

M. N. ROY MEMORIAL LECTURE, 1997

RESTRUCTURING THE POLITY  
- THE PANCHAYATI RAJ

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## Foreword

M. N. ROY, Founder-Architect of the Indian Renaissance Institute, started as an activist nationalist, spent two decades in the vanguard of Marxian Revolution and ultimately crowned his career as a philosopher. What makes Roy unique, amongst the revolutionaries of our times, is his courage of conviction, impeccable integrity and his passionate interest in ideas and their human implication. One such was his belief that people's committees must be the basic unit of an organized democracy.

The M. N. Roy Memorial Lecture, instituted by the Indian Renaissance Institute, is delivered every year by a distinguished scholar, on 21 March, commemorating Roy's birth in 1887. According to our tradition, the learned speaker decides the theme of the lecture. We are happy that Dr. George Mathew has agreed to speak on the occasion of Roy's 110th birth anniversary and chosen to speak on "Restructuring the Polity — The Panchayati Raj".

In his clear, crisp and concise presentation he deals with the formation of the Constitution and India evolving as a Federation and how the Constitution has changed its character through eighty-six amendments. However, he sees a ray of hope with the emergence of Village Panchayats since 1993 at the centrestage of the political process of India after fifty years of independence. Dr. Mathew discusses its relevance and impact for restructuring Indian polity and what it holds for the future.

I take this opportunity to express our thanks to Dr. Mathew for having responded to our invitation to deliver this lecture.

**Gauri Bazaz-Malik**  
*Chairperson*

18 March 1997

Indian Renaissance Institute

## **RESTRUCTURING THE POLITY**

### **—THE PANCHAYATI RAJ**

I CONSIDER it an honour to have been invited to deliver this year's M. N. Roy Memorial Lecture. This year is M. N. Roy's 110th birth anniversary. This is an occasion to pay our tributes to this great revolutionary, creative thinker and philosopher, who has influenced the thinking of several generations in our country and abroad, on politics and society.

One of the seminal ideas of M. N. Roy was decentralisation of power. In one of his writings a few months before his death he expounded his ideas on decentralisation of power. He said: "Ultimately the problem of democratic political practice is that of decentralization"<sup>1</sup>. He further said: "Decentralisation of democracy will prevent centralisation of power, and the function of the State will be reduced to coordination of the activities of the other autonomous social institutions".<sup>2</sup>

For, Roy saw in the common people the capacity to manage their affairs in spite of several social handicaps they faced. "It is true that the common people are illiterate; they may not be able to govern the country. But at the same time, is it not a fact that left to themselves, even the most ignorant peasants can manage their affairs better than our present government? The distrust for the ability of the common people to think for themselves and take care of themselves is only a pretext for seizing power in their name and abusing that power to suppress their liberty".<sup>3</sup>

Roy believed that People's Committees must be the basic units of an organized democracy.<sup>4</sup> In 1949 he wrote that the existing Village Panchayats set up in some parts of the country

can be built up as units of organized democracy.<sup>4</sup> He wrote in the strongest terms against concentration of power, which in the early fifties he saw in party politics and all the more in one-party rule. He advocated partyless democracy. In Roy's view people's committees were to function without any political parties.

The subject of my talk today is the emergence of Village Panchayats at the centre stage of the political process since 1993, it becoming the subject matter of discussion and debate and its relevance and impact for the restructuring of Indian polity. In other words, panchayati raj today and what it holds for the future.

India's Constitution was adopted by the Constituent Assembly on 26 November 1949 and according to this Constitution India is a Union of States. Moving the Draft Constitution, B. R. Ambedkar said that the use of the word 'Union' is deliberate. The Drafting Committee wanted to make it clear that though India was to be a Federation, the Federation was not the result of an agreement by the States. The federation is a Union because it is indestructible. According to Ambedkar, rigidity and legalism were the two serious weaknesses of Federalism. Indian system was unique inasmuch as it created a dual polity with a single Indian Citizenship and it can be both unitary as well as federal according to requirements of time and circumstances. Federal in structure and functions during normal times, it can be transformed into a unitary State during Emergencies.

