



## **Panchayat Raj Institutions In India: Amendments And Reforms.**

**\*Dr. Shrikant Muchandi** Teaching Assistant in Department of Political Science Sangolli Rayanna  
First grade Constituent College Belagavi Karnataka

**\*\* Priyanka Kolakar** Assistant Professor Department of Political Science S.J.M.V.B.A.J.S.S. Arts  
and Commerce College for Women Ranebennur Karnataka

### **Abstract:**

The growth of the Panchayat Raj institution in the democratic pattern of governance, holds, some water, in the sense that, this is the system in which the people's participation in administration is seen further, they govern themselves locally. It is the paragon of democracy that represents the manifestation of the democratic setup since ancient times. Two things come to our mind, in the context of Panchayat Raj significance No. 1, is the rule of the People themselves and the role of the people in their development. However, it assumes greater significance in the present context, because since its role as mentioned above is clear, how far this institution is fruitfully utilized by the people and to what extent the development has been realized, are the major research areas needing substantive attention. Panchayat Raj also being considered a training ground of democracy for all hues of people and genders. In this right also, implementation of reservation policies and introduction of a new especially, computerized system and finally numerous amendments need rigorous examination through clinical research. This paper throws light on the areas measured above and measures the utility of these institutions to the people and the objectives with which these institutions are being founded.

**Keywords:** Participation, Reservation, Development, Utility

### **Objectives:**

- To Understand the working of panchayat Raj systems.
- To the essence of local self-government.
- To know the Constitutional provisions.

**Introduction:** The term panchayat Raj in India signifies the system of rural local self-government. It has been established in all the states of India by the act of the state legislatures to build democracy at the grassroots level it entrusted with rural development. It was constitutionalized through the 73<sup>rd</sup> Constitutional Amendment Act of 1992. Originally from the Indian subcontinent, the Panchayat Raj is a system of government that is mostly used in India, Pakistan, Bangladesh, Sri Lanka, and Nepal. Historical references to it date back to the year 250 CE, making it one of the oldest municipal government structures in the Indian subcontinent. Raj denotes "rule," as panchayat denotes an assembly of five people (panch). In the past, Panchayats were made up of knowledgeable seniors who were selected and welcomed by the neighborhood. These gatherings resolved disagreements between villages and individuals. However, these assemblies came in a variety of shapes. The president mukhiya, sarpanch, or pradhan, an elected or well-accepted office, were common names for the Panchayat's head. The gram panchayats of India's current Panchayati Raj are not to be confused with neither the conventional structure nor the extra-constitutional khap panchayats (also known as caste panchayats) prevalent in several regions of northern India.

Panchayat Raj was promoted by Mahatma Gandhi as the basis of India's political structure. Each hamlet would have been in charge of managing its affairs under this decentralized type of governance. Gramme Swaraj's "village self-governance" was the name given to such a goal. While India's system of government evolved into one that was extremely centralized, this was restrained by the delegation of several administrative tasks to the local level, giving elected gram panchayats more authority. On October 2, 1959, Jawaharlal Nehru opened Panchayati at Nagaur. On the occasion of Mahatma Gandhi's birthday, the day was chosen. Gandhi desired Panchayati Raj to achieve Gramme Swaraj. In 1992, 73 and 74 Constitutional Amendments were passed by Parliament in December 1992. Through these amendments local self-governance was introduced in rural and urban India the system was changed.

**73rd and 74th Constitutional Amendments.** Parliament ratified the 73rd and 74th Constitutional Amendments in December 1992. Local self-governance was introduced in rural and urban India as a result of these modifications. The Constitution 73rd Amendment Act of 1992 went into effect on April 24, 1993, and the Constitution 74th Amendment Act of 1992 went into effect on June 1, 1993. The 73rd Amendment introduced Part IX titled "The Panchayats" to the Constitution, while the 74th Amendment added Part IXA titled "The Municipalities" to the Constitution. After 43 years of India becoming a republic, the local bodies- 'Panchayats' and 'Municipalities'-were included in Parts IX and IXA of the Constitution.

This Act also requires institutional reforms, such as the formation of Ward Committees, District Planning Committees, and Metropolitan Planning Committees to coordinate cross-jurisdictional planning, as well as the formation of State Election Commissions and State Financial Commissions. This statute effectively grants ULBs a far broader function than that of service providers that supply water, trash management, energy, and so on. On June 1, 1993, it went into effect. The Indian national government

introduced the 73rd Amendment Act in 1992 to solve these challenges and promote local self-governance. The Act was approved by both chambers and became law on April 24, 1993.

The 73rd Amendment envisions the Gramsabha as the cornerstone of the Panchayat Raj System, performing functions and exercising authorities delegated to it by the State Legislatures. The amendment establishes a three-tier Panchayat Raj System at the village, intermediate, and district levels. The Panchayati Raj system in India became more uniform as a result of this provision. There is a provision for the reserving of seats for SCs and STs at every level of the Panchayat. The Act authorized state governments to take the required procedures to formalize gram panchayats and enable them to function as self-governing bodies.

The 74th Constitutional Amendment Act mandated the establishment of urban local bodies (ULBs) or city governments as the lowest level of governance in cities and towns, as well as the delegation of powers to them. This historic effort launched by the Government of India in 1993 was founded on the notion that all "power" in a democracy belonged to "the people." The people were granted power through local entities (referred to as municipalities), notably Municipal Corporations, Councils, and Nagar Panchayats, which would have members who are elected regularly and play a crucial role in service planning, provision, and delivery.

