



Research Paper

## Participatory Democracy in Rural Local Government of West Bengal

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### ABSTRACT

Local government is the third level of government deliberately created to bring government to grass roots population and gives the grass roots population a sense of involvement in the political processes that control their daily lives. Democracy designates a political system in which the eligible people participate actively not only in resolving who governs them but also in fabricating the policy outturn of their government. The system of local government has been advocated and supported as it is generally assumed that the system of local government serves as a training ground and nursery school for mass political education and mobilization. The primary and foremost aim of local government is that it should foster healthy political understanding. The citizens learn to recognize deceitful demagogue to avoid electing the incompetent or corrupt representative, to debate issues effectively, to relate expenditure to income, to think for tomorrow. The main concern of this paper is to highlight the people's involvement at the grass roots level in West Bengal and the implication of 73<sup>rd</sup> Amendment Act.

**Keywords:** Decentralization, Grass roots level, Accountability, Participatory, Democratic governance.

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### I. INTRODUCTION

Decentralization is one of the basic components of democratic governance. It provides an enabling environment in which decision making and service delivery can be brought closure to the people at the grass roots level. It entangles the act of transferring of fiscal, political and administrative responsibilities from higher to lower levels of government. In order to make local governance and development more participatory, inclusive, accountable and responsive to the choice of the people. Government of India through the 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendments mandated to escort a new era of participatory democracy. India has adopted decentralized and participatory governance system since the commencement of the five-year plans. The effort to elevate participatory governance is practiced by government through the promotion and reinforcing of the Panchayati Raj system. The government of India on 16<sup>th</sup> January 1957 appointed the Balwant Rai Committee to examine the working of the Community Development Programme (2<sup>nd</sup> October 1952) and the National Extension Service (2<sup>nd</sup> October 1953) to suggest measures for their better working. The Committee recommended a three – tier Panchayat system at district, block and village levels. The National Development Council approved the recommendations of the Mehta Committee in Jan'1958 and suggested that each state should implement this as best suited to its own particular conditions. In spite of the fact this recommendation is considered as the stepping stone of the Panchayati Raj Institution (PRI) in India.

### SIGNIFICANCE OF 73<sup>RD</sup> AMENDMENT

In 1992 the 73<sup>rd</sup> Constitution Amendment Act established the third tier of governance and ensured local self-governance by granting constitutional status to Panchayati Raj Institutions (PRIs). It aims to fulfill Gandhiji's vision of Gram Swaraj. It is a significant step towards transforming representative democracy into grass roots participatory democracy which is community driven contribution in governance and decisions making. The Act added a new part – IX to the Indian Constitution. This section is titled 'The Panchayats' and it contains provisions from Article 243 to 243 O. Furthermore, the Act added a new Eleventh Schedule to the Constitution. This Schedule includes 29<sup>th</sup> Panchayat functional items. It is concerned with Article 243-G. Village panchayat existed in India long before the Act was passed in 1992, but the system had inherent

weaknesses like the inability to be people's government responsive to their needs. This was due to a several of factors like a lack of financial resources, no regular elections and inadequate representation of the weaker sections like SCs/STs and women. The Act was passed in both houses and entered into force from 24<sup>th</sup> April 1993. The chief features of the Act are mentioned:

- This act made the Panchayati Raj Institutions in the country Constitutional bodies.

Gram Sabha was the foundation of the Panchayati Raj system which consisted of the people registered in the electoral role of the village within the area of the Panchayat. The three-tier system of the Panchayat was provided in every state.

- Under Article 243-B, it has become compulsory for every state to establish Panchayats in their territories.

- Article 243-G makes it mandatory for the state governments to devolve powers, responsibilities and authority to Panchayats.

- The Gram Panchayats have a fixed tenure of five years.

- State Election Commissions have been provided with the mechanism to conduct independent elections to the village Panchayats.

- Article 243-D gives provisions for the due representation of women and SCs/STs.