It was not a perfect document and it called for constant changes to suit the changing times. As of today, Parliament has passed 86 Amendments to the Constitution. Although the Union of India meant division of powers between the Centre and the States, the experience in the last four decades or so has been that of centralisation. Articles 249, 250, 252, 352 and 356 have been used by the Union to enhance the powers of the Centre thus acting against the federal principle.

The serious flaw of the Indian Constitution adopted by the Constituent Assembly was that it did not give primacy to the local governments — the panchayats and municipalities. They found a place only in the Directive Principles (Article 40 of the Constitution), which is not justiciable. The federal structure has only two tiers: the Union and the states, and the local bodies did not have any role — neither developmental nor governmental. It was left to the states 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 units of self-government".<sup>5</sup>

It took 43 years since the Constitution of India was adopted, for the local bodies in the country to become statutory bodies. On 22 December 1992, the Parliament passed the Act known as The Constitution (Seventy-Third Amendment) Act 1992 and after several other formalities, on 24 April 1993, Part IX was added in the Constitution to, "enshrine in the Constitution certain basic and essential features of Panchayati Raj Institutions to impart certainty, continuity and strength to them".<sup>6</sup> The Constitution (Seventy-Fourth Amendment) Act was also passed at the same time to cover the urban local bodies.

The demand for greater decentralization of powers — political and economic — was growing over the years. By the mid-1980s it became clear that with concentration of power Indian polity could crumble. Meanwhile, the success of the second-generation panchayats as political institutions in the states of West Bengal, Karnataka and Andhra Pradesh as well as a general demand for decentralisation of power with the slogan, "power to the people" also accelerated the pace for the Constitutional Amendment. Abdul Nazir Sab, Minister for Panchayati Raj in Karnataka, after sincerely trying to implement the Panchayat Act of Karnataka in the 1980s had confessed: "Our intention to bring about a radical structural change in the governance of our State may be laudable, but without a Constitutional Amendment

guaranteeing the 'Four Pillar State', our efforts may not be as fruitful as we desire. In my opinion this is the major question the intellectuals of this country must ponder over. They must create a public debate on the necessity of a Constitutional Amendment".<sup>7</sup> Nazir Sab made this statement in Delhi in October 1985. Within four years, on May 15, 1989 the 64th Constitution Amendment was introduced in Parliament to give constitutional status to the panchayats. It was seen as a response to the ungovernable conditions emerging in the country as a result of concentration of power at the Centre and the desperation articulated at the lower level, as nothing was moving for the welfare of the people.

### **Significance of the Constitution Amendments**

So far democracy in India was confined to Parliamentary democracy, electing about 5000 members to Parliament and State Assemblies, once in five years. It was elitist in nature with muscle power, money power and caste playing a critical role in the elections. Democracy had not taken deep roots for want of suitable support structures. In the last fifty years, elections to the Parliament and the State Assemblies meant very little in terms of meaningful democratic functioning or creation of democratic culture at the grassroots level. With the 73rd and 74th Constitutional Amendments, elections will be held every five years to the three tiers of the panchayats and municipalities. Panchayats in states with a population above 2 million have three tiers: the Village Panchayats at the lowest level, the Block Panchayats at the intermediate level, and the District Panchayats at the top. So also there will be three types of municipalities in urban areas: the Municipal Corporations, the Municipal Councils, and the Nagar Panchayats, depending on the population of the towns and cities. Thus, we have in the country more than 500 District Panchayats, about 5,100 Block or Taluka Panchayats and about 2,25,000 Village Panchayats.

There are about 90 Municipal Corporations, 1,500 Municipal Councils and 1,800 Nagar Panchayats in the country. The rural bodies along with their urban counterparts -- the municipalities -- will be electing about 30 lakh representatives. This has broadened the base of Indian democracy.

