

BLOCK 2

LEGISLATIVE FRAMEWORK, ELECTION AND PLANNING

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(Seventy-third Amendment) Act, 1992 and
Conformative Legislation
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UNIT 3 LEGISLATIVE FRAMEWORK: THE CONSTITUTION (SEVENTY-THIRD AMENDMENT) ACT, 1992 AND CONFORMATIVE LEGISLATION*

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3.0 OBJECTIVES

After studying this Unit, you should be able to:

- Explain the basic features of the 73rd Constitutional Amendment Act;
- Describe the Constitutional provisions with regard to Rural Local Governance;
- Comprehend the approach of the states for democratic decentralisation through their statutory provisions; and
- Examine the factors affecting the efforts to strengthen the grassroots democracy.

3.1 INTRODUCTION

The Panchayats have been envisaged to be vibrant institutions of local governance. Efforts have been made since independence for political empowerment of people at the grassroots level for shaping their own destiny. Balwant Rai Mehta Committee provided the necessary impetus. It stated, “public participation in community works should be organised through statutory representative bodies”. However, a number of factors prevented them from

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acquiring the status and dignity of viable and responsive people's bodies, which could address their grievances and fulfill their aspirations. Political apathy was a major reason, which led to delay in elections, prolonged supersessions, insufficient representation of weaker sections like Scheduled Castes, Scheduled Tribes and Women and inadequate devolution of powers and funds to the Panchayats.

Rao (1989) observed that the structure of PRIs did not develop the requisite democratic momentum and failed to cater to the needs of rural development due to the following reasons.

- i) Political and bureaucratic resistance at the state level for sharing power and resources with the local level institutions.
- ii) Takeover of these institutions by the rural elite, who cornered a major share of the benefits of the various welfare schemes.
- iii) Lack of capability at the local level.
- iv) Absence of political will of the grassroots leaders.

In such environment, the demand was rising for decentralisation. To address this concern, L M. Singhvi Committee was appointed to look into the revitalisation of the PRIs for democracy and development. It recommended that the local self-government should be constitutionally recognised, protected and preserved by the inclusion of a new chapter in the Constitution.

3.2 THE CONSTITUTION (SEVENTY-THIRD AMENDMENT) ACT, 1992

The then Prime Minister Rajiv Gandhi endorsed the idea and introduced the 64th Constitutional Amendment Bill in 1989. However, it was defeated in the Rajya Sabha. Subsequently, the Narasimha Rao government piloted and passed on the basis of a general consensus, the 73rd Constitutional Amendment Act (CAA) on 22nd December 1992. After ratification by more than half of the state assemblies, and after obtaining the assent of the President, the Act came into force on 24th April 1993. States were mandated to formulate their conformity acts within a year of the enactment of the 73rd CAA. There were some mandatory provisions in the Act, and there were some provisions which were left at the discretion of the respective state governments which they were supposed to implement keeping in mind the existing statutory provisions and circumstances in the state.

The devolution of powers between the state legislature and panchayats in the 73rd CAA is discretionary, which left the aspect of implementation of the cardinal provisions of the CAA to a large extent dependent on the intention, and strength of the state enactments.

The CAA aimed at making these institutions as institutions of self-government. However, not all the conformity Acts reflected the same aspirations. In fact, only few conformity Acts like those of West Bengal, Bihar and Tripura state that they aim to endow Panchayats with powers and functions that can enable them to work as institutions of self-government. The Haryana Act specifically states that the objective of the Panchayat institutions is to administer rural areas better.

Position of the different levels is shown in the following table:

Table 3.1: Panchayat Statistics

No. of Gram Panchayats*	255361
No. of Block Panchayats	6672
No. of District Panchayats	662

*Due to periodic elections, data is dynamic in nature and keep on changing. Local Government Directory is now mapped to Census 2011 village codes.

Source: Ministry of Panchayati Raj (MoPR)

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3.3 PROVISION OF THE PANCHAYATS (EXTENSION TO THE SCHEDULED AREAS) ACT, 1996

The 73rd CAA excluded the Scheduled Areas and the Tribal Areas (Art. 243M), while keeping open the possibility that Parliament may, by law, extend the provisions to these areas. However, the states like Andhra Pradesh, Himachal Pradesh and Rajasthan extended the 73rd CAA to the Scheduled Areas without the Parliament enacting any law for the same. This was challenged in the Andhra Pradesh High Court. Subsequently, Bhuria Committee was constituted to recommend as to how such areas could be brought under the purview of the CAA. Based on its recommendations, a bill was introduced in the Parliament, which after its passage, received the President's assent on December 24, 1996, which became the Provision of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (Central Act 40), popularly known as PESA Act.

As a result, it became mandatory on the part of the states to amend their existing Panchayat Acts in conformity with PESA within a year. The PESA is now applicable in 46 districts fully and in 62 districts partially, in 10 states. It gives control of jal (water), jangal (forest) and zameen (land) in the hands of tribal. The PESA provides that one half of the total number of seats would be reserved for tribals, and President of Panchayat or at all levels shall be from the tribal community.

Several committees have been constituted since then, with a view to strengthen the provisions of the PESA. However, various studies and government documents indicate that there was lukewarm response to the Act mainly because of lack of political will and bureaucratic resistance. All the ten states having PESA areas under jurisdiction have amended their State Panchayati Raj Acts but not entirely in consonance with PESA. There are several state subject legislations related to land acquisition, excise, mines and minerals, forest produce, village markets and money lending, which are yet to be aligned with PESA (TISS, 2016). However, recent provisions like 15th Finance Commission providing grants to the 5th and 6th Scheduled Areas may bring about some changes for better.

3.4 THE CONSTITUTION (SEVENTY-THIRD AMENDMENT) ACT, 1992: SALIENT FEATURES

The amendment provides constitutional status for the three-tier Panchayat Raj system at the village, block and district levels. Art. 243B (1) states, “they shall be constituted in every state, panchayats at the village, intermediate and district levels”. However, some states were given discretion. Art. 243B (2) stipulates, “panchayats at the intermediate level may not be constituted in a state having a population not exceeding twenty lakhs”. Some of the important features of the CAA are mentioned below:

- a) Constitution of Panchayats at village, block and district levels.
- b) Composition of Panchayats with reservation of seats for vulnerable sections.
- c) Devolution of functions for Panchayat’s jurisdiction over specified subjects.
- d) Integrated planning.
- e) Augmenting resources of the Panchayats.
- i) **Panchayati Raj Institutions**

Constitution and Continuity of Panchayats

The Amendment provides for the continuity of the PRIs. Article 243E(1) provides that “every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer. Clause (4) further provides, “a Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued, had it not been so dissolved.

Composition of Panchayats

The Act provides for direct election for all seats at the three levels, while Chairpersons of Block and Zilla Panchayats are elected indirectly [Art 243C. (2)]. The conduct of all elections to the Panchayats including superintendence, direction and control of electoral rolls is the responsibility of the State Election Commission (Art. 243K). The State Election Commissioner is appointed by the Governor of the State.

The Block Panchayat consists of all the *sarpanches* and *up-sarpanches* from each Gram Panchayat along with Members of the Legislative Assembly (MLA) and Members of Parliament (MP), who are part of the block and associate members like a representative from a Cooperative Society. In some states, there is direct election also for Block Panchayat for some seats, in which elected representatives come from each Gram Panchayat. For example, Kshetra Panchayat in Uttar Pradesh consists of:

- a) all the Pradhans of the Gram Panchayats in the Khand/Block;
- b) elected members, who shall be chosen by direct election from the territorial constituencies in the Panchayat area and for this purpose the Panchayat area shall be divided into territorial constituencies in such

manner that, so far as practicable, each territorial constituency shall have a population of two thousand;

- c) the Members of Parliament (MPs) and the Members of the Legislative Assembly (MLAs) of the State representing constituencies, which comprise wholly or partly the Khand; and
- d) members of the Council of State and the members of the State Legislative Council, who are registered as electors within the Khand.

Similarly, in Zilla / District Panchayat, Chairpersons of Block Panchayats, MLAs and MPs are also members of the District Panchayat. For example, the Zilla Parishad in West Bengal consists of the following members:

- a) Sabhapatis of the Panchayat Samitis within the district, ex officio members;
- b) two persons, one from each of two such constituencies comprised in the Block within the district as may be specified by notification, elected by secret ballot, at such time and in such manner as may be prescribed, from among themselves by persons whose names are included in the electoral roll of the West Bengal Legislative Assembly for the time being in force pertaining to the constituency comprised in such Block;
- c) members of the House of the People or the Legislative Assembly of the State elected thereto from a constituency comprising the district or any part thereof, not being Ministers; and
- d) members of the Council of State not being Ministers, having a place of residence in the district.

The provision of reservation of seats has also been mandated to ensure appropriate representation of specific groups. There is reservation of seats in that panchayat area for the Scheduled Castes and the Scheduled Tribes in the proportion of their population (Article 243 D). More importantly one-third of the seats have been reserved for women including 1/3rd women from the SC and ST groups in those seats. 1/3rd of the total number of offices of chairpersons in the Panchayats at each level has also to be reserved for women.

However, presently nearly twenty states like Andhra Pradesh, Assam, Bihar, Gujarat and others have made provisions for 50 percent reservation of seats for women. States like Bihar had also reserved seats for Other Backward Classes (OBCs), but it has not been operative so far due to legalities involved. While the number of offices to be reserved is mandated to be in proportion of the population of the specific category in the State, the manner in which these would be held is left to the State enactments.

Meetings of the Gram Sabha

The Gram Sabha enjoys a constitutional status too. Article 243A states that the Gram Sabha may exercise such powers and perform such functions at the village level as the legislature of a State may, by law, provide. However, the statutory provisions differ across states in ensuring effective participation of the members of Gram Sabha.

For example, in Uttar Pradesh, every Gram Sabha is expected to hold two general meetings every year, one soon after harvesting of the Kharif Crop and the other soon after harvesting of the Rabi Crop, which is to be presided over by the

Pradhan of the concerned Gram Panchayat. For any meeting of the Gram Sabha, one-fifth of the number of members shall form the quorum, provided that no quorum shall be necessary for a meeting adjourned for want of quorum. In Karnataka, the quorum for an ordinary meeting of the Gram Sabha shall not be less than one-tenth of the total number of voters in the Gram Sabha or one hundred members, whichever is less. In Maharashtra, four meetings are supposed to be held in every financial year, which would be presided over by the Sarpanch or in his absence Up-Sarpanch.

Scope and Functions of the Gram Sabha

In Uttar Pradesh the Gram Sabha has been empowered to consider the following matters and may make recommendations and suggestions to the Gram Panchayat:

- a) The annual statement of accounts of the Gram Panchayat, the report of administration of the preceding financial year and the last audit note and replies, if any, made thereto;
- b) the annual statement of accounts of the Gram Panchayat relating to the preceding year, and the development programmes proposed to be undertaken during the current financial year;
- c) the promotion of unity and harmony among all sections of society in the village;
- d) programmes of adult education within the village; and
- e) such other matters as may be prescribed.

