

Chapter - 5

5.1. The nature and dynamics of the development of Panchayat Raj Institutions (PRIs) in Post- Independent India:

In V.T. Krishnamachari's words, the functions of Panchayat Raj bodies 'include social and economic development in the widest sense.' (1)

In India the System of Panchayat is a pragmatic form of democratic and decentralized governance. The Nationalist leaders gave importance upon the Panchayat during the freedom movement. Gandhiji's very basic idea on the development was based on 'Gram Swaraj.' Most of the leaders believed in it. However, Panchayat was not included in the Draft Constitution presented in the Constituent Assembly of India. And ultimately, after a long discussion and debate, the provision of Panchayat was included later in an undermined way in the Directive Principles of State Policy in the Constitution of India. (2)

Article 40 provides: "The state shall take steps to organize village panchayats and endow them with such powers as may be necessary to enable them to function as units of self- government."

A democratic polity involves the decentralization or deconcentration of power in a way that the affairs of the local people are managed by means of their positive participation. Democratic decentralization is a political ideal and local self-government is its institutional form. The advent of independence afforded the real opportunity for materializing the dream of democratic decentralization in our country. (3).

However, the ruling power elite in India because of their lack of political will did not pay due respect to the above-mentioned Article at once.

After a long interval, in October, 1952 community development projects in some selected localities of various states were launched that were manned by a staff trained in the sphere of community development work and that was entrusted with the work of executing the rural development plan with the help of locally nominated popular bodies.

The Second Five-year proposed to cover the whole of the countryside with National Extension Service Blocks through the institutions of Block Development Committee manned by Block Development Officers, Assistant Development Officers. Village level workers in addition to the nominated representatives of the village panchayats of that area and some other popular organizations like cooperative societies.

All these arrangements proved unsatisfactory. The programmes were set from the above and dominated by the bureaucracies. Certainly, the programme could not create the people's initiative.

Hence, the Government of India appointed a committee under the chairmanship of Balabantrai Mehta in 1956 to study the whole problem and suggest ways and means for implementing the scheme of Panchayat Raj on some uniform line throughout the country. The committee, however in view of vast size and varying social, political, economic conditions prevailing in different part of the country recommended *'form and pattern may necessarily vary according to the conditions prevailing in different states.'*

As a result, the Government of India did not insist that every State should follow the same pattern. It emphasized some fundamental principles of Panchayat Raj as:

- (1) There should be a three-tier structure of local-self government from the village to the district with village at the bottom and the district at the top with its intermediary link of institutions all organically related to one another.
- (2) There should be a genuine transfer of power and responsibility to these institutions of local self-government.
- (3) Adequate resources should be transferred to these bodies to enable them to discharge these responsibilities.
- (4) All programmes of social and economic development formulated through the network of planning should be channeled through these institutions.
- (5) The new system should be tried and encouraged to facilitate the work of making further devolution and dispersal of power responsibilities in future.

The system of Panchayat Raj in its new form saw its inauguration in 2nd October 1959 by Jawahar Lal Nehru in a district in Rajasthan.

The year 1978 was a landmark in the history of Panchayat. This time the Janta Party-led central Government gave a new life to the system of Panchayat.

Till date scholars call Panchayat Raj as 'a process of governance', 'a system', 'a revolution'. Jawharlal Nehru termed Panchayat as "Raj" i.e., governance. Mahatma Gandhi's idea of 'village swaraj' was the governance of a 'complete republic- the government of the village which will be conducted by the Panchayat of five persons annually elected by the adult villagers, males or

females; possessing minimum prescribed qualification, the Panchayat will be legislature, judiciary and executive combined to be operative for its year of office.'

It was with Mahatma Gandhi there had been a turning point in the conceptual change about the role of the Panchayat. His belief in 'Gram Swaraj and cohesiveness of Indian village inclined him to construct a vision of India around the small village republic, which was to be governed by the Panchayat of five persons. The present Indian leaders too welcome 'Panchayat Raj as the only answer to all problems'.

