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Evolution of Panchayati Raj

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Abstract

The main objective of the Panchayati Raj in general is to extend democracy up to the grassroots level and to ensure involvement of the people in all governmental process and welfare programmes. The Panchayati Raj system is a three – tiered Indian Administrative structure for the development of rural areas. The very purpose behind the Panchayati Raj system has always been to strengthen democracy at the grass- root level. It is a system of local self-government in India which aims to establish local self-government in village's mandalas and districts. The main purpose of Panchayati Raj is to provide livelihood, literacy and health facilities for the villagers by involving them in the process of development. The Panchayati Raj bodies provide a suitable base for a meaningful participation especially of the weaker sections in the local decision-making process and programmes implementations. The administration of local level matters by local bodies that have been nominated by the local citizens is known as local self-government.

Keywords: Panchayati Raj institutions, community development, decision making, 73rd constitutional amendment act, East-India company, British rule, Balwant Rai Mehta, Grama Sabha

Introduction

The system of Panchayati Raj is generally a three- tier structure of the local self-government at the village, Mandal and the district level. The main objective of the Panchayati Raj in general is to extend democracy up to the grass root level and to ensure involvement of the people in all governmental process and welfare programmes. It is accepted by all responsible people that no country can make progress in nation-building process, unless people at large come forward and participate with due enthusiasm in developmental activities. People's participation is a fundamental right in these bodies which is to be recognised without any reservation because sovereignty lies with the people. The people's participation in running the affairs of the state to strengthen the democratic process is an effective instrument for national growth. It has many achievements to its credit. Politically, it has become a process of democratic seed. Administratively, it has bridged the gap between the bureaucratic class and the people at the village level. Socio-culturally, it has generated a new leadership culture motivating people. It has helped rural people cultivate a development psyche. The Panchayati Raj Institutions were established by the 73rd Constitutional Amendment Act, 1992. First it aims to promote democracy at grassroots level and to oversee the country's regional development. Panchayati Raj Institutions have been in existence for 30 years in their current shape and organisation. However, there is still more work to be done in terms of decentralisation and strengthening democracy at the grassroots level. Every year on April 24, National Panchayati Raj Day is observed.

Ancient period

The Panchayati Raj, though it has come in the wake of "democratisation", the village panchayat is originally an ancient Indian Institution. The village was a self- sufficient little republic, which functioned through the institution like that of panchayat. In this regard Charles Metcalfe who said "the village communities are little republics, having nearly everything they can want within themselves and almost independent of any of foreign relations". Agriculture has been the mainstay of the entire social and economic life of the Indian village community. The most important one in the day-to-day activities of the village in ancient times was the Grama Sabha, which possessed de-facto powers to control and govern the entire village.

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The phrase 'Panchayatan' is recorded in the ancient Sanskrit scriptures, and it refers to a group of five people, one of them is a spiritual person. Gradually, the idea of including a spiritual person in such organisations faded away. Sabha, Samiti, and Vidatha are all mentioned in the Rigveda as local authorities. At the municipal level, they were the democratic organs. These bodies used to give their permission to the king for particular functions and choices. Epic Era refers to India's two main epic periods, the first one is "the Ramayana" and second is "the Mahabharata". According to the Ramayana, the governance was separated into two sections: Pur (City) and Janpad (village). There used to be a Caste Panchayat throughout the state, and one representative of the emperor's Council of Ministers was nominated by the Caste Panchayat. The Mahabharata's 'Shanti Parva,' the Manu Smriti, and Kautilya's Arthashastra all contain passages about village self-government.

British Rule

The credit for introducing the Local Government Institutions as exist in India today goes to the British Government. Local self-Government was introduced from the top. It consists of two periods i.e., the rule under the East India Company and the rule under the Crown. There was no development in the administration of villages under the East India Company period. A beginning of representative Local Government was made in 1687 when a Municipal Corporation was established in Madras. It was consisted of a Mayor, twelve Aldermen and sixty Burgesses. The passing of the Charter Act of 1793 established municipal administration in the three presidency towns of Madras, Calcutta, and Bombay by authorising the Governor General of India to appoint justices of the peace in these towns. The municipal administration was extended to the district town in Bengal in 1842. When the Bengal Act was passed, which enabled the setting-up of a town committee for sanitary purposes upon application made by two-thirds of the ratepayers in a town.

