

Panchayati Raj Institutions and Rural Development – Issues and challenges

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Abstract

The term Panchayath raj in India signifies the system of rural Local self-government. It is created in all the states in India by the act of the state legislatures to establish democracy at the grass roots level. It is entrusted with the duties and responsibilities in the field of rural development. It was constitutionalised through the 73rd constitutional Amendments Act of 1992. This amendment implements the article 40 of the DPSP which says that “State shall 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” and have upgraded them from non-justifiable to justifiable part of the constitution and has put constitutional obligation upon states to enact the Panchayati Raj Acts as per provisions of the Part IX. However, states have been given enough freedom to take their geographical, politico-administrative and other conditions into account while adopting the Panchayati Raj System.

Key Words: Gram sabha, 3Tier System, Reservation System, State Election Commission, State Finance commission.

Introduction: Panchayati Raj Institutions are expected to play an important role in planning and implementing various developmental programmes. One may recall that after independence, India has continuously implemented development programmes with the objective of improving the social and economic conditions of the people. One of the major development attempts was the Community Development Programme (CDP) introduced in 1952. It was followed by a series of development interventions, however, the Central government continued to introduce various development initiatives to catalyze rural development and employment generation and poverty alleviation programmes like Integrated Rural Development Programme (IRDP), etc., in the 1980's. When all such experiments failed, the policy makers turned towards the Panchayati Raj system in a more deliberate way. Earlier too, from time to time, the importance of the Panchayati Raj System as a mechanism for effective people's participation had got highlighted through the deliberations of various committees like Balwantha Roy Mehta Committee in 1957, Ashok Mehta Committee in 1977 and so on, but finally these deliberations found their expression in the 73rd Constitutional Amendment Act in 1993.

Now it is strongly felt that an effective Panchayati Raj System can bring about rapid and integrated development through people's participation. In all the recently restructured development programmes like SGSY, SGRY, etc., adequate provision has been made for their implementation

through the Panchayati Raj institutions. Thus, the role of Panchayati Raj as a development institution assumes considerable significance.

❖ Salient Features of 73rd Amendments, 1992

➤ Gram Sabha

Gram Sabha is a body consisting of all the persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level. Since all the persons registered in electoral rolls are members of Gram Sabha, there are no elected representatives. Further, Gram Sabha is the only permanent unit in Panchayati Raj system and not constituted for a particular period. Although it serves as foundation of the Panchayati Raj, yet it is **not** among the three tiers of the same. The powers and functions of Gram Sabha are fixed by state legislature by law.

➤ Three Tiers of Panchayati Raj

Part IX provides for a 3 tier Panchayat system, which would be constituted in every state at the village level, intermediate level and district level. This provision brought the uniformity in the Panchayati Raj structure in India. However, the states which were having population below 20 Lakh were given an option to not to have the intermediate level.

All the members of these three level are elected. Further, the chairperson of panchayats at the intermediate and district levels are indirectly elected from amongst the elected members. But at the village level, the election of chairperson of Panchayat (Sarpanch) may be direct or indirect as provided by the state in its own Panchayati Raj Act.

➤ Reservation in Panchayats

There is a provision of reservation of seats for SCs and STs at every level of Panchayat. The seats are to be reserved for SCs and STs in proportion to their population at each level. Out of the Reserved Seats, 1/3rd have to be reserved for the women of the SC and ST. Out of the total number of seats to be filled by the direct elections, 1/3rd have to be reserved for women. There has been an amendment bill pending that seeks to increase reservation for women to 50%. The reserved seats may be allotted by rotation to different constituencies in the Panchayat. The State by law may also provide for reservations for the offices of the Chairpersons.

➤ Duration of Panchayats

A clear term for 5 years has been provided for the Panchayats and elections must take place before the expiry of the terms. However, the Panchayat may be dissolved earlier on specific grounds in accordance with the state legislations. In that case the elections must take place before expiry of 6 months of the dissolution.