The change in the federal polity of the country that has taken place as a result of the local bodies becoming Constitutional entities has far reaching consequences. It could be revolutionary. With the 73rd and 74th Amendments, the panchayats and municipalities could be the *de facto* "third tier of governance" in the country. With the suggested list of 29 subjects in the Eleventh Schedule and 18 subjects in the Twelfth Schedule for the panchayats and municipalities respectively and the State Acts more or less incorporating and operationalising them, one can say that the local bodies at the district level and below have become the third tier of governance in the Indian federal structure, giving the Indian Federation a new meaning. Of course, they have no legislative powers. Nor do they have law and order (police) powers or judicial powers. Few states have mentioned Nyaya Panchayats in their Conformity Acts.

The fact that Articles 243 G and 243 P (e) of the Constitution define panchayats and municipalities as "Institutions of Self-Government", needs special mention here. Nowhere is the scope of 'institutions of self-government' defined. It may be recalled here that only three conformity legislations, viz., those of West Bengal, Tripura and Bihar, unequivocally mention that the objective of their panchayat legislations is to endow panchayats with functions and powers so as to enable them to function as vibrant institutions of self-government. The other extreme is that of Haryana. The Haryana Act categorically says that the panchayat system is meant for administering the rural areas better. That is another way of saying that the state still believes in the "DC Raj" and "SHO Raj" for administration at districts level and below.



The term 'institutions of self-government' has been interpreted in two ways: First, when the Constitution says that panchayats are institutions of self-government, it implies that they must have autonomy and the power to govern in an exclusive area of jurisdiction. So governance by elected representatives of the people, according to the Constitutional provisions, is its essential element. The 73rd Constitution Amendment gives Panchayats this distinct status. Therefore, it is the *de facto* third-tier of governance.

The second interpretation is that it is only strengthening 'administrative federalism' and nothing more than that. For instance, Prof. S. Guhan argues that the provisions of the 73rd Amendment strengthen 'administrative federalism' in order to facilitate and encourage delegation of administrative and financial powers from the states to local bodies. "Their administrative powers and responsibilities and the financial resources to exercise these powers and to discharge the responsibilities are entirely derived from legislation that will have to be passed by the state"<sup>8</sup>, says Guhan. They have no legislative or judicial powers and, therefore, in Guhan's view just conferring Constitutional status or having regular elections do not confer to them the status of the third tier of governance. The Haryana Conformity Act, for instance, follows this line of thinking.

Prof. Guhan's argument is technically valid. However, in countries where local bodies exist, they are given powers of delegated legislations, e.g. budget, bye-laws and regulations. They also enjoy considerable powers of regulation attached to their functional responsibilities. Police and judicial powers could also rest with the panchayats. Nirmal Mukarji writes:

Two goals that have somehow remained outside the ambit of most thinking about local governance are decentralizing the system of justice and, paralleling that, decentralizing police

functioning. There is clearly a linkage between the two .... The Constitutional Amendments that gave birth to the new panchayats and municipalities were, however, completely silent on the subject... Very likely this was inadvertently done. Whatever the reason, decentralized justice now needs to be vigorously reviewed, for without a local "judiciary" local governance will remain glaringly incomplete...<sup>9</sup>.

It is evident that decentralized system of justice (Nyaya Panchayats) cannot be had without a decentralized system of policing. Therefore, in the not-too-distant future we will have Village, Block, District police as well as city and town police.

The moves to make the local bodies really the third tier of governance in India have been incremental and there has not been a quantum jump. But the passage of the 73rd and 74th Constitutions Amendment could be considered as a watershed in this direction, for it has paved the way for the creation of district governments in the country. The fact that district planning responsibilities are also given to the local bodies through these Amendments is a major step in the right direction. The Chairperson and members of the District Panchayats elected by the voters of the district, hold the key to a new polity. So far everything was centred around a Collector. In the new dispensation "Collector Raj" will give way to Panchayati Raj.

