

## CHAPTER – II

# EVOLUTION OF DECENTRALISED GOVERNANCE IN THE INDIAN CONTEXT WITH SPECIAL REFERENCE TO WEST BENGAL

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### 2.1 Introduction:

Grassroots democracy is neither a new concept nor it is an expression of western political thought executed in Indian soil. The origin of grassroots level democracy dates to the Vedic Age and has been fairly well documented in ancient scriptures such as the Rig Veda, Aitareya Brahman, Panini's Astadhyai, Kautilya's Arthashastra, inscriptions on Asokan Pillars and the writings of Buddhist and Jain scholars. The available literature clearly points to the fact that republic functioned and elected representatives participated in Janpadas (regional bodies), Paura Sabhas (City Councils) and Gram Sabhas (village assemblies) in ancient India. People in republics were functioning through a decision by majority which was regarded as inviolable and not to be overridden. Issues which required more deliberations and serious thinking were referred to a special committee elected from among the members of the assembly. (*Kunnumkal, 2011*) The ancient texts provide the proof of existence of some form of local government in India but it did not get much prominence. The capital city of the state and the larger towns had separate organization for purposes of local government. The rural areas had different types of local government. Manu describes as 'Superintendent of all affairs, elevated in rank, formidable, resembling a planet among the stars. (*Tinker, 1967*) It is assumed that the superintendent was the President of the city board. From Megasthenes, it is known that the government of the

capital city was conducted by a municipal board consisting of 30 members who were divided into six committees of five members each. Functions were assigned to each of these committees and it was the responsibility of the committee to look after them. It is significant to note in this regard that Chanakaya makes no mention of the municipal board or its committees. Perhaps in his time the old system of municipal administration was suspended by a system in which government officials controlled all the affairs of the city. But it can be observed that there was some system of municipal government in existence in that period. (*Maheshwari, 1971*) During the medieval period there was hardly any municipal government in the real sense. Whatever municipal administration existed, it either functioned as independent body of the central administration or was subjected to rigorous control by the central administration. The simple reason for this was that Mughals had a strong central administration with little participation or involvement of the people in its affairs. The entire medieval period is characterized by such an element. However, the duties of the municipal government were more or less the same as those in Chanakaya's time as no change was witnessed during the period. Between the disintegration of the Mughal Empire and the advent of the British, there was anarchy and military feudalism in most parts of the country. During the period the ties of social framework were loosened, and in place, local institutions had been prevented or shaped before British officials had any opportunity to assess their value.

The modern system of local Government owes its origin to the British days. The history of the development of the present system of local self government in India could be traced from the later part of the 17<sup>th</sup> century. It owes much to Sir Josiah Child who in 1642 obtained a charter from James II to setup a corporation at Madras. Consequently, in 1687

Madras City has the first Municipal Corporation of the country with limited powers and scope of activity. (*Bhargava & Rao, 1978: p 24*)

## **2.2 Panchayati Raj under British rule**

Democratic decentralization through local government system has existed in India in every phase of its history. Most of the institutions which exist today are the creation of British Government including both the urban and rural sectors. There are two different sets of local government institutions functioning in the country with all together different set of organization and areas of operation. In spite of this difference, however, there are some common issues which confront both the sets of local government. The roots of these issues can be traced back to their evolution from the ancient time.

The local institutions as they exist today do not present a process of continuous growth but are the products of convenience which was found necessary by the British Government in the interest of the administration. However, the history of modern local self government in India under the British rule can be divided into four distinct phases. The first ends in 1882 when Lord Ripon issued his well known Resolution of Local Self Government; the second phase covers developments from 1882 to 1919 when the Reforms of 1919 made Local Self-Government a transferred subject, the third period extends up to 1935 where the grant of provincial autonomy gave further impetus to the development of local self-government and the fourth phase ends in 1947 when independence was granted. This classification by the Zakeria Committee has been fairly representative of different periods marked by distinct reforms in the field of local government should therefore, be accepted. (*Bhargava & Rao, 1978*)

### ***2.2.1 First Phase: (1687-1881)***

The first phase covers the period of the company and the early part of the British Raj where we don't find much concern for the local government as such. However, to relieve the imperial budget of the financial burden, one of the important devices adopted for the purpose was to establish local self-government in the presidency and other towns and to give them the responsibility for providing civic amenities. In order to be able to discharge this function, they were empowered to levy a house tax. It may be observed here that the creation of first institution of local self-government by the British in India was for the purpose of providing civic amenities.

Subsequently municipalities were constituted in a number of towns in most of the provinces, but the success with which they met varied. Numbers of legislations were passed to govern these bodies like the Act of 1850 which was applicable to whole of India. Later in 1870, with the introduction of Lord Mayo's Resolutions a change was brought about in local self-government. In a sense, it made a beginning of decentralization of administration. It read as "Local interest, supervision, and care and necessary to success in the management of funds devoted to education, sanitation, medical relief and local public works". The operation of this resolution in its full meaning integrity will afford opportunity for the development of self-government for strengthening municipal institution. The resolution thus, makes the beginning of self-government in the real sense. (*Jathar, 1964: pp 2-3*)

### ***2.2.2 Second Phase: (1882-1919)***

Lord Ripon's Resolution on local self-government on 18<sup>th</sup> May, 1882 marks the beginning of a new chapter in the history of local self-government in India as it laid the foundation of the system that exists even today.

The fundamental principles laid down in the resolution were as under:

1. Not less than two-third members of the municipalities must be non officials.
2. The system of election should be cordially accepted.
3. The Chairman should be non-official as far as possible.
4. Expert advice, help and supervision by such government officials as engineers, and doctors must be rendered by them as servant of the Municipality.
5. The resources available for these bodies should be in the main are such as could yield increasing revenue.

The primary functions of Municipal bodies under the act passed in Lord Ripon's time were:-

1. The construction, upkeep and lighting of streets and roads and the provision and maintenance of public municipal buildings.
2. Public health, including medical relief, vaccination, sanitation, drainage and water supply and measures against epidemics.
3. Education.

The Municipal bodies were subject to government control in so far as no new tax could be imposed, no loan raised, no work costing more than a prescribed sum undertaken, no serious departure from the sanctioned budget for the year made without the previous sanction of the

government and no rules or bye laws could be enforced without similar sanction and full publication.

During this period of history thus, we find that some form of local government did exist with limited powers. The controls that were being exercised then are found in some form or the other even today as we do not much change in the direction. (*Jathar, 1964*)

### ***2.2.3 Third Phase: (1919-1935)***

In the year 1907-08, the Royal Commission on Decentralization was setup which examined the entire subject of local self-government. The commission attributed the failure of local self-government to factors like artificial character of local areas, absence of genuine election, lack of finances, excessive control of the government and inadequate control of local bodies over services. The recommendations of the commission led to the Resolution of 1915 of the Government of India. The Reforms of 1919 made local self-government a transferred subject. Under these reforms a clear cut demarcation of powers of local bodies was laid in the act and that continued till the Government of India Act, 1935. (*Tinker, 1967*)

### ***2.2.4 Fourth Phase: (1935 - 47)***

The inauguration of provincial autonomy under the Government of India Act, 1935 gave further impetus to the development of local self-government. Almost all the provinces enacted legislation for further democratization of local government institution. Interestingly the Act of 1935 repealed the scheduled taxes rule introduced under the 1919 Act. Under the new act three lists were provided, which was the federal list, the provincial list and the

concurrent list. Local bodies derived their powers from the provincial legislation. The period witnessed gradual increase of control over bodies by the provincial government.

