

CHAPTER – I

INTRODUCTION

Background

Sikkim became one of the constituent State of the Indian Union on 16th May 1975. Prior to that it was under British Protectorate from 1817 to 1947. The statutory panchayat in Sikkim is of recent origin but the resemblance of existing panchayat system could be traced back to the period when *Bhutias* and *Lepchas* of certain areas used to practice their own traditional tribal council or panchayat system known as *Dzumsa* and *Chhodu* respectively. These tribal societies were accustomed to regulation of their domestic, religious, social, economic, socio-political and judicial affairs at the grass-root level through their traditional tribal councils and collective wisdom of the people in the villages.

Other than the areas covered by *Dzumsa* and *Chhodu*, the State was divided into different *Illakas* or estates leased out to influential persons called *illakadars*. Like in other traditional society, in Sikkim too, the internal administration was feudal in character. This feudal class wielded both judicial and administrative powers within the limit of their *illakas* or estates. For the regulation of the intra-village affairs, the *mondals* were appointed by these *illakadars*. The main function of the *mondals* consisted in the maintenance of law and order and collection of land revenue. With the intrusion of the British in the administration of Sikkim and later appointment of J.C. White, the first political officer in Sikkim, a new era of administrative change began. The political officer's notification of 1906 gave the official recognition to the centuries old *illaka* system and power of *illakadars* defined. In general, all the *illakadars* were given the power to try petty cases of cattle trespass, petty land dispute and debt cases of value not more than Rs. 10/- with

fine to the extent of Rs. 5/-. The estates were the nucleus of internal administration and the *illakadars* the custodian of law and order. The system was highly feudalistic and the wishes of the people were hardly articulated. Nevertheless, in the later stages, the *illakas* while serving as revenue administrative units formed the basis of future panchayat bodies. Soon after the independence of India in 1947, various political parties grew up in the State. Among them, Sikkim State Congress played a significant role for the abolition of landlordism and the introduction of village panchayat at village level. Accordingly, as per the notification of 12th January 1948, the Panchayat Tribunal was to be formed in every estate consisting of a landlord and four villagers of that estate. These four villagers were to be elected by the block people. But unfortunately, in the entire Sikkim, there were 104 estates not a single tribunal was constituted in any estate. The period between 1947 to 1949 was a period of political turmoil in the State.

With the signing of Indo-Sikkim Treaty on 20th March 1950, an attempt was made to provide for the formation and functioning of a body representative of people residing in the local area. The Government notification issued on 5th August 1951 finally established Local Area Panchayat consisting of five elected members. Voting rights were provided to those over 21 years of age and residing in the local areas for at least twelve months prior to the electoral date. The five candidates receiving highest votes in order of merit would be declared elected. The members elected were to be approved by the Durbar. On receipt of approval from the Durbar the senior most *mondal* was required to convene the meeting of elected bodies to elect *Sarpanch* and *Mukhia* on the basis of votes. Under clause 8 of the notification, the Local Area Panchayats were empowered to undertake different welfare functions but they had no powers of taxation. The Durbar had maintained the reign of panchayats in its own hands through the device of various institutional

and administrative controls. These panchayats actually did not operate in the North District, as mostly the indigenous population had boycotted the election, as they found no provision of safeguard for them.

After the failure of Local Area Panchayat, an attempt was made again to establish village panchayats by enacting Sikkim Panchayat Act, 1965. This Act stipulated for a *non-hierarchical* panchayat with block panchayat at the village level. The Block Panchayat consisted of five members, the *mondal* being the ex-officio member having the same rights and duties as any elected members. In order to protect or safeguard the rights of minority, the Government had options of nominating candidates of minorities communities in case the same was not elected in the normal process. The Block Panchayats continued till 1981 during which period four elections were held in 1966, 1969, 1972 and 1976. The Block Panchayats under the 1965 Act had mainly dealt with the welfare and developmental functions. The election to this Block Panchayats was fought on non-political basis. Even the political leaders after being elected as a member of panchayat was debarred from bringing party politics in panchayats. One of the inherent weakness of the Act was the absence of universal adult franchise which cut the provision of the democracy at the grass root level.

Later, Sikkim Panchayats Act, 1965 was replaced by Sikkim Panchayats Act, 1982 which established two-tier panchayat system with Gram Panchayat at the block level and the Zilla Panchayat at the district level. This Act was described as a radical step as it aimed at establishing Panchayati Raj Institution as an instrument of village level self-government. One of the most important features of this Act was the introduction of universal adult franchise as the basis of direct election to the Panchayati Raj Institution. The Act also provided for the nomination of Scheduled Tribes/Scheduled Castes and women to the Gram

Panchayat, provided they failed to get elected. The term of office was five years. Under this Act, election to the Gram Panchayats were held in 1983, 1988 and 1993. Whereas the election to the Zilla Panchayats was held, for the first time, in 1990 followed by another in 1993. The Act provided a long list of functions and sources of finance. But in practice the Gram Panchayats leaders confined their functions to repair and maintenance of village roads, small bridges and water supply schemes etc. Regarding the sources of finance, the Gram Panchayats were entirely dependent on State Government for grant-in-aid. On the other hand, Zilla Panchayats had neither the sufficient fund nor the administrative capabilities to carry out the developmental functions assigned to them under the Act.

The Sikkim Panchayat Act, 1993 (Act No. 6 of 1993), which received the assent of the Governor on 11th October 1993 came into force from August 1995. The Act 1993 incorporates most of the essential features of the 73rd Constitutional Amendment Act, 1992. The significant provisions of this Act include regular election in every five years; reservation of seats and offices for women and weaker section of the society; provision of a forum for direct participation by the people through the *Gram Sabha*; Local level planning; a democratic framework for devolution of funds and transfer of functions; constitution of State Election Commission; State Finance Commission and District Planning Committee etc. These provisions have set in motion a number of actions at the State level.