Thus, after about half a century doors are being opened for a reversal of the political system. Till today it was top heavy, everything flowing from top to bottom. It depended on the goodwill of those managing the system. The people at the bottom did not matter. In the place of a few thousand representatives of the people who managed the affairs of the country, now we have several lakh representatives to voice the concerns of people at different levels. Thus the new Amendments and local bodies are a leap forward. The edifice of parliamentary democracy is for the first time seen from bottom

upwards. No more can the people at the lowest level—the villages and municipal wards—be taken for granted. The MLAs feel threatened by this third tier. The state level politicians feel insecure with the new developments in the polity. The Chief Ministers and the ruling parties at the state level feel frightened at the possibility of people asserting their rights and punishing them and therefore they repeatedly postponed the panchayat elections.

The new place which the local government system acquired through the Constitution Amendments was expressed in a landmark judgement of the Allahabad High Court in the case of *Anugrah Narain Singh vs. the State of U.P.* as early as 1962. The grievance of the petitioner was that for a long time no elections were held to the municipalities in the state and that the government was taking the stand that it has the freedom to decide whether to hold elections or not. In the erudite, exhaustive and enlightening judgement the court gave the ruling that local self-government was a basic feature of the Constitution of India. It said that without local self-government the rest of the democratic structure will collapse. To quote:

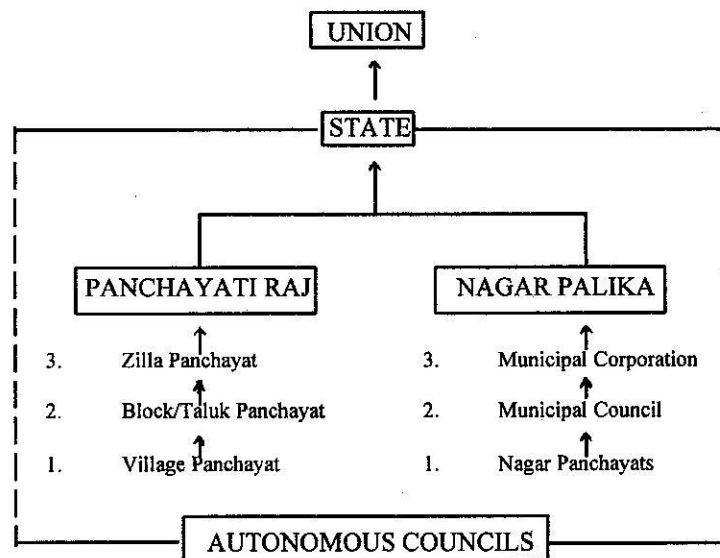
Local Self-government was meant to go on progressively with greater participation of the people whether in village or in urban areas. This continuity in bringing local self-government with people's participation at the grassroots level of democracy was to be protected and perfected and not to be forgotten. From down below upto the centripetal power culminating in Federal Government there was to be a process of representative government.

Local self-government is the arch upon which parliamentary democracy in this nation rests and upon it a dome with state legislatures and the federal Parliament. The structure will collapse without the arches.<sup>10</sup>

Since the nation did not heed these words for three decades the structure nearly collapsed. The political Emergency, suspension of democratic rights and their widespread violation even after Emergency, rise of terrorism and violence, political assassinations — all showed that the structure was cracking and collapsing.

It is significant that today, we the people of India have given Constitutional sanction to these arches on which the dome rests. It has opened up possibilities to look at the federal structure from below:

**Implication of Panchayati Raj/Municipalities as the  
Third Tier of Governance on  
India's Federal Structure**



Autonomous Councils are created in some States like West Bengal, Bihar, Jammu and Kashmir and Assam for administration and development of certain areas with special features. But they also have statutory local bodies.

### **Elections at the Local Bodies**

The elections to the panchayats in India have been an excellent barometer of functioning democracy. The polling percentage is high. In the recently concluded panchayat elections in Orissa, in some panchayats the voting was as high as 90 per cent.