➤ Disqualification of Members

Article 243F makes provisions for disqualifications from the membership. As per this article, any person who is qualified to become an MLA is qualified to become a member of the Panchayat, but for Panchayat

the minimum age prescribed is 21 years. Further, the disqualification criteria are to be decided by the state legislature by law.

➤ Finance Commission

State Government needs to appoint a finance commission every five years, which shall review the financial position of the Panchayats and to make recommendation on the following:

- The Distribution of the taxes, duties, tolls, fees etc. levied by the state which is to be divided between the Panchayats.
- Allocation of proceeds between various tiers.
- Taxes, tolls, fees assigned to Panchayats
- Grant in aids.

This report of the Finance Commission would be laid on the table in the State legislature. Further, the Union Finance Commission also suggests the measures needed to augment the Consolidated Funds of States to supplement the resources of the panchayats in the states.

➤ Powers and Functions: 11th Schedule

The state legislatures are needed to enact laws to endow powers and authority to the Panchayats to enable them functions of local government. The 11th schedule enshrines the distribution of powers between the State legislature and the Panchayats.

11th Schedule of the Constitution

1. Agriculture, including agricultural extension.
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development.
4. Animal husbandry, dairying and poultry.
5. Fisheries.
6. Social forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
9. Khadi, village and cottage industries.
10. Rural housing.
11. Drinking water.
12. Fuel and fodder.
13. Roads, culverts, bridges, ferries, waterways and other means of communication.
14. Rural electrification, including distribution of electricity.
16. Poverty alleviation programme.
17. Education, including primary and secondary schools.
18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.

22. Markets and fairs.
23. Health and sanitation, including hospitals, primary health centers and dispensaries.
24. Family welfare.
25. Women and child development.
26. Social welfare, including welfare of the handicapped and mentally retarded.
27. Welfare of the weaker sections, and in particular, of the S.C and the Scheduled Tribes.
28. Public distribution system.
29. Maintenance of community assets.

Recent running Government Schemes and Programmes for Rural Development:

[1] Indira Awaas Yojana [1995]: IAY is a flagship scheme of the Ministry of Rural Development to provide houses to the poor in the rural areas. The objective of the Indira Awaas Yojana is primarily to help construction/upgradation of dwelling units of members of Scheduled Castes/Scheduled Tribes, freed bonded labourers, minorities in the below poverty line and other below poverty line non-SC/ ST rural households by providing them a lump sum financial assistance.

[2] Mahatma Gandhi National Rural Employment Guarantee Act [2005]: The National Rural Employment Guarantee Act, (MNREGA) was notified on September 7, 2005. The objective of the Act is to enhance livelihood security in rural areas by providing at least 100 days of guaranteed wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work.

[3] National Social Assistance Programme [1995]: The National Social Assistance Programme (NSAP) then comprised of National Old Age Pension Scheme (NOAPS), National Family Benefit Scheme (NFBS) and National Maternity Benefit Scheme (NMBS). These programmes were meant for providing social assistance benefit to the aged, the BPL households in the case of death of the primary breadwinner and for maternity. These programmes were aimed to ensure minimum national standards in addition to the benefits that the States were then providing or would provide in future. Thus, presently NSAP now comprises of the following five schemes:- (1) **Indira Gandhi National Old Age Pension Scheme (IGNOAPS):** Under the scheme, BPL persons aged 60 years or above are entitled to a monthly pension of Rs. 400/- up to 79 years of age and Rs.500/- thereafter. (2) **Indira Gandhi National Widow Pension Scheme (IGNWPS):** BPL widows aged 40-59 years are entitled to a monthly pension of Rs. 500/-. (3) **Indira Gandhi National Disability Pension Scheme (IGNDPS):** BPL persons aged 18-59 years with severe and multiple disabilities are entitled to a monthly pension of Rs.500. (4) **National Family Benefit Scheme (NFBS):** Under the scheme a BPL household is entitled to lump sum amount of money on the death of primary breadwinner aged between 18 and 64 years. The amount of assistance is Rs. 10,000.