The Constitutional (73rd Amendment) Act, 1992 (under Article 243B), which unambiguously defined the panchayat as the "institution of self-government" constituted for the rural areas. They are not merely the agents of State Government, implementing decision taken at State capital. They are supposed to be people's forum where people will plan

and execute their own decision at the local levels. These were the bodies set up to promote decentralization of power, functions and authorities from the higher to the lower level. As a result, they were to look after rural administration and rural management as well as promotion of rural management and planning.

In Sikkim in 1992 Gram Panchayats were reorganized resulting an increase in the number and under reorganized condition the election was held in 1993 for a term of five years. Enactment of Sikkim Panchayat Act, 1993 which was passed in conformity with the requirement of the Constitution (73rd Amendment) Act, 1992 did not affect the members elected under Sikkim Panchayat Act, 1982. The 1992 constitutional amendment follows the continuance in office of earlier elected members till the end of their full term unless dissolved sooner by a resolution passed to that effect by the legislative assembly of the State.

Statement of the Problem

It is interesting to study the composition and functions of Panchayati Raj Institution in the State of Sikkim vis-à-vis participation by the people passing through different political stages viz as a protectorate of British Government in India, under Independent India, before merger as a mini country, after merger as one of the states of Indian Union and finally after the enforcement of Constitution (73rd Amendment) Act, 1992. Sikkim when it became one of the Indian states it was 28 years younger than other states however, the momentum of progress gained in regard to rural development activities is worth studying.

The enactment of the Constitution (73rd Amendment) Act, 1992 resulted establishment of democratically elected panchayat system in all states in accordance with the provision of the Constitution. The 73rd

amendment to the Constitution was a major step in institutionalizing decentralized governance at the grass root levels. Within a year of enactment of this amendment, the State of Sikkim also brought about conformity Act for the Panchayati Raj Institutions. Since then within a decade the state has already conducted two panchayat elections in 1997 and 2002. This gives us an enabling time frame for an assessment and evaluation of the functioning of Panchayati Raj Institutions in Sikkim.

In Sikkim, Panchayati Raj Institutions have kept themselves busy with rural development since late eighties. The actual implementation of rural development schemes is done by Panchayati Raj Institution with cooperation of local level bureaucracy. They have been successfully managing the *poverty alleviation* programmes and various government sponsored developmental schemes viz. Jawahar Rojgar Yojana, Indira Awaas Yojana, Development of Women and Children in Rural Areas etc. Even then they have no say in formulation of these schemes. The bureaucracies of various department involved in rural development have not been placed under the control of the panchayats either at the Gram level or at the Zilla level. Their co-operation is sought through the standing committee of the Panchayati Raj Institution in which they were made members. The achievement or success of Panchayati Raj Institution depends not only on development of the villages, but also on increasing people's participation in planning and development activities. The Sikkim Panchayats Act, 1993 provides for *Gram Sabha* to entail direct participation of common villagers. At the local level people may use the opportunity to influence decisions that affect their day-to-day life and exercise control over those who take decisions on their behalf. The establishment or formation of *Gram Sabha* is an attempt at making the non-participative masses more aware and participative in managing their own affairs. However, in many villages people in general are found to be apathetic towards any kind of participation. The political parties or

elected representatives have failed to encourage the people to make the dream of participatory democracy a reality. Panchayati Raj Institutions are no longer considered as mere agents of rural development but as self-government at local levels. But the people in general are still not aware of the purpose of Panchayati Raj Institutions. Without the proper understanding of Panchayati Raj Institutions they cannot be successful in achieving the goal of self-governance. Under the present study, an attempt has been made to study the extent of participation by *Gram Sabha* members as well as by the elected representatives and to explore the reasons for non-participation or low participation. The study also tries to assess the awareness level of villagers and elected representatives for without awareness people cannot actively participate in planning and developmental activities of Gram Panchayats. Another problem of existing Panchayati Raj Institutions is that despite fiscal decentralization being attempted under the Act 1993, panchayat bodies have failed to emerge as effective local self-government due to lack of technical knowhow of financial management as well as due to inadequate financial resources and under qualification. In fact, the self-generating revenue of Gram Panchayats is negligible in comparison to their income from governmental grants. They depend heavily on state and central government for finances. The fiscal powers of these bodies vested by the constitution to raise revenue remain grossly under utilized. With no resources of their own, effectiveness of these bodies depend totally upon the grants from the state government. Why the panchayat have not been able to mobilize the local resources? What are the practical reasons behind the difficulties faced by Gram Panchayats for the collection of revenue? All these problems have been studied under the present study.

One of the objectives of the Constitutional Amendment Act, 1992 was to ensure that rural women play a major role in decision-making process. To ensure greater participation of women, the Sikkim Panchayat

Act, 1993 provided 33 per cent reservation of seats for women at both the levels. As a result of this provision, a large number of women, hitherto unrepresented lot are getting entry into grass root level democracy. Similarly Scheduled Castes/Scheduled Tribes got the opportunity to enter into the system through reservation at various levels. However, there is a lack of preparedness on the part of these functionaries especially the woman representatives to shoulder new responsibilities. Due to the low level of education, low legal literacy and lack of clarity about the basic objectives of the Panchayati Raj Institution, women have not been able to emerge as successful village leaders representing the wishes of electorate at the grass root level. Therefore, the researcher wants to examine the factors facilitating or hindering the effective participation of women and other weaker sections in the Panchayati Raj Institution.