The study of the Panchayat Election Process and Election Issues in Karnataka in 1995 and Tamil Nadu in 1996 reveals some interesting facts about the democratic process at the grassroots level.<sup>11</sup>

The most important aspect is that caste and religion which were playing a prominent role in deciding the outcome of elections in the last fifty years have shown signs of decline in the panchayat election in some states. In Tamil Nadu, for example, during the 1996 panchayat elections, growing democratic consciousness of the people was clearly evident. Nearly 81 per cent of the respondents of a survey said that the religious or caste leaders did not direct the people to exercise their voting right in one way or other. To a direct question whether caste affinity was important for voting a particular candidate to power, for an overwhelming majority of 73.6 per cent, the caste of the candidate was not an issue at all. For the general voter in the villages, the track record of the candidate on issues like corruption or the ability to do some developmental work was the important issue. In Karnataka, for 63.2 per cent of the respondents the caste of the candidate was not an issue at all and 44.9 per cent of the respondents said they voted for a particular candidate because he/she was a good person. These election studies show that the local body elections lessen the intensity of casteism and parochialism. This is mainly because people in general give priority to the welfare and development activities in the villages or Blocks, transcending caste or party politics. The May 1993 elections to the West Bengal Panchayats also highlighted this positive aspect at the grassroots level.



### **Political Parties in Panchayat Elections**

It is well known that M. N. Roy moved away from politics of political parties. After his long experience in active politics and political parties, he came to the conclusion that, "political parties are formed not with the object of practising democracy, but of capturing power. They are guided by the dictum that the end justifies the means and the means often amount to the corruption and destruction of democracy".<sup>12</sup>

Gandhians, Sarvodaya schools, Jayaprakash Narayan — all had advocated partyless elections to the panchayats. In fact the Santhanam Committee on Panchayati Raj elections stated in 1964 that the most controversial issue the Committee had to deal with was whether and to what extent political parties should participate in panchayat elections.

However, in the given context of Indian politics and society, involvement of political parties in local government elections has become necessary and not without some positive aspects of social change. A few case studies of harassment and illtreatment of women Sarpanches (Presidents), members and office-bearers belonging to the Scheduled Castes in panchayats of Madhya Pradesh came to light only because there were political parties on the other side to take up the victim's cause. Also, field studies have shown that even in a highly politicised State like West Bengal, after the elections are over, all members cooperate for the development of the village. After all, if we have a multi-party election process for the State Assembly and Parliament, partyless elections at the base will be meaningless. It will only perpetuate further the power of the landlords, caste or religion. There is no meaning in making a fetish about village harmony. Abdul Nazir Sab used to say: "Anyway in the villages there is Ramanna-Bhimanna politics. It is a reality. Isn't it healthier that they align on democratic party lines rather than on caste, religion, etc".<sup>13</sup>

### **Women and Weaker Sections in Local Governance**

The new panchayats and municipalities provide opportunities for weaker sections — the Scheduled Castes (SCs), the Scheduled Tribes (STs), who form 25 per cent of our population, to actively participate in them and get elected as members as well as chairpersons. The membership is decided by the proportion of their population in an area.

The fifth and sixth Schedules in the Constitution give special status and privileges to tribal areas. In reality, in tribal majority areas, non-tribals have been controlling the affairs, dominating the scene and destroying the tribal tradition. Tribal land was appropriated by non-tribals. The high level committee under the chairmanship of D.S. Bhuria, Member of Parliament, set up by the Union Government in July 1994 to suggest proposals to extend the 73rd Constitution Amendment to the Scheduled Areas, had recommended: (i) to constitute a village assembly in all tribal villages because the community should be the basic unit of self-governance in tribal areas, (ii) to reserve a majority of seats in all levels of the elected bodies for members of the Scheduled Tribes, and (iii) only a tribal could be elected as a Sarpanch.

