



Local Self - Government And Its Significance In Indian Democratic System

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Abstract

The local-self government in India has received considerable momentum in recent years through the constitutional amendment act in 1992. This new drive focuses for democratic decentralization to improve local self-governance system in rural India. It is a process of inclusive democracy where local electorates take part in the decision-making process. The constitutional amendment thrown up major challenges to the local government and sought to institutionalize the concept through the participatory body called Gram Sabha (GS). The amendment also brought several provisions at the Gram Panchayat level that has been left to the hands of the state. The local-self governance system is working in almost all states in India with varies in their functional domains. It also differs from state to state with location which prior to the maximum deliberation and participation. Some states have given special attention to the local-self government to enhance the rural development and promote good governance. This article is an attempt to analyse the working of local-self government particularly institution of Gram Panchayat in rural India and how it helps in delivering public services at the village level. The article also tries to delve into the interplay between citizens and local leaders through the community participation in rural India in particular and in rural world in general.

Keywords:

Local-self government, Gram Panchayat, Participation, Decentralization, Gram Sabha

Introduction

In the contemporary times the term local government has been a major focus of all state governments of India to deal the local affairs. The success of the Panchayati Raj Institutions (PRIs) depends upon the local participation and deliberation to enhance the local democracy and development of the community as a whole. PRIs is a system where all officials and non-officials take part in the discussion as we can say this is an interaction forum which started its journey from 1990s. The democratic decentralization in India faces several

challenges which have its roots since ancient period. Kautily's Arthashastra is the best example of some indications of the government affairs. The history of the PRIs can be traced back to its evolution since British times. The requirement of local self-government in rural India is to resolve local disputes. During British period, the local-self governments were regulating without constitutional provisions but had some democratic decentralization process. This process received its special significance from Lord Ripon and Lord Mayo's seminal contribution to village panchayat for the administration of local villages in order to associate people to solve local problems (Mathew, 2013). It is possible when state governments are more concentrated on village administration. In the local self-government, the PRIs will be an important driving force for the implementation of the state-sponsored schemes. It has to be worked out from the bottom level as Aristotle and other scholars hailed the local administration system as the best possible system of governance where local interactions will take place. In democracy the decentralization is a concomitant.

However, the self-government, self-management, mutual co-operation and sharing of views are the important elements of local-government. Despite this, political equality, freedom and equity are also the essence of the local self-government. In view of the current rise of new panchayat raj institutions in post-independence there are three generations of the system (Datta, 2009). The primary focus was to boost a new local democratic set-up where public views will be considered as first priority with people friendly relations with local leaders and state itself. The idea of local self-government during pre-colonial period was on a trajectory way due to the lack of constitutional sanction and conceptual clarity. Lord Ripon and Lord Mayo, their figure is overwhelming because their contribution of democratic decentralization in rural India. In 1882, the Ripon's resolution to improve Indian rural political structure which the villages would be area where local power must be transformed. Since then, the local self-government has been running with local stakeholders with the help of local leaders (Bhide, 2021).

The article 40 of the Indian constitution envisaged about structure of panchayati raj institution. Many leaders such as Gandhi and Ambedkar located local democracy where all electorates would participate in the discussion. This vision was a major challenge for them because the Indian social structure is a caste rigidity structure where Dalits were treated as untouchable or impure (Malik, 2023, Malik, 2021). This practice became difficult to have political democracy without social equality. Therefore Ambedkar demanded political democracy would possible when there is social equality. Even he argued that in the village panchayat the landlord and upper caste have already captured the power and panchayat will be an instrument for them to oppress the marginalized groups.

Therefore participation is a most important driving force to accelerate the local political affairs. Most of the country's local government found maximum participation through the decentralized process to strengthen the local bodies. It also realized that in countries like Canada, China, Philippines, Uganda, Honduras, Namibia, Tanzania, Nepal, Bolivia Colombia and others where the people's participation has been considered as legal participation where all stakeholders take part in the discussion (Datta, 2019). But India is no exception in this regard because having world's populous country it needs wider participation of the people irrespective of caste, colour, creed, sex etc. in its political process (Gochhayat, 2013).