In some other states, the scope and functions of the Gram Sabha in some states are given in the following table:

Table 3.2: Scope and Functions of the Gram Sabha

Sl. No.	Functions	States
1.	Examines annual statements of accounts and audit report	*A.P., Karnataka, **M.P.
2	Discusses report on the administration of the preceding year	A.P., Karnataka, M.P.
3	Reviews programme of work for the year or any new programme	A.P., Karnataka, M.P.
4	Considers proposal for fresh taxation or for enhancement of existing taxes	A.P.
5	Selects schemes, beneficiaries and location	A.P., Karnataka, Kerala, W.Bengal
6	Mobilises voluntary labour and contribution in kind and cash for the community welfare programmes	Karnataka, W. Bengal, Kerala, U.P.***
7	Renders assistance in the implementation of development schemes and rendering services in villages	Karnataka, Kerala U.P.
8	Undertakes programme for adult education, family welfare within the village	Karnataka, Kerala W.B.
9	Promotes unity and harmony among all sections of society	Karnataka, Kerala W.B.
10	Considers the budget prepared by the Gram Panchayat	Karnataka, M.P.

	and the future development programmes and plans of the sabha area	
11	Considers and scrutinise the existing schemes and all kinds of activities of Panchayats	Kerala
12	Maintains a complete register for all development work undertaken by the Gram Panchayat or by any other government department	Kerala
13	Scrutinises the completed works and all kinds of activities of the Gram Panchayat	Kerala

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Source: Jain, 1997.

*A.P. (Andhra Pradesh)

*** U.P. (Uttar Pradesh)

** M.P. (Madhya Pradesh)

ii) Devolution of Functions

The 73rd CAA aims at making the Panchayats real institutions of self-government by, giving them control over subjects, which can be managed better at the Panchayat levels. Total 29 subjects have been listed in the 11th Schedule, the State government may, by law, provide devolution of powers and responsibilities to Panchayats (Article 243G). While all the states have included these subjects in their conformity legislations. However, they have not been effectively devolved to them by most of the states, barring few like Kerala.

There were some problems in finding ways for devolution functions. Round Tables of the State Ministers of Panchayati Raj held between July and December 2004 and they understood the need for Activity Mapping to ensure role clarity between the Central, State and Local levels of government in designing a framework for the scientific, practical and effective devolution of powers and responsibilities to the PRIs. In the mapping exercise, first of all broad functions are unbundled into their component activities, and then, such activities are assigned to different levels of government (Centre/State/local) on the principle of “subsidiarity”, based on objective criteria.

Steps in Activity Mapping

The first step towards activity mapping is the unbundling of each Sector into services, activities and sub-activities to a level of disaggregation, that is consistent with the devolution. For example:

- Rural Education, Health, Drinking Water and Sanitation Sectors.
- Education would include services such as Primary, Secondary and Tertiary Education and Vocational Training.
- Services can be further unbundled into activities. For example: Basic education could be unbundled into activities such as:
 - Identifying and recruiting persons with appropriate teaching skills.
 - Monitoring teacher attendance.
 - Procuring and maintaining an inventory of educational materials and equipment.
 - Setting up school buildings with adequate drinking water and sanitation facilities.
 - Repairing and maintaining existing schools.
 - Ensuring an even spread of teachers, wherever necessary.

Source: Ministry of Panchayati Raj

Many states have carried out this activity and that has led to some development in this regard. Devolution index prepared by Tata Institute of Social Sciences in 2015-16 surveyed the functions devolved to Panchayats in all the states, which is evident in Annexure 1.

It is to be noted that states like Kerala, Karnataka, West Bengal and Tamil Nadu have been comparatively more effective in transfer of functions as compared to states like Punjab, Bihar and Uttarakhand.

The relationship between the three tiers of PRIs is also an important factor in devolution of functions. The 73rd CAA has not provided the distribution of responsibilities among different tiers of Panchayats, but has left it to the discretion of the states. This was important in view of the diversity in the conditions in different states. A report of the UNDP has suggested some useful principles, which may be considered while keeping in mind the subsidiarity principle:

- i) every activity requires a minimum size for functional efficiency and economy,
- ii) the area of benefit should not extend beyond the jurisdiction of the Panchayat concerned, and
- iii) the administrative resources available at that particular level should be capable of handling the activity in a competent manner.

Despite proper distribution of functions among the three tiers, there could still be friction among the three levels, if the functionaries at different levels belong to different political dispensations. This could be a potent threat as the Panchayats have become highly politicised. With increase in resources available at their disposal and increasing clout, it could be very challenging to forge a consensus on various issues.

There are other problems too, which have impeded the devolution. Many of the responsibilities from 29 subjects are discharged by the parastatal agencies. Their officials are accountable to their departmental superiors, which makes it difficult for the Panchayats to exercise any effective control over them. The recent initiative of the Union Government, '*People's Plan Campaign*' launched in 2018, mandates presence of officials of all departments and agencies during the Gram Sabha meetings convened to prepare Gram Panchayat Development Plan. Its full impact is yet to be seen.

Another observation by experts is that the bureaucratic control over the Panchayats is yet not diluted. Even where bureaucratic control is not visible, processes for getting sanctions and approvals from different departments are still very cumbersome.

iii) **Integrated planning**

The Constitutionally mandated socio-economic planning by the Panchayats has to be consolidated with similar such plans prepared by the municipalities within the district to have a development plan for the district as a whole. The District Planning Committee is supposed to do this (Article 243 ZD). Subsequently, this plan has to be integrated with the state plan. However, this institution remained weak for a very long time. Many states did not constitute these committees, and later on when constituted these committees mainly handled Backward Region

Grant Fund only for quite some time. A major reason for such state of affairs was that its composition and functions were left to the discretion of the states.

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Metropolitan Planning Committee is a similar planning body in the metropolitan area. They have faced a problem of different kind. They are politically very important as they have control over huge resources. For example, Mumbai Metropolitan Planning Committee (MPC) is headed by the Chief Minister. In fact, all the 3 MPCs in the state - Pune, Nagpur and Mumbai are headed by the Chief Minister.

iv) Financial Resources for the Panchayats

Panchayats have traditionally depended on the funds from the central and the state governments. The CAA added one important institution - State Finance Commission, which is mandated to look into the resource position of the local bodies both rural and urban. Article 243-I stipulates that the State Finance Commission would review the financial position of the Panchayats and makes recommendations to the Governor as to:

a) The principles, which should govern:

- the distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Part and the allocation between the Panchayats at all levels of their respective shares of such proceeds;
- the determination of the taxes, duties, tolls and fees, which may be assigned to, or appropriated by, the Panchayat; and
- the grants-in-aid to the Panchayats from the Consolidated Fund of the State.

b) The measures needed to improve the financial position of the Panchayats.

c) Any other matter referred to the Finance Commission by the Governor in the interests of sound finance of the Panchayats.

The legislature of a State may, by law, endow the Panchayats with powers to impose taxes (Article 243 H) subject to conditions laid down in the State Act. Some states have given substantive powers to the GPs for collecting own revenue. However, the same cannot be said for Block Panchayats (BPs) and District Panchayats (DPs) which have lower revenue collection powers. Recommendations of the different State Finance Commissions (SFCs) to expand the own source domain of the PRIs have often been ignored by the state governments. In fact, in some cases the existing tax assignments have been abolished by the State Legislature. There are various reasons that Panchayats are unable to generate own income, like reluctance of the PRIs to levy taxes, poor administrative capability, outdated tax estimation system, poor coverage of taxable properties, inability to take action against big defaulters, lack of trained staff and electoral politics.

As per the constitutional provisions, the Central Finance Commission is supposed to make recommendations to supplement the resources of the Panchayats in the State on the basis of the recommendations made by the Finance Commission of the State. However, the Central Finance Commissions have not got the benefit of recommendations of the SFCs and have lamented the fact also, because most of

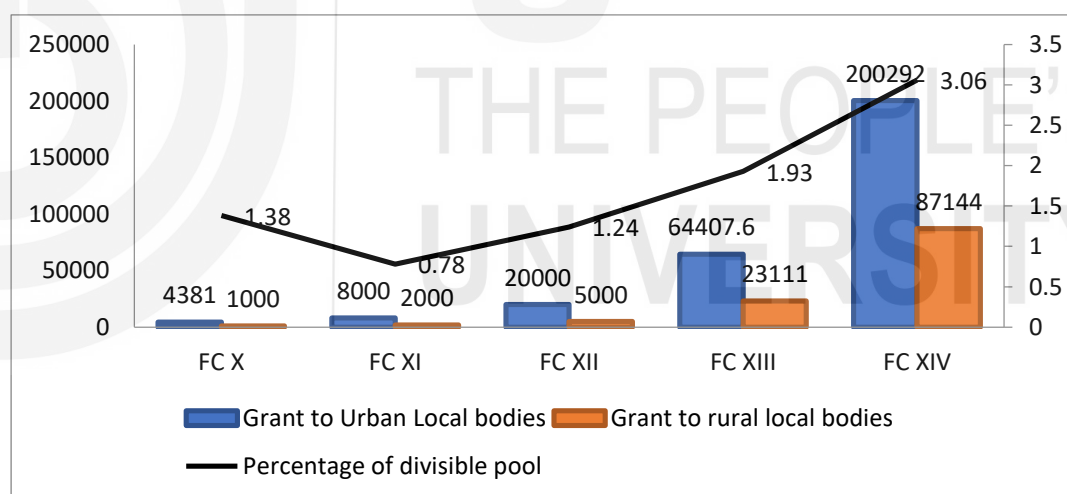
the state governments did not constitute them in time, and did not give due importance to strengthen this constitutional mechanism. Even now, only fifteen states have set up the fifth or the sixth SFCs. Several states have still not moved beyond the second or third SFC, which is depicted in table 3.3

Table 3.3: Status of the Constitution of SFCs

S. No.	State	Last SFC constituted
1	Assam, Bihar, Punjab, Rajasthan	VI
2	Haryana, Himachal Pradesh, Kerala, Madhya Pradesh, Maharashtra, Odisha, Sikkim, Tamil Nadu, Tripura, Uttarakhand and Uttar Pradesh	V
3	Andhra Pradesh, Karnataka and West Bengal	IV
4	Chattisgarh, Goa, Gujarat, Jharkhand and Manipur	III
5	Arunachal Pradesh, Mizoram	II
6	erstwhile Jammu and Kashmir, Telangana	I

Source: XV Finance Commission

15th Finance Commission has stipulated, “after March 2024, no grants should be released to a State that has not complied with the Constitutional provisions in respect of the SFC ... The MoPR will certify the compliance of all Constitutional provisions by a State ... before the release of their share of grants for 2024-25 and 2025-26”.