### **2.3 Panchayati Raj in Post Independence Period**

Despite Gandhi's felling for 'Village Swaraj' a compromise was made, that was one of the serious draw backs of the national leaders who drafted the constitution, in which 'Panchayati Raj Institutions (PRI)' were placed in the non-justiceable part of the constitution, the Directive Principle of the State Policy as Article 40 .

The article read "the state shall take steps to organize Village Panchayats and endow them with such power and authority as may be necessary to enable them to function as unit of self-government". However, no worthwhile legislation was immediately enacted either at the national or state level to implement it. In fact, the Panchayats was never taken seriously by the state governments. More often they were considered unnecessary irritants both by the elected representatives of parliaments and state assemblies and the bureaucracy. They lacked resources to meet their responsibilities and were suspended on the simplest pretext and election to re-constitute their bodies rarely took place.

### **2.4 The Various Committees on Panchayati Raj Institutions (PRIs)**

Various committees were constituted by various authorities to advice the centre on different aspect of decentralization to strengthen the PRIs in India.

#### **2.4.1 The Balvanthrai Mahata Committee: 1957**

The Balvanthrai Mahata Committee was appointed in 1957 to study the Community Development Projects (CDP) and the National Extension Service. The Committee held that community development would only be deep and enduring when the community was involved in the planning, decision-making and implementation process. It suggested the following:-

- a) As early establishment of elected local bodies and devolution to them of necessary resources, power and authority.
- b) Such body must not be constrained by too much control by the government or governmental agencies.
- c) The body must be constituted for five years by indirect election from the village Panchayats.
- d) The elected body should be of three tiers, one tier at village level, and one tier at block level, and one at district level.

#### **2.4.2 K. Santhanam Committee: 1963**

K. Santhanam Committee was appointed to look solely at the issue of Panchayati Raj Institutions finance. The Committee was asked to determine issues related to sanctioning of grants to Panchayati Raj Institutions by the state government, evolving mutual financial relations between the three tiers of Panchayati Raj Institutions, gifts and donation, handing over revenue in full or part to PRIs. The Committee recommended the following:-

- a) Panchayats should have special powers to levy special tax on land revenue and home taxes etc.
- b) People should not be burdened with too many demands.
- c) All grants and subventions at the state level should be mobilized and sent in a consolidated form to various PRIs
- d) A Panchayati Raj Finance Corporation should be set up to look into the financial resources of Panchayati Raj Institutions at all levels, provide loans and financial assistance to these grassroots level government and also non-requirements of village.

#### **2.4.3 Working Group on Block level Planning:**

The initiative for development through decentralized governance could not fulfill the expectation aroused by its introduction. The Panchayati Raj Institutions came to be dominated by the society and economically privileged sections of the rural community with the consequence that the weaker sections – the scheduled castes, scheduled tribes, women and other poorer groups – were found still to be deprived of its benefits. The Working Group on Block Level Planning under the chairmanship of M.L.Dantwala observed in this connection that “our reservation about the role of the Panchayati Raj Institution in the formation of micro-level planning arises from a widely shared view that the weaker section of the rural community do not feel that their interests will be fully protected under the Panchayati Raj Institutions. A strong version of this feeling is that the leadership of the Panchayati Raj Institutions acts as a gatekeeper and prevents the flow of benefits to the weaker sections of the rural community”. Besides, large scale corruption, factionalism, lack of political will as reflected in postponing the elections of Panchayati Raj Institution or

superseding some of the important tiers of the Panchayati Raj bodies, bureaucratic apathy to share power with the people and above all, passivity of the community itself came in the way of success of the Panchayati Raj Institutions. Taking a similar stand, Maheshwari observes that India had been on the way to establishing a strong rural administration but not a strong rural government (*Maheshwari, 1985. p 56*). Even, some scholars feel that behind the formal acceptance of the idea of local autonomy there existed a well-oriented but subtle resistance to any radical change of balance of power in favor of local self government institutions. (*Narain, 1970. p 10*)

#### **2.4.4 Ashok Mehata Committee: 1978**

Ashok Mehata Committee was appointed to examine and suggest measures to strengthen Panchayati Raj Institutions. The Committee had to evolve an effective decentralized system of development for Panchayati Raj Institutions. They made the following recommendations:-

- a) The district is viable administrative units for which planning, co-ordination and resource allocation is feasible and technical expertise is available.
- b) Panchayati Raj Institutions as a two-tier system, with Mandal Panchayat at the base and Zilla Parishad at the top.
- c) The Panchayati Raj Institutions are capable of planning for themselves with the resources available to them.
- d) Representatives of SCs and STs in the election to Panchayati Raj Institutions on the basis of their population.
- e) Panchayats should be constructed for four Years.
- f) Participation of political parties in Election.

#### **2.4.5 G.V.K. Rao Committee: 1985**

The G. V. Rao Committee was appointed to once again look at various aspects of Panchayati Raj Institutions. The Committee was of the opinion that a total view of rural development must be taken in which Panchayati Raj Institutions must play a central role in handling people's problems it recommended the following:

- a) Panchayati Raj Institutions have to be activated and provided with all the required support to become effective organization.
- b) Panchayati Raj Institutions at the district level and below should be assigned the work of planning, implementation and monitoring of rural development programmes.
- c) The Block Developing Officer (BDO) should be the spinal cord of the rural development process.

#### **2.4.6 L.M.Singhvi Committee - 1986**

More thinking on Panchayati Raj Institutions was initiated by the L.M.Singhvi Committee. The Gram Sabha was considered as the base of a decentralized democracy and Panchayati Raj Institutions viewed as institutions of self-governance which would actually facilitate the participation of the people in the process of planning and development. Its recommendations were:-

- a) Local self-government should be constitutionally recognized protected and preserved by the inclusion of new chapter in the Constitution.
- b) Non involvement of political parties in the Panchayat election.
- c) Constitutional status of the Panchayati Raj Institutions through 73<sup>rd</sup> Constitutional Amendment Act.-1993.

## **2.5 73rd Constitutional Amendment Act.-1993**

The 73<sup>rd</sup> Constitutional Amendment Act has had a checkered history. It struggled for near about three years to see the light of the day as an Act. The Rajiv Gandhi Government introduced a Panchayati Raj Bill in 1989, which was passed by the Lok Sabha, but it failed to gain the requisite majority in the Rajya Sabha. The V. P. Singh Government also tried to pass a Bill in 1990 on the Panchayati Raj, but it lapsed with the dissolution of the Lok Sabha. In 1991 the present Congress Government again introduced the bill on the Panchayati Raj with some modified provision. The bill was referred to a select committee by the Parliament. The bill was first discussed by a parliamentary committee and then by Parliament. It was passed by the Lok Sabha on December 22, 1992 and by the Rajya Sabha on the following day. After ratification by 17 State Assemblies, including West Bengal and Bihar, both opposition ruled states, the President gave his assent to the Bill on April 20, 1993 and it became an act through a gazette notification. The Act was brought into force with effect from April 24, 1993.