As for example, *Acharya Ramamurti, a Sarvodaya leader* of Assam-an insurgency prone state, said the panchayati raj system was better placed to solve the problem of insurgency, in the north-east because the people at the grass roots would have their own platform to raise their voice. *"The gun won't be required". According to Ramamurty, Solutions to the country's problems lay in the panchayati raj institutions because representative democracy was no longer able to cure the maladies.*

The Constitution of India itself lies down that the panchayati institutions should develop into units of self-rule. Rammurthy believes *'India can show the way that people handle power more successfully than their representatives'*.

India could become a model for other south Asian countries that were trying to develop their democracies.

In the 1990's the Indian rural local government comprises 232,278 village panchayats, 5905 intermediate panchayats, and 499 district panchayats, making a total of 2,38,682 at all the three levels.

The 73rd Amendment to the Indian constitution has greatly contributed to the political empowerment of the women and marginalized communities in the rural society and has thrown open political opportunities in the panchayats to these disadvantaged sections.

Clause (3) of Article 243-D inserted in the Indian constitution by the 73rd Amendment Act provides that “not less than one-third (including the number of seats to be filled by direct election in every panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a panchayat”. Similarly, *clause (2)* of the same article provides that “*not less than one-third of the total number of seats reserved (for the Scheduled Castes and the Scheduled Tribes) shall be reserved for women belonging to the Scheduled Tribes*”.

Moreover the provision under *clause (4)* of the said Article which deals with reservation of offices of the chairpersons in the Panchayats for the scheduled castes and scheduled tribes and women stipulates that “*not less than one-third of the total number of offices of chairpersons in the panchayats of each level shall be reserved for women*”.

Clause (1) of Article 243-D provides for reservation of seats to the scheduled castes and the scheduled tribes in every panchayat. Accordingly, it provides that seats for these marginalized sections of the rural society should be provided in every panchayat in proportion of their respective population in the total population in each panchayat, and further that such seats may have to be allotted by rotation to different constitution in the panchayat.

Likewise, *clause (4)* of the said Article stipulates that the offices of the chairpersons in the panchayats at the village level or any other level should be reserved for the scheduled castes, scheduled tribes and women as the Legislature of a state may, by law, provide subject to the condition that the number of such reserved offices should be in proportion to their respective population in the panchayats at each level.

The 73rd constitutional Amendment could be considered not only historic but also very radical in that for the first time in the history of the independent India. It has made mandatory provisions for the reservation of a minimum number of seats and offices of chairpersons to women as well as to the marginalized sections of the rural community.

All states have incorporated these constitutional imperatives in their respective Panchayats Acts. Elections were accordingly conducted, and in the process a phenomenal number of about one-and a-half million elected representatives belonging to these disadvantaged sections have assumed office in the panchayat.

Such arrangements had improved the awareness and perceptual levels of these sections and had created an urge in them to assert for their rightful share in the decision-making exercise at the local level. Training Programmes are being organized for the members of these sections including women chairpersons of panchayats at different levels. The state Institutes of Rural Development and the NGOs are organizing these training programmes with appropriate curriculums for them.

Another historic step in the development of Panchayat was that the introduction of the 'Gram Sabha' at the village level consisting of persons registered as voters in the electoral rolls of the gram panchayat. Every gram sabha hold two general meetings in each year. There is a provision of quorum for these meeting.

Though there are a lot of good work done by Kerala, Madhya Pradesh and West Bengal, some states lag behind, even in organizing panchayat elections at regular interval. Panchayat polls are not frequent in Assam, Bihar, etc. states. However, situations improved much better today. When panchayat polls were held in Jammu and Kashmir in 2001 after 23 years, people rejoiced in grassroots level democracy.

Through the 73rd constitutional Amendment the Panchayati Raj institutions in India has been entrusted with the responsibilities relating to 29 subjects. While Panchayat is an affair of state list, the level and degree of conferring power varies depending on the basis of each state concerned. Centre has thus directed the state to convey this information through the '*Activity Map*'.