Several committees passed rules from time to time in ushering local self-government in the country. The system of Local Self-Government expanded under the rule of the Crown in India. The financial conditions were pathetic in India, then due to the Great Revolt of 1857. Owing to insanitary conditions, there was an outbreak of cholera which prevailed in Bengal, and the position of government was so miserable that it could not spend money on roads, education, health and other services.

The formation of the Royal Commission on Centralisation in 1907, chaired by C.E.H. Hothouse, provides a boost to local self-government structure. The relevance of panchayats at the local level was recognised by the commission. The Montagu Chelmsford Reforms of 1919 were enacted against this backdrop, transferring municipal authority to the provinces. The reform also advocated that local bodies have complete authority over their operations and be as independent from external oversight as feasible. Due to institutional and fiscal restraints, these panchayats only included a tiny number of villages with restricted functions, and they did not develop into democratic and dynamic organizations of local self-government at the grassroots level. However, eight provincial governments had enacted Panchayat Acts by 1925, and six indigenous states had implemented panchayat laws by 1926. Local governments were given new rights, but their ability to levy

taxes was reduced. The standing of local self-government organizations, on the other hand, was untouched.

After Independence Period

The advent of independence in 1947 proved the biggest landmark in the historical development of local self-government in India. It ushered new conceptions of local self-government. Nehru in his speech, said that 'Local Self-Government should be the basis of any true system of democracy'. It was thought that it got rather into the habit of thinking of democracy at the top and not so much below. Democracy at the top will not be a success unless it is built on this foundation from below. The constitution of India which came into operation in 1950, turned a new leaf in the evolution of these institutions. It has made a local government a state subject. Article 40 of the Indian Constitution mentions panchayats, and Article 246 authorises the state assembly to legislate on any topic relevant to local self-government. But, the decision-makers at the time did not universally agree on the incorporation of panchayats in the Constitution.

India launched the Community Development Programmes on the eve of Gandhi Jayanti, October 2, 1952, as a development project, led by American expert Albert Mayer, as a primary influence. It covered practically all aspects of rural development that were to be carried out with the support of village panchayats and public participation. As a prelude to Community Development Project, the National Extension Service was established in 1953. However, the initiative had little impact. The National Development Council established a committee led by Balwant Rai Mehta in 1957 to investigate the operation of the community development initiative. The lack of engagement in the Community Development Project, according to the team, was the primary cause of its failure. Grama Panchayats at the village level, Panchayat Samiti at the block level, and Zilla Parishad at the district level, according to the committee. On 2nd of October 1959, Rajasthan became the first state to implement this democratic decentralisation strategy. The plan was first implemented in Andhra Pradesh on 1st November 1959. Madhya Pradesh, Assam, Odisha, Gujarat, Karnataka, Punjab and Maharashtra, among others, have passed and implemented the essential legislation. Ashok Mehta Committee was established in 1977 resulted in new thinking about the Panchayat Raj's ideals and practices. The committee advocated a two-tier Panchayat Raj institutional framework, with Zilla Parishad and Mandal Panchayat. The district was considered as the initial stage of decentralisation below the state level.

The Government of India created different committees in later years in effort to resurrect and revitalise the panchayats. The Hanumantha Rao Committee (1983), G.V.K. Rao Committee (1985), L.M. Singhvi Committee (1986), Sarkaria Commission on Centre-State Relations (1988), P.K. Thungan Committee (1989), and Harlal Singh Kharras Committee are the most important among them (1990). The G.V.K. Rao Committee (1985) recommended making the 'district' the basic unit of planning and holding regular elections, while the L.M. Singhvi Committee recommended strengthening panchayats by providing more financial resources and constitutional status. The Amendment process started with introduction of the 64th Amendment Bill (1989) by Rajiv Gandhi which sought to broaden the Panchayat Raj Institutions, but was not

approved by the Upper House i.e. the Rajya Sabha. In September 1991, while P.V Narasimha Rao was Prime Minister, a comprehensive modification was submitted in the shape of the Constitution 72nd Amendment Bill. Parliament ratified the 73rd Constitutional Amendment in December 1992. Local self-governance was established in rural India as a result of this modification.