Local self-government after Independence

The post-independent India institutionalized the local government through the Balvantrai Mehta Committee in which some believe that birth of PRIs took place through this committee in 1957. This committee recommended there must be three-tiered elective institutions Gram Panchayat at the bottom level, Panchayat samiti at the intermediate block level and Zilla Parishad at the top. This can be called the first generations of PRIs. The committee also submitted its report that PRIs would be representative bodies and increase democratic institutions in order to mobilize local resources and take all actions plans for rural development and social justice. After that, the state of Rajasthan became the first state in independent India implemented the PRIs following the Balvantrai Mehta Committee in 1957. The first generation of local self-government particularly PRIs witnessed a widespread distrust from their very inception due to centralization of power. The bureaucracy was not in the favour of power transfer with people but had to accept the panchayat raj system because of the majority political support for it.

However, in 1960s, the bureaucratization had gained immense ground and maximum focus was given to production oriented programmes to meet the increasing demand for food which increased the hold of the bureaucracy. After Rajasthan, several other states legislated their PRIs for the transfer of power and development. In 1964, the state of Odisha for the first time legislated its PRIs and gave final ratification to the village panchayats. The second generation started from 1977 when Ashok Mehta Committee recommended two-tiered system of panchayati raj system under Janata Government to overlook the major aspects of PRIs but this recommendation has very least impact on rural development. Although the Committee's recommendations were designed to enquire the poor accomplishment of PRIs, the implementations were not accepted because of changing of the government at the central level. After struggling for about 11 years, however, the government of India immediate took the new plan in the form of the Constitutional (64th) Amendment Bill, to all the weaknesses of panchayati raj (Hirway, 1989). The objectives of the bill were to end the local corruption, seek transfer of power to the local people, and enshrine democracy at grassroots on the one hand and finish local brokers and middlemen in local politics. Unfortunately, the bill passed in the Lok Sabha but could not approved by the Rajya Sabha in 1989. This may be called the beginning of third generation of panchayati raj. Subsequently, under the P. V. Narahsima Rao government, the congress government further reintroduced the Bill in Lok Sabha in 1991 with deletion of controversial aspects in the draft proposal. Finally the bill came to considered as 73rd CAA, 1992 and received its final ratification in 1993 having much attention to improve local governance and giving gender justice to the all sections of the individuals including transgender too (Malik, 2023).

The starting of third generation seeks to give panchayati raj a new conducive environment with prime importance to the Gram Sabha (village meeting) for effective working of PRIs for rural economic development and social justice. In this view, the state of Odisha first time introduced reservation of seats for women in PRIs keeping in mind to have gender justice through this constitutional amendment. Same as followed by all the states with their different locations varies from state to state because different states had their different PRIs legislations (Malik, 2022). So, the PRIs became more operative with constitutional

status, and this was regarded as the third tier of the system of governance at the grass-roots level. Article 243(a) says a Gram Sabha may exercise such powers and perform such functions at the village level as the legislature of a state may, by law, provide. Article 243(b) defines Gram Sabha as “a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of the panchayat at the village level (Austin, 1966). It is argued that if there is a constitutional base to alleviate local corruption, to increase decentralization of power, maximum participation and minimum conflict and development of all aspects of PRIs then why the rural India is struggling for social justice and economic development. This question may be answered if we demonstrate the working of the constitutional design and its implementation at the grassroots level.

Reasons for the Decline of PRIs

The initial stage of PRIs was somehow successful but it has changed its nature when government changed from time to time at the centre. On the basis of some literature on panchayati raj, the reasons for the decline of PRIs are many but the political repercussions of electoral competition between state and PR representatives are largely responsible (Singh, 1994). During the time, state leaders and administrators were not agreed for power sharing and they took away the important development functions by amendment to relevant acts. The less efforts were made by the states to disseminate the local functional aspects. Lack of understanding about the concept and the usefulness of the system were major features for the decline of the PRIs. It has been argued that poor decentralization of power and responsibility to the rural stakeholders held responsible for the stagnation of the system. All the panchayati raj aspects were controlled by the state-level departments. Party conflict and political instability pushed the system downgrade and sometimes PRI elections were used to postpone on flimsy grounds. The changing nature of mainstream political ideology becomes the over burden for revival of PRIs. With this crisis people of rural India lost their faith over the system and local aspirations remained a distant dream (Aslam, 1999). This not only diminished the local aspirations but also undermined the whole system. Inadequate local funds further hampered the capacity of PRIs. This climbed the stagnation ladder in some extent become possible to rethink about the revival of the system. The ideological and dominant notion of both the central and state governments is to utilize the local resources were manifested by their own organizations (Singh, 1994). These perennial political practices ended when 73rd and 74th CAA both for the panchayats and municipalities came into effect. To understand the local governance process in the light of democratic setup we need to extensive debate on constitutional amendments.

