



PANCHAYATI RAJ INSTITUTIONS (PRI's) IN INDIA: A HISTORICAL PERSPECTIVE

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Abstract

The Panchayati Raj Institutions in India is not of recent origin, the system existed from the Vedic period which was based on the principles of decentralization and mass participation in decision making. The term Panchayati Raj was coined by our first Prime Minister Pandit Jawaharlal Nehru who favoured the idea of village republic. Gandhiji realized the importance of village Panchayat as an important instrument of rural development, promoting democracy at grass-root. His term for such a vision was "Gram Swaraj" (village self governance). According to him, "if the village perishes India will perish too. It will no more be India. Her own mission in the world gets lost." The main objective of this paper is to understand the PRI's from historical perspective and the changes after the implementation of 73rd Constitutional Amendment Act (CAA) in India. This Research Paper is based on secondary sources and the data is collected from Books, Journals, Articles, etc.

Keywords: PRI's in India, Historical background of PRI's, 73rd CAA & Changes after CAA

Introduction

The village communities characterized by agrarian economies existed in India from the earliest times. The Russian mir, the German mark, and the medieval manor of England could be considered the counterparts of Indian village panchayats (an assembly of five persons) (Mathew 1994). The debate on the institutions of government and nature of political participation is an old one. The significant characteristic of institutions is to understand the problems of the people, society and state has concerned philosophers and policy-makers at least since the time of Kautilya's in India around 300 BC and Plato in Greece 427-347 BC.¹ Panchayati Raj Institutions in an indigenous model of development since time immemorial manifest both the national sensibility and ostentation; it is evolved through the ages, acquiring a definite programme of action. The history of Panchayati Raj is synonymous with history of the 'man in the street' in

¹ Satyajit & Pradeep, 2007

independent India to be free from want, hunger and fear. These institutions should have marked the beginning of an end of all the trail and tribulations of the masses.²

Panchayati Raj Institutions in India

The people of India lives in villages and village panchayats in some form or other have been functioning in India since long. The village panchayats in India flourished as autonomous bodies in ancient India survived into the modern period, as evidenced by their prevalence at the time of the British conquest.³ India is a country where about 70 percent of total population lives in villages. Founding father of Indian Constitution in article 40 has rightly enshrined “The state shall take steps to organize village panchayats and endow them with powers and authority as may be necessary to enable them to function as units of local government”.⁴

Vedic Period

The Panchayat system in India is very old and the origin of the system can be traced from the vedic period. In the words of A.S. Altekar: “From most ancient times, villages in India have been the axle of administration”.⁵ In the history of India, village remained as an important unit for social and economic life. Village was the basic unit of administration. In the field of governance the villages had central authority and exercising their power over village council. The term Grama (village) is frequently used in the Vedas. During Vedic times the village headman (Grameya) carried out the village administration, women were also attended the meetings in panchayats which clearly shows that women were also the representative of the administrative body.⁶

This is clearly conveyed by the tenor and spirit of an Atharva Veda passage, which, according to Bandyopadhaya, were presumably uttered by a king.

“In concord may Prajapati’s two daughters *sabha* and *samiti* protect me. May, everyman, I meet, respect and aid me, Fair be my words, oh, my fathers, at the meetings. We know thy name, oh, *sabha*, thy name is interchange of talk. Let all the company who join the *sabha* agree with me. Of the men seated here, I make the splendor and lore my own. Indra make me conspicuous in all this gathered company”.⁷ The significant features of village panchayats in the ancient history of India were that they had been the pivot of administration, the centre of social life, justice, economic force and focus of social integration. Sir Charles Metcalfe, a British Governor in India, had called them “the little republics”.⁸

² Krishnan, 1992

³ Gurumurthy, 1987

⁴ Raj and Pankaj, 2014

⁵ Bhatt, 2010

⁶ Mridula, 2010

⁷ Sharma, 1959

⁸ Mathew, 1994

Medieval Period

During Muslim rulers, there were three important officials- Mukkadam for administration, Patwari for collection of revenues and Choudhrie for decision on disputes with the help of Panch. Management of the village was looked after by Lambardar, Patwari and Chowkidar.⁹

The original village community system had very great and vital share in the actual work of the village administration in Mughal times. During medieval period, the Muslim Rulers, did not attempt to interfere or modify the village government of the village community in any radical manner. In the words of Hugh Tinker: “The Mughals had interfered very little with the ancient customs of village government, they incorporated the village into the administration as a unit for revenue and police process only...local affairs remained unregulated and the village affairs and servants were answerable primarily to the panchayats.”¹⁰