73rd Constitutional Amendment Act, 1992

The union parliament has passed the seventy-third Constitutional Amendment Act, 1992. This act was brought into force by notification dated April 24, 1993. The main provisions of the 73rd Constitutional Amendment Act as follows.

Salient features of the amendment are as follows

1. The concept of Gram Sabha (Village Assembly) has been incorporated in the Act. There will be Gram Sabha for each village or group of villages. Gram Sabha will comprise all the persons registered as voters in a Panchayat area at the village level.
2. Panchayats will have a uniform three-tier system at the village, intermediate and district levels. However, the Panchayat at the intermediate level need not be constituted in a state having a population of less than 20lakhs.
3. Seats are to be reserved for scheduled castes and scheduled Tribes in every Panchayat in proportion to their population; one-third of these reserved seats are meant for SC/ST women.
4. Seats on similar basis are also to be reserved in regard to Chairmanship of Panchayats at each level.
5. The State Legislature may make statutory reservation of seats in the Panchayats at each level for any backward class of citizens.
6. The normal term of the Panchayat is to be five years, if dissolved earlier, elections are to be held within six months.
7. A candidate for election should not be less than 21 years of age and also should have been not disqualified under any law made by state Legislature or any law relating to elections to the State Legislature.
8. The State Legislature may statutorily endow panchayats with power and authority to enable them to function as 'Institutions of Self-Government'. This development of powers and responsibilities may include 'preparation of plans for economic development and social justice' as well as their implementation.
9. The State Legislature may by law empower the panchayats to impose taxes and fees and duties; may assign a share in State Government taxes and may provide for grants-in-aids.
10. In order that enough funds are available with the Panchayats for initiating various development activities the Constitution (73 Amendment) Act, 1992 provides constitution of finance commission in every state. This commission is to be constituted by the Governor of each state within one year from commencement of the Constitution Act, 1992 and at the end of every five years thereafter. These commissions will be responsible to review financial conditions of the Panchayats and make recommendations to the respective governors.
11. The act provided for a State Election Commission in each state for superintendence, direction and control of

the preparation of electoral roll for, and the conduct of all elections to the panchayats.

Schedule XI of the Constitution Amendment Act contains 29 items. Some and all of which may be incorporated by the State Legislature in the Amended State Act regarding Panchayat Raj. These items relating to public distribution system and maintenance community assets, social welfare, poverty alleviation, social service, infrastructure and development of rural economy.

Panchayat Raj System after 73rd Amendment

Three decades ago in 1992 the Constitution Amendment Act was enacted these were the first definitive steps to extend and establish political democracy as the bulwark of governance across the country. This year marks the 30th anniversary of the Constitution Amendment that led to the three- tier Panchayati Raj structures. The 73rd Amendment further led to legislation for its extinction into tribal areas and forest rights act. Even after conferring constitutional status and protection through the 73rd Amendment Act (1992), the performance of the Panchayati Raj institutions has not been satisfactory and not up to the expected level. Panchayati Raj Institutions have had a stunning success and a shocking failure throughout the course of their 30-years, depending on the goal line against which they are measured. While the Panchayati Raj Institutions has achieved in establishing a new layer of administration and political participation at the grass roots, this has not been able to improve governance.

The 73rd Constitutions Amendment Act (1992) mandated that women be represented in local bodies by at least one-third of the total seats. SC/ST nominees were also given priority in terms of seats and leadership roles. According to Panchayati Raj Institutions, having women political engagement in local governments increases the likelihood of women coming forward and reporting crimes. Drinking water and public goods are substantially more heavily invested in districts with female sarpanches. Furthermore, several devolution measures have been formally safeguarded by the states, giving local government's significant autonomy. Successive (central) Finance Commissions have significantly boosted fund allocations for local governments, as well as grant amounts. "The 15th Finance Commission" is also contemplating increasing local government allocations to meet international norms.

