



A STUDY ON PANCHAYAT RAJ INSTITUTIONS IN KARNATAKA: ISSUES AND CHALLENGES

RENUKAIAH K S

¹ Assistant Professor, Department of Commerce,
P.E.S College of Science, Arts & Commerce, Mandya -571401, Karnataka, India.

Dr. ASHOKA M L

² Professor and chairman, Department of Studies in Commerce, Manasagangothri
University of Mysore, Mysuru-570005, Karnataka, India.

ANANDKUMAR G

³ UGC- Senior Research Scholar, Department of Commerce, Maharaja's college,
University of Mysore, Mysuru-570005, Karnataka, India.

ABSTRACT

In the recent history of local government institutions in India is the enactment of the 73rd and 74th Constitutional amendments. In the main these Acts conferred upon Panchayat Raj Institutions/PRIs and Urban Local Bodies/ULBs constitutional status. Panchayats are recognised as “institutions of local self-government” Rajasthan was the first state to establish Panchayat Raj in 1959 and was followed by Andhra Pradesh, Karnataka was the first state in the country to enact the Karnataka Panchayat Raj Act, on May 10, 1993 within a few days of the 73rd Constitution Amendment being adopted. This research paper studies on issues and challenges of Panchyath raj institutions based on secondary data method by using survey method, government records and historical statistical documents and suggestions are based on the theoretical perspective.

KEY WORDS: Panchayat Raj institutions, Issues, Challenges, Reforms

Karnataka Panchayat Raj system

Karnataka is often cited as an important example of a pro-decentralisation state. This is mainly due to the earlier legislation passed by the state during 1983 which was regarded as a landmark step. After the 73rd Amendment to the Constitution, Karnataka was the first State to pass the Karnataka Panchayat Raj Act, 1993, as per the 73rd Amendment and conducted elections to grama panchayats in December that year. This was the beginning of a full-fledged three-tier system of panchayat raj in Karnataka, making use of the 11th Schedule in the Constitution to decentralise power and functions to panchayat raj bodies at all the three levels.

The Karnataka Panchayat Raj Act, 1993 provides for three tier structure of PRIs – Zilla Panchayats at district level, Taluk Panchayat at intermediate level and Gram Panchayat at village level. The other salient features are providing reservation for women, Other Backward Classes and Scheduled Castes and Scheduled Tribes. This reservation applies not only to election of members but also to the election of office-bearers or chairpersons of these institutions. The gram sabhas and the ward sabhas in Karnataka are the soul of panchayat raj and the idea is to progressively strengthen their functioning to ensure full participation of the people and accountability.

Karnataka has been a pioneering state in nurturing PRIs. Prior to the 73rd amendment to the Constitution, Karnataka had put in place a unique two-tier system of decentralized local governance, through the Zilla Parishads and Mandal Panchayats. In the wake of the 73rd Amendment, this nationally institutionalized Panchayat Raj as a distinct tier of Governance.

The Panchayats are among the oldest institutions for local governance in rural Karnataka. This long-standing system of local governance is also known as Panchayat Raj which means rule of village committee. Panchayat Raj ensures proper execution of rural development programmes. It encourages participation of general people in the development programmes.

Structural Constitution of Karnataka Panchayat Raj

Panchayat Raj in Karnataka follows a three-tier structural constitution. It has elected bodies at each level. Panchayat Raj constitutes of:

- The Gram Panchayats at the village level
- The Taluk Panchayats at the sub-district (taluk) level
- The Zilla Panchayats at the district level

Karnataka has 30 Zilla Panchayats, 240 Taluk Panchayats, and 5,659 Grama Panchayats. All the three units of the Panchayat Raj have members directly elected by the people. The government does not have any provision to nominate representatives to any of these institutions.

Karnataka Panchayat Raj Act, 1993

The Karnataka Panchayat Raj Act, 1993 aims to achieve democratic decentralization especially for the rural areas. Karnataka enacted the new Panchayat Raj Act incorporating all the mandatory provisions of 73rd Amendment to the Indian Constitution.