Source: Report of the XV Finance Commission

Figure 3.1 Grants to Local Bodies by Successive Finance Commission

It can be seen in the above graph, that the Central Finance Commissions have been continuously increasing the grants for Panchayats despite constraints like absence of disaggregated data. The 15th FC has provided, “all the tiers in the panchayats – village, block and district – shall receive the grants. The *inter se* distribution among all the tiers should be in conformity with the following bands of (a) not less than 70 per cent and not more than 85 per cent for Gram Panchayats, (b) not less than 10 per cent and not more than 25 per cent for Block Panchayats and (c) not less than 5 per cent and not more than 15 per cent for Zilla Panchayats. In States, which have a two-tier system with only village and district Panchayats, the allocation will be in the bands of not less than 70 per cent and not

more than 85 per cent for village Panchayats and not less than 15 per cent and not more than 30 per cent for district Panchayats. It has provided 40 per cent of the total grants to be disbursed to rural local bodies that would be untied and can be used by them for felt needs under the twenty-nine subjects enshrined in the Eleventh Schedule, except for salaries and other establishment costs”.

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v) **Functionaries**

The 73rd CAA is silent on functionaries to be assigned to each level of Panchayat. However, the Conformity Acts of the states have assigned functionaries to them. But the manpower assigned and the skills needed did not match the powers and responsibilities entrusted to the Panchayats. The functions assigned to the Panchayats by and large call for personnel belonging to the following streams (MoPR, 2011)):

- Rural development involving participative planning, dissemination of entitlements, identification of beneficiaries, delivery of services etc.
- Administrative
- Finance and Accounts
- Engineering.

Model Panchayat Cadre Manual prepared by Shri Ram Centre for Industrial Relations for the MoPR suggested manpower estimates to be based on the functions required to be performed by the Gram Panchayats, which it indicated as follows:

- a) Core functions
- b) Execution of specific schemes/programmes assigned to them by the Block Panchayat, Zilla Panchayat, and State Government/Central Government;
- c) Co-ordination of Projects being executed by the Sectoral departments in their area at a given point of time; and
- d) Other projects/initiatives taken up by the Panchayat on its own.

Accordingly, they proposed a staffing pattern, which embraces core staff, functional Staff, scheme specific staff, sector specific staff and contractual/contingent staff. The sector specific staff is posted by the Sectoral Department as per the works under execution.

Check Your Progress 1

Note: i) Use the space given below for your answer.

ii) Check your answer with those given at the end of the unit.

- 1) Examine the status of devolution of powers to the Panchayati Raj Institutions in India.

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- 2) Discuss the role of State Finance Commission and their status in various states.

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3.5 SALIENT FEATURES IN SOME CONFORMITY ACTS

i) The Andhra Pradesh Panchayat Raj Act, 1994

- This is one of the few states that provides for disqualification as a member of Panchayat at all the three tiers based on number of children. Section 19 (3) provides that if any candidate to the election of Panchayat has more than two children, s/he shall be disqualified for election or for continuing as a member. The Rajasthan Panchayati Raj Act, 1994, also prohibits a person with more than two children from contesting rural Local Body elections.
- Under Section 29, no Sarpanch or Up-sarpanch or member would receive any salary or other remuneration for services rendered by her/him.
- Section 40 provides for a Beneficiary Committee for the execution of the works of the Gram Panchayat.
- As per section 25, the Sarpanch would exercise administrative control over the executive officer for the purpose of implementation of the resolution of the GPs or any committee thereof.
- Section 36 (5) provides that all officers and other employees of the GP shall be subordinate to the GP.
- As per section 168, the Mandal Parishad Development Officer and other officers and staff of mandal parishad shall be its subordinate.
- Section 177 provides for co-option of two persons of minority communities.
- Under Section 246, the State Government may either *suo-moto* or on reference made to them by the Executive Officer or Mandal Parishad Development Officer or the Chief Executive Officer, may cancel any resolution passed by a Gram Panchayat or MP or ZP, if it is in their opinion not legally passed or in excess or abuse of powers conferred on them.

ii) The Karnataka Panchayat Raj Act, 1993

The Act includes following salient features:

- As per Section 49, a no confidence motion against the adhyaksha or upadhyaksha of the Gram Panchayat may be passed by a majority of not less than two-thirds of the total number of members of the Gram Panchayat. But the Act does not provide for any time limit for the passing of the no confidence motion.
- As per Section 58, the Government may transfer to any GP the management and maintenance of a forest situated in the Panchayat area.

- Section 113 gives powers to GP to appoint other employees of the GP with prior approval of the Chief Executive Officer and pay their salaries from the GP fund. It also has the power to reduce in rank, remove or dismiss an employee appointed by it.
- The Act provides for a linkage among the three tiers. Section 120 (iv) provides that 1/5th of the adhyakshas of the GP in Taluk Panchayat, by rotation for a period of 1 year, shall be included in the constitution of TP. Section 159 (iv) provides for representation of adhyakshas of TP in the ZP.
- Section 236 empowers the Government at anytime to make an inquiry into affairs of any GP, TP or ZP by its officers.
- Section 298 provides for dissolution of GP, if in the opinion of the Commissioner GP exceeds or abuses its powers or is not competent to perform its duties.

It is apparent that there are enabling as well as stifling features in the conformity acts. A reading of other acts, along with the above makes it amply clear that the state governments while conforming to the CAA do not wish to lose control over the PRIs. At the same time they have taken some progressive steps as well.

3.6 PANCHAYATI RAJ IN KERALA

Kerala made serious efforts towards decentralisation after the promulgation of 73rd CAA. The Left Democratic Front, which came to power in 1996 took up the agenda of decentralisation. It was decided that 40 percent of the plan budget of the state would be earmarked for expenditure by the local bodies at the village, block and district levels as decided by them. The elaborate process included preparation of Panchayat Plan after needs assessment in a Gram Sabha meeting, which was subsequently coordinated and vetted at the block level and approved at the district level by the District Planning Committee (Anil, 2021).

The PRIs prepare their plans within certain parameters set by national and state level sectoral priorities and some operational guidelines issued by the State Planning Board to formulate and implement their own development programmes. At the same time, the Board provided necessary back-up support in the form of training of personnel, technical consultancy and publicity. The Panchayats initially faced the problems of time and manpower resources.

But in the last 25 years, there have been some remarkable achievements in health, education and other sectors. Those accessing public health institutions have increased from 28 per cent in 1991 to 38 per cent in 2014 add up to 48 per cent just before COVID-19. The enrolment in government schools increased from 1.5 Lakh children in 1991 to 4.1 Lakh in 2016-17. However, it is now facing new set of challenges like local economic development, jobs, income generation and inclusion. Some experts feel that certain sections like the Scheduled Tribes and traditional fisher folks have not benefited much from decentralisation.

Kerala has been very innovative. In this regard, to encourage and make local bodies have less paper office, the Local Self-Government Department announced cash prize of Rs. 1 Lakh for the Panchayats to get International Organisation for Standardization (ISO) certification. Computerisation and maintenance of records for quick reference are part of the ISO acquisition process. Chotanikkara Gram

Panchayat in Ernakulam district consisting of 14 wards and 3 villages with a population of around 23,000 got the certificate in 2015. The Panchayat is now able to provide services under the RTI Act in 10 minutes as compared to three days earlier. There had been 100 per cent revenue collection and fund utilisation during the run up to the certification procedure (Pillai, 2015).

3.7 ROAD AHEAD

The primary function of PRIs as per the CAA is socio-economic planning for the area. Therefore, there is need for institutionalising and using integrated decentralised participatory planning through the PRIs and DPCs for convergence of various schemes and pooling of diverse resources for better outcomes. Institutionalising this process would involve ensuring transparency and accountability of the Gram Panchayats. It would also require devising and designing systems and processes for enhancing efficiency and optimal resource utilisation.

The PRIs have faced the problems of funds, functions and functionaries in the past and they continue to face the same, despite several efforts made. Some progress has been made, but a lot more needs to be done. Activity mapping has improved the devolution and there is greater untied funds flow to the Panchayats. But Panchayats need to develop capacity to exercise effective control over what has been devolved to them. It may be mentioned here that there is now consensus among all the stakeholders for giving more responsibility to Panchayats, and encourage participation of the people.

Panchayat members also need to take initiative, and overcome reluctance to find new avenue for sources to generate own revenues. At the same time, the states too would have to give them different sources or greater share in the sources. There has to be awareness and exposure among Panchayat members to move forward in this regard. A comprehensive capacity building strategy and plan would be helpful. Both the central and the state governments have done this in the past and they may have to continue doing this in future as well.

The central and the state governments would also have to ensure that requisite infrastructure including the technology programmes is available at the grassroots level. There is also need to tailor government rules, administrative structures and procedures so that the local bodies have the necessary wherewithal to carry out their mandated duties.

Check Your Progress 2

Note: i) Use the space given below for your answer.

ii) Check your answer with those given at the end of the unit.

- 1) What are the salient features of the Andhra Pradesh Panchayati Raj Act, 1994?

.....

.....

.....

.....

2) Examine the working of Panchayati Raj Institutions in Kerala.

.....
.....
.....

Legislative Framework:
The Constitution
(Seventy-third
Amendment) Act, 1992 and
Conformative Legislation

3.8 CONCLUSION

The 73rd CAA was promulgated with the aim of making PRIs the institution of local self-government, so that people can shape their destiny themselves. It had noble objectives. However, both endogenous and exogenous factors hampered the growth of these institutions. Political apathy towards these institutions was a major reason that the Panchayats could never do the socio-economic planning in the manner that they were supposed to do. Devolution of funds, functions and functionaries was not adequate. At the same time, it is also true that not all the states faced these problems. In fact, some states took steps, which conformed to democratic decentralisation in the spirit. States such as Kerala and Madhya Pradesh have placed line departments in several sectors under the control of local bodies, a factor that has contributed to the resilience of their decentralisation initiatives.

People's Plan in Kerala was a very good initiative, which made the PRIs more effective in the state. The evidences from the states like Kerala, Madhya Pradesh, Karnataka and West Bengal, indicate that the transfer of funds, functions and functionaries is the key to more successful decentralisation. However, changes in the statutes and rules may accompany such efforts to strengthen the local self-government.

3.9 GLOSSARY

Clout: It refers to influence and power. In the political context, it usually means that political leaders communicate a sense of power or influence.

