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Unit 4

Panchayati Raj Institution and people's participation

Core course-CC6-Human and Social Development
1. Learning Objective
2. Introduction
3. Panchayati Raj Institution and peoples participation
4. Summary

1. Learning Objective:

- To understand how Panchayati Raj Institution evolve in india .
- Student will be able to understand the significance of 73rd amendment act 1992.
- To gain some understanding of salient features of Panchayati Raj institution.

2.Introduction

The term Panchayati Raj refers to Rural local self government . The idea of local self-government had existed in India even in ancient times. Even if we accept its beginning as an organisational concept with the Ripon's resolution it is more than a century and two decades old. In its tumultuous career it has seen many ups and downs. In spite of a formal inauguration by the Prime Minister Jawaharlal Nehru in 1959, after the Balwant Rai Mehta committee recommendation in 1957, these institutions could not take proper roots in the country but after 73rd amendment act of 1992 it gain constitutional status and able to build democracy at the grass root level.

3. Panchayati Raj Institution and peoples participation

3.1 Evolution of Panchayati Raj institution.

Balwant Rai Mehta Committee

In January 1957, the Government of India appointed a committee to examine the working of the Community Development Programme (1952) and the National Extension Service (1953) and to suggest measures for their better working. The chairman of this committee was Balwant Rai G Mehta.

The specific recommendations made by it are:

1. Establishment of a three-tier panchayati raj system—gram

panchayat at the village level, panchayat samiti at the block level and zila parishad at the district level. These tiers should be organically linked through a device of indirect elections.

2. The village panchayat should be constituted with directly elected representatives, whereas the panchayat samiti and zila parishad should be constituted with indirectly elected members.

3. All planning and development activities should be entrusted to these bodies.

4. The panchayat samiti should be the executive body while the zila parishad should be the advisory, coordinating and supervisory body.

5. The district collector should be the chairman of the zila parishad.

6. There should be a genuine transfer of power and responsibility to these democratic bodies.

These recommendations of the committee were accepted by the National Development Council in January 1958. The council did not insist on a single rigid pattern and left it to the states to evolve their own patterns suitable to local conditions. But the basic principles and broad fundamentals should be identical throughout the country.

Ashok Mehta Committee

In December 1977, the Janata Government appointed a committee on panchayati raj institutions under the chairmanship of Ashok Mehta. It submitted its report in August 1978 and made 132 recommendations to revive and strengthen the declining panchayati raj system in the country.

Its main recommendations were:

1. The three-tier system of panchayati raj should be replaced by the two-tier system, that is, zila parishad at the district level, and below it, the mandal panchayat consisting of a group of villages With a total population of 15,000 to 20,000.
2. A district should be the first point for decentralization under Popular supervision below the state level.
3. Zila parishad should be the executive body and made responsible for planning at the district level.
4. There should be an official participation of political parties at all levels of panchayat elections.
5. The panchayati raj institutions should have compulsory powers of taxation to mobilise their own financial resources.

Due to the collapse of the Janata Government before the completion of its term, no action could be taken on the recommendations of the Ashok Mehta Committee at the central level.

L M Singhvi Committee

In 1986, Rajiv Gandhi government appointed a committee to prepare a concept paper on 'Revitalisation of Panchayati Raj Institutions for Democracy and Development' under the chairmanship of L.M.Singhvi.

It made the following recommendations.

(i) The Panchayati Raj institutions should be constitutionally recognised, protected and preserved. For this purpose, a new chapter should be added in the Constitution of India. This will make their identity and integrity reasonably and substantially inviolate. It also suggested constitutional provisions to ensure regular, free and fair elections to the Panchayati Raj bodies.

(ii) **Nyaya Panchayats** should be established for a cluster of villages.

(iii) The villages should be reorganised to make Gram Panchayats more viable. It also emphasised the importance of the Gram Sabha and called it as the embodiment of direct democracy.

(iv) The Village Panchayats should have more financial resources.

(v) The judicial tribunals should be established in each state to

adjudicate controversies about election to the Panchayati Raj institutions, their dissolution and other matters related to their functioning.

Constitutionalisation

Rajiv Gandhi Government

The Rajiv Gandhi Government introduced the 64th Constitutional Amendment Bill in the Lok Sabha in July 1989 to constitutionalise panchayati raj institutions and make them more powerful and broad based. Although, the Lok Sabha passed the bill in August 1989, it was not approved by the Rajya Sabha. The bill was vehemently opposed by the Opposition on the ground that it sought to strengthen centralisation in the federal system.

V.P. Singh Government

The National Front Government, soon after assuming office in November 1989 under the Prime Ministership of V.P. Singh, announced that it would take steps to strengthen the panchayati raj institutions. In June 1990, a two-day conference of the state chief ministers under the chairmanship of V.P. Singh was held to discuss the issues relating to the strengthening of the panchayati raj bodies. The conference approved the proposals for the introduction of a fresh constitutional amendment bill. Consequently, a constitutional amendment bill was introduced in

the Lok Sabha in September 1990. However, the fall of the government resulted in the lapse of the bill.

Narasimha Rao Government

The Congress Government under the prime ministership of P.V.

Narasimha Rao once again considered the matter of the constitutionalisation of panchayati raj bodies. It drastically modified the proposals in this regard to delete the controversial aspects and introduced a constitutional amendment bill in the Lok Sabha in September, 1991. This bill finally emerged as the 73rd Constitutional Amendment Act, 1992 and came into force on 24 April, 1993 .