No systematic sociological study on Panchayati Raj thus established has been conducted except some casual attempts made here and there to study the old Panchayati Raj Institutions in the state of Sikkim before the enactment of new Sikkim Panchayat Act, 1993. As such it was considered pertinent to conduct a survey to examine the new Panchayati Raj structure and its functioning in the state. How a local self-government is actually functioning is an empirical question which requires field-based clinical investigation. In the present study an attempt has been made to study the structure and functioning of Panchayati Raj Institution in the state with special reference to empowerment of women, devolution of powers, participation of weaker sections of people in the developmental process, resource mobilization by the Gram Panchayats, the extent of autonomy enjoyed by the Gram Panchayats state of benefits from developmental schemes, role of bureaucracy etc. The new structure established under the new Act (1993) may be expected to yield some better desired results. The composition of

Panchayat Raj system and the implementation of the new model may have some bearing on the Panchayati Raj process, which has been investigated under this research frame. Besides the debate on ongoing issues the early experiences of Panchayati Raj system have also encouraged the researches to conduct the empirical study and to examine as how decentralization is progressing in the State of Sikkim. Its facilitating factors as well as the obstacles to empower the local people in promoting their own development process would also be studied. The present study of Panchayati Raj Institution in the state covers almost all the sociological aspects relating to functioning of Panchayati Raj in the State. This comprehensive study has made an attempt to fill up the gaps, which remained uncovered in the earlier studies.

Review of Literature

The present study pertains to functioning of Panchayati Raj Institution in Sikkim particularly after the passing of the Constitution (73rd Amendment) Act, 1992. However, the review of related literatures shows that the empirical studies relating to the Panchayati Raj in Sikkim is almost insignificant. A few studies have been conducted on Panchayati Raj Institution and Local Self Government in Sikkim during mid 1980s i.e. prior to 73rd Amendment Act. In the subsequent paragraphs an attempt has been made to review the related publications on Panchayati Raj system in India. There are varied forms of related literatures, i.e., books, articles in journals and research papers, which are being reviewed here for this study.

Dhamala (1986) has done a pioneering work on the evolution of local Self-Government and democratic decentralization in Sikkim in her unpublished Ph.D. thesis entitled "A study of Local Self-Government and Democratic Decentralization in Sikkim" has outlined the evolution of Panchayati Raj System in Sikkim. She has also examined the role

played by traditional tribal panchayats like 'Chhodu' and 'Dzumsa' of Lepcha and Bhutia. The thesis presents the socio-economic profile of the respondents and powers, functions and working of block panchayats. She has made an attempt to identify the shortcomings and bottlenecks of the Panchayati Raj system in Sikkim and recommended some measures for streamlining the panchayat bodies to enable them to achieve the objectives of Panchayati Raj Institutions. It is pioneering work on Panchayati Raj Institution as local self-administration in the state but does not deal with the operational part of Panchayati Raj Institution. How far these panchayat bodies are really effective in promoting self-governance is an aspect not proved in her thesis.

Dhamala's (1986) another article on "Land Management and Development of Panchayati Institution in Sikkim" deals with the evolution of the panchayat system in Sikkim vis-à-vis the land management. Here author seeks to examine how the various estates or *illakas* served as units for future development of panchayat bodies. The study reveals that the institution of panchayat in Sikkim had evolved out of the primitive land holding system and the estates or *illakas* constituted the basic functional unit. The study also examined the slow curbing of the landlords' power in relation to the panchayat system. For example, in Panchayat Tribunal of 1948 the landlords occupied the key position. In Local Area Panchayat of 1951 the *mondals* were the member of the body and the senior most *mondal* had the privilege of convening the first meeting of the Panchayat for the purpose of electing *sarpanch* and *Mukhia* from among the members and finally the 1965 Act placed the *mondals* only as ex-officio members of the Block panchayat. The Sikkim Panchayat Act 1965 firmly established the Panchayati Raj Institutional in Sikkim.

Dhamala and Das (1986) in their article "Evolution of Local Self government in Sikkim" have discussed the historical evolution of Panchayati Raj Institution in Sikkim which emerged out of the feudalistic nature of Society where the feudal lords or *illakadars* wielded both judicial and administrative powers within the limits of their estates or *illakas*. For the regulation of intra village affairs, the *mondals* were appointed by their *illakadars* whose main function consisted in the maintenance of law and order and collection of land revenue. The authors have vividly described the attempt made to establish the local self-government at the grass root level under different government notification since 1906 and covered the period till passing of Sikkim Panchayat Act 1965. They have argued that the 1906 notification could be regarded as a stepping-stone in the development of decentralization but the real pace of democratic decentralization has been set up by the 1948 notification. The 1951 panchayat notification further empowered the panchayats to try civil cases too but had no taxation power. Later Sikkim Panchayat Act 1965 was enacted which constituted Block Panchayats comprising of five members for the period of three years.

Dhamala (1994) in her another article "Panchayati Raj Institution in Sikkim: Participation and Development" has examined the evolution and role of Panchayati Raj institution since the formation of Local Area Panchayat in 1951 which became defunct as soon as they were established. The author has also examined the inherent weakness of the non-hierarchical block panchayat introduced through the Sikkim Panchayat Act, 1965 which continued till 1981. She feels that the popular participation which is the cornerstone of Panchayati Raj System was lacking under the Act, 1965. The author says that the real participation of the people was sought to be ensured with the enactment of the Sikkim Panchayat Act, 1982 which introduced two-tier Panchayat System following the recommendations of the Asoke Mehta Committee.

The importance of these bodies lies in the fact that they were constituted for the first time on the basis of Universal adult franchise. Though the Act provided for a long list of function but in practice, the gram panchayat leaders were confined themselves to identification of local problems. She also criticizes the role of Zilla Panchayat as it has neither the fund nor the administrative capabilities for the implementation of the various developmental schemes. While concluding her article she says that 'planning from below' has become the guiding principle of our planners and in Sikkim efforts should be directed towards achieving this goal. This calls for a reorientation of attitude on the part of Government as well as the bureaucracy.