Panchayat today supervises the block primary health centers or rural hospitals, water supply system, dig deep tube-wells or simple tube-wells, examines the standard of drinking water, even basic education or animal husbandry etc. However, till date, the gram panchayats lack the technical expertise for undertaking good quality work.

In the scheme of 73rd Amendment, the Gram Sabha is a deliberative body and the Gram Panchayat is the executive organ. The *Village Development Council*

(VDC) now advises the Gram Sabha and the recommendation of Gram Sabha is binding upon the Gram Panchayat.

Panchayat enjoys very little money from its own resources. It has to depend on the grant-in-aid by the state as well as the centre. The taxes it collects are too little to the success of rural development in a number of basic and minimum issues like the primary health care, education, safe drinking water etc. In 5th April 2002, it was reported that the then Prime Minister desired to a fresh amendment for such cause.

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5.2. The development of Panchayat Raj Institutions in West Bengal since Independence with regard to peoples participation in governance and developmental programmes.

In West Bengal Panchayat started its journey with the Act of 1956. Panchayat replaced the Union Board. But upto 1963 only 50 percent villages were under the Panchayat. After 1963, no election was held in panchayats for 15 years. In the panchayat election of 1978, the Left Front's slogan was to 'break the nest of the vested interest'. In 1983, Left Front was aware of the vested interest and to resist them by enhancing the development activities and extending democratic rights of the people in 1988.

The workers of the left front were vocal to highlight the success of the left front and the panchayat, the role of the atrocities of the congress, the compromising attitude of the congress party and the anti-people policy of the then central government. In 1993, the left front had to fight against the organized alliance of the *congress— (I), Bharatiya Janata Party*, Jharkhand etc. Parties. In 1998, the slogan of the lefts was concentrated on to combating the communal and reactionary forces and to integrate the positive change of the rural West Bengal.

All the time, the opposition was fragmented. Therefore, the ruling left front has sustained its position both in the state government as well as in most of the panchayats for 28 years consecutively till date (*i.e., 2006*).

However, congress party deserves some credit in many respects. In 1953, Zamindari System was abolished during the congress regime. In West Bengal,

congress government passed Land Reform Act in 1954. But it could not give effect the Act in the true sense. In 1974, congress government again introduced an Act in favour of the sharecroppers.

But this time, too the landlords did not follow the Act. In 1956, it was under the congress government that the introduction of new panchayat was witnessed but the whole thing could not further precede in practice as for the next 15 years no election to the panchayat was held. During 1967-68, only 10 percent of the total 19,662 panchayats could hardly function. Again another Panchayat Act was enacted in 1973, but upto 1977 no election was held in the panchayats by the then congress government.

It was *Rajiv Gandhi*, whose sincere effort for making panchayat into a grassroot administration could bore fruit in 1989. He himself was an adminer of the Panchayat system in West Bengal. In 1993, P.V. Narasima Rao also commented in a report of the *All India Congress Committee (AICC)*, the West Bengal, Karnataka and Andhra under Basu, Hegre and Rama Rao did a commendable job for the success of the Panchayati Raj. (1)

In 1957, West Bengal Panchayat Act was promulgated in the state. In 1963, Zilla Parishad Act was enacted in the state. On the basis of these Acts Panchayat was made at two tiers but nothing was found as viable in practice. The transfer of power did not see a reality due to lack of political will. As a result, those acts as well as the structure of the panchayts were found as dried subject. The power was concentrated at the hand of the state government.

It was the second coalition front government in West Bengal, which tried to decentralize the power. In 1969, they replaced the earlier Acts by introducing new Bill in the state Assembly that opted for a three-tier panchayat on the basis of

universal Adult franchise. But the Bill could not become an Act as the congress opposed the Bill.

The Bill was deferred to the select committee. The Bill, however, was introduced during the congress rule in 1974. But the Act was not effective in practice, as there was lack of political will on the part of the congress government and they could not arrange any election to the panchayats. Elections to the panchayat became a regular feature since 1978 while the left front became in power.