Reservation of seats for SC and ST is provided in every Panchayat in the proportion to their population. Provision for reservation of 1/3<sup>rd</sup> of the total number of seats provided for women.

- The State Finance Commission should also evaluate the financial position of Panchayat every five years.

The main objective of the 73<sup>rd</sup> Amendment Act was democratic decentralization of power and resources from the centre to elected representatives at lower levels in order allow individuals to participate more directly in governance. 73<sup>rd</sup> Amendment pertains to Article 40 of the Constitution which requires the states to organize village Panchayats and grant them necessary powers and authority to enable them to function as units of self-government. This Article is based on the Gandhian principle of Directive Principles of State Policy. Gandhiji advocated the third level of government that can understand the problems of the people of village at grass roots level.

### **EVOLUTION OF PANCHAYATI RAJ IN INDIA**

The Panchayati Raj Institutions have existed in India since ancient times. In the old Sanskrit scripture of Vedic era the word 'Panchayatan' has been mentioned which means group of five persons, including a spiritual man. Gradually the concept of the inclusion of a spiritual man in such groups vanished. In the Rigveda, there is a mention of Sabha, Samiti and Vidatha as local self- units. In ancient period there is a mention of village panchayats in Kautilya's Arthashastra. Local bodies were free from any royal interference. In medieval period, the Sultans of Delhi divided their kingdom into provinces called 'Vilayat'. For the governance of a village there were three important officials – Mukkaddam for administration, Patwari for collection of revenues and Chaodhrie for settling disputes with the help of panch. The villages had sufficient powers as regards self-governance in their territory. Casteism and feudalistic system of governance under the Mughal rule in the medieval period crumbled the self-government in villages. In ancient period as well as in medieval period there is no reference of women heading the Panchayat or even participating in the Panchayat. Under the British regime village Panchayats lost their autonomy and became weak. Lord Mayo's Resolution in 1870 gave the momentum the development of Local Self- Government and decentralization of power and finances of Central Government and Provinces. Following the footsteps of Mayo, Lord Rippon in 1882 provided the much needed democratic framework to these institutions. This is considered to be the Magna Carta of local democracy in India. The Royal Commission on centralization in 1907 recognized the importance of Panchayats at the village level. In 1919 Montagu Chelmsford Reforms transferred the subject of local government to domain of the provinces. The local governments covered only a limited number of villages with limited functions and due to organizational and fiscal constrains they did not become democratic and vibrant institutions of local self-government at the village level. The provincial autonomy under the Government of India Act, 1935, marked the evolution of Panchayats in India. Popularly elected governments in provinces enacted legislations to further democratize institutions of local self-government. But the system of responsible government at the grass roots level was least responsible. The Indian National Congress from the 1920s to 1947, emphasized the issue of all India Swaraj, and organized movements for independence under the leadership of Mahatma Gandhi. The task of preparing any sort of blueprint for the local level was neglected as a result. There was no consensus among the top leaders regarding the status and role to be assigned to the institution of rural local self-government; rather

there were divergent views on the subject. On the one end Gandhiji favoured village Swaraj and strengthening the village panchayat to the fullest extent and on the other end, Dr. B.R. Ambedkar opposed this idea. He believed that village represented regressive India, a source of oppression. The model state hence had to build safeguards against such social oppression and the only way it could be done was through the adoption of parliamentary model of politics.