The objectives of the Karnataka Panchayat Raj Act, 1993

1. Establish a three-tier structure for panchayat system at village, sub-district and district levels
2. Elect members to the three tiers through direct election at all levels
3. Elect Chairpersons and Vice Chairpersons through indirect elections

4. Reserve seats for scheduled castes, scheduled tribes and women at all the three levels
5. Conduct elections to all the three levels under the State Election Commission
6. Empower State Finance Commission to determine the sharing of funds between the State Government and the Panchayat Raj bodies
7. Maintain accounts and conduct audits at all the three tiers of the panchayat system

Gram Panchayat

The Gram Panchayat is the basic or lowest level of Panchayat Raj in Karnataka. It has jurisdiction over a group of villages. Gram panchayat represents an assembly of the village elders who are directly elected by the citizens of the village. This panchayat unit is headed by a chairperson who is known as Sarpanch.

The representatives of the Gram Panchayats are elected for five years. While the members are directly elected from wards, the Sarpanch is elected by the members. There are seats reserved for women, scheduled castes and scheduled tribes in Gram Panchayats.

Taluk Panchayat

The Taluk Panchayat is the intermediate level of Panchayat Raj in Karnataka. The Taluk Panchayat is constituted for each taluk. The representatives of the Taluk Panchayat Samiti are directly elected by the residents of the non-urban areas of the taluk. The president and the vice-president of the Taluk Panchayat Samiti are elected from among members.

The tenure of Taluk Panchayat members is five years. The Taluk Panchayat has provision for reservation of seats for scheduled castes on the basis of their population. Two seats are reserved for women in the Taluk Panchayat Samiti.

Zilla Panchayat

The Zilla Panchayat is the apex level of Panchayat Raj in Karnataka. The Zilla Panchayat is constituted for each district of the state. It has jurisdiction over the entire district except those portions that are included in smaller urban areas or are under the authority of Municipal Corporations, Town Panchayat or Industrial Township. Members of the Zilla sParishad are elected from the district.

The representatives of the Zilla Panchayats are elected for tenure of five years. Every Zilla Panchayat has seats reserved for scheduled castes, scheduled tribes, backward classes and women.

REVIEW OF LITERETURE

Henry Mabika the cash shortage in Zimbabwe local authorities has now reached unprecedented levels. With local authorities failing to pay salaries and allowances as expected and creditors are accumulating. This situation has developed because revenue collections are low, traditional sources of revenue have gone dry and

Government has also stopped its assistance to local authorities. The liquidity crisis has had a negative effect on service delivery. There is no-more service being offered by local authorities and the single major reason is liquidity.

Uguru, Leonard examines the effect of instrument of control on public accountability' in Ebonyi State Local Government Councils. The author adopted the cross-sectional survey design and administered questionnaire on 374 senior staff of the 13 Local Government Councils in Ebonyi State. The Binary Logit Regression technique was employed in the analysis of data. The result shows a significant effect of instrument of control on the public accountability in Ebonyi State Local Government Councils. Hence the author recommends that cogent efforts should be made to review laws, rules and regulations concerning Local Government accounting and financial management. This will help in increasing the effectiveness of the instrument of controls in the Local Government Councils.

George Medve-Balint and DorotheeBohle investigate whether local debt in East Central Europe (ECE) is associated with the local government's participation in EU-funded projects. Drawing on data from Hungary and Poland, we find that in both countries the level of local government indebtedness is positively related to the local government's performance in securing EU funds. This may undermine local finances and increase the financial vulnerability and dependence of local governments. The empirical evidence put forward in this paper is therefore in stark contrast with one of the main ambitions of the EU's Cohesion Policy, which is to empower the local level relative to the central state

Kenard Kipkorir Kosgeiet. al. The author aim was to find out the effects of computerization on financial assets management. Data was collected using questionnaire and semi-structured interview guides. They targeted 60 respondents in which no sample was taken but instead census method was used. They also found that, computerization has general effect on the level of efficiency of financial assets management and in particular efficiency aspects such as clear definition of roles and responsibilities, faster processing of information and improvement in following of rules, policies and regulations.

