring of rural development programmes were suggested to be entrusted to the PRIs at the district and lower levels. It even talked of transferring some of the planning functions at the state level to the district level. In order to appreciate the ideals of participatory democracy, it envisaged the holding of the local elections regularly. On regard to integration of rural development programmes, one of the suggestions of the committee was that Zila Parishad should be the apex body for the overall planning at the district level. It should be assisted by a District Planning Board which should be an advisory expert body with a planning cell. The plan should be prepared by the DPB and sent to Zila Parishad for review and authentication. In the model, all the rural development activities pertaining to the district should be levered under the purview of district body.¹⁶

The Government of India set up a committee in June 1986 headed by L.M. Singh to prepare a concept paper on the revitalization of Panchayati Raj Institutions. The Committee recommended to protect the Panchayati Raj institutions by constitution as third tier of government; regular election setting up of Panchayati Raj Judicial Tribunal to adjudicate in respect of elections, suspension, supersession, dissolution etc.; earmarking of adequate financial resources by the central Finance commission; setting up of Nyaya Panchayats; model legislation for appropriate local adoptions; evolving the correct function of political parties through consensus etc. The commission on Centre-state Relations, Popularly known as Sarkaria commission, set-up by the ministry of home affairs on 9th June 1983, under the chairmanship of R.S Sarkaria also touched the subject of decentralization at lowest level. A sub-committee of the parliamentary consultative committee was set-up in 1988 under the chairmanship of P.K. Thungan to consider kind of political and administrative structure in the district for district planning. The Thungan committee examined the subject in greater detail and suggested a three-tier structure with constitutional status, reservation of seats for scheduled castes, scheduled tribes and women and setting up of finance commission in every state. The committee also suggested that a model Panchayati Raja Act should be enacted by the central Government to maintain uniformity. The village Panchayats was empowered to sort out simple disputes at the village level itself. The team of panchayati raj bodies should be for a period of five years.

In brief it is suggested that Panchayat raj should not be nearly an extension or instrument of the central or state government. They themselves should be powerful to execute the development programme of the area. The new model of economic development must come from the villagers for which "Gram Sabha" can play the main role in it is the grass root of democracy. To improve the workings of the local bodies, for achieving the goal of providing better civic amenities to citizens. Authorized in the local Self-government department have more or less abdicated their neglect of rural areas in providing development and infrastructural facilities had attracted the population to some urban areas putting pressure on the meager resources degrading the quality of life, he observed, inclusive development is the solution top all the environmental woes, opined and wanted growth or development to be defined where all section of society have a share.

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