73rd Constitutional Amendment Act: A Base for Inclusive Democracy

Local government is a subject which comes under state list to furnish the local democracy at the village level. As it is a matter of legitimate claim have to be more effective governance through the 73rd CAA in the light of Indian constitution. In 1992 the local governance further wakeup with strong enthusiasm and it required how to deliver local resources and decentralize powers for success of inclusive democracy. The tendency of inclusive democracy lies in the public participation and deliberation with less conflict and more involvement

in the village assembly. After the 73rd CAA various state governments have responded to the Act in diverse ways. This was a significant opportunity to boast a curious mixture of participation irrespective of gender and caste to have public inclusion in all democratic discussions. However, the local democracy completely depended upon maximum participation through the GS meeting which was the prime objective of the amendment to bring inclusive democracy more popular. At the initial stage of its inception it works well and the number of virtues identified. This gives rise to local government bridging the gap between policy formulating and executing. The main intention was to reconstitute the local self-government in the light of decentralization process from top-down management. As a result of these constitutional steps taken by the union and state governments, India further moved towards the inclusive democracy and sometimes called as 'multi-level-federalism' and it also widened the democratic base of the Indian polity (Mathew, 2003).

Salient Features of Local-Self Government

In order to give special attention to local government, the amendment certainly moved towards to have important salient features for rural local-self government which have enriched in the constitution. PRIs received special status and dignity to strengthen the base of the body. With this, the basic features constitute such as regular elections, representation of the marginalised sections like scheduled castes (SCs), schedule tribes (STs) and women, devolutions of powers and adequate financial support aimed at improve the locality, and women empowerment have figured in the constitutional setup. The most important features are the Gram Sabha (GS) would be the basic unit at the village level where all adult electorates take part, poverty reduction, one-third seats reserved for women, the posts of chairpersons reserved also for women, states have to provide reservation of seats in favour of weaker sections, plan for economic development and social justice in respect of the subject described in the 11th Schedule, there must be a state finance commission and finally it also ensured the tenure of the Panchayat is fixed for five years and there must be election whenever necessary.

Working of Local Government: National Scenario

After the third generation of PRIs several states legislate their PRIs in respect of effective functioning of the local affairs. The PRIs have started working in the several states and reported several issues relating to the participation, deliberations, local funds, local corruptions, caste issues, women participation, economic development, rights, and freedom of expression respectively. Some of the studies conducted in several states to investigate the working of local government particularly in the village panchayats. The experience in the states like Rajasthan, Karnataka, West Bengal, Kerala, Madhaya Pradesh, Bihar, Andhra Pradesh, and Odisha has significant experience on the working of gram panchayats. The local self-government in these states are well functioning through their state legislatives bodies. Participatory Research in Asia (1997) conducted studies in six states such as Kerala, Madhaya Pradesh, Gujarat, Himachal Pradesh, Uttar Pradesh and Haryana where the Gram Sabha meetings are held regularly, but the quorum is hardly achieved. The study team revealed that local self-government through Gram Sabha meetings do not meet the desire of citizens even unable to serve the purpose of the significance of the village priorities. Ramesh Kumar Singh (2013) conducted a recent study on the functioning of Gram Sabha of two districts namely Patna and Rohtas

in Bihar. The major concern of the paper was to explore the nature of people's participation in Gram Sabha in Bihar. For proper special coverage one block was selected from each selected district. From the selected blocks, five Gram Panchayat were selected where due representation was given to women headed Gram Panchayats. The study found that out of 800 households only 23.88 per cent reported that they regularly participate in Gram Sabha meetings whereas 33.00 per cent of responded they seldom attended the meetings. Remaining 43.12 per cent household reported that they never participated in the meeting.