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3.11 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) Your answer should include the following points:
 - For your answer, refer to Section 3.4 (ii)
- 2) Your answer should include the following points:
 - For your answer, refer to Section 3.4 (iv)

Check Your Progress 2

- 1) Your answer should include the following points:
 - For your answer, refer to Section 3.5
- 2) Your answer should include the following points:
 - For your answer, refer Section 3.6

Subject-wise status of Devolution by States
(Tata Institute of Social Sciences Devolution Study 2015-1)

S. No.	Matters listed in Eleventh Schedule (read with Article 243G) of the Constitution	Name of the States covered under Part-IX of the Constitution																											
		Andhra Pradesh	Assam	Bihar*	Chhattisgarh	Goa	Gujarat	Haryana	Himachal Pradesh	Jammu & Kashmir	Jharkhand	Karnataka	Kerala	Madhya Pradesh	Maharashtra	Manipur	Odisha	Punjab	Rajasthan	Sikkim	Tamil Nadu	Telangana	Tripura	Uttar Pradesh	Uttarakhand	West Bengal			
1	Agriculture, including agricultural extension.	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y			
2	Land improvement, implementation of land reforms, land consolidation and soil conservation.	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	N	N	Y	Y	N	Y	Y	Y	Y	N	Y	N	Y			
3	Minor irrigation, water management and watershed development.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y			
4	Animal husbandry, dairying and poultry.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y			
5	Fisheries.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y			
6	Social forestry and farm forestry.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	N	Y			
7	Minor forest produce.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	N	Y			
8	Small scale industries, including food processing industries.	Y	Y	N	Y	N	N	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	Y	Y	Y	N	Y	Y	N	Y			
9	Khadi, village and cottage industries.	Y	Y	Y	Y	N	N	Y	Y	Y	N	Y	Y	Y	Y	N	N	N	Y	Y	Y	N	N	Y	N	Y			
10	Rural housing.	Y	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y			
11	Drinking water.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y			
12	Fuel and fodder.	Y	Y	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N	Y	Y	Y	N	N	Y	N	Y			
13	Roads, culverts, bridges, ferries, waterways and other means of communication.	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	Y	Y	Y	N	Y	Y	N	Y			
14	Rural electrification, including distribution of electricity.	Y	Y	Y	Y	N	N	Y	Y	N	N	Y	Y	N	N	N	N	N	Y	Y	Y	N	N	Y	N	Y			
15	Non-conventional energy sources.	Y	N	Y	Y	N	N	Y	Y	N	N	Y	Y	N	Y	N	Y	N	Y	Y	Y	Y	N	N	Y	N	Y		
16	Poverty alleviation programme.	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y			
17	Education, including primary and secondary schools.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
18	Technical training and vocational education.	Y	N	N	N	N	N	Y	Y	Y	N	Y	Y	N	N	N	N	N	Y	Y	Y	N	N	Y	N	N			
19	Adult and non-formal education.	Y	Y	N	N	N	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	N	Y	Y	Y	N	N	Y	N	Y			
20	Libraries.	Y	N	N	N	N	N	Y	Y	N	N	Y	Y	Y	Y	N	N	Y	N	Y	Y	N	N	N	N	Y			
21	Cultural activities.	Y	N	Y	N	N	Y	Y	Y	N	Y	Y	Y	N	Y	N	N	Y	N	Y	Y	N	N	Y	N	Y			
22	Markets and fairs.	Y	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y		
23	Health and sanitation, including hospitals, primary health centres and dispensaries.	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y			
24	Family welfare.	N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y			
25	Women and child development.	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y			
26	Social welfare, including welfare of the handicapped and mentally retarded.	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	N	Y			
27	Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.	N	N	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	N	Y			
28	Public distribution system.	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N	Y	Y	Y	N	N	Y	Y	Y			
29	Maintenance of community assets.	N	N	N	N	N	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	N	N	Y	Y	N	N	Y	N	Y			
	Total No. of Subjects	25	21	17	20	0	21	29	29	24	18	29	29	14	24	5	21	9	25	29	28	14	12	26	11	28			

Y stands for Yes, N stands for No

Source: Ministry of Panchayati Raj

UNIT 4 PANCHAYAT ELECTION*

Structure

- 4.0 Objectives
- 4.1 Introduction
- 4.2 Panchayat Elections : Origin and Significance
- 4.3 Elections of Panches and Sarpanch
- 4.4 Reservation of Seats
- 4.5 Elections for Panchayat Samiti and Zilla Parishad
- 4.6 Role of State Election Commission
- 4.7 Conclusion
- 4.8 Glossary
- 4.9 References
- 4.10 Answers to Check Your Progress Exercises

4.0 OBJECTIVES

After studying this Unit, you should be able to:

- Describe the significance of Panchayat elections;
- Explain the process of Panchayat elections;
- Discuss the problems and issues in elections; and
- Highlight the role of State Election Commission.

4.1 INTRODUCTION

Timely, free and fair Panchayat elections are an essential prerequisite for the effective democratic functioning of the Panchayati Raj Institutions (PRIs) to bring transparency in the local self-government.

India has perhaps the longest tradition of village self-government system in the world and roots of the Panchayat system can be traced to as far back as 3000 B.C., i.e. the period of Indus Valley Civilisation. In the rural areas, there has not been any attempt to establish a formal setup of local government for quite a long time. After a number of reforms in the current era, we now have a systematic arrangement for the elections to PRIs. There are 31.65 lakh elected representatives and 14.53 lakh elected women representatives in Gram/Intermediate/District Panchayats. In this regard, we have 659 District Panchayats, 6,829 Intermediate Panchayats (Panchayat Samitis,) 2,55,487 Village Panchayats and 16,067 traditional bodies in rural India (Ministry of Panchayati Raj, Annual Report 20-21). In this regard, the State Election Commission is responsible for superintendence, direction and control of the

* Contributed by Prof. Swinder Singh, USOL, Panjab University, Chandigarh

preparation of electoral rolls for, and the conduct of, all elections to the Panchayats. It is to be noted that as per Article 243 M of the Constitution, there are some states/parts of states, which are not covered under Part-IX of the Constitution, hence provisions of Panchayats are not applicable in these areas. In this Unit, we will focus on the issues and process of elections to Panchayati Raj Institutions. A brief overview of the role of State Election Commission, in this regard, will also be made.

4.2 PANCHAYAT ELECTIONS: ORIGIN AND SIGNIFICANCE

As a part of the modern-day democratic process, an election may be defined as a “formal group for decision-making”, in which a group of people or a part of the population vote to choose their representative for some office or some public post. Before the introduction of modern election system, there used to be a system of partial democracy or indirect elections. With the advancement of civilisation, expansion of education, realisation of the benefits of democratic processes, better awareness of their rights by the people, and so on, the system of direct elections is now quite common at various levels of the government. The system of elections to the local bodies by the people of a city or a village is well accepted routine procedure to elect their representatives.

As indicated above, in India, we had an ancient tradition of village Panchayats which continued to work over the centuries without perishing, even due to numerous foreign invades and various changes of regimes. The village Panchayat “was rarely representative of the village as a whole. It might be drawn from the members of the founding families, or from the Brahmins and superior cultivators. The menials and landless men had almost no say in its affairs, except perhaps in south India where Panchayats were often made up of a representative of each of the constituent communities of the village including the Shudras, but probably not pariahs” (Tinker, 1967).

It was only during the British period that the inclusion of some element of people’s representatives was introduced, that too for the urban local bodies. In fact, till 1882, the period was marked with the development of local government institutions in India, with the prime motive of giving relief to the imperial finances and serving the British interest rather than promoting the self-governing or democratically elected bodies in the country. It was the visionary viceroy, Lord Ripon who brought about a landmark resolution in 1882, and which made him be regarded as the Father of Local Self-Government in India. Besides, his other recommendations to strengthen the system of local government, he recommended the introduction of elections to the local bodies, which paved the way for democratisation and which eventually became a feature of rural local bodies too. Thereafter, it was in 1909 that there appeared a strong advocacy for self-governing village Panchayats with elected representatives. The Royal Commission on Decentralisation made this significant recommendation, “foundation of any stable edifice which shall associate the people with administration of the village” and urged the government to constitute the village

Panchayats for administering local affairs. A further boost came after the Dyarchy and provincial autonomy in 1919 when some Panchayat legislations were made in a number of states. The Punjab Gram Panchayat Act was passed in 1921, which included the provisions for Panchayat elections. However, till the making of the Indian Constitution, the provisions for democratically elected rural local bodies were more in papers than in reality.

It was after the adoption of the Constitution, and after the implementation of recommendations of the Balwantrai Mehta Committee that the system of Panchayat election got formalised in most of the states. The Mehta team recommended the scheme of 'Democratic Decentralisation', which included the system of direct elections to Gram Panchayats and indirect elections for Block Samitis and Zilla Parishads.

4.3 ELECTION OF PANCHES AND SARPANCH

Regarding the size of Panchayats, the Mehta Report did not specify the population of a Panchayat area. The Second Conference of Local Government recommended that each Panchayat should serve a population of 1000 to 1500. Despite this recommendation, each state adopted a separate pattern of its own. In fact, the size and population of each Panchayat is bound to differ owing to a variety of factors. To mention a few of them, which are: (i) density of population, (ii) topographical conditions, and (iii) policy of the political party in power. For instance, Kerala and Tamil Nadu, where the density of population is very high, have Panchayats with population many times larger than the figure that Local Self-Government Ministers Conference had recommended. The size also exceeds the limits suggested by the Committee on Panchayati Raj Elections (1965), and the Administrative Reforms Commission on State Administration (1969).

Currently, a Panchayat is constituted for a revenue village with a population ranging between 200 to 50,000 or even more. In Punjab the minimum requirement is 200, in Haryana and HP the same is 500 and 1000 respectively. In Uttar Pradesh, it is constituted for a minimum population of 1000 and there the average GP population is 2400, in West Bengal a Panchayat is constituted for a minimum population of 1100 and the maximum is 48000, whereas in Kerala there are Panchayats for a bigger population with an average of 24000 and there are 29 Panchayats with a population of over 40,000 and four with more than 50,000 population. In Karnataka, the average GP is having a population of 5300, whereas the same for Maharashtra is 2000 (Panchayat.gov.in). It is generally suggested that the size of a Panchayat should be apt to facilitate people's participation. But some of the scholars do not seem to be satisfied with this. Even Asoka Mehta Committee suggested that the balance between technical requirements and possibilities for meaningful participation by the people in development can be best achieved by grouping a number of villages to constitute Mandal Panchayats. These would not only ensure economic viability but will also enable the people's representatives to exercise democratic supervision over a large number of micro-projects.

The composition of Panchayats in various states does not conform to one single uniform pattern as discussed earlier. A Gram Panchayat consists of some Panches and one Sarpanch. The number of members of a Panchayat in Punjab varies from 5 to 13, depending upon the population. Earlier, Haryana provided for the smallest number (5 to 9) in the country. However, the 1994 Act of Haryana raised it to '6 to 20' Panches and a Sarpanch. In comparison to Punjab and Haryana, the states of West Bengal, Orissa and Madhya Pradesh have, in general, provided for large numbers with a membership ranging from 5-30, 11-15 and 10-20 respectively. In Goa the size was 4-10, the average for the country being 15 (till recently). The actual number of members of Panchayats may be determined by the Deputy Commissioner or as provided in the Act.

In view of the wide disparities in the composition of the Panchayats, the Study Team on Panchayati Raj Elections has recommended that the size of the Panchayat should not be less than 9 and not more than 19.