The main characteristics of the 73<sup>rd</sup> Constitutional Amendment act are that the act proposed to established Gram Sabha consisting of all the voters in the Panchayat area, it established a three tier System on Panchayati Raj in an ascending order (except the states whose population is less than 20, 00,000) the Panchayat at the village level, intermediate level, and district level at the top. The member of all these Panchayats will be directly elected by the people. Members of the Lok Sabha/Rajya Sabha (MPs) and members of State Legislative Assembly (MLAs) from the area would continue to be members of these bodies with the right to vote in the meetings of the Panchayats but they have no right to vote in the election

of Chairpersons of the intermediate and district level Panchayat and they are also debarred from being Chairperson of these Panchayats. The term of each Panchayat would be five years and election would be held every five years under the supervision, direction and control of the state election Commission/Commissioner and if superseded, a mid-term election would have to be held within the six months. The reconstituted Panchayat serve for the remaining period of the five year term only.

The act also provided for reservation of seats, for the scheduled castes and scheduled tribes in proportion to their percentage to the total population of a Panchayat. It has further reserved the seats of the Chairpersons for the SC & ST candidates in all the three tiers of the new Panchayati Raj Institutions in direct proportion to their percentages to the total population of the state; out of these reservation seats one third will be reserved for SC & ST women. The 1993 Act also provides that one third of the seats in the Panchayats at all levels will be reserved to women including the SC & ST women. The Act directed the states that reservation is carried out by rotation in each and every Panchayat at each level. Another feature of the act is that it has left to the states to decide the question of reserving seats for backward classes.

The financial paucity has been one of the main causes of Panchayati Raj Institutions failure in the past. To remove this hurdle, the Panchayats has been empowered to levy and collect appropriate taxes, duties, tolls and fees and they would be entitled grants-in-aid from the consolidated fund of the State. Every five years, the State Government would appoint a Finance Commission to review and advise the state government on the principles governing distribution of funds to the Panchayats. The manner of the audit of the Panchayat accounts

would be decided by the state government. The state government would also devote power to the Panchayats to prepare plans for economy development and social justice. Significantly, a whole new schedule called the Eleventh Schedule has been drawn up to ensure a better utilization of center and state funds. The schedule contains entire agriculture and allied activities, minor irrigation schemes, land reforms and improvement small industries including food processing, cottage industries, rural housing, drinking water, rural electrification, poverty alleviation programmes, primary and secondary education, vocational education, health and family welfare schemes, public distribution system, welfare schemes for weaker and handicapped sections etc.

The devolution of powers to the Panchayats in terms of Article 243G of the Constitution is essential for making decentralization successful. The process of devolution of function, functionaries and finance in respect of 29 subjects listed in the Eleventh Schedule is not uniform among the states. We note that only Kerala, Karnataka and West Bengal have completed activity mapping, as envisaged in the 73<sup>rd</sup> Constitution Amendment. With the experience of the status of devolution in respect of 29 subjects it can easily be realized that after more or less 20 years of the passage of the 73<sup>rd</sup> Constitution Amendment act, the devolution of power and authority to the Panchayats is minimal. However, conformity legislation is only the beginning of the process of devolution. It has to be operationalized through government orders that specify which activity pertaining to which function is to be devolved to which level of the three-tier Panchayati Raj Institutions. Activity mapping is the instrumentalist argument for devolution, and is grounded in the democratic ideal. It involves an identification of functions within a given sector and the disaggregation of these functions

into tasks, activities and responsibilities for devolution to the three levels of Panchayats.

(Sundar Ram, 2008)

**Table: 2.1 Transfer of Subjects**

<b>State</b>	<b>Transfer of Subjects through Legislature</b>	<b>Subject Covered Under Activity Mapping</b>
Andhra Pradesh	17 subjects	9 subjects
Assam	29 subjects	29 subjects
Arunachal Pradesh	-	3 subjects
Bihar	25 subjects	25 subjects
Chhattisgarh	29 subjects	27 subjects
Goa	6 subjects	18 subjects
Gujarat	15 subject's	14 subjects
Haryana	29 subjects	10 subjects
Himachal Pradesh	26 subjects	-
Karnataka	29 subjects	29 subjects
Madhya Pradesh	23 subjects	23 subjects
Maharashtra	18 subjects	-
Manipur	22 subjects	22 subjects
Orissa	25 subjects	7 subjects
Punjab	7 subjects	-
Rajasthan	29 subjects	12 subjects
Sikkim	28 subjects	-
Tamil Nadu	29 subjects	-
Tripura	29 subjects	21 subjects
Uttar Pradesh	12 subjects	-
Uttaranchal	14 subjects	9 subjects
West Bengal	29 subjects	15 subjects
<b>Union Territory</b>		
Dadra and Nagar Haveli	29 subjects	29 subjects
Daman and Diu	18 subjects	18 subjects
Andaman and Nicobar Islands	8 subjects	8 subjects
Lakshadweep Islands	25 subjects	25 subjects

Source: The State of the Panchayats- A Mid-term Review and Appraisal 22 November 2006, New Delhi, Ministry of Panchayati Raj, Government of India, 2006.

## **2.6 Evolution of Decentralised Governance through Panchayati Raj System in West Bengal:**

West Bengal had witnessed a short spell of a system of Panchayat called the Chowkidari Panchayat introduced in 1870 under the British colonial rule. It had nothing to do with normal Municipal functions and was principally concerned with the maintenance of the village watch and word. The head of the Chowkidari Panchayat was the district collector. The Bengal Local Self-Government Act was passed in 1885 as a sequel to the famous Ripon Resolution of 1882. Bengal at that time consisted of today's West Bengal, Bihar, Orissa, Assam and Bangladesh. Lord Ripon had an idea of Local Self Government as an instrument of popular and political education. The Bengal Local Self-Government Act, 1885 provided for two tiers of local government, one at the district level and the other at the sub-district level. Because of its wide jurisdiction the district tier failed to live up to the expectation. The local boards at the sub divisional level had no autonomy and despite there being a provision for the extensive use of elective principles and non official chairman under the act, the Bengal Administration Report of 1891-92 for example, had shown that the elected members were in a minority. At the close of 1891-92 of the total 790 members in 38 districts of Bengal 168 were ex-official members, 313 were nominated by the government and 309 elected by the local boards. In the local boards of the total 1248 members, 40 were ex-officio members, 730 nominated by the government and only 469 were elected. Out of 790 members in the district boards of Bengal in 1891-92, 31.5% were government servants, 28.9% were zamindars and landlords and 26.6% were legal practitioners. In the local boards 47.7% were land lords or their servants, 23.8% legal practitioners and 12.5% government servants. (*Mishra, 1983*)