The study was conducted by (Pal, 2009) on Gram Sabha meetings in only one district namely, Sirsa district of Haryana State of India with main objectives are to understand the involvement and participation of villagers in the process of their socio-economic development. He found various issues of Gram Sabha meetings and also found attendance of villagers in the Gram Sabha meetings are slightly high due to the awareness among the villagers. Almost all the meetings in the Gram Sabah the villagers were presented but the Sarpanch were not aware regarding the Gram Sabha meetings (Pai, 1998). Several studies found that issues of social justice and internal dynamics of the village do not figure in the village meeting discussions (Datta, 1999, Menon, 1996; Sharma, 2013). The series of studies had conducted which revealed the reserving the posts for sarpanches in the panchayats for women or caste/ ethnic minorities also affects the distribution of public services at the village level (Gajwani and Zhang (2014). The study also highlighted how male persons dominate the female in the political sphere. The West Bengal study by (Ghatak & Ghatak, 1999) show that the understating of the Gram Sansad in twenty villages in 1999. This study highlighted that most of the people don't have a piece of land for cultivation but they regularly attend the meetings. The study reveals that all the issues such as road repair, installation of tube well and providing loan is the major discussion in the meeting hours. Another finding is the rich people do not attend meeting because of social prestige. Bidyut Mohanty's (2002), study reflects that impact of 73rd Constitutional Amendment Act in Odisha. Her field experience shows that about 80-90 per cent of female particularly women members regularly attend the panchayat meeting. Although the Act is a mainstay for the revival of the grassroots democracy the GPs must organise Gram Sabha meetings to revitalize the panchayats in all aspects. Her micro studies brought out the effective working of the Panchayat Raj system which has changed its tendency due to the participation of women. The experience shows that the proxy women in the panchayat were prevalent, where their husbands or brothers look after her officials activities. Recent study conducted by (Malik & Nayak, 2021) in Odisha revealed that the women find it difficult to attend regularly in the meeting as they are engage in their domestic front. Lack of participation and local funds in the villages are the major features of findings. Most importantly, human development issues such as food, education and health discussion are hardly discussed. Lack of awareness about usefulness of the Gram Sabha and their greater participation enable them to give more attention on state-sponsored schemes. Several studies have been carried out on local self-government revealed that the local corruption has been an occupation of local representatives and growing local political instability among citizens are significant features of findings.

The above analysis of the working of the local self-government in India in general and Indian states in particular has received much criticism in their functional domain. However, the mere aspiration of local

villagers still in a distance dream and there is truncate of power of local citizens in governance mechanisms. Dalits and women representatives have limited freedom to express their views and sometimes elected members of these groups don't enjoy the de facto power even in the case of women the proxy rule is circulated by male partners (Ambedkar, 1936). In additions to these issues the 73rd CAA would be the focus of the government with taking all responsibility to make government more transparent and accountable. To take these seriously the local stakeholders and legislative bodies must disseminate all constitutional mechanisms that would make local governance more active and progressive.

Conclusion

In a democratic country like India has set a significant example for all the countries in the world because India is a largest democracy having multifaceted aspects and maximum transfer of power to the local units. However, the terms decentralization, governance and development in the light of 73rd CAA have pushed a new generation of panchayats for the success of Gandhi's village swaraj. It has significant influence on rural participatory and deliberative democracy. This is fact that even Ambedkar wanted to have a social democracy by the presence of social equality because Indian society suffers severe caste rigidity and the dalits and women find themselves inferiority in these predicable innovator caste structure (Gandhi, 1962, Ambedkar, 1936). The decentralized mechanisms in 21st century brought out many challenges to stakeholders from top to bottom level. The inference can be drawn from the above analysis of working of the local self-government in India that there are some states where the local governance are functioning effectively and the participation and delivery of local services are well structured in their functional domain. As it is observed that during the formulation of the constitution the Constituent Assembly did not put much emphasis on local governance for its development and implementation. After four decades, the local self-governance further germinated under the prime minister of P.V. Narasimha Rao for the wealthy management of local affairs and gave special attention to GS meetings at the grass root level. Since then the local governance has been a major focus of both central and state governments. Although there are discourage and poor performance of the local units the responsible government must take it serious concern as it is a matter of development, freedom of expression, rights and liberty. It would possible when rational public decision makers tend to be more public- oriented and action-oriented to have a fair and equal distributions of public services among all individuals.

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