Discussing the composition of village Panchayats, Henry Maddick very rightly pointed out that large bodies are usually undesirable at any level and even more so at the village level, where direct responsibility of each Panch to the Gram Sabha might well be blurred. On the other hand, the danger of a very small body, say of 5 or 6 members (as in Punjab and Haryana), is that it might easily be dominated by a single individual or a clique. Thus, the range of 9 to 19 as suggested by the Committee on Panchayati Raj Election should meet most situations, and seems to be reasonable.

Elections to the Panchayats are held either on the basis of a total village electorate or on the basis of ward-wise division of the electorate. Under the first arrangement, the members of the Panchayats are elected by the whole village. The Panchayat area is made a multi-member constituency. Those candidates, who get the highest number of votes are declared elected. This method has been followed in Punjab. In Haryana, the ward system has been adopted after the 1994 legislation. Other states following the first system are Assam, Jammu and Kashmir. Under the second system for the purpose of election, some states divide the Panchayats into small constituencies known as wards. This system has merit in the sense that it affords fair and equal representation to every locality.

The Panchayat is elected by the Gram Sabha by the system of a secret ballot in all states. Earlier a few states had adopted the practice of electing the members of Panchayats by show of hands, but their experiences have compelled them to discard this practice of elections. On this count, the Fourth Evaluation Report of the Programme Evaluation Organisation rightly commented, "Under this system, free exercise of preference is not always possible. Thus, a landless member of the scheduled caste would hesitate to express himself openly against a substantial cultivator with whom he may be under obligation or whom he dare not annoy. This system aggravates group tensions because group preferences have to be openly declared and the rival groups meet face to face".

Election of Sarpanch

As already stated, the Panchayat constitutes a few Panches and a Sarpanch. In fact, the kingpin of the Panchayat is the Sarpanch, who is assisted by the Up-Sarpanch (in some states).

In Punjab, Haryana and H.P., Sarpanch and Panches are directly elected. The Punjab Gram Panchayat Act, 1952 originally provided to hold the election of Sarpanch indirectly from amongst the Panches. This mode of election continued upto 1960 when a provision was made to hold the election from the members of Gram Sabha. Since then in Punjab, the election of the Sarpanch, i.e. whether he should be elected directly or indirectly, has remained a subject of controversy. In 1971, on the recommendations of the Parkash Singh Badal Committee, the state switched over to the indirect election of the Sarpanch. However, in 1972, the government again reverted to the old mode of direct election for the office of the Sarpanch.

The Himachal Panchayati Raj Act, 1994 provides for directly elected Up-Pradhan, whereas Haryana Act provides for indirectly elected Up-Sarpanch.

In view of the importance of the role played by the Sarpanch, a controversy regarding his election arose in many other states also. Andhra is one of them. Various studies conducted by the scholars and a number of study teams appointed by the government examined both the systems but, failed to make a mutually agreed solution. With the result, the confusion stood all the more confounded for a long time. The committee on Panchayati Raj Election studied the mode of election and recommended the direct election of the Sarpanch by all the voters of the village. The committee advanced the argument that in the first place direct election is apt to return an all village leader who will rise above particular cliques and factions and see the village as a single entity; and secondly, it would ensure proper representation of the village as a whole in the Panchayat Samiti through ex-officio membership. Similarly, it has been pointed out that in the interests of administrative efficiency and political expediency, it becomes all the more important, that the command of each village should be vested in one single individual who should not only be the ablest of all but, should also be motivated by the high ideals of service of the village community. At the same time, he should also command the confidence of the village population. The direct election can provide such a leader. It is further argued that one who is to bear the main responsibility of the development of the village, must also be assured of a certain fixed tenure of office and he must not be left to the mercy of the ever-shifting winds of political majority and minority, which the indirect method is likely to do. Similarly, the Sadiq Ali Committee argued that once elected by the whole village and knowing fully well that he/she is to continue in office for the full term, a 'Sarpanch' would devote his heart and soul to the work of the institution he heads.

Equally strong arguments have been given by the advocates of the indirect system. They opine that direct election of the 'Sarpanch' militates against the basic concept of a participative democracy, which presupposes the active and enthusiastic participation of the whole mass of the population of the village.

Appleby has observed, "The prime essential to effective democracy is that it should be so formed as to be subject to some influence by anybody". The experience shows that a directly elected Sarpanch, is an anti-thesis to such a concept of democracy, for he develops a tendency to monopolise the entire power of the village and willfully ignores, his other colleagues, thereby, obstructing the emergence of collective functioning of the Panchayat. It has also been pointed out that if the entire membership of the Panchayat is directly elected by the people every member asserts his supremacy over the other, making the smooth functioning of Panchayat difficult.

Both Punjab and Haryana have been encouraging the rural population to adopt the philosophy of 'election by consensus'. In Punjab, the beginning was made by the Akali government in 1978. The scheme was introduced to reward such villages by giving Rs. 5,000 to each village as development grant, which elected their Panchayats unanimously. Another Rs. 2000 was offered to each village, that elected Harijan Sarpanch. As many as 4129 (38.9 percent) Panchayats were elected unanimously out of the total of 10,611 in 1978. During the Panchayat elections of 1983, as many as 3053 (27.41%) Panchayat selected Panchayats unanimously out of 10955 Panchayats. Fifty-three Sarpanches were also elected unanimously.

The experience shows that it is neither possible to keep the parties completely out of the village politics nor in a genuine spirit of unanimity and consensus can be created. Happily enough, a realisation of this effect had begun and Panchayat elections were keenly contested. Such a realisation was very well expressed by Asoka Mehta Committee in its report on Panchayati Raj Institutions. The Committee opined, "Participation of political parties in Panchayati Raj elections would ensure clearer orientation towards development programme and facilitate healthier linkages with the higher-level political process. Direct elections coupled with programme based contests, would offer great scope to weaker sections for availing of the opportunities offered by the political system.

4.4 RESERVATION OF SEATS

As provided in the Constitution Amendment Act 1992, seats are to be reserved for Scheduled Castes and Scheduled Tribes in every Panchayat in proportion to their population in the Panchayat area and one-third of these reserved seats are meant for SC/ST women. Of the total seats, at least one-third is to be reserved for women, including those of SC/ST women. As per the Act, further reservations can be made for backward classes. In the light of this, almost all the state governments have made a provision for reservation. The Punjab Panchayati Raj Act, 1994 and the similar Acts in Haryana and H.P. include the similar provisions for reservation, in the following manner:

- i) At least $\frac{1}{3}$ rd seats of SC/ST
- ii) At least $\frac{1}{3}$ rd seats for women (including SC/ST women)
- iii) 1 Seat for BCs

Prior to this, there was a system of 'co-option' of members of SC/ST and women. Although this was in operation on the basis of recommendations made by various committees/study teams, it was not working well in a number of states. It has been pointed out in certain quarters that co-option is a dilution of the democratic process. The study conducted by S. Bhatnagar on Panchayati Raj in Kangra (H.P.), clearly indicated "co-option had destroyed the sense of initiative of scheduled castes and women". In fact, most of the members of this vulnerable section had come to believe that they could get into the governing councils by means of co-optation. They need not contest at all. And by not contesting, they would avoid the displeasure of high castes. The study further shows that in most of the cases, the provision of co-optation had been exploited to the detriment of the general masses by the vested interests among the scheduled castes themselves. Some other scholars have opined that the scheme of co-optation has failed to politically socialise under-developed sections of the citizenry to a greater extent, rather, it has perpetuated the vested interests to some extent. To Iqbal Narain and P.C. Mathur, "Co-optation has not resulted in the election of specialists or experts, especially at the Panchayat Samiti Level. The co-opted members do not take an active interest in the affairs of Panchayat/Panchayat Samiti. They have been more or less, silent spectators or have toed the line of the dominant group.

Check Your Progress 1

Note: i) Use the space given below for your answer.

ii) Check your answer with those given at the end of the unit.

- 1) Write a note on election of Panches and Sarpanch in rural India.

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- 2) What are the benefits of secret ballot system?

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4.5 ELECTIONS FOR PANCHAYAT SAMITI AND ZILLA PARISHAD

i) Panchayat Samiti

Before the 73rd Constitutional Amendment Act, 1992 came into force, the composition of Panchayat Samiti was not similar in all the states. The membership of a Panchayat Samiti could broadly be classified into four categories: (i) Primary members; (ii) Associate members; (iii) Co-opted members; and (iv) Ex-Officio members.

In fact, the major variants in this respect were between states, which relied solely or heavily on ex-officio membership of Sarpanches and those who had devised some system of election, say direct or indirect.

The 73rd Constitutional Amendment Act, 1992 however, provided for some directly elected members at intermediate and district level, which has been adopted by the state governments by amending their respective Acts. The Punjab Panchayati Raj Act, 1994 provides that every Panchayat Samiti shall consist of :

- a) Directly elected members
- b) Representatives of Sarpanches
- c) MLAs
- d) MLC, if any.

The Act provides for six to ten (6-10) directly elected members, at a rate of one member for every fifteen thousand population or part thereof the Panchayat Samiti area. It provides that up to 90,000 population there shall be six members, and in a Samiti area having a population of more than one lakh fifty thousand, the maximum number shall be ten. Each member shall be elected from the territorial constituencies in the samiti area - each to be having a roughly equal population.

The second category of members includes, representatives of Sarpanches directly elected by them from amongst the Sarpanches of the Gram Panchayats in the Samiti area. The number of this category of members, depends upon the ratio (40:60) of the first and the second category of members, i.e. the ratio of the directly elected members and that of representatives of Sarpanches.

In the third category fall the members of the Legislative Assembly of the state of Punjab, a major portion of whose constituency falls in the Panchayat Samiti area. And lastly, it includes members of the, Legislative Council of the State, if any, who are registered as electors within the Panchayat Samiti area.

The Haryana Panchayati Raj Act, 1994 provides for the following composition of a Panchayati Samiti:

- a) 10-30 directly elected members at the scale of one member for every four thousand population or part thereof, of Panchayat Samiti area having population upto 40000 (but a minimum of 10 members) and one member for every five thousand population after that ;
- b) MLA representing that particular constituency; and
- c) Sarpanches of the Gram Panchayat within the jurisdiction of the Panchayat Samiti equal to 1/5 of the directly elected members, out of (a) above.

In Himachal Pradesh, the new Act provides for the following composition:

- a) 15-40 directly elected members at a rate of one member for every three thousand population;
- b) MPs and MLAs representing the constituencies; and
- c) One-fifth of the Pradhans (Sarpanches of Gram Panchayats in the Samiti area, by rotation for a prescribed period).

ii) Zilla Parishad

Membership of Zilla Parishad has been designed in such a way so as to link it organically with the intermediate level of Panchayati Raj on the one hand, and with the State Legislature and the national parliament at the upper level on the other hand. In fact, the following broad categories of membership is provided in the Zilla Parishad, but position varies from state to state.