Jayakumar (1997) in his article "Local self-government Institution in Sikkim" has examined in detail about the provisions of structure and functions of Panchayati Raj Institution in Sikkim under the different Panchayats Acts (Acts of 1965, 1982 and 1993). The article included four tables dealing with salient features of some Gram Panchayats, representation of members belonging to different categories (Scheduled Tribes/Scheduled Castes/Other Backward Classes/Woman/General) in Panchayati Raj Institutions and district wise breakup of Panchayati Raj Institution. The details of powers and functions of Gram Panchayat and Zilla Panchayats as stipulated in the Sikkim Panchayat Act 1993 are also presented. The article has contributed to the existing literature on Panchayati Raj in Sikkim by incorporating a few suggestions given by the *Sabhapatis* of Gram Panchayat during the training period organized by State Institute of Rural Development for the elected representative.

Bhandari and Upadhyay (2000) in their article on Sikkim in book entitled "Status of Panchayati Raj in the States and Union Territories of India" have discussed the structure and functions of Panchayati Raj

Institutions in Sikkim provided under various Acts viz. The Sikkim Panchayat Act, 1965, 1982, and 1993. The main focus of the paper is the detail description of the various provisions made under the Sikkim Panchayat Act, 1993 which was passed in conformity with the requirements of the Constitution (Seventy-third Amendment) Act, 1992.

There are numbers of studies conducted on this topic in India. The contribution of these studies have been enormous. There are varied forms of related publications i.e. books, articles in journals and research papers which are being reviewed here for this study.

Desai (1991) in his book entitled Panchayati Raj has presented a comprehensive picture of Panchayati Raj in the whole country covering not only the major states but even smaller States, Union Territories, like Manipur, Mizoram and Sikkim. The author has given a more detailed description of Panchayati Raj of three States viz. Maharashtra, Gujarat and Karnataka which have achieved maximum degree of decentralization. The book also contains valuable information on the history of Panchayats in ancient India as well in modern India, a general discussion about the role of the Panchayati Raj Institutions in rural development and their problems.

Singh (1993) in his article, "Decentralization through constitution (73rd Amendment) Act" has discussed the conceptual aspect, working, shortcomings and suggestions for strengthening the Panchayati Raj in India. According to him, 73rd Amendment Act will help to revitalize Panchayati Raj essential for rural development and decentralization.

Mukherjee (1993) in his article, "The Third Stratum" has explained that the 73rd Constitutional Amendment Act requires the states to constitute Panchayats at village, intermediate and district levels and consequently there will be a three-tier government viz. the union, the

States and the Panchayats. He has opined that these Panchayats would prepare and implement the plans for economic development and social justice as entrusted to them including the matters listed in the Eleventh Schedule of the Constitution.

Pal (1994) in his article entitled, "Centralized Decentralization Haryana Panchayati Raj Act, 1994" has discussed the provisions of Haryana Panchayati Raj Act, 1994 and made some comments on the centralized tendencies of the Act. He has opined that the leadership at grass root level could not be strengthened by providing major role to the centralized bureaucracy of Panchayati Raj Institutions in Haryana.

Khanna (1994) in his book entitled "Panchayati Raj in India: National Perspective and State Studies" has made an attempt to analyze the working of Panchayati Raj system in the various States of India. The author has most succinctly undertaken statewise description of Panchayati Raj enactments, followed by structural analysis and performance evaluation. He also subscribes to the view that only structural change in Panchayati Raj may not prove to be decisive. The book, which includes few case studies too, does well to provide us an insight on Panchayati Raj and its State of affairs in general and also in particular pertaining to certain States of India. The author has also highlighted many shortcomings, which plague the system. He has done well to suggest some of the most practical solutions to enthuse the languishing system. The relevance of the book becomes manifold in the wake of the recent implementation of the revamped Panchayati Raj in many States of India.

Singh (1994) in his article "Constitutional Base for Panchayati Raj in India" has discussed the evolution of Panchayati Raj after independence and its working, shortcomings, reasons for decline and the

need for the constitutional base for Panchayati Raj in India. He has opined that despite some weaknesses and certain lacunae, 73rd Constitutional Amendment Act is a step toward decentralization of powers at grass root level and to strengthen Panchayati Raj in the country.

Bhat (1995) in his book 'New Panchayati Raj system'. A study of Politico-Administrative Dynamic has presented the new Panchayati Raj System in Karnataka which has brought the local administration closer to the people in terms of efficiency, development and greater accountability. In this work the author has attempted to bring out the general background of the Panchayati Raj movement in India and also highlighted the different phases in the development of the Panchayati Raj. The evolution of the Panchayati Raj System in Karnataka since independence has also been discussed. This book is based on empirical study conducted in Dakshina Kannada district of Karnataka. In this study the author has critically examined the nature of relationship between the panchayat officials and non-officials as the whole success of the Panchayati Raj System depends much on the interaction between the two functionaries.

Singh (1995) in his article entitled, "Haryana Panchayati Raj Legislation – A Critical Review" has examined critically the Haryana Panchayati Raj Act, 1994 and indicated certain lacunae in this Act as it empowers government bureaucracy rather than elected representatives of Panchayati Raj Institutions in the State.

Mohanti (1995) in his article, "Panchayati Raj, 73rd Constitutional Amendment and Women" has opined that it is necessary to create positive and healthy socio-economic and political conditions to enable women to participate actively and effectively in Panchayati Raj

Institutions. According to him, women's reservation in Panchayati Raj Institutions has provided under 73rd Constitutional Amendment Act is leading to their empowerment in real sense.

Mishra (1996) in his article, "The 73rd Constitutional Amendment and local Resource Base – A critical Appraisal" has emphasized the need for strong resource base of Panchayati Raj Institutions in India after 73rd Constitutional Amendment. He categorically examined the fiscal provisions of the Act and opined that these institutions have been overburdened with a large number of functions without adequate financial, technical and administrative support.