The Bengal partition agitation in 1905 heralded a new era in the nationalist movement in pre-independent India. The imperial government had no other alternative but to decentralized administrative powers. In 1907, a committee was appointed under the leadership of Mr. Hobhouse. The committee felt that there should be village Panchayats in the interest of decentralization and public participation administration. In 1914 the District Administration Reform Commission appointed by the government of Bengal pleaded for a unified system of rural local government and favored the establishment of a network of unified rural local authorities combining the function of Chowkidari Panchayat and the union committee. This led to the birth of the union board under the Bengal Village Self-Government Act, 1919. The creation of union boards brought the traditional institutions of village Panchayats directly into the administrative and revenue structure of the colonial rule. It was an attempt to provide political accommodation to the emerging rural middle class which was given opportunity of access to institutional power. (*Pramanick and Datta, 1994, p 2*)

## **2.7 The Post Independence Panchayati Raj System in West Bengal**

The West Bengal Panchayat Act was passed in 1956. The union boards gave place to two tier structure at the lowest levels: Gram Panchayat and the Anchal Panchayat. The implementation of the act was however phased. By 1963, just 50% of the village and 60% of the rural population were covered by the Panchayat System. The Anchal Panchayats were based on the earlier union board and were located above Gram Panchayats in legal and administrative hierarchy. They became the main focus of formal political power. As the members were indirectly elected, it nullified the call for popular participation at the lower level.

The next step in completing the structure of Panchayati Raj was taken during the third plan period. The West Bengal Zilla Parishad Act was passed in 1963 to provide for remodeling of local government with a view to associating the local authorities with development activities and bringing about democratic decentralization and peoples participation in planning and development. The two acts provided for a four tier structure consisting of Zilla Parishad, Anchalik Parishad, Anchal Panchayat and Gram Panchayat. Thus West Bengal departed from the Balwantrai Mehta model by having a four tier Panchayati Raj. The Anchal Panchayat which replaced the old union board was provided to maintain continuity. Webster observes “..... These (two acts) were little more than a facade with the state government merely paying the service to the ideas of popular participation and decentralization embodied in the proposals of the Mehta Report. Participation was minimal, the powers and responsibilities devolved were few, financial support was lacking, departmental and administrative officials continued to function as before, and Panchayati Raj Institutions remained little more than a distant idea given the absence of political will on the part of the state government”. (*Webster, 1992. p 21*)

Clearly West Bengal started its journey at a time when the phase of decline of the Panchayati Raj System in other states of the country had begun. According to one observer the Zilla Parishads and Anchalik Parishads faced their inglorious death as soon as they were born. (*Bhaduri, 1980. p 6*) The Gram Panchayats and Anchal Panchayats continued at the local level but they had no effective role.

The delayed birth of Panchayati Raj System in West Bengal received a further setback because of series of political development the state after its ceremonial inauguration on

October 2, 1964. The law and order situation in the state became alarming as a result of bandhs, strikes, demonstrations and the like. The Congress Government in the state was defeated in fourth general elections held in March, 1967. The United Front (UF) government which was installed proposed a completely new scheme for overhauling the Panchayat System but the government was dismissed. The next coalition ministry of the Progressive Democratic Front (PDF) and the congress rejected the proposal of the predecessor government and considered some modification in the Acts. But it met with the same fate very soon, and the state was brought under the rule of the President in early 1968. In the next election the United Front (UF) was again voted to power and quite obviously it proceeded with its earlier scheme. All the Zilla Parishads were superseded in 1969 followed by the supersession of other bodies. The annual report of 1967-68 observed that there was doubt about the effective functioning of even 10 out of 19, 662 Gram Panchayats. A comprehensive bill was introduced in the assembly, but the second UF ministry fell in March, 1970 and the state was again brought under the President's rule. The congress which captured power in March, 1972, took up the matter. This effort bore the fruit. A consolidated piece of legislation called the West Bengal Panchayat Act was enacted in 1973. The Act provided three tiers Panchayati Raj System. These are Gram Panchayat at the village level of a group of villages, Panchayat Samiti at the block level and Zilla Parishad at the district level. The system provided for electing 658 Zilla Parishad members, 928 Panchayat Samiti members and 52,520 Gram Panchayat members.

During this period the institutions of Panchayati Raj System were in a moribund stage. They used to rise up to the occasion when relief materials reached them. The rural folk started

looking at the block office as their problem solving organization. They had also started developing a feeling that none other than the higher level political and administrators could help them to come out from the crisis.

## **2.8 The Reorganization of Panchayati Raj System under the Left Front Government in West Bengal**

Formal recognition of moribund condition of the Panchayati Raj System in West Bengal and the need for a few initiatives came with the passing of the West Bengal Panchayat Act in 1973. While it was based, for the most part; on the original acts of 1957 and 1963, the aim of the new legislation was to reorganize the Panchyats and to have them playing a major role in the implementation of development programmes at the local level. However, although the act was passed in 1973, it failed to be implemented because of political instability in the stated at the time and Indira Gandhi's subsequent declaration of a State of Emergency in India in 1975. It was not until the return to electoral politics and the 1977 election of the left front government in West Bengal that the task of reorganizing the system of local government could take place.

The left front government took the acts of 1973 and proceeded to pass a series of acts of amendment. Beginning with four such acts in 1978, the reforming process has continued with 15 Acts of Amendment passed by early 1988. What follows is a summary of the constitutional form of Panchayat as provided for in the legislation on the states statute books in 1989. (*Webster, 1992. p 25*)

The Left Front Government in 1978 brought into force the West Bengal Panchayat Act, 1973. The Act proposed change in structure, composition and function of the Panchayati Raj Institutions bodies. Accordingly a three tier system was introduced – Gram Panchayat, Panchayat Samiti and Zilla Parishad. The Act (1973) in its original form proceeded for a Gram Panchayat consisting of a few villages with maximum population of 15,000 (5000 in hill areas). The total elected members would vary between 7 and 25 depending on the number of voters in the area. The state government might nominate two persons from SC & ST and two women if these sections were otherwise unrepresented. Members held office for four years. They elected a Pradhan and Upa-pradhan from among themselves. The Pradhan exercised all administrative powers. There would be a secretary to look after the Gram Panchayat office, a semi skill person called job assistant, a tax collector, Village Chowkidars and a Gram Savak who happened to be a village level extensive officer of the rural development department at the disposal of the Gram Panchayat. The Gram Panchayat met at least once in a month if one fifth of its members were present.