In all the states where Panchayati Raj is in operation, the intermediate tier is represented the Zilla Parishad through their Chairmen. That is to say, the Chairman of every Panchayat Samiti is represented in its ex-officio capacity by virtue of the office held by her/ him, with the right to vote. This practice is followed in Assam, Andhra, Arunachal Pradesh and Tripura. In Goa, Sikkim and Manipur, the Chairperson of the lower tier is a member of the district body, being having a two-tier system on having a population below 20 lakh each.

In Punjab, besides the Chairman, some additional members of the Panchayat Samiti are chosen for the Zilla Parishad.

All the states have provided directly elected members to the Zilla Parishad. The Punjab Act provides that the Zilla Parishad shall consists of the following members :

- a) 10 to 25 directly elected members from territorial constituents in the district, each constituency of roughly fifty thousand population electing one member, that is minimum of 10 members for population upto 5 Lakhs, and maximum of 25 members for population above 12 Lakhs;
- b) all Chairmen of Panchayat Samitis;
- c) the members of Lok Sabha and the MLAs representing a part or whole of the district; and
- d) the members of the Rajya Sabha, and the members of the State Legislative Council, if any, who are registered as electors within the district.

All the members have the right to vote in the meetings, except for the election of Chairman and Vice-Chairman where only (a) and (b) of above have this right.

In Haryana, the number of directly elected members is 10 to 30 at the rate of one member for forty thousand population constituting of wards. The Himachal Pradesh Act of 1994 provides for directly elected members at the rate of one member for every twenty thousand population, subject to a minimum of ten members. In both these states other categories of members are similar to that of Punjab, except that in Haryana, MLAs have not been associated.

Reservation of Seats

In place of co-option, the legislations after the constitutional amendments provide for a system of reservation of seats on the pattern of the other two tiers. As in the case of Panchayat Samiti, the number of seats reserved for the SCs is equal to the percentage of SC population in the area. One-third of these reserved seats are for SC women. In case not less than 20 per cent of the population of the District is that of Backward Classes (BCs), one seat is to be for the BCs. At least 1/3rd of all seats are for women, including that for SC women.

4.6 ROLE OF STATE ELECTION COMMISSION

In order to conduct the elections for the local bodies including the Panchayati Raj Institutions, the State Election Commission (SEC) in each state has been constituted to assure free and fair elections. For this purpose, the Commission is required to undertake a large number of functions and related activities. For all these functions, the authority is vested in the SEC under Article 243K, under which it has been empowered with superintendence, direction and control of elections of local bodies. The following functions are being undertaken in most of the states:

- i) **Preparation of Electoral Rolls:** For every Panchayat and Municipality there is an electoral roll, which is prepared under the superintendence, direction and control of the SEC. The electoral roll for each constituency is prepared in the prescribed manner, and comes into force in accordance with the rules made under the Act. The Electoral Rolls for every Constituency is revised:
 - a) before every general election; and
 - b) before every bye-election to fill a casual vacancy.
- ii) **Appointment of Dates for Nominations, etc.:** As soon as the notification calling upon a constituency to elect a member is issued, the SEC appoints:
 - a) The last date for making nominations, which is the seventh day after the date of publication of the first-mentioned notification and in case of public holiday, the next succeeding day, that is, not a public holiday;
 - b) The date for the scrutiny of nominations for election;
 - c) The last date for the withdrawal of candidature by the candidate;
 - d) The date when a poll has to be taken; and
 - e) The last date, before which the election is to be completed.
- iii) **Public Notice of Election:** On the issue of a notification, the Returning Officer gives public notice of the intended election, inviting nominations of candidates for election and specifying the place at which the nomination papers will be delivered.
- iv) **Nomination of Candidates for Election:** Any citizen may be nominated as a candidate for election to fill a seat, if s/he is qualified.
- v) **Publication of List of Contesting Candidates:** After, the expiry of the period within which candidatures are withdrawn, the Returning Officer prepares and publishes a list of contesting candidates, the list of validly nominated candidates; and not withdrawn their candidatures within the laid period. The list contains the names in alphabetical order and the addresses of the contesting candidates, as given in the nomination papers, which were together with other particulars.
- vi) **Fixing Time for Poll:** The SEC fixes the hours during which the poll will be conducted, and the fixed hours are published. The period allotted for polling at an election cannot be less than eight hours a day.

- vii) **Adjournment of Poll in Emergencies:** If the proceedings at any polling station are interrupted or obstructed, the Presiding Officer may announce an adjournment of the poll under his/her jurisdiction.
- viii) **Counting of Votes:** After every election of Panchayat or Municipality, votes are counted under the supervision and direction of the Returning Officer.

There is also a provision for an Election Tribunal, which may provide quick relief in case of any election dispute.

In any election, a number of problems are generally reported, which may range from poor administrative arrangements, lack of awareness among the people, or a few corrupt practices. Some of the corrupt practices, generally reported, are: influencing the voters through various means, booth capturing, bribery, promotion of false promises, making illegal statements, creating feelings of hatred or enmity, appeal by the candidate to vote against some candidate or asking the voters to refrain from voting, publications of false statements for the furtherance of election prospects of the candidate or against other candidates, hiring or procuring of vehicles by a candidate or his agent to provide free conveyance to the voters and so on. The Election Commissions and the concerned election officials have the duty to check such corrupt practices in order to conduct free and fair elections.

Check Your Progress 2

Note: i) Use the space given below for your answer.

ii) Check your answer with those given at the end of the unit.

- 1) What are the two basic objectives of the State Election Commission?

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- 2) Write any four basic problems in Panchayat elections.

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4.7 CONCLUSION

The founding fathers of our Constitution ensured the establishment of a representative and participatory democracy, whilst the creation of universal adult franchise through voting (Article 326) which was further strengthened by the

inception of Articles 243K and 243ZA i.e. election to Local Bodies (Panchayats and Municipalities). This is in sharp contrast to the absence of the election system in the ancient and medieval period, wherein the system of decision-making used to be in the hands of dominant sections or with the selected few. With the Constitutional Amendments of the 1990s, a number of reforms have been made including that of conducting timely elections for the local government regularly and assuring free and fair elections. For this purpose, the State Election Commissions have been established by the state governments with the responsibility of superintendence and controlling the entire election process for the Panchayats and Municipalities. Earlier common delays in the conduct of elections are now rare due to the new constitutional provisions, and the control by State Election Commissions. Currently, in almost all the states, there is a system of direct elections for the local bodies including all the units of PRIs. However, for the Panchayat Samitis and Zilla Parishads, there is a combination of directly elected members and other members. The conduct of elections has never been an easy task in India. There have been a number of common problems and corrupt practices in local elections for which regular endeavours are made by the SECs and the election authorities.

4.8 GLOSSARY

Electoral Roll:	It refers to a compilation that lists persons who are entitled to vote for a particular election in a particular jurisdiction in the constituency.
Polling officer:	S/he is an official responsible for the systematic and smooth polling process.
Returning Officer:	An official performing the duty for the overall conduct of elections in the constituency.

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4.10 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) Your answer should include the following points:
 - For your answer, refer to Section 4.3
- 2) Your answer should include the following points:
 - More likely to be fair and fewer chances of dominance of the powerful leaders.

Check Your Progress 2

- 1) Your answer should include the following points:
 - To hold regular elections, and
 - To assure free and fair elections.
- 2) Your answer should include the following points:
 - Dominance by big landlords,
 - Casteism,
 - Communalism, and
 - Low awareness among rural folks, poverty and illiteracy.

UNIT 5 DECENTRALISED PLANNING*

Structure

- 5.0 Objectives
- 5.1 Introduction
- 5.2 Decentralised Planning
- 5.3 Gram Panchayat Development Plan
- 5.4 Gram Panchayat Development Plan: Implementation and Monitoring
- 5.5 Development Plans: Block Panchayat Development Plan and District Panchayat Development Plan
- 5.6 Conclusion
- 5.7 Glossary
- 5.8 References
- 5.9 Answers to Check Your Progress Exercises

5.0 OBJECTIVES

After studying this Unit, you should be able to:

- Explain the need and significance of decentralised planning;
- Highlight the major objectives and advantages of the Gram Panchayat Development Plan; and
- Explain the need for preparing Block Panchayat Development Plan and District Panchayat Development Plan, and analyse the role of Block Panchayat, District Panchayat, and District Planning Committee in preparation of these plans.

5.1 INTRODUCTION

The Panchayati Raj Institutions (PRIs) have been pivotal in strengthening the grassroots level democracy with participatory planning. Here, the Rural Local Governance plays an important role in planning for economic development and social justice. In this context decentralised planning is very significant, which paves the way for preparing need-based plans with joint efforts of the elected representatives of the PRIs, administrators and local citizens. The PRIs are contributing in effective planning for efficient and responsible utilisation of available resources. Even, Article 243G of the Constitution of India acknowledges Panchayats as institutions of Local Self-Government in rural areas, and mandates them to prepare plans for economic development and social justice. In view of the above, an efficient and robust planning process as part of the Gram Panchayat's (GP's) core functioning is necessary for effective implementation

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and development. In this Unit, our major focus will be on decentralised planning; and major objectives, advantages, and necessary steps and processes, which need to be undertaken at the GP level for making a local need-based, participatory Gram Panchayat Development Plan (GPDP). This Unit will highlight the stakeholders who are associated with the GP planning process such as resource persons, functionaries, task forces, technical support groups, GP level committees, etc., that have been set up to assist in the participatory planning process at the GP level. In addition, study will explore the need and status of Block Panchayat Development Plan, District Panchayat Development Plan, and role of District Planning Committee in decentralised planning. In the subsequent section, we will discuss the need and significance of decentralised planning.

5.2 DECENTRALISED PLANNING

In this Unit, we will use the terms decentralised planning and participatory planning interchangeably. It is an approach and a methodology that assists the community to identify the major problems and plan necessary measures accordingly with active people's participation. The decentralisation of powers can be one of the best ways of radically restructuring an over-centralised system of planning. It is proven fact that centralisation had made the common man over-dependent and apathetic towards the government programmes meant for her/his own welfare and development. However, decentralisation resulted in empowering Gram Sabha and rural people, promoting people's participation in planning, and capacity building of political leaders. The village members have participated in the planning of rural development programmes and its monitoring, supervision and evaluation through the Gram Sabha. Now, they will be the stakeholders to prepare the Gram Panchayat Development Plan (GPDP). It is to be noted that one of the unique features of the decentralised planning is the involvement of all sections of society in planning for Sabka Saath, Sabka Vikas, Sabka Vishwas and Sabka Prayas, which reflects inclusive growth through collective efforts.

In India, decentralisation of the planning process has acquired considerable significance due to the 73rd and 74th Constitutional Amendment Acts. The 74th Amendment mandated the consolidation of the three-tier Panchayats' plans into the District Development Plan, which is the responsibility of the District Planning Committee (DPC). Hence, the DPC consolidates the three-tier Panchayats' plans; and the plans of the Urban Local bodies into a comprehensive District Plan in such a way that the rural and urban plans get integrated into it, yet they can remain intact and independent as plans of the rural and urban institutions of the Local Government.