Mathew (1996) in his article entitled, "Transfer of power to Local Bodies" has discussed several reasons for unsatisfactory conditions prevailing in transfer of powers to Panchayati Raj Institutions and made recommendations to fill up the gap between their finances and functions. He has emphasized the need for financial autonomy of Panchayati Raj Institutions, which can be achieved through the political will of the State Government.

Oommen and Datta (1996) in their book entitled "Panchayats and Their Finance" have reviewed the existing structure of Panchayat Finance in a historical context, and notes that the existing Panchayat finance at all levels in most states is in doldrums though there are significant exceptions. The paper discusses some basic principles of inter-governmental transfers with special reference to local bodies in India. It also reviews the tasks of State Finance Commission vis-à-vis the Union Finance Commission and makes a strong case for the creation of a permanent Finance Commission at the federal level. The second paper focuses attention on the conceptual and operational problems before the State Finance Commission in relation to Panchayats functions

and finance. Some of the generic issues relating to devolution of fiscal powers to the Panchayats and strengthening of their fiscal position are also spelled out. The book is an important contribution on the subject in the context of the 73rd and 74th Constitutional Amendments and would be of immense help to those concerned with policy and research.

Samanta's (1996) edited book "New vista in Rural Development Strategies and Approaches" is a collection of 13 papers contributed by well known experts in the field of rural development, administrators and policy makers across the world from both developed and under-developed countries. The first part of the book deals with the theme on Changing Perspectives of Rural Development. It has four papers illustrating the existing technological innovations in agriculture and need for sustainable innovations that could embrace economic viability and social desirability, changing development paradigms and need for empowering people for decentralized planning. The Kerala experiment of decentralized planning through village Panchayat has been cited as successful positive contribution to the development of rural area. The second part focuses on management of human resources in agriculture for rural development. The third part of the book deals with experiences of rural development in Nigeria, China etc. The last section of the book deals with the people's participation in rural development and analyses the Indonesia experience of Community participation. This book is well-documented edition in furtherance to the knowledge of rural development. It is worth reading to insights into the crucial aspects of the subject and be exposed to various approaches and experiments made across the developing countries.

Mathew and Nayak (1996) in their article, "Panchayats at work – What It Means for the oppressed?" have discussed four case studies from Madhya Pradesh, which indicate that even after fifty years of

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independence, the power structure at village level remains oppressive, feudal and inhuman. The case studies of *dalit* panchayat representatives of various villages in Madhya Pradesh show that a lady *sarpanch* was stripped naked and a *panch* was beaten up by the higher caste people but the state government remained silent on these incidents.

Sharma (1997) in his book 'Grass root Politics and Panchayati Raj' provides a comprehensive analysis of grass root politics and Panchayati Raj in India. She has traced the genesis and growth of the village government from ancient time till today in terms of Panchayats and panchayat leadership as also panchayat elections and voting behaviours. A unique feature of the book is the interaction of caste, class and power in rural areas. The profile of the rural leadership and analysis of rural power structure through a new light on the working of panchayat system. The book analyses various aspects of grass root democracy and politics in terms of performance of panchayats, pattern of rural power structure and links of rural leadership with higher political leadership.

Crook and Manor (1998) in this book entitled 'Democracy and Decentralization in South Asia and West Africa' have done an indepth empirical study of four Asian and African attempts to create democratic decentralized local government in the late 1980s and 1990s. The case studies of Ghana, cote d' Ivoire, Karnataka (India) and Bangladesh focus upon the enhancement of participation; accountability between people, politicians and bureaucrats. The book is based upon extensive popular surveys and field works. It makes an important contribution to current debates in the development literature on whether good governance and decentralization can provide more responsive and effective services for the mass of the population in the poor and disadvantaged who live in the rural areas.

Mishra (1998) in his article, "Five years of New Panchayati Raj System – A Review" has drawn attention towards certain basic and practical weaknesses of Panchayati Raj on the basis of its activities during the last five years in the country. He has also made some suggestions for the effective functioning of Panchayati Raj in India.

Pal (1998) in his article "Panchayats in Election Manifestos", has analyzed comparatively the election manifestos of almost all the national and regional parties during eleventh Lok Sabha elections and opined that in spite of the promised in their election manifestos to make the Panchayati Raj Institutions strong and viable people's bodies, no other political party than the left parties, are serious about decentralization of the powers to Panchayati Raj in real sense.

Kurian (1998) in his book 'Empowering Conditions in the Decentralization Process: An Analysis of Dynamics, Factors and Actors in Panchayati Raj Institutions from West Bengal and Karnataka in India' explores the necessary conditions for an effective and accountable local self-governing system, in the context of the Panchayati Raj Institutions in two Indian States, namely Karnataka and West Bengal in the pre-constitutional amendment scenario.

Biju (1998) in his book entitled, "Dynamics of New Panchayati Raj System" discussed historical growth of Panchayat Raj in India and analyzed present structure, powers, finance and personnel system of Panchayati Raj in Kerala. He has also explained people's participation in rural development and Panchayati Raj and role of Panchayati Raj in pollution control in Kerala State.

Datta's (1998) book entitled "Major Issues in Development Debate – Lesson in Empowerment From India" is a collection of essays on grass roots development in India which have discussed on

decentralization of powers, function and empowerment of people at macro level in general and West Bengal in particular at micro level.

The first article discusses the concept and reality of sustainable development with reference to Indian scenario where author has suggested two modes of alternatives which need changes at micro and macro level. The second and third articles debate on institution building for rural development which began after Independence. Similarly, fourth and fifth articles analyze political empowerment of women and grassroots level participation. The author believes that women participation cannot be made effective in Panchayati Raj System until and unless village feudal system is not washed out from the rural social structure. In sixth article author makes recommendations of positive leadership in self-governance system at village level. Last two articles deal with importance of education and universalisation of primary education.