[4] Aajeevika Skills [2009]: Its origins in the 'Special Projects' component of the Swarnajayanti Gram Swarozgar Yojana (SGSY). Besides helping to reduce poverty, it rides on the hopes and aspirations for a better quality of life in large sections of the rural poor. Aajeevika Skills aims to skill rural youth who are poor and provide them with jobs having regular monthly wages at or above the minimum wages. Skilling and placement under Aajeevika Skills involves eight distinct steps i. Awareness building within

the community on the opportunities. ii. Identifying rural youth who are poor iii. Mobilizing rural youth who are interested. iv. Counseling of youth and parents. v. Selection based on aptitude. vi. Imparting knowledge industry linked skills and attitude that enhance employability.

[6] HARIYALI [2003]: New projects under the area development programmes shall be implemented in accordance with the Guidelines for Hariyali with effect from 1.4.2003 the main objectives are: Objectives Harvesting every drop of rainwater for purposes of irrigation, plantations including horticulture and floriculture, pasture development, fisheries etc. to create sustainable sources of income for the village community as well as for drinking water supplies. Ensuring overall development of rural areas through the Gram Panchayats and creating regular sources of income for the Panchayats from rainwater harvesting and management.

[7] Rashtriya Krishi Vikas Yojana [2007]: To provide benefits to the farmer community, the Ministry of Agriculture has launched the Rashtriya Krishi Vikas Yojana (RKVY) during the Financial Year 2007-08 to encourage the States to invest more towards agriculture and allied sectors so as to achieve 4% annual growth. This would help in increasing the production and productivity. The Ministry has envisaged an outlay of Rs.25,000/- crore for the 12th Five Year Plan. The scheme requires the States to prepare District and State Agriculture Plans for creation of such infrastructure, which are essential to totalize the existing production scenario for achieving higher production. The scheme provides adequate flexibility and autonomy to the State Governments in selection, planning and implementation of project under this new flagship scheme.

[8] National Food Security Mission [2007]: Understanding the importance of food security, the National Development Council in its 53rd meeting held on 29th May, 2007 adopted a resolution to launch Food Security Mission comprising of rice, wheat and pulses to increase the production of rice by 10 million tons, wheat by 8 million tons and pulses by 2 million tons by the end of Eleventh Plan. Accordingly National Food Security Mission has been launched since Rabi 2007 with a financial outlay of Rs. 4882 crore.

[9] Mahila Kisan Sashaktikaran Pariyojana [2009]: To improve the present status of women in Agriculture, and to enhance the opportunities for her empowerment, Government of India has announced “Mahila Kisan Sashaktikaran Pariyojana” (MKSP), as a sub component of the National Rural Livelihood Mission (NRLM) and decided to provide support to the tune of Rs. 100 crore during 2010-11 budget. The primary objective of the MKSP is to empower women in agriculture by making systematic investments to enhance their participation and productivity, as also create and sustain agriculture based livelihoods of rural women.

Conclusion: The positive impact of the 73rd Amendment in rural India is clearly visible as it has changed power equations significantly. Elections to the Panchayats in most states are being held regularly. Through

over 600 District Panchayats, around 6000 Intermediate Panchayats and 2.3 lakh Gram Panchayats, more than 28 lakh persons now have a formal position in our representative democracy.

The sustainable development intervention in the rural areas largely depends on the successful and effective implementation of rural development programmes. Since independence the country has formulated various rural development programmes and has restructured and revamped them envisaging their wider outreach and acceptability. However, the issues, challenges and concerns relating to the implementation of the rural development programmes have remained more or less the same. The need of the hour is the convergence of all development interventions at the grass-root level so as to enhance necessary infrastructure in the backward regions and ensure capacity building and skill up-gradation.

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