Both Houses of Parliament have adopted the Panchayats (Extension to the Scheduled Areas) Bill, 1996, framed in accordance with the recommendations of the Bhuria Committee in December 1996. The Act will benefit the Scheduled Areas referred to in Clause (1) of Article 244 of the Constitution, which include areas in Andhra Pradesh, Bihar, Gujarat, Maharashtra, Madhya Pradesh and Rajasthan.

A unique feature of the new phase in panchayats and municipalities in India is that it has ensured one-third representation for women in the local bodies and one-third of the offices of chairpersons at all levels in rural and urban bodies for them. This has created the possibility for about 10 lakh women to get elected to the panchayats and municipalities. A statistical

analysis of the elections held so far for panchayats shows that there are 7,16,234 women already holding elected positions in the country. This number does not include Manipur (details were not available), Bihar and Jammu & Kashmir as elections were yet to be held in these two states. When we include women members at three levels of the municipalities also, it may touch the 10 lakh mark. This is no mean achievement. It is important to note that in several states more than the mandatory 33.3 per cent women got elected to the panchayats. The latest panchayat elections show that women responded in full measure to the opportunity provided to them. In West Bengal, on an average nearly three candidates contested every seat reserved for women at the Village Panchayat and Panchayat Samiti levels, with the number going up to four at the District Panchayat level. Out of 24,855 seats reserved for women in three tiers, only 561, or little over 2 per cent, went uncontested.<sup>14</sup> The last two to three years are replete with stories of how women panchayat members and sarpanches assert their rights and things change for the better. Today even if 25 per cent of the women work successfully it shows great promise.

#### **Problems of the Third Tier of Governance**

The basic principle on which the panchayati raj system has been envisaged is that whatever can be done best at a lower level must necessarily be done at that level and not at the upper level, and only those things which cannot be done at the lower level must go to a higher level.

But it must be stated here that the first five or ten years of the new panchayats and municipalities is a period in which lot of trial and error is bound to take place. It is a "gestation period" because it is not easy to change the mindset that has dominated the last five decades of independence. How we can shorten this gestation period should be the major concern of all concerned.

Let me identify some issues which pose problems for panchayats to become "institutions of self-government".

1. In the State Panchayat and Municipal Acts after 1993, one finds that the states have accepted the letter of the 73rd or 74th Amendments rather than their spirit. In many State Acts, civil servants are indirectly given powers over the elected body. Transfer of activities and functions to panchayats is taking place very slowly. Genuine devolution of powers will take place only through strong demands from below — the Village Assembly (Gram Sabha), Village Panchayats and District Panchayats as well as enlightened citizens' organisations.

2. Another problem is that although states have enacted Conformity Acts, many states have not formulated rules and bye-laws for the day-to-day functioning. Added to this, the necessary infrastructural facilities are lacking for panchayats in many states.

3. The reluctance of state-level politicians to recognize the importance of the lower levels of governance — their autonomy, their powers and their areas of functioning — is creating problems in devolving powers. The ministers, the MLAs and senior political leaders are worried that the power they enjoyed so far will diminish if panchayats and municipalities become powerful. The state level leaders do not like the leadership to emerge from the lower levels, which could pose challenges to them in due course. Active and functioning local bodies are always considered 'nurseries' for leadership. MLAs put hurdles in the smooth functioning of Panchayats to prevent them from blossoming into full-fledged local governments. In Orissa, when the new government came to power in early 1995 it decided to dissolve the duly elected panchayats and municipalities. The real reason for this action was that the MLAs were impatient to wrest full control of large sums of money coming to the panchayats through Central Government schemes for rural development. If panchayats function properly with a large number of elected

representatives and under the critical eye of the Opposition, people will become aware of their rights through regular participation in the panchayat programmes and activities. It will result in the decline of the powerful position MLAs enjoy.

