



Panchayati Raj System and Democratic Decentralization: Indian Experience

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ABSTRACT: Decentralization, through local self government, transforms representative into participatory democracy. The Indian federal system provides for the constitutional devolution of powers between the centre and the states, under whose exclusive legislative domain the local self governments rest as third tier or level of government. The post- Emergency period (after 1977) in Indian politics has seen two significant developments that have a decisive impact on the decentralization process. One is the assertion of the regions of their autonomy and identity; two, the expansion of the media leading to the wider availability of information and assertiveness by the former, leading to difficulty to cling on to the concentration of power either by the central or state governments. The constitutionalisation of rural and urban local governments through 73rd and 74th Constitutional amendment (amendment of Article 243) in 1992 respectively has been the important initiative that makes them as the institutions of self government. In the context of neo-liberal policies being pursued in a big way the state is disengaging itself to make space for market, the local communities are meant to mend for themselves with little reliance on the state. Strengthening the Panchayati Raj institutions, involving the local participation in the management of resources, developmental needs and decision making process, would provide for the empowerment of the local population.

KEY WORDS: Panchayati Raj, Decentralization, Globalization, Liberalization, Rural Development, India.

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I. INTRODUCTION:

India's vast majority of people live in rural villages. They are largely dependent on remote and unresponsive government (the Central and the State) historically characterized as "centralized, bureaucratic, corrupt and non-transparent". In most parts of rural India there had been a continuous and deep rift between the people and the government(s). The people do not have proper access to the information regarding the developmental plans, schemes and actions of governments. Further, they have no effective means to influence the policies, programmes or resource allocations for their development.¹ The people in general and the rural people in particular have lacked effective ways to participate in shaping of their future. The essential needs of the people in health, sanitation, clean water, education, family planning, employment and their total development could not be solved by the centralized administration, top down bureaucratic interventions. Therefore, it is finally felt that the critical needs of the people can be provided only with the local initiation, responsibility, accountability and local governance in action.

To meet the emerging challenges of globalization, liberalization and decentralization of development, it is felt necessary to enhance the capacity of local government authorities to assume responsibilities for delivery of basic services to the local people and mobilize local resources. It is also felt necessary to enhance the capacity of the citizens through education, information and access to technology, empowerment of women and the disadvantaged groups and strengthening the efforts to build self-reliance and developing participatory institutions such as Panchayati Raj Institutions.²

Panchayati Raj in India: Historical Background

The peculiar feature of the Indian society is its kaleidoscopic diversity with an ancient and rich civilization of about five-thousand years. At the moment the traditional social norms co-exist with modern

liberal democratic institutions in the form of parliamentary democracy which is centralized in nature. The "uneasy, ambiguous and contradictory relationship" between the tradition and the modernity is the order of the present society.³

Mahatma Gandhi, the father of the nation, during the freedom struggle in 1940s explained his idea of Village Swaraj(Self-Rule) as it is a complete republic, which will be conducted by a Panchayat of five persons annually elected by the adult villagers. This Panchayat would combine the legislature, Executive and Judiciary and there perfect democracy prevails based on individual freedom.⁴

By 1947, there was the government created Panchayats as units of local government with government defined judicial and administrative powers based on the recommendations of the Royal Commission on Decentralization in 1907. India's freedom fighters opposed this and proposed the agenda of Gram Swaraj(village republic) as nationalist struggle. During 1940s under Quit-India Movement village-based parallel governments were adopted in some parts of the country opposing the government Panchayats. Many of such villages are now declaring self- rule.⁵

Even after India's Independence, despite all the commitment of nationalist leaders of Gram Swaraj(Village self-government), the constitution framers decided the final draft of the constitution to continue the British policy. The constitution failed to adopt the traditional village institutions as units of governance. Thus the village self-rule was not emphasized. The decentralized framework of rural local government was confined in the constitution to Article 40 of the Directive Principles of State Policy, which directed the state governments "to take steps to organize village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as the units of self governments."⁶

Panchayati Raj

Based on the recommendations of the Balwant Rai Mehta Committee,Panchayati Raj was launched on October 2, 1959, (Father of the Nation Mahatma Gandhi's birthday) in Nagaur district in Rajasthan State. In the same year Andhra Pradesh State also introduced the system. Soon after, many states established Panchayati Raj Institutions (PRIs). However, the enthusiasm with which these institutions were created could not be sustained. In the mid 1960s the Union Government at New Delhi almost setting aside the local bodies created a district Programme, namely Integrated Rural Development Programme (IRDP). To meet the crisis in the agriculture, national level programmes like Small Farmers Development Agency (SFDA), Drought Prone Areas Programme (DPAP) and Integrated Tribal Development Agency (ITDA) were introduced. Gradually the concept of local development was withdrawn from the official agenda. Instead programmes for providing employment and for eradication of poverty were implemented throughout the country by the bureaucracy.⁷ Due to the increasing tendency towards centralization in the state and central governments, and not providing finances which are due to the local bodies, the Panchayati Raj institutions could not participate in the developmental activities. The political leaders at the state level also lacked political will to transfer powers and finances to these bodies. Further, repeated postponement of elections of these bodies led to inefficiency and ineffectiveness of this first generation Panchayati Raj system.⁸

With a view to explore, the possibilities of strengthening Panchayati Raj in 1977, The Janata Government appointed Asoka Mehta Committee which reported in 1978.