Olu Ojo presents the local governments' executives with a number of options to consider as they deal with the complex and ever-changing questions of financial management for the local community. Through the study the author provides local government officials quick access to a framework of ideas and suggestions that work within the hierarchy of financial management. However, investigation revealed that local government has performed below expectations as a result of poor fund management. The author discussed the various tools and techniques of efficient financial management which could assist the local government with performing their roles. These are as follows: the use of budget, rational approach, incremental approach, zero-based budgeting approach, planning programming and getting system, audit alarm, and auditing approach. A thorough adoption and application of these approaches will improve financial management of local governments in Nigeria and enhance the quality-of-service delivery at the grass root.

OBJECTIVES OF THE STUDY

1. To understand the system of Panchayat Raj Institutions
2. To study the Issues and challenges of Panchayat Raj Institutions.

RESEARCH METHODOLOGY

This present study focuses on the issues and challenges of Panchayath Raj institutions in Karnataka. The research methodology is used in the form of descriptive type and touch of theoretical, conceptual explanation has been done. The researcher has collected the required data and information from various official website of government department official websites and from annual reports of local government bodies. Completely based on Secondary data to extract needful data survey method, explorative methods of data collection technique were used. In addition to books, reports and published article has been reviewed thoroughly to meet the set objectives of the paper.

MAJOR ISSUES OF PANCHAYATI RAJ INSTITUTIONS

Even after conferring constitutional status and protection through the 73rd Amendment Act (1992), the performance of the Panchayati Raj Institutions has not been satisfactory and not up to the expected level. Issues related to functionaries concerns related to human resource at gram panchayat level:

1. **Non-accountability**- Even though the personnel at the Gram Panchayat level deliver crucial services like education, health, and livelihood generation, they are, in most cases, not accountable to the Gram Panchayat and the Gram Sabha.
2. **Lack of horizontal and vertical convergence of action** at the Gram Panchayat level is a problem of prime concern. Vertical integration is also not ensured because of different departments and schemes under which they are appointed with specific mandates.
3. **Poor Oversight**- There is poor oversight to check if the existing rules are being violated. Dependence on employees is high if elected functionaries in Panchayats lack administrative experience and it can lead to exploitation of the situation by the staff or collusion between elected functionaries and officials.
4. **Variation across states**- Wide variation across States in terms of engagement - qualification and mode of recruitment, duration, remuneration, travel allowances, and other conditions for similar cadres.
5. **Variation in Remuneration**: There are variations in remuneration under different schemes functioning at the rural level which leads to the migration of employees from one State to another; sometimes from one scheme to another.
6. **No Standard Minimum Qualification** for elected and non-elected members.
7. **Lack of administrative skills**
8. **Communication barriers**
9. **Illiterates leaders**
10. **Wage differentiation**

Issues Related To Finance

1. **Low local revenue generation:** As the Economic Survey, 2017-18 highlighted, there is a Low Equilibrium Trap which means the local bodies appear to be not collecting revenues from taxes to the extent they can. This is largely because most of the state governments have not devolved enough taxation powers to Panchayats. Even if the states have given the taxation powers, its collection is low due to their reluctance to pay taxes by the locals. Thus, they remain dependent on fund devolution.
2. **Unwillingness to borrow from Financial Institutions:** Despite being empowered to access loans for public infrastructure and service delivery, most Gram Panchayats have not borrowed, making them unable to plan effectively for the long term.
3. **Non-implementation of recommendations of State Finance Commission:** Since the recommendations of State Finance Commissions are non-binding on state government, they are not implemented in letter and spirit.
4. **Poor budgetary allocation**
5. **Inefficient fund management**
6. **Unscientific tax system**