### **2.9 Organizational Structure of the Gram Panchayats:**

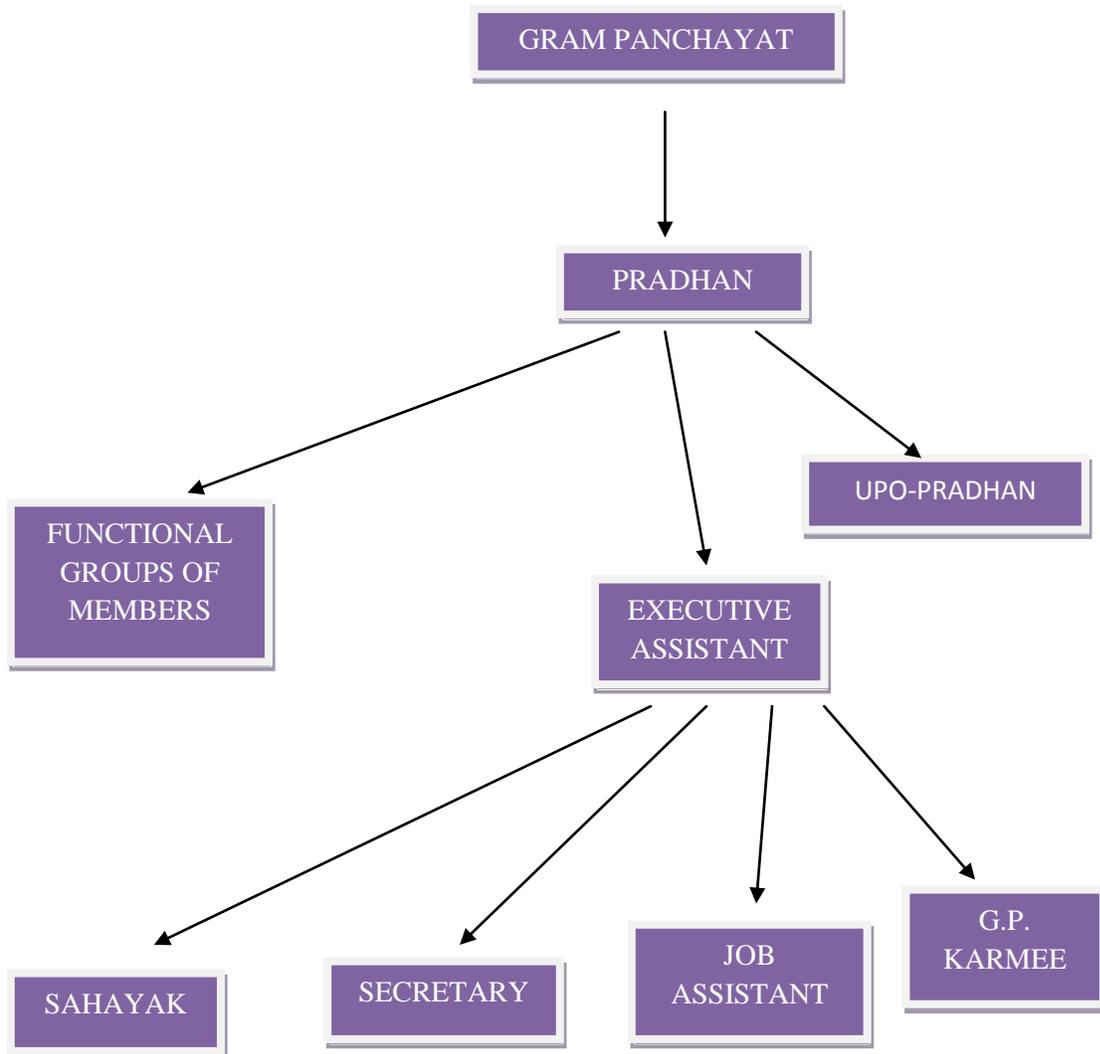
The Gram Panchayat has the elected Pradhan as its functional head. He/She is associated by a full-time Secretary who maintains the office records and one semiskilled Job assistant for formulation and implementation of various work programmes. One post of executive assistant and another of Sahayak have been created. In the former post, no recruitment has yet been made because of some legal entanglements whereas, in the latter post, recruitment is going on. Dafadars and Chowkidars, now re-designated Gram Panchayat karmees, are also

full-time staff of the Gram Panchayats. The state government is considering creation of a few more posts in the Gram Panchayat.

The Gram Panchayat performs the following functions:

- a) Drawing up perspective and annual action plan for the Gram Panchayat with the active participation of community for the all round economic and social development of the villages within the Gram Panchayat utilizing whatever resources are available in the locality and allocations available from the government.
- b) Execution of various development schemes and creation and maintenance of assets and infrastructures at the village level;
- e) Resolution of social conflict through mediation;
- f) Imposition and collection of tax.

**Diagram 2.1: Organization Structure of the Gram Panchayats**



## 2.10 Organizational Structure of the Panchayat Samiti:

The next higher tier was Panchayat Samiti established at block level by abolishing the earlier anchalik parishds. It consisted of a maximum of three members elected from each village on the basis of adult franchise, two persons belonging to SC/ST and two women to be nominated by state government if these sections were otherwise unrepresented, Pradhans of Gram Panchayat within the block area and members of Lok Sabha and Vidhan Sabha within the block area were its ex-office members. They all held office for five years and elected from among themselves a Sabhapati and a Sahakari Sabahpati. It met at least once in a month provided one fifth of its members were present. Its functions were related to agriculture, taxation, finance, and social service, relief of distress, anti-epidemic measures, supervision and coordination of works made by Gram Panchayat within its area. The 1973 act provided for seven standing committees at both Panchayat Samiti and Zilla Parishad level to deal with particular functions. These were financial and planning, education, public health, construction work, agriculture, irrigation and cooperation, small industries, relief and welfare. No one except the Chairperson and deputy Chairperson of a Panchayat Samiti or Zilla Parishad could be the head of more than two standing committees. All block level departmental officer were statutorily associated with the concerned standing committee. The Block Development Officer was the ex-officio executive officer of Panchayat Samiti. The Panchayat Samiti also have 10(ten) different Sthayee Samiti and Samanway Samiti and function in the same manner these Samitis function in the Zilla Parishad.

The Panchayat Samiti performs the following functions;

a) Received fund from Zilla Parishad for various development programs;

- b) Preparation of block level plan of action;
- c) Collection of revenue;
- d) Convergence of sectoral activities of block level;
- e) Supervision of developmental activities taken up by the Gram Panchayats.

### 2.11 Block Sansad:

The concept of Block Sansad has been incorporated in the state act by the West Bengal Panchayat (Amendment) Act. 2003. Every Panchayat Samiti shall be a Block Sansad consisting of all members of Gram Panchayats pertaining to the block and all members of Panchayat Samiti and hold a half-yearly and an annually meeting every year. Attendance of at least ten percent (10%) members will make will make quorum. An adjourned meeting of Block Sansad shall be held after seven days at the same venue and the same time and quorum will be required for adjourned meeting also. The Block Sansads meeting held regularly in the year 2007-08 which is shown in the table- 2.2 and 2.3.

**Table-2.2**  
**Half-yearly meeting of Block Sansads (Dec. 2007-Jan. 2008)**

No. of Panchayat Samiti	Total no. of Block Sansad meeting held	No. of Panchayat Samiti which did not hold any Block Sansad meeting
333	296	37

Source: Annul Administrative Report, Deptt. of Panchayat and Rural Development, Govt. of West Bengal, 2008-09.

**Table-2.3**  
**Annual meeting of Block Sansads (Jun-Jul. 2008)**

No. of Panchayat Samiti	Total no. of Block Sansad meeting held	No. of Panchayat Samiti which did not hold any Block Sansad meeting
333	272	61

Source: Annul Administrative Report, Deptt. of Panchayat and Rural Development, Govt. of West Bengal, 2008-09.