The main recommendations of the committee were:

- 1) Regular and periodical elections to the Panchayati Raj bodies by the constitutional authority.
- 2) Elections through participation of political parties.
- 3) Powers of Taxation to the Panchayati Raj bodies.
- 4) Transfer of developmental functions to the Zila Parishads.⁹

The recommendations could not be implemented due to the downfall of the Janata Government in 1980. In 1984 and in 1985 also, there were reports on the District Planning and Rural Development Administration. They pleaded greater powers to the Panchayati Raj bodies and advocated decentralized planning. L.M. Singhvi Committee in 1986 recommended constitutional status for Panchayati Raj, giving importance to Gram Sabha and Nyaya Panchayats(Judicial Panchayats).¹⁰

On the basis of these recommendations, the Government of India under the Prime Ministership of Rajiv Gandhi of Congress Party introduced in July 1989 64th and 65th Constitution Amendment Bills in the Parliament. The bills could not be passed in the Rajya Sabha. The bills were opposed initially alleging that the Central Government neglecting the State Governments, and likes to establish direct relations with the local bodies. After prolonged negotiations and consultations with different parties and state governments, the Janata Dal Government and Prime Minister V.P. Singh introduced another Amendment Bill in September 1990 in the Lok Sabha. The Amendment could not get through due to collapse of Janata Dal Government.¹³

The Congress Party which came into power back in June 1991 under the Prime Ministership of P. V. Narsimha Rao, re-introduced the 73rd and 74th Amendment Bills which were passed by Lok Sabha and Rajya Sabha in December 1992. The Amendment Act, 1992 came into force on 24th April, 1993. The Act is to provide constitutional guarantees to safeguard the interests of Rural (73rd) and Urban (74th) local governments to empower them as effective democratic and self-governing institutions at grass-root level. The Act provides a constitutional form to structure mandate to these institutions. The objectives of the Act include decentralization of power and ensuring popular participation in planning, management and delivery of civic services.¹⁴

New Panchayati Raj

Prime Minister P.V. Narsimha Rao described the emergence of the new Panchayati Raj as against the unjust and exploitative society, stands a bridge for development, symbolizes social harmony and future equity and a training school for autonomous political process. It provides, he hoped, an opportunity to transform the face of rural India having potential to create genuine democracy at the village level.

The 73rd amendment to the Constitution promoted decentralized democracy in the country, recognized the Panchayat as the local level of government and opened up possibilities for strengthening people's participation in decision making regarding their own development. It also set forth a process of providing and building up new leadership among women and weaker sections of the rural community. The 1992 Act specifically and explicitly made certain provisions mandatory and few others were left to the discretion of the State Governments.¹⁵

The 73rd amendment was further extended on December 24, 1996 to the tribal population areas designed in the Constitution as Schedule V areas⁴ with provision for stronger representation of tribal community and their access and control over community resources, institutions and instruments of governance. This extension gave absolute power to the Gram Sabha (Village Assembly) over resources and its management. Extension to the Scheduled Areas Act, (PESA) 1996, came into existence on the recommendations of the Bhuria Committee. It is applicable to eight states and 60 districts where the scheduled areas are there.

Features of New Panchayati Raj

1. Establishment of Gram Sabhas and three tiers of Panchayats (Panchayat, Panchayat Samiti and Zila Parishads) at the Village, Block and District levels.
2. Regular elections every five years.
3. Reservation of not less than one-third seats for women as members and chairpersons at all the three levels.
4. Reservation of seats for Scheduled Castes, Scheduled Tribes and other backward communities.
5. Constitution of State Election Commission.
6. Constitution of State Finance Commission.
7. The Panchayati Raj Institutions are to function as institutions of self-governance and they have been endowed with powers and authority to formulate and implement their own plans for economic development and social justice.¹⁶

Politics of Panchayati Raj

Decentralization became important from the point of the twin objectives of the Indian polity viz. democracy and development. However from the beginning, the Panchayat Raj Institutions were not regarded either as a "political means" to bring about a change in rural India or as part of the overall political process in the country. It was felt that as 'politics' is divisive, the Panchayati Raj Institutions should be 'nonpolitical'. The Asoka Mehta Committee (1978) treated the Panchayati Raj as an 'extension of democracy' and recommended establishment of Panchayati Raj bodies below the state level as democratic bodies, with constitutional sanction of transfer of substantial powers to local bodies from the state governments. The report of the Sarkaria Commission on the Centre - State Relations (1983) also placed importance of democratic decentralization.¹⁷

Achievements of Panchayati Raj in India

Ashok Mehta Committee (1978) reported that Panchayati Raj has many achievements to its credit. Politically it became a process of democratic seed drilling in the Indian soil, making an average citizen more conscious of his rights than before. Administratively, it bridged the gulf between bureaucratic elite and the People. Social-Culturally it generated a new leadership which was not merely relatively young in age, but also modernistic and pro-social change in outlook. From the development angle, it helped rural people cultivate a developmental psyche.

It is observed that constitutional amendments will alone cannot usher in meaningful devolution of power or vibrant Panchayats except with strong political will. For that a strong people's movement is felt necessary to oversee that regular elections are held, democratically elected strong local government institutions

are formed, powers over bureaucracy are given to the elected representatives to prompt them to action and to maintain the presence of strong opposition.

II. CONCLUSION:

Despite many teething problems, political reluctance, the new Panchayati Raj created much impact on the Indian polity in general and on Panchayati Raj Institutions in particular. Reservations in Panchayati Raj Institutions provided opportunities for active participation and representation of reserved categories which paved way for the emergence of new leadership among women, SCs, STs and other backward classes. Further, where the national political parties, the state governments and the political leaders encouraged and empowered the Panchayati Raj Institutions, the representation and participation of the people has been very effective. The current political struggles, legal battles, the pressures of the intelligentsia, the media, the activism of many NGOs, the advocacy of the global forces certainly made the ruling parties at the Central government to realize the need for the genuine political interest in the democratic decentralization. In this direction necessary steps are being taken to amend the constitution once again to empower the Panchayati Raj Institutions to act as the third tier of the government in India.

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