While West Bengal is a fore -runner in doing regular elections to the panchayat, in India, the picture of the other states were rather hazy. It was the 73rd Amendment Act in 1993, which made election a compulsion to the Panchayats. Therefore the states are doing elections in the panchayat in these days.

Otherwise, in Bihar, election was not held for 16 years before 1993. In Tamil Nadu, no election was held 8 years before 1993, in Uttar Pradesh election was not held 10 years before 1998. West Bengal in comparison with those of other states is matured in dealing with a pro-people structure panchayats.

Though panchayat was introduced as an imperative in West Bengal, it was rather an outcome of the people's urge and movement and also the political will of the left and democratic forces to move the politics in a new direction. Such a spirit can be traced in the statement made by left leaders during the late 1970's.

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Land reform is a *sine qua non* for decentralization of planning and people's participation in the development process through Panchayat Raj Institutions. Panchayat Raj Institutions can be an effective organization for development with a human face in rural areas only if a genuine land reform programme precedes it.

West Bengal has a much higher proportion of the land declared surplus, taken possession of and distributed. It is due to land reforms, large land holdings, forcible eviction of tenants and semi-feudal extra-economic control of the rich over the labour power of the poor are things of the past. Land reform in west Bengal has helped in the transfer of power in the countryside from the hands of the parasitic, absentee and big landlords to the small landowners.

The ultimate credit of land reforms goes to the effectiveness of the panchayats in West Bengal, which by its constant vigil has made the sections i.e. women, scheduled caste, and scheduled tribes in the gram panchayats.

The State Institute of Panchayats, West Bengal has conducted several studies on many thousands of elected members in different years. And it was found that there were adequate representations of panchayats in programmes a success. Panchayat system based on land reform and land reform based panchayats in West

Bengal became complementary to each other. That is, there is a significant representation of the poor people in the rural power structure of West Bengal. (3)

The uniqueness with panchayats in West Bengal is that it has introduced the system of '*Gram Sansad*' at the booth level. All the elected voters of the booths are the members of the gram sansad. The development issues of the villages are decided at the meeting of the gram sansad. It has quorum. It usually arranges meetings twice in a year. Despite the lack of participation, the system made the participatory democracy into a potential success.

In West Bengal, the formation and activities of the *Self Help – Groups (SHGs)* with people's participation, especially with the women from the disadvantaged section of the society have made into a solid movement. The women are earning individually or within the groups. And it is the panchayat at three levels that directly helped and encouraged to build it up and to sustain.

Other than developmental works, panchayats in West Bengal organize and conducts Literacy or Post Literacy programmes. Adult and continuing centers, Sarbasiksha. Abhijan, fair for the mother and child, folk fairs and competitions, self help groups thereby involve people from the disadvantaged section at the rural level.

Panchayats in West Bengal played a leading role in combating the flood disaster through the management of massive relief operation during the flood of 1978. Panchayat in West Bengal, today is entrusted with special task of monitoring the primary health centers for providing good public health care.

Gram Sansad in West Bengal, however, lack attendance by members. Figures made available by government for gram sansad meetings held in May and

November 2002 show the average attendance of 12 percent and 11 percent respectively with the high of 19 percent and low of six percent. The percentage of adjourned meetings was abnormally high. It was 25 percent in May and 18 percent in November 2002. (*Panchayat Raj Samachar, No.2, November 2002 and no.1 and 2. January February 2003, Institute of Social Sciences.*) The quorum is 10 percent of members. In adjourned meetings no quorum is required. Thus with such low attendance a caucus can easily manipulate the outcome of an election with 10 percent or less of total number of votes. (4)

The West Bengal Panchayat (Amendment) Act, 2003 was passed in the West Bengal legislature and became law on 14th July 2003. The Act tries to establish through law organic linkages among the various tiers of panchayats.