The task of strengthening Panchayati Raj system fell on the Indian government formed after independence. According to Gandhiji the villages should govern themselves through elected Panchayats to become self-sufficient. But surprisingly, the draft constitution prepared in 1948 had no place for Panchayati Raj Institutions. Gandhiji severely criticized these and called for immediate attention. It is thus, that Panchayat finds a place in the Directive Principles of State Policy. Article 40 of DPSP states that the states shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them function as units of self-governments. The most important aspect to strengthen to grass root democracy was neglected by the Constitution makers as DPSP is not legally binding on the governments. The first organized effort to tackle the problem of rural India was made through Community Development Programme in 1952 and National Extension Service in 1953. Balwantrai Mehta Committee was the first Committee set up in 1957 to into the problems of democratic decentralization in independent India. The Committee laid down five fundamental principles:

1. There should be three tier structures of local self-government bodies from village to the district level and these should be linked together.
2. There should be genuine transfer of power and responsibility to these bodies to enable them to discharge their responsibility.
3. Adequate resources should be transferred to these bodies to enable them to discharge their responsibilities.
4. All welfare and development schemes and programmes at all three levels should be channeled through these bodies, and
5. The three-tier system should facilitate further devolution and disposal of power and responsibility in future. The Committee envisaged three tier system of Panchayats known as Zilla Parishad, Panchayat Samiti and Gram Panchayat and encouragement of people's participation in community work, promotion of agriculture and animal husbandry, promoting the welfare of the weaker sections and women through the Panchayats.

For the first time the Committee made recommendation for co-opting of two women who are interested to work for women and children. However, like the rest of the made members, women were not be elected but were to be co-opted. The recommendations of Balwantrai Mehta Committee came into force on 1<sup>st</sup> April 1958. Rajasthan was the first state to implement it on 2<sup>nd</sup> October 1959. By mid-1960s, Panchayat had reached all parts of the country.

In 1977, the Janata government appointed a Committee with Ashok Mehta as chairman and was entrusted with task of enquiring into the causes responsible for poor performance of PRIs. It was also asked to suggest measures to strengthen PRIs. The Committee suggested two-tier system of Panchayati Raj consisting of Zila Parishads at the district level and Mandal Panchayat at the grass roots level as against three-tier system suggested by Balwantrai Mehta Committee. The Committee recommended constitutional protection to the Panchayati Raj Institutions and further decentralization of power at all levels. The Ashok Mehta Committee suggested:

- Reservation of seats for the weaker sections
- Two seats for women
- Adequate financial resources for the panchayat
- Requirement of Constitutional Sanctions
- To extend people's participation in developmental activities
- Due to fall of the Janata government the Ashok Mehta Committee recommendations were not implemented. The G.V.K Rao Committee 1985 was appointed by Planning Commission to once again look at various aspects of PRIs. The Committee recommended the following:
  - PRIs have to be activated and provided with all the required support to become effective organizations.
  - PRIs at district level and below and should be assigned the work of planning, implementation and monitoring of rural development programmes and the block development office should be the spinal cord of rural development process.

In 1896 L.M.Singhvi Committee recommended for providing more financial resources and constitutional status to the panchayat to strengthen it.

The 64<sup>th</sup> Amendment Bill 1989 which was introduced then Prime Minister Rajiv Gandhi seeking to strengthen the PRIs but bill was not passed in the Rajya Sabha. In September 1991, a fresh bill on Panchayati Raj was introduced by the congress government under P.V.Narsinha Rao, the then Prime Minister. It was passed in 1992 as the 73<sup>rd</sup> Amendment Act and came into force April 1993.

### **RURAL LOCAL GOVERNMENT INSTITUTIONS IN WEST BENGAL**

The West Bengal Panchayat Act of 1973 contributed the local frame work for establishing the three-tier PRI system in West Bengal, focusing on which, Panchayat elections were held every five years since 1978. This Act was genuinely implemented by the Left Front that assumed power in the state in 1977. In the early years of its rule (1977 – 1983) the Left Front government undertook several reforms that led to a notable shift in the power structures in rural Bengal. Decentralization of local governance structure was combined with pro-poor reforms like land redistribution, sharecropping and mass mobilization programmes that almost overthrew the socially and politically influential old landlord class from its position of power in rural society. The West Bengal Panchayat Act of 1994 made provisions for people's participation through two forums- the Gram Sansad and Gram Sabha. An amendment to the Panchayat Act in 2003 provided for the Gram Unnayan Samity. Further initiatives on rural decentralization were launched in 2005 and 2010 with fund support from DFID – UK (Department for International Development) (Now FCDO) and World Bank respectively. The Left Front government lost power in 2011, but the PRI structures had already taken firm roots in the State, making the new TMC government continue with the structures as well as the World Bank project for 'Institutional Strengthening of Gram Panchayats' (ISGP).