### **Salient Features of the 73rd and 74th Constitution Amendment Acts.**

**Gram Sabha:** The statute establishes a Gram Sabha as the basis of the Panchayati Raj system. It is a body made up of people who are enrolled on the electoral rolls of a village inside the Panchayat region at the local level. Thus, it is a village assembly made up of all registered voters in a panchayat's region. It may exercise such powers and execute such responsibilities at the village level as determined by a state's legislature.

**Three-Tier System:** System of Three Levels The measure calls for a three-year probation period. Every state has a tier system of panchayati raj, with panchayats at the village, intermediate, and district levels. As a result, the legislation ensures that the framework of Panchayat Raj is consistent across the country. However, a state with a population of less than 20 lakh people may not form panchayats at the intermediate level.

**Reservation of states:** Seat Reservations The act calls for the Reservation of seats for scheduled castes and scheduled tribes in each panchayat (at all three levels) in proportion to their numbers in the panchayat region. Furthermore, the state legislature shall provision for the reservation of chairperson positions in panchayats at any other level for SCs and STs. The act mandates that at least one-third of the total number of seats be reserved for women (including seats reserved for women from the SCs and STs). Furthermore, no fewer than one-third of the total number of chairperson positions in panchayats at each level will be designated for women.

**Election of Members and Chairperson:** Members and Chairpersons are elected. The people will directly elect all members of panchayats at the village, intermediate, and district levels. Furthermore, at the intermediate and district levels, the chairperson of panchayats will be elected directly by and from among the elected members thereof. The chairperson of a panchayat at the village level, on the other hand, shall be chosen in the manner prescribed by the state legislature.

**State Election Commission:** Commission for State Elections The state election commission must be in charge of supervising, directing, and controlling the production of electoral rolls and the conduct of all panchayat elections. It consists of a governor-appointed state election commissioner. The governor will also define his terms of service and stay in office. He may not be removed from office except in the manner and on the grounds prescribed for the removal of a state high court judge. His service terms shall not be changed to his detriment after his appointment. The state legislature may make provisions for all things about panchayat elections.

**Duration Panchayats:** Panchayats last for a year. The act calls for Every panchayat will be given a five-year term. It can, however, be disbanded before the end of its tenure. Furthermore, new elections to form a panchayat must be held (a) before the expiration of its five-year term, or (b) before the expiration of six months from the date of dissolution. However, if the remaining period (for which the dissolved panchayat would have lasted) is shorter than six months, no election for creating a new panchayat for such a period is required. Furthermore, a panchayat formed by the dissolution of another panchayat before the end of its term must continue only for the remainder of the period for which the dissolved panchayat would have remained if it had not been dissolved. In other words, a panchayat reconstructed after a premature dissolution does not enjoy the full five-year term, but merely the remainder of it.

**Disqualifications:** An individual is disqualified. If he is disqualified, (a) under any law already in force for elections to the legislature of the state concerned, or (b) under any law currently in force for elections to the legislature of the state concerned, Any law enacted by the state legislature. However, no person shall be disqualified because he is under the age of 25 if he has reached the age of 21. Furthermore, any matters of disqualification shall be brought to the authority determined by the state legislature.

**Power and Functions:** The state legislature has the authority to provide Panchayats with whatever authorities and authority are required for them to function as self-governing institutions. Such a scheme may include provisions for the devolution of powers and responsibilities to Panchayats at the appropriate level concerning (a) the preparation of plans for economic development and social justice; and (b) the implementation of schemes for economic development and social justice entrusted to them, including those relating to the 29 matters listed in the Eleventh Schedule.

**Finance:** The legislature in the state may (a) authorize a panchayat to levy, collect, and appropriate taxes, duties, tolls, and fees; (b) assign to a panchayat taxes, duties, tolls, and fees levied and collected by



the state government; (c) provide for grants-in-aid to panchayats from the state consolidated fund; and (d) provide for the establishment of funds for crediting all panchayat money.

**Finance Commission:** The Financial Commission Every five years, the governor of a state shall appoint a finance commission to assess the financial status of the panchayats. It shall recommend to the Governor the following actions: The central financial commission shall also recommend steps to boost a state's consolidated fund to supplement Panchayat resources in states.

**Exempted States and Areas:** States and Territories Exempted The statute makes no mention of applicable to Jammu and Kashmir, Nagaland, Meghalaya, and Mizoram, among other places. These areas include (a) the states' scheduled areas and tribal territories; (b) the hill area of Manipur, which has a district council; and (c) the Darjeeling district of West Bengal, which has a Darjeeling Gorkha Hill Council. However, subject to the exceptions and adjustments specified by the Parliament, the provisions of this Part may be extended to scheduled areas and tribal regions.

## Conclusion:

The 73rd and 74th amendments to the Indian Constitution established the Panchayati Raj system, which is an important aspect of local democratic governance. These changes have strengthened local communities and provided a platform for marginalised groups – especially women, Scheduled Castes and Scheduled Tribes to participate by formalising local self-governance. A more inclusive government system has resulted from the implementation of reservation rules, as well as conditions that allow for the selection of local leaders and decentralization of power.

The successful implementation of these constitutional principles at the state and municipal level is crucial for the viability of panchayat raj institutions. Political interference, lack of capacity building and lack of adequate financial resources are some of the issues that need to be addressed. While the Panchayati Raj system has made tremendous progress, further reforms are needed to increase capacity, distribute resources fairly and ensure that these institutions are more inclusive, accountable and capable of delivering tangible development outcomes at the local level. All government levels must work together to make Panchayati Raj a true instrument of participatory democracy and citizens should be vigilant and actively involved in this process.

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