The Block Sansad shall guide and advice Panchayat Samiti for all matters relating to development including preparation of annual plan and budget, implementation of development programs, schemes, projects and for under taking such activities for economic development and ensuring social justice as are undertaking by Panchayat Samiti. Further, the deliberation, recommendation and observations passed in the meeting of Block Sansad shall be considered in the meeting of the Panchayat Samiti within one month from the meeting of Block Sansad. The decision of the Panchayat Samiti along with action taking report shall be placed in the next meeting of Black Sansad. (Annual Administrative report, 2003-2004)

#### **2.12 Organizational Structure of Zilla Parishad (ZP):**

At the highest level was the Zilla Parishad headed by a Sabhadipati and in his absence, a Sahakari Sabhadipati. Its member includes – two persons elected on the basis of adult franchise from each constituency within the territorial limits of each Zilla Parishad. Sabhadipati of Panchayat Samitis within its area and members of Lok Sabha and Vidhan Sabha from the district were its ex-office members, also Rajya Sabha members whose residence in the district were its ex-office members. Two persons from SC/ST and two women members were to be nominated by state government, it met at least once in a month provided one-fifth of its members were present. The District Magistrate (DM) was the executive officer of Zilla Parishad and Additional District Magistrate (ADM) was its additional executive officer. All district level officers were statutorily linked to the corresponding standing committees. The executive officer, i.e. the District Magistrate was responsible for coordinating the work of Zilla Parishad and district level officers. The

functions of Zilla Parishad included providing financial assistance regarding agriculture, industries, livestock, irrigation water supply, communication, establishment of schools, hospital. It had power of advice the state government on all matters relating to development work within the district, to supervise the functions of Panchayat Samiti and Gram Panchayats within its territorial jurisdiction. (*Bhattacharya, 2002. p 31*)

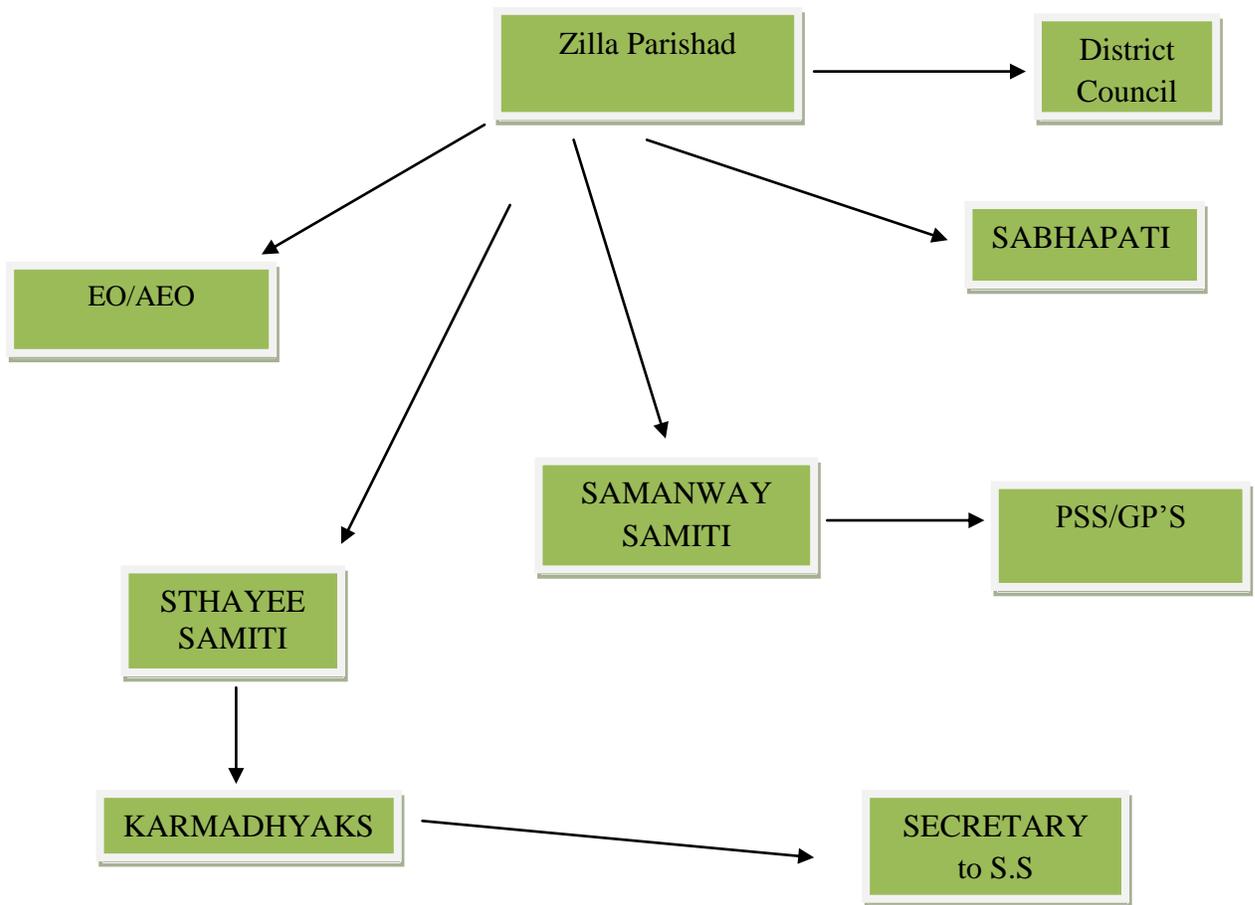
The Zilla Parishad under the chairmanship of the Sabhadhipati is the key organization at the district level and has the District Magistrate as the executive officer assisted by an additional executive officer and a secretary who is a senior state civil service officer. A post of deputy secretary has also been created. Beside, 25 posts of additional deputy secretary have been created in the state with this distribution in the Zilla Parishads on the basis of size and workload. The formal association of the District Magistrate with the Zilla Parishad appears to be an advantage in forging strong linkage with other government departments. The Zilla Parishad function through 10(ten) different sthayee samitis (standing committee) consisting of elected representatives and government officers nominated from the concern line department. Karmadhyakshas (chairpersons) are the heads of these sthayee samiti, assisted by secretaries who are government officers. Beside these, there is a samanway samiti, headed by the Sabhadhipati and the district council to be headed by the leader of opposition in the Zilla Parishad.

Some of the major functions of Zilla Parishads are:-

a) Drawing up a development plan for the five-year term and also annual plan of action for each year for the Zilla Parishad.

- b) Convergence of sectoral activities at the district level;
- c) Implementation of the major development programmes/ schemes with funds received from the State Government and Central Government;
- d) Implementation of programs for securing social justice for the people especially for the weaker section of the community;
- e) Channelizing the fund as also monitoring and supervision of development activities taken up by Panchayat Samiti and Gram Panchayat;
- f) Collection of revenue and application of fund generated for development work.