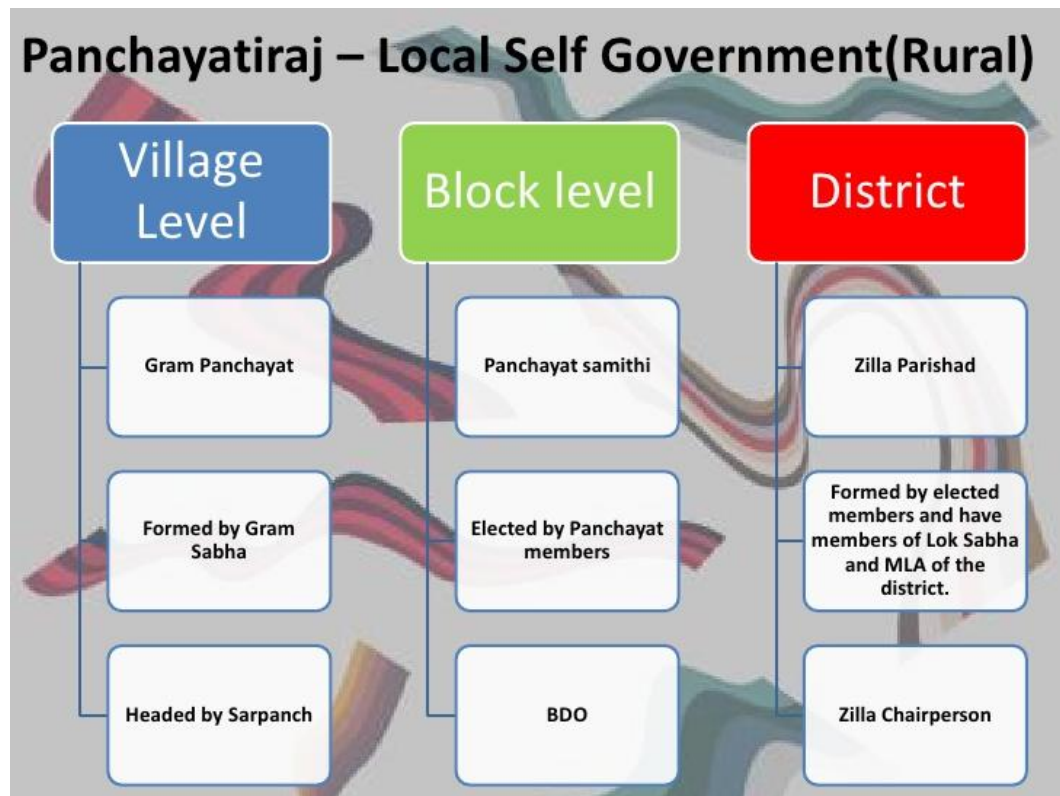
Provisions of the 73rd Amendment Act

The provisions of the Act with regard to the States can be broadly categorised as mandatory for the States and these provisions of the Act have to be included in the legislations to be enacted by them. The enabling, or, discretionary provisions of the Act , which have been left to the States to take decisions.

Mandatory provisions Following are the mandatory provisions of the Act:

1. Constitution of Gram Sabha The Act has prescribed for the establishment of Gram Sabha at village level consisting of people registered in the electoral roll relating to a village falling within the area of Panchayat.

2. Constitution of the Panchayats The Act has prescribed establishment of three tier system of Panchayati Raj and each State/UT there shall be Panchayats at village, intermediate and district levels except those States/UTs having population not exceeding 20 lakhs.



Source- <https://image.slidesharecdn.com/federalism-090623024045-phapp01/95/federalism-21-728.jpg?cb=1245724879>

3. Composition of Panchayats At all levels, Panchayats will comprise of persons chosen by direct election from respective territorial constituencies. All members of Panchayats elected directly or indirectly shall have voting rights in Panchayat meetings. The chairpersons of the intermediate (Block level) and the apex tier (District level) Panchayats will be elected from among directly elected members.

4. Duration of Panchayats Five year term for all tiers of Panchayats

5. Reservation of Seats Seats shall be reserved for SCs and STs in every panchayat and the number of the seats so reserved shall bear , as nearly as may be , the same proportion to the total number of seats to be filled by direct election in that Panchayat have population of the SCs in that Panchayat area or of STs in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat. Not less than one -third of the total number of seats reserved for the SCs or STs shall be reserved for women belonging to SCs or STs as the case may be.

6. Constitution of State Election Commission The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

7. Constitution of State Finance Commission The Governor of a State shall, as soon as may be within one year from the commencement of the Act and thereafter at the expiration of every fifth year, constitute a Finance Commission to review the financial position of the Panchayats and to make recommendations to the Governor

II. Enabling or Discretionary Provisions

The Act has given adequate discretionary powers particularly those relate to power and authority of the Panchayats which is evident from following:

1. Nomenclatures of the Panchayats at different levels
2. Nomenclature of the chairpersons of Panchayats a various levels.
3. Size in terms of population and area for determination of Panchayat at the village and intermediate levels.
4. Powers and functions of the Gram Sabha
5. Membership of the chairperson of Gram Panchayat in the Panchayat at intermediate level and of the chairperson of the Panchayat at the intermediate level in the Panchayats at the district level. 3

4. Summary:

The Panchayats have been very important institutions at local level to enable people to participate in local development both economically as well as socially. The Committee system of the Panchayati Raj System is another institutional arrangement for community engagement at village level to have detail discussion on the issues related to a particular subject like health or education and put up the same to the Panchayats for necessary

action. It s found that these committees have not been put into operation due to lack of people's awareness about these bodies. If suggestions given here are operationalised would be able to activate these institutions of local government.