4. The government officials and government employees prefer to work with a distant control mechanism — that is, the state capital. They do not want to be closely supervised under panchayati raj. Therefore, their non-cooperative attitude towards elected panchayat members is a major issue. The association of primary school teachers had passed resolutions expressing their unwillingness to work under panchayats. Even in a state like West Bengal with a long history of panchayati raj, whenever staff is placed under panchayats, court injunctions come against such actions. The minister in-charge of Panchayats in West Bengal stated recently that hundreds of such court injunctions are pending against the department orders.

A related issue is that the officials who work at the district level and below may be reluctant to take orders from the elected panchayat executives like the District Panchayat President, Block Samiti President or Village Panchayat President. We need a new culture of democracy to make the local governments strong.

5. Low level of political consciousness in many parts of the country is another factor which will pull the new panchayati raj backwards. The states of Bihar, Madhya Pradesh, Rajasthan, Uttar Pradesh and Orissa with a population of about 370 million (1991 Census), have a low panchayati raj performance rating. The main reason is low level of political awareness, prevalence of feudal authority and feudal values. Madhya Pradesh was the first state to hold elections to the panchayats after the 73rd Constitution Amendment and elected local bodies came into existence. But reports began to appear in newspapers that all is not well with their functioning. A chain of events were reported from different parts of the state: a lady president was stripped

naked, another lady president was gang raped, a lower caste vice-president was tortured, a Scheduled Caste panchayat member was beaten up. A sociological investigation of these incidents showed that, "a Panchayat is a microcosm of the society of which the village forms a part. The noble ideals of "institutions of self-government" as expounded by the 73rd Constitution Amendment, cannot be translated into reality in the present inequitable society".<sup>15</sup> All the case studies investigated, illustrated a social system which violates the dignity of the individual, a social value system which did not accord any respect due to the human person or office he holds.

6. In many places the panchayats themselves are working as oppressive instruments. Absence of land reforms, low level of literacy, especially among women, patriarchal system, etc., will work against weaker sections in the villages. This will seriously affect women. Majority of people suffering from the effects of traditional oppressive power structures are unable to utilise effectively the new opportunities provided through the panchayats. Serious conflicts have taken place during elections and afterwards in their functioning in the villages because of the new panchayats. The recently held Panchayat elections in Orissa had widespread violence resulting in loss of life.

7. The Central Government itself creates situations which are not conducive for the growth of panchayats. Any programme, any scheme, any organisation created parallel to the functioning of panchayats will undermine the local government system. The serious offensive against the emerging local governance is the disbursement of Rs. 800 crore out of the Consolidated Fund of India at the rate of Rs. 1 crore per Member of Parliament, popularly known as MPs Constituency Development Scheme. It is not only interfering in the Constitutional provisions but also in the federal spirit with which the new local bodies will be operating. The former Chief Justice of India, E. S. Venkataramiah, has written:



The introduction of the scheme of Constituency Development Fund to be spent on the direction of an MP in a State on projects which are within the jurisdiction of State has the effect of cutting across the Constitutional provisions and is yet another sadistic interference with the legitimate contours of the Constitution. It has the effect of interfering not merely with the federal scheme, but also with the healthy constitutional principle of separation of powers.<sup>16</sup>

### **What the Panchayati Raj Holds for the Future**

After the Constitution Amendments, several developments point to a situation of hope and optimism.

The Non-Governmental Organisations (NGOs), Community Initiatives and People's Organisations are playing an important role in strengthening the panchayats and municipalities. After the 73rd and 74th Constitutional Amendments, a large number of NGOs in India are playing a catalytic role in creating enabling conditions for the success of the panchayats through awareness-building programmes, training of elected members especially women, and ensuring their active participation in elections, assisting panchayats in planning and implementation of social development strategies and programmes. The local bodies in India with their constitutional legitimacy and interaction with citizens' groups and voluntary organisations present an ideal meeting point between the State and the civil society.