It creates a block sansad and zilla sansad where representation of lower tiers is adequately provided. It also stipulates constitution of functional sub-committees at the gram panchayat level.

The introduction of Gram Unnayan Samiti is another feature of West Bengal panchayat. The objective of the samiti is to ensure '*active participation of the people in implementation, maintenance and equitable distribution of the benefits.*'

There are the two jewels of the success of the government of the state of West Bengal since 1978 and these are land reform and the panchayat Raj Institution. These are well praised by the different experts team both at the government and non-government level of the abroad (*such as BRACK – an NGO of Bangladesh, and the representative of Bangladesh Team, and the team of Peoples Republic of China – all have praised about the working of panchayats in West Bengal*). Even, recently, the expert like Samir Amin, who is famous for

'the theory of Development and Under- Development', and does not favour the activities of NGOs, praised the working of West Bengal Panchayat and the participation of the NGOs actively helping panchayats in the development process.

However, in 1992-93 the Mukherjee- Bandhopadhyay report on West Bengal Panchayats observed that among the elected members the concept of panchayats as autonomous institutions of self- government was unknown. The government treated panchayats as elected extension agencies of state administration and the elected members felt happy about their role. The position did not change even after the 73rd Amendment, which required that respective state Acts should endow panchayats with such powers and responsibilities as would enable them to function as institutions of self – government.

Even the recommendation of the first state finance commission presided over by *Dr. Satyabrata Sen (1995)* to provide for united funds to them local level functions of the line departments are put in cold storage.

It is observed that the state has not yet developed any one of 29 subjects mentioned in the Eleventh Schedule. The critics opine that the concept of autonomy is anathema to the culture of 'control and command' of the dominant partner of the left front coalition. *However, the Critics believe that different wings of the Communist Party of India (MARXIST) i.e., CPIM controls all the three tiers of panchayats, wherever they are in power.*

The local organizations of the CPIM retain total control of panchayats and decisions are ultimately taken at the level of the panchayat sub-committee of the local party unit or the appropriate party unit of the respective level. As a whole Panchayati Raj Institutions in West Bengal are controlled through the network of

Party organizations. (i.e. Zilla Parishad by Party's district committee, the panchayat samiti by the zonal committee and gram panchayats by the local committee).

In reply to a number of allegations, it is claimed by the left front that they run the panchayats sincerely. They claim that there is internal audit system run by the Front Committee, which also check the corruption of the panchayats and punishes the pradhan by canceling them from the party.

West Bengal today bears the panchayat system having 36 percent women out of the total representatives at the Gram Panchayat, 34 percent women at Panchayat Samiti and 36 percent women at Zilla Parishad.

The state of West Bengal had the lion's share of women representative out of total women representatives of all panchayats in India. (According to a report made by Annual Report (2001-2002), Department of Women and Child Development, Government of India.)

According to United Nations Development Programme (UNDP) in 1999, the reason of the success of the panchayat in West Bengal was that the government was committed about its responsibilities about the participation of women and self help groups (SHGs) in the process of development. According to report. in case of women panchayat it was the Shimoga in Karnataka and Kultikri in West Bengal that stood as the pathfinder in the country. In West Bengal, 90 percent of the self-help group members are women.

Now- a- days, CPIM, the principal winner and leading political party in the state does not prefer to project teachers for the post of panchayat members. Therefore, CPIM does not give the teachers ticket and the proportions of marginal

labourers are increasing in the panchayats. Moreover, the women members are increasing in West Bengal, which helped to care the child and women health and their problems in a better way.

However in West Bengal there are lacks of infrastructure at the Gram Panchayat level. There was no chartered and cost accountant in the Zilla Parishad to monitor financial irregularities and look after the preparation of utilization certificates for both state and central government funds.

There were the report of the cases of corruption in 2002 in North Bengal for at least 26 panchayats amounted to Rupees 1 Crore of which 12 in Jalpaiguri, 5 in Cooch Behar, 3 in North Dinajpur. 3 in Malda and 3 in South Dinajpur.

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