Joshi (1998) in his book entitled, "Constitutionalisation of Panchayati Raj" has discussed the inadequacies of present system despite the constitutionalisation of Panchayati Raj in India. He has emphasized the need to create a healthy and positive atmosphere for natural growth of Panchayati Raj and also gave suggestions for the improvement and strengthening of the system provided that the states have political will to devolve powers and authority to Panchayati Raj Institutions.

Reviewing development of democratic decentralization process in India, the author has observed that for fear of losing power with the emergence of a new leadership at the village level, the vested interests undermined the potential role that Panchayati Raj Institution could play in local development. The author has observed that autonomy by itself does not ensure that the system becomes accountable. Mechanism like

regular elections, regular village meetings, active community organizations acting as countervailing force against anomalies are essential conditions for successful working of the Panchayati Raj Institution. The author has emphasized accountable governance which emphasizes on principle of equity in the distribution of powers in the decision-making structures and processes. It is essential for the people to keep a check on the excessive use of state power to have a synergy of both state and people accountability. It is for this reason, according to the author that we need neither absolute decentralization nor complete centralization but a mid path between the centralization and decentralization.

Singh and Mahanti's (1999) edited book entitled "Role of Democratic Decentralization (Panchayati Raj in Tribal Sub-plan Areas) is an outcome of a National Workshop on the Role of 73rd and 74th Constitutional Amendment in the Scheduled Areas. It highlights the role of Panchayati Raj Acts in Scheduled and Tribal Areas and sub-plan areas. They have traced the evolution of local self-government, empowerment and increased participation of women. It also discusses on the role and participation of women in Panchayat. There has been radical change in the outlook, attitude and participation of women in rural India. The book also discusses the status of women in the North-East. The author feels that what is required is not simply a uniform national law to reserve seats for women.

Datta (2001) in his book entitled "Panchayats, Rural Development and Local Autonomy: The West Bengal Experience" has made an attempt to study of functioning of Gram Panchayats in two districts of West Bengal viz. Birbhum and Jalpaiguri.

Author has rigorously analyzed the data relating to socio-economic features of the Gram Panchayat population, villagers' perception as well as leaders' perceptions about the working of the system, people's initiative and resource mobilization etc. The study has revealed some of the anomalies in the working of the panchayat systems in West Bengal. For instance 46.33 percent of villagers in Birbhum and 23 per cent in Jalpaiguri are not aware of *Gram Sansad* meeting. As regards resource mobilization the finding is that neither the party members nor the panchayat members have taken up the issues of resource raising seriously. The research deserves commendation for presenting a vivid picture of real life situation pertaining in the area under study.

Bhattacharya (2002) in her book *Panchayati Raj in West Bengal: Democratic Decentralization or Democratic Centralization* discusses the Panchayati Raj Institution in West Bengal which is facing a challenge over the last few years. The author argues that the earlier enthusiasm among the rural population of West Bengal about panchayats and their activities has subsided. The books attempts to find out the reason for this gradual change in the people's attitude towards panchayats. In this study different indicators of democratic decentralization used are developmental activities being persued, actual participation of elected representatives as well as villagers in the decision making process and the extent of control exercised by political parties in the decision-making activities of Gram Panchayats. A key message of this book is that a strong and centralized party organization of CPI (M) that could bring about discipline in panchayats and promote rural development activities should also encourage people's participation and their involvement in local governmental activities in line with the commitment to democratic decentralization. Conveyance of both people's participation and their development can be considered the

prerequisite for successful self-governments at local levels for rural areas.

Malik (2002) in his book entitled, "The New Panchayati Raj—Rural Transformation in the State of Haryana" examines the structure and functioning of Panchayati Raj system in Haryana under the Haryana Panchayati Raj Act, 1994. This book is the first systematic attempt to study the 'new' Panchayati Raj Institutions in Haryana which presents a comprehensive overview of the organizational structure and democratic functioning of Panchayati Raj Institutions in Haryana. The book highlights not only the socio-economic background of panchayat leaders but also projects their views and perceptions on a very wide gamut of issues ranging from empowerment of women to bureaucracy and prospects and problems of resource mobilization.

Menon and Bakshi (2003) in their book entitled 'Panchayati Raj in scheduled Areas' have made a critical evaluation and comparative analysis of the implementation of the provisions of the Panchayats (Extension of the Scheduled Areas) Act, 1996 and Conformity State Panchayat Act with special reference to the powers of *Gram Sabha*. Based on the field studies in the State of Maharashtra, Orissa and Rajasthan it examines the nature, functions and the role of the *Gram Sabha*. The authors have observed that out of eight states the provisions of the seven States Panchayat Acts in the Scheduled Areas (Except Bihar) have been amended in pursuance of the Extension Act of 1996. The Conformity Panchayat Acts of Maharashtra and Orissa are more or less in conformity with the Extension Act. The Rajasthan Ordinance lacks direction and does not fully reflect the contents and spirit of the Extension Act. All these aspects have been evaluated in this study.

Pal's (2003) another book entitled "Gap Between Needs and Resources of Panchayats India" is a result of an empirical quantitative research conducted in Saharampur district of Uttar Pradesh. The book consists of eleven chapters. He point out devolution of power and functions to the panchayats and the developmental role being played by the panchayats at various levels. Though they have a role to play in the implementation of the centrally sponsored schemes but they have no say in formulation of these schemes. The author suggests restructuring of the entire culture of plan formation and implementation for meaningful bottom-up planning. He has investigated the basic needs like drinking water, sanitation, primary education, health care, roads and paths and electricity and has examined the existing status of these services in the selected villages, adequacy of financial resources of panchayats. He has also studied the existing and potential income of Gram Panchayats and has given recommendations useful for policy makers and practioners. To him panchayat should put in practice their legal powers of raising financial resources.