### **THE ROLE OF INVITED SPACE IN PANCHAYATI RAJ INSTITUTIONS OF WEST BENGAL**

In order to make the decision-making process more participatory and direct, some invited spaces have been generated through policy changes under the jurisdiction of PRI in West Bengal. The following policy measures taken by government of West Bengal to strengthen participatory development process in the state.

### **GRAM SANSAD MEETING**

Participation of people in community development decision making process is considered as a foundation of democracy at the local level with a view to ensure the system of decision making more participatory, the concept Gram Sansad meeting was brought into contact with in 1994 under the section 16A of West Bengal Panchayat Act, 1973. The key objective was to create a space for direct participation of people to guide and advice Gram Panchayat in respect of the schemes for economic development and social justice undertaken or proposed to be undertaken in its area (Section 16A (6) of West Bengal Panchayat Act, 1973). A GP is divided into several constituencies, which are called *Gram Sansads* or village constituencies. From each constituency, one or two members, depending on the size of voters, get elected to GP as representatives. All the voters under a village constituency become the members of the *Gram Sansad* and are eligible to attend the *Gram Sansad* meetings. *Gram Sansad* meetings, which are ordinarily held twice a year - one half-yearly and another annual, is a space to identify. An invited space is government provided an often used for deliberation or communication and sometimes it takes the shape of a regularised institution (Cornwall,2004) schemes, beneficiaries, location of implementation and involved in the constitution of *Gram Unnayan Samitis* (GUS) (Section 16A (6) (a-c) of West Bengal *Panchayat Act*, 1973). In order to ensure participation of the people in the *Gram Sansad* meetings, it is made mandatory to form a quorum of one-tenth of members of a *Gram Sansad* (Section 16A (4A) of West Bengal *Panchayat Act*, 1973), suggesting thereby that at least one tenth of the voters of that constituency must be present to hold a meeting. The meeting is adjourned if it fails to reach the quorum. Under the earlier practice, the adjourned meetings held at the same place and hour on the seventh day did not require quorum. However, since 2003 ,through the amendment of provision 16A (4A) of the West Bengal *Panchayat Act*, 1973, the adjourned meeting is stipulated to meet the prescribed quorum, which is at least one-twentieth of the total number of members, without fail (The West Bengal *Gram Panchayat Administration Rules*, 2004).It is interesting to note that with the aid of these meetings, people hold the officials accountable and they become liable to give accounts of their performance. The latter also give reply to people's queries as well as record objections to any actions of the *Pradhan* or any other member(s) of the GP (Section 16A (6) (f) of West Bengal *Panchayat Act*, 1973). It is mandatory that the GP informs people regarding the agenda, place, date and hour of the meetings at least seven days in advance. In a recent order (Order No: 298/PN/O/I/3C-7/03, dated 21.01.2009) issued by the *Panchayats* and Rural Development Department, Government of West Bengal, PRI bodies have been instructed to disclose certain information and make that available to the members of the *Sansads*. It is also instructed that adequate information on functioning of the *Panchayat* body should be made available to the members of *Sansad* sufficiently before such meetings so that



that can be reviewed by the members well ahead of meetings. This would enable the members to raise pertinent questions and suggest remedial measures.