Issues Related to Functions

1. **Unscientific distribution of functions between different tiers:** The roles and responsibilities of local governments remain ill-defined due to the very little actual devolution of functions and authorities by the States to Panchayati Raj Institutions in several States.
2. **Creation of Parallel Bodies:** Often, Parallel Bodies are created for supposedly speedy implementation and greater accountability. However, there is little evidence to show that such parallel bodies have avoided the evils including that of partisan politics, sharing of spoils, corruption, and elite capture. Parallel bodies usurp the legitimate space of Panchayati Raj Institutions and demoralize them by virtue of their superior resource endowments
3. **Administrative Problem:** The Panchayati Raj bodies experience several administrative problems like tendency towards politicization of the local administration, lack of co-ordination between the popular and bureaucratic elements, lack of proper incentives and promotion opportunities for administrative personnel and apathetic attitude of the government servants towards development programmes etc.
4. **The politicization of Panchayati Raj Institutions:** Even though the Panchayati Raj Institutions are deemed to be Government Institutions, the political parties ruling at the state are reluctant to give autonomy to them, making them as their organizational arms resulting in frequent interventions in their day to day functioning and politicization of appointments.
5. **Weak and inefficient District Planning Committees:** The committees are too weak to guide Panchayati Raj Institutions due to political interferences.
6. **Poor Infrastructure:** A large number of Gram Panchayats in the country do not have even a full-time Secretary. Around 25 percent of the Gram Panchayats do not have basic office buildings. Also, a large number of elected representatives are semi literate and know little about their roles and responsibilities.

CHALLENGES PANCHAYATI RAJ INSTITUTIONS

1. Lack Leadership skills
2. Sarpanch Pati System
3. Poor women representation
4. Political party intervention
5. Political leaders intervention
6. Illiterate representation
7. Administration difficulty
8. Lack of managerial skills
9. No training for representatives
10. Poor adaptation of reservation

REFORMATIVE SUGGESTIONS FOR UPLIFTMENT OF PRI'S

1. Fiscal autonomy accompanied by fiscal accountability (Genuine Fiscal Federalism) can provide a long-term solution.
2. The Members of Parliament Local Area Development Schemes (MPLADS) fund can be utilized in an effective manner.
3. Training should be imparted to the Members of Panchayats which requires expertise and resources from various subject matter-specific training institutes. It can be achieved by networking of institutions concerned with various subjects such as financial management, rural development, disaster management and general management.
4. State Governments may constitute Audit committees at the district level to exercise oversight of the integrity of financial information, adequacy of internal controls, compliance with the applicable laws, etc.
5. Special Purpose Vehicles (SPVs) can be created by local communities in situations such as if there is an infrastructure need and the community is willing to pay for it.
6. Setting reasonable tax and fee rates, improving collection efficiencies, and expanding financing mechanisms to ensure buoyancy of revenues over time.
7. Access to debt capital markets can be a viable solution for sources of financing, providing them the scope for planned infrastructure development. Local bodies need to substantially improve their overall administrative and technical capacities to access debt, particularly long-term bonds.

CONCLUSION

Panchayati Raj strengthens the foundation of Indian democracy. It provides representation to the weaker sections of the society, the. The term Panchayat Raj in India indicates the system of rural local self-government along with development concept, based on decentralization governance. Panchayat maintains water sources, village wells, tanks and pumps, street lighting and drainage system in all the three levels in the state. It has been established in all the states of India by the Acts of the state legislatures to build and improve the self

governed democracy at the grass-root level. Though the Panchayati Raj System functions independently, it is the State Governments that formulates the rules and regulations regarding the functioning of the local self-government. Due to these reasons, the Panchayati Raj System is very important for the successful administration and management of natural resources and to provide social justice for the betterment of human development the gross root level.

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