British Period

During British Period, every village panchayat had its own picture, because in some areas they were weaker, in other areas, they were becoming stronger while in some areas, the situation of panchayats was the same.¹¹

The following passage from the report of the Congress Village Panchayat Committee (1954) made it more explicit. “The inordinate greed of the East India Company caused slow but steady disintegration of these village panchayats. The deliberate introduction of landlordism and the Ryotwari system as against the Mahalwari or village tenure system, dealt a death blow to the corporate life of the village communities. The British Rulers did the greatest disservice to this country by destroying the ancient tradition of village panchayats and trying to replace them by their officers whose sole interest was to please the alien rulers by exploiting the people India to the maximum.”¹²

The Britishers used local self government to extend their own rule and the attitude of the people towards local self government changed because they lose faith on the old system of local government. As Mathew rightly points out- Village Panchayats were not the first priority of the British rulers. Concentrated as they were mainly around the trading centres, their interest in the beginning was limited to the creation of local bodies of nominated members in the major towns”¹³ The resolution introduced by Lord Rippon (the Viceroy of India) on 18th May, 1882, was a landmark step for local government, after this resolution the local bodies took proper shape. This resolution was designated as ‘Magna Carta’ of local democracy in India. The aim of local self-government was not only to achieve administrative efficiency but also trained the people politically and educationally to participate in the system.¹⁴

Gandhiji had categorically defined his vision of village panchayats in the following words:

My Idea of village Swaraj is that it is a complete republic independent of its neighbours for its own vital wants and yet independent for many others in which dependence is a necessity....The Government of the village will be

⁹ Joshi and Narwani, 2002

¹⁰ Maheshwari, 1970

¹¹ Neelam, 2008

¹² Neelam, 2008

¹³ Aslam, 2007

¹⁴ Sekar, 2008

conducted by the Panchayat of five persons annually elected by the adult villagers, males and females, possessing minimum prescribed qualifications. These will have all the authority and jurisdiction required. Since there will be no system of punishment in the accepted sense, the Panchayat will be the legislature, judiciary and executive combined to operate for its year of office. Any village can become such a republic today without much interference even from the present government whose sole effective connection with the villages is the execution of the village revenue....Here there is perfect democracy based upon individual freedom. The individual is the architect of his own Government.¹⁵

Panchayati Raj Institutions in Post-Independence Period:

The leaders of India were of the opinion that without the development of villages of India it would not be difficult but impossible to restructure India at the grass root level. The national leaders who fought for independence, were also in favour of development at the grass root level.¹⁶ Gandhiji concluded, "Indian Independence must begin at the bottom and every village ought to be a republic with panchayat having powers".¹⁷ Gram Swaraj coined by Gandhiji was accepted by the Constituent Assembly drafting Constitution for independent India.¹⁸ Post-Independence Period, strengthen the path of village panchayats in our country and this idea added in Part IV of the Constitution 'Directive Principles of State Policy'.¹⁹ affirmed: "State shall take steps to organize village panchayats to endow them to function as units of self-government".²⁰

Various Committees:

Various committees were appointed to look after the work and development of PRI's in India.

Balwant Rai Mehta Committee:

A committee was appointed at the end of the First Five Year Plan, known as Balwant Rai Mehta to evaluate the planned projects under the Community Development Programme. The report was finally signed on 24th November 1957. The Committee suggested the formation of the three-tier system (village, block and district level)) of the local government, there should be direct elections of Panchayats at village level, Panchayat Samiti at block level and Zila Parishad at district level.²¹

Ashok Mehta Committee:

The Janata Party came to power in 1977 after 30 years of the Congress Rule at the centre. A Committee was constituted under the chairmanship of Ashok Mehta to review the existing PRI's to identify their short comings and suggest ways and means to revitalize them and Committee submitted its report in August 1978. The Committee

¹⁵ Mathew, 1994

¹⁶ Mridula, 2010

¹⁷ Neelam, 2008

¹⁸ Sekar, 2008

¹⁹ Ghosh & Alok, 1999

²⁰ Maheshwari, 1970

²¹ Bhatt, 2010

recommended the establishment of the two tier system instead of a three-tier system evolved by the Balwant Rai Mehta Committee, and desired that all the powers should be concentrated at the district level.²²

73rd Amendment Act (Pre-Amendment Scenario):