Sharma's (2004) book entitled "Bureaucracy and Decentralization" is one of the most important contributions to the growing body of literature on bureaucracy and decentralization. The focus of the book is on the process of the reforms in the bureaucracy and its also examines the process through which public bureaucracies adjust their style and substances as they brace up to meet the challenges of decentralization.

Singh (2004) in his book "Panchayati Raj Finances in Madhya Pradesh" has provided an account of the financial position of Panchayats in Madhya Pradesh in general and Raigarh district in particular. The book examines the fiscal relations between the state and panchayats in the light of the recommendations of the first finance commission of

Madhya Pradesh and action taken thereon by the State Government. The chapter on Financial Devolution on Panchayats give a description of the additional functions assigned by the State government after the constitution (73rd Amendment) Act 1992 to all three levels of panchayats. The author has provided practical reasons as why collections of taxes at the local level is becoming difficult. This book is useful for academicians and administrators working in area of state and local finance.

Objectives of the Study

The foregoing review of literatures reflects that there is a vast scope of study on Panchayati Raj of Sikkim as very few studies have carried out on the subject so far. The present empirical study intends to examine the structure and functions of Panchayati Raj Institution in Sikkim under the Sikkim Panchayat Act, 1993. The following are the main objectives of the study to fulfill the existing gaps in the knowledge of Panchayati Raj of Sikkim.

1. To trace back the historical evolution of Panchayati Raj Institution in Sikkim and try to show as how, over the years, the Panchayati Raj structure and the whole panchayat apparatus have developed in Sikkim for without structural development no institution can function properly.
2. To study the socio-economic and political background of the electorate as well as elected representatives as the electorates belong to the cross section of the people of villages having political affiliation to different parties with varied manifestos.
3. To explore the extent of participation and empowerment of Scheduled Castes, Scheduled Tribes and women in Panchayati Raj Institution and to explore the problems faced by them in

performing their duties as reservations are provided to the weaker section of the people in order to facilitate their meaningful participation in the developmental process so that they can come forward with their problems and proposals.

4. To study the actual involvement and participation of elected representatives as well as the common people who constitute the electorate for without active participation of the people and their elected representatives in decision-making as well as in implementation of those decisions, the objectives of democratic decentralization cannot successfully be met.
5. To study the changing leadership pattern in villages particularly after the introduction of party based panchayat election in 1997. In other words, to study who are the people coming to the seats of power i.e. whether the common people covering a cross-section of the society are being represented or not as because normally in party based panchayat, the quality candidates are not given importance rather party workers are given preference to be the leader of the village.
6. To present the perception of Panchayati Raj representatives, officials and electorate or *Gram Sabha* members regarding the achievement of objectives of Panchayati Raj in the State after the implementation of Constitutional (73rd Amendment) Act, 1992.
7. To study the extent of autonomy enjoyed by the Gram Panchayats or to study the extent of control exercised by political parties in the decision-making activities of the Gram Panchayats. This is based on the assumption that political interference in the functioning of Panchayati Raj Institution may result in loss of

autonomy and discrimination towards the sympathisers of rival parties.

8. To discuss the various resources endowed to Panchayati Raj Institutions, resource mobilization by Gram Panchayats and to examine the practical reasons behind the difficulty faced by Gram Panchayat for the collection of revenue.
9. To examine the interactions between Panchayati Raj representatives and the officials as we know the success of Panchayati Raj Institution depend upon the proper co-ordination, co-operation and effectiveness of both the functionaries.
10. To examine the role of *Gram Sabha* and Gram Panchayats in the developmental activities being pursued for this is an important indicator of successful working of panchayats. The role of *Gram Sabha* is perhaps the most important in ensuring the success of Panchayati Raj Institution at the village level. In many villages, *Gram Sabha* are not functioning effectively and this has adversely affected people's participation in the developmental activities of the Gram Panchayats.
11. To discuss the problems and prospects of Panchayati Raj Institution in Sikkim as though there may be chances for improvement of Panchayati Raj Institutions yet inherent problems and unremovable constraints may cause problem.
12. To recommend some concrete suggestions to strengthen and vitalize the Panchayati Raj Institution in the State.

Research Questions

Following research questions, as emerged out of the earlier discussion, will be asked while doing the present research:

1. Will the Act (1993) encourage participation in Panchayati Raj process?
2. Whether women representatives and the weaker sections of panchayat representatives would be able to exercise their power in real sense.
3. Will the Gram Panchayat remain financially weak despite the fiscal decentralization under the Act 1993?
4. Will the Act provide better organizational linkages between the Gram and the Zilla Panchayats?
5. Will the Panchayati Raj Institution be able to plan and execute socio-economic development programme?
6. Whether working of Panchayati Raj Institution will be politically motivated in the State.
7. Whether Panchayats have been succeeded in emerging as institutions of local self-government.

Research Methodology

The present empirical research study has been conducted in the State of Sikkim. Study was made at the lowest level of the Panchayati Raj Institution namely, the Gram Panchayats. To make the study more representative one, four Gram Panchayats from all the four districts were selected for the purpose of study. They were Kabi-Tingda, Samdur-Tadong, Lungchok-Salyangdang and Salghari from North, East, West and South districts respectively. Furthermore, two Gram Panchayat Wards from each Gram Panchayats were taken for intensive data collection and detailed examination. All the four Gram Panchayats from four districts were selected on the basis of purposive sampling. Kabi-Tingda Gram Panchayat represents North district which is a tribal village dominated by *Bhutia*, *Lepcha* and *Sherpa* tribes. Among these tribes,

along with modern statutory panchayat, the traditional *Gyapen* system also prevails. Samdur-Tadong Gram Panchayat was selected from the East district because the researcher belongs to the same Gram Panchayat and is well versed with the socio-economic and political life of the people which has been helpful in eliciting the requisite information. Another reason for selection of this Gram Panchayat is that it is a semi-urban village which is situated about 6 km. ahead of Gangtok, the State Capital. Lungchok-Salyangdang Gram Panchayat of West district was selected as this Gram Panchayat represents multi-ethnic/caste village dominated by higher Caste *Nepalis* i.e., *Bahun* (*Brahmin*) and *Chhetris* and some other middle and lower *Nepali* castes like *Rai*, *Bhujel*, *Kami*, *Darjee* etc. Salghari Gram Panchayat was selected from the South district as it represents the multi-caste or ethnic groups living in semi-urban villages of Majigaon and Salghari which are proximate to Jorethang town.