New programmes with the participation of villagers are being taken up in a meaningful way after the new panchayats have come into being. Participatory and sustainable Panchayat Level Development Planning (PLDP) with the slogan: "planning by the people for the people" taking place in Kerala panchayats is a case in point. People's Campaign for the Ninth Plan was a landmark programme. The Approach Paper had stated that it is an attempt to empower the Panchayat bodies by ensuring that the

panchayati raj/municipal bodies prepare and prioritise a shelf of integrated schemes in a scientific manner.<sup>17</sup> By all accounts this programme has assumed the dimensions of a movement and attracted nationwide attention. In the 1997-98 Budget 36 per cent of Plan funds has been allocated for panchayati raj and Nagar Palika institutions with guidelines that it should be spent on productive sectors, social service sectors and on infrastructure in the 40:30:30 ratio in the rural areas.

Even the states which had a disappointing history of panchayati raj are coming forward with panchayats with powers and finance. Madhya Pradesh and Tamil Nadu are examples. Immediately after the panchayat elections the Tamil Nadu government "as a measure of its anxiety to endow the newly elected panchayat with constructive responsibilities in regard to development programmes",<sup>18</sup> asked the State Planning Commission to constitute a Special Group to advise the state government on which of the powers and functions (which are now being carried out by the State departments) may be entrusted to the local bodies in an orderly scheme of governance of development.

On the basis of the recommendations of this special group the Chief Minister of Tamil Nadu, M. Karunanidhi, had declared in his Budget speech that the local bodies would take decisions and the officials will have only the responsibility of implementing these decisions. The Government has issued orders declaring the panchayat president as the executive authority and he would be provided with necessary resources and staff to carry out his duties. In this year's budget the allocation to the local bodies has gone upto 82 per cent from the revenue account. A quantum jump indeed.

We know that the Constitution Amendment is only a necessary condition to bring into existence vibrant local governments. We also know that political will is an equally important factor for panchayats to take roots. But even where the

political will is totally absent, hitherto impossible developments to strengthen panchayats have taken place. In Orissa, the state government, and MLAs tried all that they could to withhold elections. But the Constitutional authority — the Election Commission, the press and the people wanted the elections and the judiciary lent a helping hand. Against several odds, the Orissa government has completed elections in January this year and the state has about 100,000 people's representatives in rural areas. All this is happening because of the new climate since the Constitution Amendment.

Several countries are watching with keen interest the experiment with local government that we have launched. The new government in Pakistan is thinking of giving reservation for women in local bodies on the lines this country has done.

Corruption which has become a bane of national life could be considerably reduced by strong local bodies. There is a view that along with political and economic decentralisation, corruption also will be decentralised. One can see that accountability to the people at the lower levels is higher in front of the watchful eyes of the people. In many cases Gram Sabhas are becoming fora of social audit, making the elected representatives alert.

The new panchayati raj is opening up possibilities for better flow of information. Information is power and the dominant class kept the ordinary people in the dark. Transparency in public dealing was not there because everything was officially secret and confidential. Panchayats will break this centralised information system when 30 lakh elected members ask for information on a variety of matters that affect people's lives. The work being done by Mazdoor Kisan Shakti Sangathan in Rajasthan will certainly spread to all States and the panchayats will be the most effective vehicles for it.

By available social indicators the north Indian states are lagging behind in terms of social development. One of the reasons is the absence of social reform movements that other

parts of the country have had from time to time. At the threshold of the 21st century the new panchayats have the capacity to turn a new leaf in the life of the villagers of these states. For this the resistance will be high, it could be violent.

When democracy is in the hands of the ordinary citizens it can conquer poverty, ensure economic growth with equity, sustain healthy environment and work for human rights. Unfortunately, the forces against devolution of democracy to the grassroots are powerful. I find a deliberate attempt on the part of the vested interests supporting the status quo, to create skepticism about the working of the local governments. Constructive criticism or creative action is absent. But the new panchayati raj is showing a way. The process is irreversible. This is the second chance to restructure the polity. The first was when we got the Republican Constitution.

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