**Diagram 2.2: Organizational Structure of the Zilla Parishad**



### **2.13 Zilla Sansad:**

The West Bengal Panchayat (Amendment) Act., 2003 has made the provision of Zilla Sansad in the state act. Every Zilla Parishad shall have a Zilla Sansad consisting of all Pradhans of all Gram Panchayats, Sabapaties, Sahakari Sabhapaties, Karmadhyakshas of all Panchayat Samitis and all members of Zilla Parishad. A half-yearly and an annual meeting of Zilla Sansad shall have held every year. Attendance of at least 10% members will make quorum. The adjourned meeting of Zilla Parishad shall be held after seven days at the same venue and

at the same time and quorum will be require for adjourned meeting also. The Zilla Sansad shall guide and advice the Zilla Parishad for all matters relating to development including preparation of annual plan and budget, implementation of development programmes, schemas and projects, and for under taking such activities for economic development and ensuring social justice as are undertaking by the Zilla Parishad. Further, the deliberation, recommendation and observations passed in the meeting of Zilla Sansad shall be considered in the meeting of the Zilla Parishad within one month from the meeting of Zilla Sansad. The decision of the Zilla Parishad along with action taking report shall be placed in the next meeting of Zilla Sansad. (Annual Administrative report, 2003-2004)

**Table-2.4**  
**Half-yearly meeting of Zilla Sansads (January- February, 2008)**

No. of Zilla Parishads in the State	Total no. of Zilla Sansad meeting held	No. of Zilla Parishads which did not hold any Zilla Sansad meeting
18	17	1

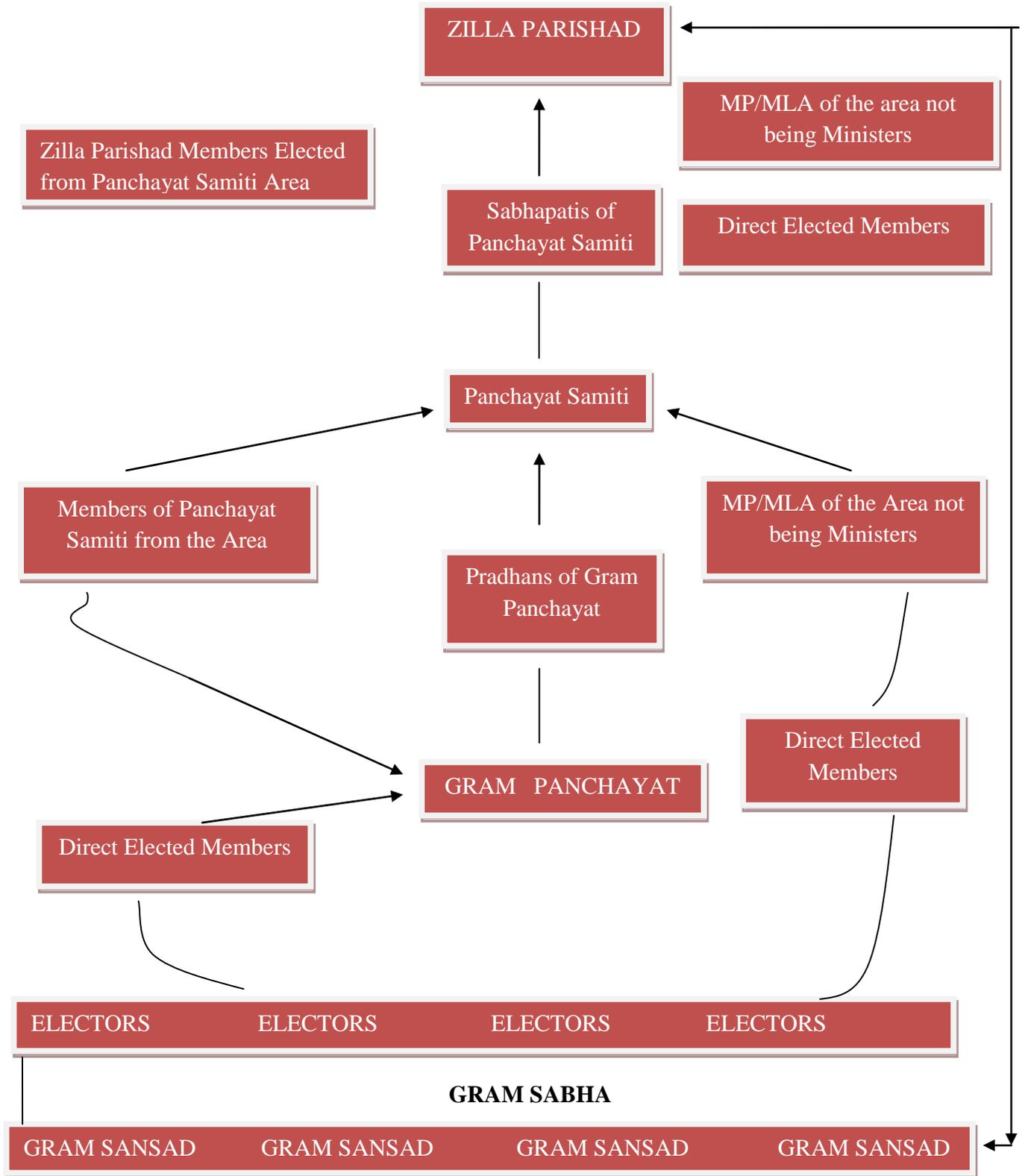
Source: Annul Administrative Report, Deptt. of Panchayat and Rural Development, Govt. of West Bengal, 2008-09.

**Table-2.5**  
**Annual meeting of Zilla Sansads (July- August, 2008)**

No. of Zilla Parishads in the State	Total no. of Zilla Sansad meeting held	No. of Zilla Parishads which did not hold any Zilla Sansad meeting
18	17	1

Source: Annul Administrative Report, Deptt. of Panchayat and Rural Development, Govt. of West Bengal, 2008-09.

**Diagram 2.3: The Organizational Linkage**



#### **2.14 Organizational Linkage:**

All three-tier are organizationally inter-linked in as much as, the Pradhans of the Gram Panchayats are ex-officio members of the immediate superior the body i.e. the Panchayat Samiti and the Sabhapatis of the Panchayat Samitis are ex-officio members of the Zilla Parishad. The law also empowers the bodies of the higher tier to supervise the functions of the lower ones. The position has been further elaborated in the Diagram 3.

Thus, Panchayati Raj Institutions were working in close cooperation with bureaucracy. It was not possible to abolish bureaucracy altogether, so they were brought under close popular supervision. With more power and authority, Panchayati Raj Institutions became responsible for huge amount of money. New organization for audit and accounts was formed to monitor and regulates Panchayati Raj Institutions expenses. Even planning was decentralized with the establishments of District Planning Committees (DPC) and Block Planning Committees (BPC) after 1985. The DPC was headed by Zilla Parishad Chairman with the District Magistrate as its member secretary. The heads of Panchayat Samities and Municipalities and standing committee within the territorial jurisdiction of the district were all members of the DPC. It acts as the executive arm of District Planning and Coordination Committee (DPCC) which was a bigger body comprising all DPC members, MPs, MLAs and ministers. The BPC was set up on similar basis.