Before the 73rd Amendment Act the condition of the Panchayati Raj was not so effective because their powers were limited and elections were not conducted regularly. The Commissions and committees gave various recommendations led to the realization that there was a need to create a strong government by which the local self-government gives constitutional recognition. Prime Minister, late Rajiv Gandhi was strongly in favour of strengthening the local bodies by providing constitutional status to panchayats. Prime Minister's commitment to strengthen the village administration had a series of workshops with District Collectors and 'Responsive Administration' between December, 1987 and June, 1988, to understand the problems of rural development in the country. These workshops held in Bhopal, Hyderabad, Imphal, Jaipur and Coimbatore.²³ The workshops were meant to see the problems of rural people and funds being provided by the government for rural development but not any fruitful result came from these workshops and then finally, the proposal of 64th amendment became very important to introduced in the constitution.²⁴

73rd Amendment Act (Post-Amendment Scenario) 1992:

The 64th Amendment Bill (1989), introduced in Parliament for composing panchayats in every state at the village level, intermediate level and district level by providing such powers and functions which are necessary for the local self-government. But this Bill could not pass in the Rajya Sabha. Then the 74th Amendment introduced in September 7, 1990 by V.P.Singh the then Prime Minister of India who proposed that power should be given to the people and this objective can be achieved only by giving the constitutional status to Panchayats. Then again the Prime Minister of India P.V.Narasimha Rao introduced 73rd Amendment in the form of Constitution Bill in September 1991 and the Amendment passed in the Lok Sabha on December 22, 1992 and in the Rajya Sabha on December 23, 1992 and got the President's assent and finally the 73rd Amendment Act came into force on April 24, 1993. All the states passed complied and adopted new Panchayat legislation by April 23, 1994.²⁵ But its provision was not made in the Jammu and Kashmir Panchayat Raj Rules, 1996.²⁶

73rd Amendment Act has been enacted to give the constitutional status to Panchayati Raj and enshrined in the Article 40. The Amendment has added in the Part IX which is consisting of 16 Articles and the Eleventh schedule. Article 243 to 243-O shows that the framers of the constitution had envisaged Village Panchayat to be the foundation of the country's political democracy a decentralized form of Government where each village was to be responsible

²² Ibid

²³ Aslam, 2007

²⁴ Ibid

²⁵ Ibid

²⁶ Government of Jammu and Kashmir, 2011

for its own affairs. Eleventh schedule consisting of 29 items added in the constitution to provide an effective role to the panchayats.²⁷

The mandatory provisions have helped solve the problems of lack of uniform structure, dominance of upper castes and vested interests, irregular elections and frequent super sessions. The catch lies in the area where each state has to frame its own laws to operationalise the mandate given in favour of strengthening the PRI's.²⁸

After the 1993 Constitutional Amendment Act, various states have delegated powers out of the 29 functions listed in Schedule XI of the Constitution of India. The Rajasthan government has appointed an Administrative Reforms Commission under the Chairmanship of the ex-Chief Minister, Shiv Charan Mathur. The Commission examined the position regarding the powers and functions in the states of Andhra Pradesh, Maharashtra, West Bengal, Karnataka and Gujarat and submitted its report in the year 2001.²⁹

Changes:

The 73rd Constitutional Amendment Act 1992 marked a significant step in the democratic set up of the country as it created PRI's as tiers of self administration below the level of states in the federal setup. It is also a landmark in the decentralized development as it envisions people's participation in the process of planning, decision-making, implementation and delivery.³⁰ The Act was a major step to transform the rural areas that are still wallowing in caste oppression, unequal distribution of powers, resources, and opportunities and a host of problems that perpetuate poverty. The act empowers the poor and makes the best use of local knowledge, wisdom and opportunity to enhance their social status.³¹

In the form of 73rd Constitutional Amendment Act we have got a major step forward. The provisions with regard to regular elections, reservations of one-third seats for women, reservation for SCs and STs (including for the office of the chairperson), constitutions of a finance commission, powers to raise resources, are welcome features of this long awaited measure to realize local self-government.³²

Conclusion:

The local self government passed through various stages from Vedic Period to Post-independence period, many up and down came in the local administration. Various committees and commissions were appointed to study the problems and suggest ways means for implementing the schemes of PRI's in India. But it was only after the 73rd CAA which was a landmark step in the history of local self government to provide provisions at the grass-root level to work effectively and efficiently. It is mandatory for all the states to adopt all the

²⁷ Kumar, 2016

²⁸ Goel & Rajneesh, 2003

²⁹ Joshi & Narwani, 2002

³⁰ Bhatt, 2010

³¹ Satyajit & Pradeep, 2007

³² Mathew, 1994

provisions which are mentioned in the 74th CAA for the implementation of PRI's at the grass-root level. Almost all the states have implemented the 73rd CAA except few states like J&K.

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