

## Historical Evolution of Panchayati Raj



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**Abstract-** P V Narsimha Rao government which was infact a minority government has done some historic things in the history of independent India. Apart from leading country on the path of economic liberalization, it was his government who gave constitutional status to local government in the country by bringing 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendment act. Before that Rajeev Gandhi government also tried to give constitutional status to local government. However, the bill did not pass in Rajya Sabha as it was bypassing the state governemnt. Finally it was pass in 1992.73<sup>rd</sup> and 74<sup>th</sup> constitutional amendment act ushered the country in a new path of democratic decentralisation. The rational behind giving constitutional status to local government is to give real power to the people at the grassroot to solve the problems at the local level and carry out development works in their close vicinity wthout waiting for higher authority.It has been 27 years since thousands of Gram sabhas and Municipalities are managing their day to day affairs through power derived by 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendment act.These two constitutional amendment act added two new parts PartIX related to panchayats and Part IXA related to municipalities.

**Keywords :** Local Governance, Challenges

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Empowering Panchayats has been a central debate during the freedom struggle. Gandhi wanted independent India to be organised on the basis on village republic where each village will be self sufficient. The constituent assembly adopted village panchayat in the Directive Principles of State Policy (article- 40). After independence India under the leadership of Jawahar Lal Nehru went ahead on the path of empowering village panchayat. In 1957, January Government of India appointed a committee under the chairmanship of Balwant Rai Mehta to study the working of community development program which was started in 1952 and National Extension Service 1953. Balwant Rai Mehta committee submitted its report in November 1957 and suggested that the path of democratic decentralization and in common paralance it came t be known as Panchayati Raj.Some of its recommendations were establishment of three tier system in both rural and urban local body. Rural body should consist of Gram Panchayat at the village level , Panchayat samiti at the Block level and Zila Parishad at the district level. Similarly urban local body should consist of Nagar panchayat in small towns, Municipalities in cities and Municipal Corporation in cities which have large population.The recommendation of the Balwant Rai Mehta committee was first adopted by Rajasthan. Pandit Jawahar Lal Nehru inaugurated first Panchayati Raj institution in Nagaur district of Rajasthan on 2 October 1959. Rajasthan was followed by Andhra Pradesh which also adopted it in 1959, Thereafter, many other states also

adopted the Panchayati Raj institutions. In 1960s though many states adopted Panchayati Raj institutions there were differences among them regarding the structure, continuity, power and strength of the local government. In many states regular elections were not taking place. For example while Rajasthan adopted a three tier system, in Tamil Nadu it was two tier only. West Bengal on the other hand went to the extent of adopting a four tier system. In addition to that many states also included the idea of Nyay Panchayat. So there was a lack of uniformity on the functioning of Panchayati Raj institutions as a whole.

After emergency for the first time a non Congress government came at the centre. It was called Janta Government and was headed by Moraraji Desai. Though; it only lasted for three years. Janta government also set up a committee to recommend measures to improve the functioning of Panchayati Raj institutions under the chairmanship of Ashok Mehta. It submitted its recommendation in 1978 and in total made 132 recommendations. Its main recommendations were that the three tier system should be replaced by two tier system, Zila Parishad at the district level and below that Mandal Panchayat which should consist of a group of village with a total population around 15000 to 20000. After that Rajeev Gandhi government also appointed various committees to examine the functioning of Panchayati Raj institutions. Prominent among them was G.V.K. Rao committee, LM Singhvi committee. All these expert committees highlighted on the need to provide constitutional status to democratically decentralized institution. Finally it was V P Singh government which provide a constitutional status to both rural and urban local body.

The 73<sup>rd</sup> amendment act as mentioned above added a new part, part IX, in the constitution. Apart from that it also added a new schedule titled 11<sup>th</sup> schedule in the constitution of India. It has a total 29 functional items in it. Similarly through 74<sup>th</sup> constitutional amendment act a new schedule 12 has been added in the constitution which deals with local government in urban areas. It has a total of 18 functional items.

#### **IMPORTANT CHARACTERISTICS OF 73<sup>rd</sup> AND 74<sup>th</sup> CONSTITUTIONAL AMENDMENT ACT.**

**Compulsory creation of Urban and rural local bodies:** Article 243 B envisages a three tier system in all states and union territories not exceeding the population of 20 lakh. Those States and union territories which have a population of less than 20 lakh were given the freedom to have 2 tier systems. Similarly, article 243Q provides for three tier structure in urban areas.

**Delegation of power:** Before 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendment act came into existence one of the biggest hindrance in the smooth functioning of local bodies were lack of any effective power. They have to be dependent on state government for their functioning. 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendment act have done away with this dependence. Article 243G and 243W decentralized powers from state legislatures to panchayats and municipalities.