#### **2.15 Effect of Land Reform on Panchayati Raj Institutions in West Bengal**

The first Panchayat elections were held in 1978. The Left Front (LF) leadership realized that there success of ever sheer survival as an administration depended on dislodging the landlord-moneylender class who yielded enormous power in countryside. However, their

legitimacy as a democratic regime meant eschewing radical methods. Here they were immensely helped by the presence of laws regarding land tenure and empowering Panchayat that were enacted by successive administration of the Congress Party but were never implemented seriously. In this instance there was a rare coincidence of the electoral compulsions of a political party with its ideological commitment to egalitarian reforms and this explains the political will and seriousness with which the administration carried these out.

The Mukarjee-Bandhopadhyay Report pointed out how the strong hold of the landowners had already received a joint through massive drives in 1967-70 under the two United Front Governments for detaching and taken over lands that had been clandestinely retained by landowners, violating the land ceiling laws. Over a million acres of good agricultural land was taken over during 1967-70. This considerably weakened the hold of the big landlords who had traditionally led the rural society. Thus, when the first Panchayat election took place in 1978, the power structure of the rural area had already altered considerably. As a result, instead of empowering the already-powerful Panchayats in West Bengal place power in the hands of newcomers who could be relied upon to implement land reforms measures faithfully. In this way, land reforms and Panchayats supported each other. (Gazdar and Sengupta, 1997) Without land reforms it is very likely that the Panchayats might have been controlled by the rural landowning elite in spite of the election.

In turn the Panchayats played an active role in the enforcement of the agrarian reform programme of the Left Front administration. This involved identifying the beneficiaries, supporting them against possible threats by the landlords, and helping the land bureaucracy

register the leases of sharecroppers so as to enable them to take advantage of the tenancy laws. (Gazdar and Sengupta, 1997)

Another important Feature of West Bengal Panchayats is that many people from the lower and middle range of the rural society, poor peasants, sharecroppers, agricultural labourers and school teachers for the first time came to hold seats of power and resource distribution in the rural areas. Sample surveys conducted after the 1978 election representatives of village councils came from household owing less than two acres of land. (Ramachandran, 1997)

#### **2.16 West Bengal Panchayat (Amendment) Act, 1994:**

The West Bengal Panchayat Act, 1973 was amended a number of times till 1994. These amendments changed the character of West Bengal PRIs further. In 1982, amendments were made in which the term of Panchayati Raj Institutions was increased from four to five years. In 1992 Amendment, it was preceded that not less than one-third of the seats shall form quorum at each tier. It also said that at least one third of the seats in each tier of Panchayat shall be reserved for women. The reserved seats shall be rotated in every election. The number of standing committee was increased to ten. In 1994 Amendment it was said that not only for ordinary members, reservation will be effective also for the seats of chairpersons. Reservation of sets for SC/ST according to their proportion to total population was also provided. Secondly, two popular bodies namely Gram Sabha (all electors within a constituency of a Gram Panchayat) and Gram Sansad (all electors within a constituency of a Gram Panchayat delimited for the purpose of last preceding general elections to Panchayats) were set in operation with changed connotation. Their meetings were made statutory regulation for they formed an interaction between electors and their representative. Thirdly, it

was said that only directly elected members of tier will have say in choosing and removing office-bearers. Panchayats at all tiers were empowered to approve their own budget and bye-laws and also borrow from any financial institution for implementation of a scheme without prior approval of any higher tier. Fifthly, an independent state election commission was recommended to be constituted for conducting all elections to the Panchayats within the State. Provision for constituting a state finance commission was made for every five years to review financial position of the Panchayats and to make recommendations for distribution of fund in specified manner between state and Panchayats. It provided for disqualification of a member of any Panchayat if he acts against the common decision of the political group to which he belongs, thereby going against the people mandate. Provision for creating a district council was made in every district under the chairmanship of the leader of recognized political party which is in opposition in Zilla Parishad. It shall examine and ensure financial propriety in the function of Panchayats within its jurisdiction and pursue matters related to unsettled objections raised in any report on audit of accounts. The total members of Gram Panchayat were increased from a maximum of 25 to 30. (*Bhattacharya, 2002. p 34*)

The experiences of West Bengal under the Panchayat system stands in sharp contrast with that of other states and, together with land reform it has been credited for playing an important role in the impressive economic turnaround of the state since the mid 1980s. West Bengal is the first and the only major state to have had timely Panchayat elections on a party basis regularly every five years since 1978. However, despite its pioneering status in terms of reforms of the Panchayat System, West Bengal lags behind several other states today in terms of devolution of power, finances and functions to the Panchayat. Also, the extent of

people's participation in the planning process is significantly less compared to that in Kerala where under the ambitious People's Plan Campaign launched in 1996 villagers were directly empowered to prepare detailed development plans that are then put to vote in popular village assemblies. It is true that the vary durability of the Panchayat reforms in West Bengal has enabled detailed studies to reveal many of its shortcoming compared to Kerala where the reforms started almost two decades later. Nevertheless, the need for reforms that brings the Panchayat System in West Bengal closer to the ideal of participatory governance, something that goes beyond the mere right to vote elected officials out of power every five years, is wider recognized. (Ghatak and Ghatak, 2002)

### **2.17 Conclusion:**

The word "Panchayat" is not a new concept in Indian context. But the idea of new Panchayati Raj System was very much influenced by western political thoughts. Under the British rule, the imperial ruler was keen to utilize the service of local bodies to protect and promote colonial interest. After independence, the nationalist leader of India did not accept the concept of Gandhi's "Gram Saraj" and the Panchayati Raj found its place in the Directive Principal of State Policy of Indian Constitution. It is clear to all that the makers of our Constitution are not confident enough regarding the ability of the people of India to run smoothly the local governance. For that reason they were not agree to decentralize the power and authority to the Panchayati Raj Institution. On the other hand neither centre nor state governments are interested to share the function and functionaries with the local government. These are the reasons for the failure of the Panchayati Raj Institution after four decades of our independence. The local governance got its force when 73<sup>rd</sup> Constitutional Amendment

was passed and Panchayati Raj Institution gained constitutional endorsement. After 20 years of 73<sup>rd</sup> Constitution Amendment, the process of devolution of function, functionaries and finance in respect of 29 subjects listed in the Eleventh Schedule is not satisfactory. On the other hand, the centrally sponsored schemes, direct subsidy scheme, MP Local Area Development Scheme (MPLAD) etc. had negative impact towards the working of local governance. The growth rate of Indian economy is slow down due to global economic crisis. So, the effects of that crisis also weaken the developmental programs in the grassroots level. It also notes that the rampant corruption and uncontrolled inflation is the major debatable issues in the current situation to the social scientists. The topic like decentralized governance and empowerment is pushed in the backside. In spite of having all the above mentioned problems and limitations, various civil society organization are coming forward and get interested on decentralized governance and doing actively their best for the benefit of the disadvantaged section of the society. However, there is a question regarding the farther development and empowerment of local governance in the age of globalization and liberalization.

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