The following Chart gives an idea about the sample of the present study.

Chart – 1

Sample of the Present Study.

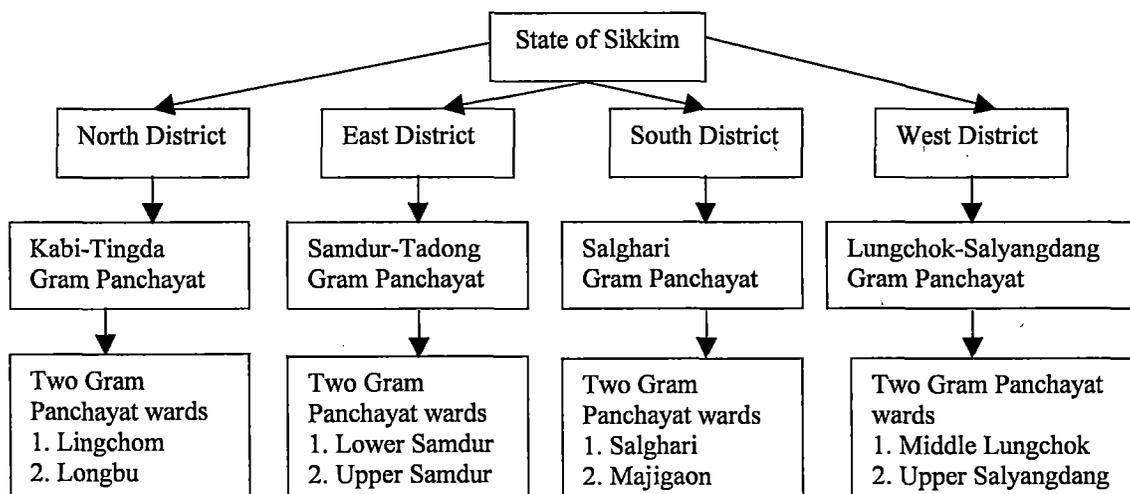


Chart – 2

The Design of the Study

S A M P L E					
Sl. No.	District	Gram Panchayats	Elected Representatives (Member and Chairpersons interviewed)	Electorate (Villagers) interviewed	Officials interviewed
1	North	Kabi-Tingda	06	29	05
2	East	Samdur-Tadong	05	56	05
3	South	Salghari	05	110	05
4	West	Longchok Salyangdong	05	35	05
Total			21	230	20

The data for the present study were collected from both the primary and secondary sources. In all the four Gram Panchayats interviews and discussions were held with the electorate, the Gram Panchayat representatives and also with the panchayat officials. A preliminary work was conducted in June-September, 2004 after which the field survey was conducted in October-December, 2004. The primary data were collected through the structured interview schedules prepared separately for the elected representatives of Gram Panchayats and electorate or villagers. In case of Panchayati Raj officials or bureaucrats separate set of questionnaire were used. Beside, the influential persons who take interest in the activities and working of Panchayati Raj Institution were also contacted to elicit the primary data.

All the elected representative from four Gram Panchayats were interviewed with the help of interview schedule which contained detail information about the socio-economic and political background of Panchayati Raj representatives. The indicators used to assess the background are age, sex, marital status, caste, religion, educational level, occupation, family composition, number of children, income, land holding, affiliation to political party etc. The important questions

contained in the interview schedule were related to objectives, structure, functioning, fiscal decentralization devolution of powers, awareness of local affairs, decision-making process, empowerment of women, interactions between panchayat representatives and the officials, perceptions of elected representatives regarding the achievement of objectives of Panchayati Raj in the State etc. A separate set of interview schedule was used in case of electorate or the villagers. Total 230 electorates were interviewed because the perception of the villagers regarding the functioning of Gram Panchayats was found to be quite necessary. While selecting the respondents from the huge number of electorate from four Gram Panchayats researcher has used simple random sampling by choosing every 15th person as respondent from the total list of electorate separately made for male and female. The villagers were found to be more or less co-operative and provided a lot of information but only after being convinced of the academic purpose of the interview. The questions contained in the schedule were related to the socio-economic background of the villagers, structure and functioning of Gram Panchayats, grass-root level participation, resource mobilization, decision-making process, role of *Gram Sabha*, schemes of rural development, empowerment of women and weaker sections etc. Apart from elected representative and electorate the Gram Panchayat officials or bureaucrats were also interviewed with the help of questionnaires. The respondents included the concerned Panchayati Raj Officers and officials like District Development Officers who is also ex-officio District Panchayat Officers, Sub-divisional Development Officers, Panchayat Inspectors, Rural Development Assistant and Village Level Workers who work in close association with Panchayati Raj Institution. Along with formal questions or discussions contained in the questionnaire, informal discussions with these persons were of immense helpful. The items contained in the questionnaire were related

to interaction between elected representatives and panchayat officials, bureaucratic control, political party control, fiscal decentralization and mobilization of resources, devolution of power and functions, perceptions regarding the functioning of Gram Panchayats under the new Act.

The secondary data for the present study were collected from various books, journals, party literature, pamphlets, newspapers, unpublished Ph.D. theses, official records and reports available at the offices of District Development Officers who is also ex-officio District Panchayat Officers and Directorate level of the government to support the views expressed by the respondents interviewed during field survey. The data collected from both the primary source (field work) and secondary sources were qualitatively analyzed to write the thesis.