The Planning Commission had issued guidelines for decentralised planning in 2006 and these were to be operationalised in the Eleventh Five-Year Plan period. In practice, the DPCs have not been fully operationalised in certain areas. In the earlier years of planning, centralised top-down planning resulted in multiple programmes without an integrated vision, reflecting priorities that were not even relevant to local needs. The Ministry of Panchayati Raj in its roadmap (2011-16) highlights, "The much-needed convergence of related schemes and resources is

possible only through the mechanism of constitutionally mandated decentralised and holistic planning through Local bodies and the District Planning Committees (DPCs).” The Ministry has been striving for capacity building of the PRIs by promoting decentralised participatory planning in a convergent and effective manner. However, decentralisation through the PRIs in the formulation of plans for economic development and social justice as well as their implementation is in the interest of efficient utilisation of resources, and for ensuring more equitable sharing of benefit from development. The planners have realised that the people’s participation in the planning process is essential to achieve the targets, and the participation of the people can be achieved only if planning is carried out at the grassroots level.

The Gram Panchayat (GP) is responsible for delivery of basic services to rural local citizens, and addressing the vulnerabilities of poor and marginalised sections of society, which can be achieved through the effective implementation of effective plans and efficient utilisation of resources. Consequently, an efficient and robust planning process as part of the GP’s core functioning becomes necessary. In this context, the GPDP is expected to match local peoples’ needs and priorities with available resources. It needs to be prepared in a fair, inclusive, and transparent manner through a participatory process. The major focus remains on local development issues, local perception of need and priority, local analysis of problems and solutions, and mobilisation of local resources. It has been observed that several initiatives have been taken by the State and the Central Government to encourage a participatory planning process at the grassroots level. In this process, various challenges such as resource constraints, vested interests, inadequate facilitation, and lack of capacity have hindered the pace of decentralisation in rural India. To overcome the challenge of resource constraints, the XIV Finance Commission (FFC) has awarded a grant of Rs. 2,00,292.20 crore exclusively for the Gram Panchayats, especially for planning and delivering basic services as mandated to them. As per the allocation of the Commission for 2020-21, an amount of Rs. 60,750 crores is allocated for all three-tiers of the Panchayats, that are Gram Panchayat, Intermediate Panchayat, and District Panchayat with half of the funds tied to drinking water and sanitation; and the balance to be utilised as per the needs of the local people. Grants to all tiers of the PRIs, enable the pooling of resources across villages and blocks to create durable community assets and improve their functional viability for welfare and development. It is worth mentioning that in addition to this grant, the GPs are likely to get the amount from the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) also; and concerted efforts are being made as part of the Intensive Participatory Planning Exercise (IPPE) to bring about participatory planning for the determination of works and preparation of labour budgets under the leadership of Gram Panchayats. The Ministry of Rural Development Guidelines has mandated convergence of the MGNREGS and the National Rural Livelihood Mission (NRLM) along with FFC grants. Even, the State Finance Commission’s (SFC’s) transfers, Panchayat’s Own Source Revenues, and flows from other State and Centrally Sponsored Schemes contribute to proper planning and preparation of the GPDP. It has been observed that the Ministry of Finance has issued guidelines for the XIV FC grant, which insists on the preparation of plans at the GP level. Now, we will focus on the GPDP.

5.3 GRAM PANCHAYAT DEVELOPMENT PLAN

i) Gram Panchayat Development Plan: An Overview

The GPDP was institutionalised, during 2015-16, for comprehensive and convergent development planning. In this regard, process of the GPDP facilitates decentralised planning. It is to be noted that convergence of resources, available through various schemes of the Government of India and the State Government as well as Own-source Revenue provide necessary resources to the Gram Panchayats to chart their own need-based development plans through active participation of the Gram Sabha members. The guidelines of the Centrally Sponsored Schemes that are implemented at the GP level like MGNREGS, Swachh Bharat Mission (Gramin) [SBM (G)], etc., clearly insist on the preparation of plans at the GP level. The Ministry of Panchayati Raj has made the preparation of the GPDP a mandatory activity for the Gram Panchayats (GPs). In this regard, the Ministry had framed Model GPDP Guidelines in 2015 and subsequently, the new restructured comprehensive GPDP Guidelines 2018 were brought to light. Even, special emphasis was given by rolling out the People's Plan Campaign for greater emphasis on the GPDP preparation. "With renewed focus through multiple initiatives, more than 95% of GPs (2.56 lakh of the total 2.69 lakh GPs and TLBs) participated in the planning process and uploaded their plans on the eGramSwaraj portal (<https://egramswaraj.gov.in/>)" (Yadav and Bandyopadhyay, November 2021, p.39).

The major focus of the GPDP remains on the local development issues, peoples' perceptions of need and priority, analysis of local problems and solutions, and resource management. It is to be noted that the GP Development Plan should match peoples' needs and priorities with available resources. Its process has to be fair, inclusive, and transparent for effective planning.

The Fifteenth Finance Commission (FC-XV) has allocated "Rs. 2,36,805 crores for RLBs in 2021-26 of which 40% of the recommended grant will be allocated to untied grants and the remaining 60% as tied grants". In this context, the Untied grants can be used for needs under the 29 subjects, which are listed in the XIth Schedule of the Constitution of India, except for salaries and other establishment costs. However, under the Tied Grants, 30 percent of the total grants can be utilised for drinking water, water recycling, and rainwater harvesting; and 30 percent of the total grants to be used in rural areas for sanitation and maintenance of Open Defecation Free status. The Commission has recommended grants to all the tiers of Panchayats, and also traditional bodies of the Vth & VIth Schedule. In view of the economic development and social justice, such flow of funds to the Panchayats has provided an opportunity for effective decentralised planning at the village level. Almost all the states have decided to prepare the GPDP, and strengthen the support system, which is required to facilitate the preparation of the GPDP. Hence, these developments have created an opportunity and enabling environment for making local need-based and resource-linked GPDP a reality.

ii) GPDP: Major Objectives

The major objectives of the GPDP are to:

- Enable and engage the community members/Gram Sabha members in participatory planning and decision-making process;
- Ensure inclusion and welfare of the Scheduled Castes, Scheduled Tribes, and other marginalised sections of society, Other Backward Class, etc., in the formulation and implementation of the GPDP to ensure the provision of basic social goods and a life of dignity;
- Ensure identification of local resources, and addressing local needs through participatory planning and convergence;
- Ensure integrated and inclusive development of the rural areas, governed by the Gram Panchayats, towards infrastructure-oriented development; and socio-economic, and community development;
- Strengthen accountability measures at the grassroots level; and
- Improve efficiency and efficacy in public service delivery in rural local areas.

iii) Advantages of Gram Panchayat Level Planning

The process of GP level planning has the following advantages and benefits:

- Activates the Gram Sabha members to contribute effectively in the preparation of a plan.
- Contributes in establishing the GP as a local government in village/villages.
- Incorporates the peoples' needs and priorities into the plan, and has the potential of feeding into plans of higher tiers of governance.
- Adequately addresses local development issues raised by the community.
- Promotes demand-based convergence of resources for effective planning, and ensures value for money by focusing on felt needs.
- Enhances confidence in local people to contribute in planning through a participatory approach.
- Promotes efficient utilisation of human and natural resources at the local level.
- Provides a congenial environment for the integration of peoples' knowledge and wisdom into local development.
- Deals with and responds to differential needs of different groups – Antyodaya.
- Promotes responsive governance, and facilitates holistic local rural development.

iv) **GPDP: Significance of Enabling Environment, Campaign Mode, and a Slogan**

As a sizable number of the GPs are attempting the participatory planning process for the first time, therefore, there is an urgent need to create an enabling environment for mass mobilisation with a special focus on the centrality of the Panchayat Committee and Standing Committees in the planning process; and convergence of resources over which the GP has command.

Here, it is worth mentioning that the campaign mode has multiple dimensions like effective mobilisation of officials, creating ownership among the GP functionaries and citizens, and increasing resource mobilisation and people's participation in the planning process. It contributes in creating a learning environment for all stakeholders. In this regard, significant efforts are required to ensure a suitable slogan for the GPDP at the State level.

v) **Plan Cycle Preparation of GPDP**

It is a time-bound process, and the process cycle should be followed and completed within a stipulated time period.

The main components of the GPDP cycle are:

- A clear understanding of the GP functionaries and other stakeholders on the need and priorities for local level planning;
- Generate congenial environment and community mobilisation for the GPDP;
- Perform Situation Analysis and Need Assessment;
- Determine the number of resources;
- Motivate the Gram Sabha for collective visioning;
- Manage project development and plan finalisation;
- Evaluation and approval of the GPDP;
- Effective implementation of the GPDP; and
- Proper Monitoring and Evaluation Support System.

The process of preparation of the GPDP requires continuous facilitation and support of the government functionaries and stakeholders at the *State level* – Empowered Committee and State Resource Group; *District level* – State Institute of Rural Development/ Panchayati Raj Training Institute/ District Committee/ Resource/ Support Group, and District Planning Committee; *Block level* - Block Resource/ Support Group, Block Technical Support Group, Block level in charge Officer, and Block functionaries; and *Village level* - GP Committee, GP Task Force/ Support Teams/ Working Groups, GP functionaries and Line Department functionaries at the GP level, etc.