Challenges faced by Panchayati Raj institutions

Even after conferring Constitutional status and protection through the 73d Amendment Act (1992), the performance of the Panchayati Raj institutions had not been satisfactory and not up to the expected level. The various reasons for the sub-optimal performance are mentioned below.

The 73rd Amendment simply required the establishment of local self-governing bodies, leaving the discretion to delegate powers, responsibilities, and money to state legislatures; this is where Panchayati Raj Institutions failed. Various government functions, including education, health, sanitation, and water, were not required to be transferred. Instead, the amendment identified the functions that could be devolved and left it up to the state government to decide which functions should be devolved. Throughout the last 30 years, there has been relatively little devolution of authority and services. Because these responsibilities were never

transferred, state executive authorities have sprung up to fulfil them. The most typical example is indeed the state water boards, which are notoriously inept. Despite the fact that financial commissions at all levels have called for more devolution of finances, governments have taken little action to do so. Panchayati Raj Institutions also have structural flaws, such as a lack of secretarial support and a lack of technical competence, limiting the collection of bottom-up organizing.

Despite the fact that women and SC/STs have representation in Panchayati Raj Institutions due to reservation stipulated by the 73rd amendment act, Panch-Pati and various representation are present in the cases of women and SC/ST leaders, respectively. However, after 30 years of the Panchayati Raj Institutions constitutional framework, accountability procedures are still quite inadequate. The uncertainty in the allocation of functions and funding has allowed states to consolidate power, preventing elective representatives who are much more aware of and emphatic to ground-level issues from taking control.

Suggested Reforms

Its numerous failures need not be mentioned in detailed here. But as the paper reveals certain changes and reforms are necessary and vital for strengthening the system of Panchayat Raj. These are major electoral reforms should be tried in this regard. Some system of election providing for separate electoral college exclusively for Scheduled Castes and Scheduled Tribes is one of them another is related to the reservation of seats in local bodies for landless poor. It has also been suggested that the system of reservation should be extended not only for seats but also for offices. In fact, the problem of weaker sections are primarily related to their political participation. It is by strengthening their political weight that their disabilities and handicaps can be removed. The adoption of 'Conscientisation, Organisation and Participation (COP) approach' would take adequate care of causes and consequences of continuing deprivation and backwardness of Scheduled Tribes and weaker sections and would facilitate their emergence from the present morass.

The 6th report of the 2nd Administrative Reform Commission, 'Local Governance- an Inspiring Journey into the Future,' advised that the functions of each tier of government be clearly demarcated. States should implement the notion of 'activity mapping,' in which each state clearly defines the responsibilities and tasks of the various levels of government in relation to the topics specified in Schedule XI. Bottom-up planning, particularly at the district level, is required, based on grassroots inputs collected from Gram Sabha. The central government must also financially reward states to support successful devolution of functions, finances, and officials to the panchayat raj institutions. Local representatives should be given training to help them build knowledge so that they can contribute more to policy and programme design and implementation.

Conclusion

The main purpose of panchayat raj is to provide livelihood, literacy and health facilities for the villagers by involving them in the process of development. The panchayat raj bodies provide a suitable base for a meaningful participation especially of the weaker sections in the local decision-making process and programs implementations. Generally the party in the power is expected to look up on Panchayat

Raj Institutions as instruments for strengthening the roots of the party at the grass-roots level. On the other hand there is the view that Panchayat Raj Institutions are but a device to distribute political power in the state. However in most places it exists only in name and that to on paper and perhaps on the lips of those few who struggled hard for years for it.

The decline of Panchayat Raj system has been a set-back for the growth of leadership and community feeling at the village level. It is now accepted by all that no country can make progress in nation building, unless people at the grass-root level are enabled to come forward with enthusiasm to actively participating in developmental activities. The need to revitalize democracy at the grass-root level through Panchayati Raj cannot be overstated. The implementation of the 73rd Amendment Act of constitution should be done in an efficient manner such that the objectives of the Act will be achieved. The Panchayati Raj in Indian should be strengthened as it captures local needs and ensures responsive governance. It is accepted by all responsible people that no country can make progress in nation-building process, unless people at large come forward and participate with due enthusiasm in developmental activities.

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