### **GRAM SABHA**

An attempt to restore the importance of *Gram Sabha* as a deliberative body of decentralized governance was initiated through the 73rd Constitutional Amendment (Article 243A) in 1992. Through the amendment of the West Bengal *Panchayat Act*, 1973 in 1994, it became mandatory for every GP in West Bengal to hold a *Gram Sabha* meeting once a year. Persons registered in the electoral roll pertaining to the area of the concerned GP are the members of a *Gram Sabha*. *Gram Sabha* meeting is held ordinarily in the month of December every year and expected to emerge as a space for starting deliberations and recommendations for development activities primarily based on local needs. Ideally, the *Gram Sabha* is meant to be an apolitical forum, discussions are impartial and there is involvement of people in planning and decision making process (Chattopadhyay, Chakrabarti, & Nath, 2010). It may be important to state that with the introduction of *Gram Sabha* and *Gram Sansad* meetings in rural areas of the state, participatory development process is now empowered through constitutional obligations. These invited spaces ensure that the decision making does not become the exclusive domain of the elected representatives of the PRI only. The community is invited to be engaged in the decision-making process.

### **GRAM UNNAYAN SAMITI**

Another initiative to strengthen community participation in the development process is the introduction of GUS (Village Development Committee). The GUS as conceived is an apolitical body to promote people's participation from all sectors, including different political parties (Chattopadhyay, Chakrabarti, & Nath, 2010). The concept of GUS was introduced through the West Bengal *Panchayat (Amendment) Act*, 2003. A GUS is constituted with elected members from the respective *Gram Sansads* chairpersons and the persons securing second highest vote as ex-officio members. Apart from them, representatives from Self Help Groups, local NGOs, retired or serving teachers, retired or serving government employees and some other village people are nominated and/or elected through open voting system in a special *Gram Sansad* meeting convened for constitution of GUS. In a recent order from *Panchayats* and Rural Development Department, Government of West Bengal, the procedure of constitution of GUS is changed. The open voting system is replaced by nomination from the elected members and the persons securing the second highest vote (Order No: 1284/PN/O/1/1A-1/04 (part-II), dated:08.03.2010). The objective of the introduction of GUS is to ensure active participation of the people in implementation, maintenance and equitable distribution of benefits (Bandyopadhyay, 2003). AGUS can open an account in bank or post office as it is entitled to receive untied funds from the GP on account of implementation of various government sponsored development programmes.

### **BLOCK SANSAD AND ZILA SANSAD**

In order to establish the vertical accountability process among different tiers of *Panchayat* bodies, the *Block Sansad* and *Zilla Sansad* were introduced in 2003, through 'The West Bengal *Panchayat (Amendment) Act*, 2003'. A *Block Sansad*, consisting of all members of GP pertaining to the block and all the members of that PS, is required to hold meetings twice a year to guide and advice the PS for all matters relating to development (Section, 115A, The West Bengal *Panchayat Act*, 1973). Quite similarly, every ZP has a *Zilla Sansad* comprising the members like (a) *Pradhans* of all GPs, (b) *Sabhapati*, *Sahakari Sabhapati* and *Karmadhyaksha* of all PS, and (c) all members of ZP. Meetings of *Zilla Sansad* are held twice a year to guide and advice ZP in all matters relating to development of the district (Section 163A, The West Bengal *Panchayat Act*, 1973).

## **II. CONCLUSION**

'Consensus' and 'Participation' are two important pillars of good governance and the Panchayati Raj Institution helps in ensuring both these pillars. Gram Sabha is a channel giving opportunity to include the less privileged section of society and ensure their participation village level governance wherein they can advocate their developmental aspirations. The national government made several efforts after independence to develop Panchayati Raj in its real sense. Still, due to wide spread illiteracy, a lack of political will in the state government and a lack of funding, it took 45 years after independence for the Constitution to be amended to give Panchayats constitutional status. Panchayats have played an important role in decentralizing authority and fighting for the people at the grass roots level since then. West Bengal in spite of being an explorer in democratic governance in the country has not yet experienced the broader success of decentralization. Participation of the local people in governance perpetuates to remain standing a serious impediment. To curb all these PRIs have to procure necessary efficiency, transparency and accountability.

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