**Affirmative action for historically marginalized communities:** 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendment act provides for reservation for historically marginalized communities like SCs and STs. In addition to that 33 percent seats were reserved for women. Some states like Bihar and Kerala have increased reservation for women up to 50 percent.

**State election commission:** In order to ensure free and fair election to the local bodies a separate election commission was created under article 243 K. The tenure of a local body was fixed for 5 years.

**Provision for district planning commission:** In order to ensure a proper and coordinated planning for the development and welfare of district as whole a separate district planning commission was created under article 243ZD.

**Separate state finance commission:** In order to ensure that local bodies did not starved because of lack of fund and are not dependent on state government whim and wishes for its smooth functioning, an independent state centric finance commission was created under article 243 I and 243 Y. Governor of a state are entrusted with the power to create State Finance Commission which is authorized to make provisions for distribution of funds between state and local bodies.

## CHALLENGES FOR LOCAL GOVERNANCE IN INDIA.

**Lack of accountability:** Lackadaisical attitude on the part of elected representatives towards the genuine problem of the masses has been a major problem and local bodies are no exception. Most of the time elected representatives of local bodies are only interested in fulfilling their narrow petty interest. It is at the local bodies where patronage democracy is most visible in India. Coming from a state like Bihar I have seen how most of the times works of only those who vote for the elected representatives are done. The idea of collective welfare is still missing in the functioning of local bodies.

**Incapable leadership:** One of the biggest failures of local bodies in India has been lack of capable leadership at the grass root. One of the rational which pushed government of India to provide constitutional status of local government was that it will serve as a training ground for emerging leadership at the local level who will play a larger role in future state and national politics. However it has not turn out to be this way. No systematic effort has been made to enhance their skill and capability. Local level leaders in states like Uttar Pradesh and Bihar continue to suffer from short sightedness.

**Variation across states:** There exist wide variations across states in terms of engagement whether it is duration, qualification and mode of recruitment, remuneration, travel allowances etc.

Though 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendment act provides for a 33 percent reservation for women to enhance women leadership in local bodies. Women representatives at the local level face a whole gamut of problems. Some of them are as follows:

**Inadequate leadership skills:** Though women constitute around 44 percent of total elected representatives at the Panchayati raj institutions. There is a continuous lack of leadership skill among women representatives. It's a sociological problem because of social taboo most of the women representatives hardly express their opinion in Panchayat proceeding. Their presence is just to carry out the formal paper work.

**Male domination:** One of the biggest impediments in the path of strengthening genuine leadership among women in local bodies is the continuous dominance of male members. Even when a woman is elected as representatives, most of their work is being carried out by the male members of the family. This lack of autonomy does not allow women to learn leadership skill. In states like Uttar Pradesh and Bihar a term Pati Pradhan (husband as head) has been used of those women who even are elected representatives continue to remain confined within the four walls of their homes.

**Lack of awareness:** Women in the local bodies are mostly unaware of day to day happenings that took place in the village or district. Illiteracy still remains a major hindrance in the path of women empowerment in the country.

In addition to these above mentioned challenges local bodies in India also faces other problems related to finance. Local revenue generation continue to be inappropriate. This has been highlighted by Economic Survey of 2017-18 as “Low income trap”. It highlighted that local bodies are not extracting the revenue that they can. There are various reason for this one is most of the states in India have not devolved sufficient taxation power to their local bodies. Secondly, even if states devolved taxation power to the local bodies, local leaders are not capable enough to tax the locals and as a result they continue to be dependent on fund devolution. Another aspect of the limited financial growth of local bodies in India is their reluctance to borrow from financial institutions. Notwithstanding having power to borrow loans from various government institutions, local representatives have not done this at a large level.

### WAY AHEAD.

The functioning of local bodies in India presents a mix story. On one hand undoubtedly it had created a new benchmark in the path of democratic decentralization by empowering those at the grass root. However with time as mentioned above various challenges have also emerged which needs an immediate attention in order to ensure the relevance of local bodies. In 2013 Mani Shankar Aiyar led expert committee on “ Leveraging panchayati Raj institutions for effective delivery of goods and services”, suggested that it is Gram Sabha who should be charged with all social sector schemes. According to Aiyar who headed the committee when we made our social sector expenditure panchayat driven then there will be a sense of ownership which goes missing in the current bureaucracy driven top down approach of development. However since not much progress has been made on this front. Recently government of India has made some efforts to address the challenges that Panchayati Raj institutions are. Women and child development ministry is implementing a program “capacity building programme for elected women representatives of panchayati Raj” It aims at developing elected women representatives as change agents by improving their decision making and implementation skill. Similarly Sumit Bose committee has suggested that a mechanism should be derive for performance based payment in various rural development programs. Mission “Antodaya” has been launched by the central government to enhance the effectiveness and working capacity of Panchayati Raj Institutions through effective mobilization of social capital, building capacity of panchayati raj institutions and promoting participation of people in the formulation and implementation of various schemes.

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