For effective planning, other necessary support arrangements include training of both elected representatives and functionaries; training of people within

the GP, who are involved in the planning process; development of handbooks, brochures, training films on various stages of the GPDP process; launch of media campaigns with a suitable slogan for creation of conducive environment; constitute professional support groups – technical committees, block level mobile teams, etc. for facilitation and handholding; and provision for IT support and helplines for need-based troubleshooting. In the ensuing sub section, we will explain the significant steps in the preparation of GPDP.

vi) **GPDP: Significant steps in Preparation**

Significant steps for the preparation of participatory GPDP are as follows:

a) **Panchayat Committee Meeting**

The Panchayat Committee meeting is convened to understand and initiate the GPDP process, and carry out the following tasks:

- Discuss letters, Government orders, circulars regarding GPDP;
- Discuss the development experience of the last five years in the GP meeting and the current development status of the GP with a focus on poverty, education, sanitation, water supply, public health, local economic development, issues of special groups/persons with disabilities/issues of SCs and STs/ aged persons/ children, etc.;
- Clear understanding of the resource envelope of the Panchayat to prepare the GPDP;
- Decide on different committees/ Working Groups, required to be constituted on the basis of the State GPDP guidelines;
- Decide on a specific local publicity campaign;
- Identification of issues to be discussed in the Gram Sabha; and
- Fix the date for the Gram Sabha meeting and strategy for environment generation to mobilise maximum participation of the Gram Sabha members.

b) **Initial Gram Sabha Meeting**

It is the first meeting, in the process of GPDP preparation, to:

- Introduce the GPDP and create awareness among rural local people about it;
- Receive approval for the constitution of the GPDP Committee/Working Groups;
- Form separate thematic groups to discuss development issues in the Gram Sabha; and
- Significant decisions to be taken by the GP Committee. In this regard, minutes need to be recorded along with the signature of the Gram Sabha members.

c) Situation Analysis

It is a process, through which the issues and the needs of the community and the gaps where intervention is needed are identified. It refers to the assessment of the development status of the GP, which can serve as the basis for setting priorities for the issues to be incorporated in the GPDP. In this context, for survey based primary data collection on existing situation and requirement, the GP can opt for doing household surveys through door-to-door visits using a structured format for the data collection on issues such as asset holding, occupation, income, education, health, and opinion on public service delivery.

d) Gram Panchayat Meeting

After the preparation of Draft Development Status Report (DSR) of the GPDP, the draft report has to be presented in the GP meeting at the earliest. In this manner, the Panchayat gets a basic idea about the community's needs and gaps. The draft DSR is approved by the GP Committee, before placing it in the Gram Sabha; and Gram Sabha mobilisation plan is decided in this meeting. In addition, the members ensure that the issues and solutions drawn from the situation analysis are holistic and people centric.

e) Gram Sabha for Visioning and Prioritisation

The Gram Sabha meeting is conducted after preparation of the draft DSR. This Status Report is finalised in the meeting, and the development issues are prioritised for the plans. The major objectives are to get approval for draft DSR by the Gram Sabha; prioritise issues and opinion of the Gram Sabha; and identify issues that will be addressed by other authorities/institutions.

f) Preparation of Draft Plan

A draft Plan is to be prepared on the basis of the final DSR that was approved by the Gram Sabha for Visioning and Prioritisation. This Plan contains the details about resources allocated to various sectors and projects, and mode of implementation.

g) Project Preparation

In the last stage, that is after the preparation of the Plan and allocation of funds from respective source, detailed projects along with budget estimates is to be prepared. In this regard, joint efforts of the working groups/task force, respective line department officials and GP committee will be useful. The major objectives at this stage include: preparation of detailed project estimates on the basis of fund allocation; get technical sanction of the project from the technical cell/nominated officers; and pre-activity including site visit (locations of proposed projects), consultation with the target groups, discussions with technical experts, and survey.

In this process, proper integration of Sustainable Development Goals with the GPDP will contribute in holistic and comprehensive planning at the grassroots level.

Check Your Progress 1

Note: i) Use the space given below for your answer.

ii) Check your answer with those given at the end of the unit.

1) Explain the need for decentralised planning.

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2) Discuss the major objectives and advantages of the Gram Panchayat Development Plan.

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5.4 GRAM PANCHAYAT DEVELOPMENT PLAN: IMPLEMENTATION AND MONITORING

The GP ensures that the GPDP is implemented in its true spirit. It is the prime responsibility of the Panchayat to check that deviation from the approved activities must be avoided. If any activity needs to be undertaken, that is not part of the approved plan then approval of the GP Committee with proper justification is necessary. The GP has to ensure maximum participation of local people in the implementation and monitoring of the approved activities.

The GP is expected to ensure the project initiation meeting with local people, procurement of material in a transparent and competitive manner, engagement of labour, daily enrolment in the muster roll, supervision of work, measurement of the works/ materials, and payment to the workers as per norm, payment of bills received from vendors, maintenance of related accounts and records, and preparation of work completion report on completion of project/task. It is expected from the states to put in place an adequate system for monitoring the progress of implementation of the approved GPDP.

For effective implementation of the GPDP, wide publicity of the approved components of the GP's plan is necessary. It has been observed that the GPDP is mostly displayed on the GP Notice Board. In this regard, apart from the Notice Board, the plan should also be displayed in public places such as the village haat, the PDS centre, the health centre, etc. The final GPDP can be shared with

important stakeholders and communities, for example, user groups, SHG federations, etc. In every Gram Sabha meeting, convened in a financial year, a specific agenda item regarding the implementation of the GPDP, even if it is not convened for the GPDP, will be useful for effective implementation and monitoring of the GPDP.

It can be stated that adequate planning, effective implementation, and proper monitoring of the GPDP can deal with major issues and challenges in rural areas. The joint efforts of dedicated functionaries and trained members of the Gram Panchayat have the potential to prepare an effective GPDP, contribute to effective service delivery, enhance people's participation, motivate stakeholders, mobilise resources, and improve governance at the grassroots level. Across the country, 149,341 GPDPs have been prepared (Ministry of Panchayati Raj, Government of India 2017). In this context, 254091 GPDPs were uploaded during the financial year 2021-22 (PIB Delhi, 21st Dec. 2021). The process of linking the GPDP with spatial angle has also been initiated. The Ministry of Finance, Government of India has issued operational guidelines for the implementation of the recommendations on Local Body Grants contained in Chapter 5 of the Fifteenth Finance Commission (FC-XV) Report (Ministry of Finance, 2020). The Ministry has bifurcated the grant as Basic Grant of the FFC by amounting to Rs. 180,262.96 crores and Rs. 220,029.22 crores (which is 10% of the total grant) as Performance Grant for the period of 2015-2020.

5.5 DEVELOPMENT PLANS: BLOCK PANCHAYAT DEVELOPMENT PLAN AND DISTRICT PANCHAYAT DEVELOPMENT PLAN

In certain cases, it is possible that the GPs prepare plans, which may be based on available resources but may also include those activities that are not in their purview. Hence, certain activities need to be referred to the upper tiers, that are Panchayat Samiti/Intermediate Panchayat and Zilla Parishad/District Panchayat. Even, the GPDP cannot cover all the significant issues within multiple GPs or more than one GP. In addition, there are many Schemes/ Departments in a State that operate at the Block and District levels respectively. In view of the above, there is an urgent need to prepare plans at the Intermediate level and District Panchayat level. In this regard, the Ministry of MoPR has prepared a Guideline document for the preparation of Plans. The MoPR has constituted a Committee and launched a detailed framework for preparing the Block Panchayat Development Plan (BPDP) and District Panchayat Development Plan (DPDP) to facilitate the stakeholders at these levels.

i) Role of the Intermediate Panchayat

In planning, the Intermediate Panchayat performs important role as it is a local government in its own right with a clearly mandated functional domain; in a sizable number of states, it is responsible to facilitate the GPDP through staff support, and a forum for coordination and discussion between the Gram Panchayats within its jurisdiction; and functions as an agent of the

District Panchayat in the concerned State. The process, structure, and format of the BPDP will be mainly the same as followed at the GP level. After the preparation and approval of the GPDP at the GP level, the same is to be forwarded by the GPs to the Intermediate Panchayat. The GPs refer those projects and activities to the Intermediate Panchayat for consideration that are to be implemented in more than one GP area, and which can be implemented at the Intermediate Panchayat level due to its higher institutional capacity and technical competence.

ii) **Role of the District Panchayat**

The District Panchayat plays an important role as a Panchayat in its own right and as a facilitator for the Intermediate Panchayats in the District. There are wide variations in the functions devolved upon the District Panchayats from one state to other, which considerably affect the process of planning. However, in states with strong District Panchayats with several line departments functioning below it, the District Panchayats will provide the Secretarial support for the District Planning Committee.

iii) **Role of the District Planning Committee**

The 74th Amendment of the Constitution mandated the consolidation of the three-tier Panchayat Plans into the District Development Plan, which is the responsibility of the District Planning Committee (DPC). Hence, the District Planning Committee consolidates the three-tier Panchayat Plans and the Plans of the Urban Local bodies into a comprehensive District Plan in such a way that the rural and urban plans get integrated into it, yet they can remain intact and independent as plans of the rural and urban institutions of the local government.

It is worth mentioning that the Intermediate and District Development Plans ensure sector-based plans and convergence of all related line departments at the Block and District levels. These plans must be prepared on the basis of Standing/Sectoral committees of the Block/Intermediate and District Panchayats. It is to be noted that for approval, the draft Plan needs to be placed in the General Body meeting of the Intermediate and District/ Zilla Panchayat. In such meeting, all the elected members of the Intermediate or District Panchayat shall be present. There is an urgent need for capacity building of the elected representatives through training for effective planning. The final integrated District Panchayat Plan shall be placed before the DPC for consolidation and preparation of the District Development Plan.

The effective framework of planning for the BPDP and the DPDP will promote inclusive development at the Block and District levels in a State by focusing on locally available resources, local people's needs, and priority areas.

The MoPR has prepared a Guideline for the preparation of Intermediate and District Panchayat Plans. Further, the MoPR has constituted a Committee to develop a detailed framework for preparing the BPDP and the DPDP to

facilitate all stakeholders. After careful deliberations and consultations with the stakeholders, the Committee has finalised the framework for the Preparation of BPDP and DPDP for rural areas, which was unveiled on 20th October 2020. This framework is expected to promote inclusive development at the Block and District levels by focusing on locally available resources, local people's aspirations, and priority areas. The framework serves as an important tool for the resource persons, and stakeholders associated with decentralised planning in Intermediate/Block and District Panchayats.

Thus, the GPDP, BPDP, and DPDP have important role in transforming rural India by providing accelerated, participatory, and inclusive growth with joint efforts of political leaders, administrators, and citizens at the grassroots level.

Check Your Progress 2

Note: i) Use the space given below for your answer.

ii) Check your answer with those given at the end of the unit.

- 1) Write a note on the implementation and monitoring of the GPDP.

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- 2) Explain the role of BPDP, DPDP, and DPC in planning.

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5.6 CONCLUSION

An attempt has been made to discuss the significance and process of decentralised planning. We have observed that the significance of decentralised planning was acknowledged in the five-year plan documents. The need for a local plan and people's participation was realised. Thus, to strengthen the planning system at the grassroots level, the GPDP, BPDP and DPDP evolved.

The study suggests for participatory planning, the GS must be made aware, proper technical support should be provided to the Gram Panchayat members and stakeholders in preparing the GPDP, an adequate database should be established, coordination between three-tiers of the PRIs should be strengthened, effective implementation and monitoring must be promoted and accountability mechanism needs to be strengthened at all levels for Sabka Saath, Sabka Vikas, Sabka Vishwas and Sabka Prayas which reflects inclusive growth through collective

efforts. However, in due course of time, awareness among rural masses will result in active people's participation in planning, and effective implementation and monitoring of the plans at the grassroots level, which will contribute to economic development and social justice.

5.7 GLOSSARY

Troubleshooting: It refers to a systematic approach to solving a problem. The objective of troubleshooting is to determine why something does not work as expected and to explain how to solve the problem. In this regard, the first step in the process of troubleshooting is to describe the problem.

5.8 REFERENCES

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5.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) Your answer should include the following points:
 - For your answer, refer to Section 5.2
- 2) Your answer should include the following points:
 - For your answer, refer to Section 5.3

Check Your Progress 2

- 1) Your answer should include the following points:
 - For your answer, refer to Section 5.4
- 2) Your answer should include the following points:
 - For your answer, refer to Section 5.5