

Invited Paper

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Decentralization in Rural India: Gandhi's Perspective, Constitutional Prescription and Emerging Trends

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The term decentralization which has been used since the early 1950s for a wide range of institutional reform programmes all over the globe, has gradually gained considerable prominence in contemporary discourse on development and governance and practices. A large majority of the third world countries are currently involved in some form of decentralisation, with varying degrees of commitment and success. These processes are fundamentally altering the institutional landscape in the developing countries. A number of push factors have contributed to this evolution. Mention may be made of the following: the erosion of the highly centralised 'developmental state' in the late 1980s; the rediscovery of the 'local dimension' of development and related recognition of local governments' potential role and added-value in promoting local development and contributing to the achievement of the Millennium Development Goals (MDGs); the quest for improved efficiency in the delivery of basic social services (health, education, water and sanitation, etc.), especially in reaching out to poor people; the global imperative for democratisation and good governance, which has fuelled societal demands for local democracy and accountable local governments; the rise of participatory development approaches that allow a wide range of new actors to express their voice and have a stake in policy processes with local governments, in particular, lobbying to be recognised as a dialogue partner (at all relevant levels) and as aid beneficiary; a wide range of other push factors, such as Agenda 21 (on sustainable development) and the concern to protect local economies against globalisation.

In modern India, decentralization as an administrative contrivance began in the hands of the colonial rulers to promote colonial ends like regime expansion, regime consolidation and regime entrenchment. As expected it did not work on the ground effectively despite sincere efforts by the colonial rulers like Lord Ripon not only due to the lack of adequate support of the colonial administration but also due to lack of necessary objective

conditions on the ground. When India was fighting for freedom the need for decentralization was strongly felt by a dominant section of the nationalist leadership. And Gandhi was the most prominent among them. For Gandhi, decentralization is important because:

- a. It is necessary for enhancement of quality of life, protection of individual freedom and development.

- b. It is the best antidote to centralized authority which is sustained and defended by physical force
- c. As decentralization insists on local resources it promotes self-sufficiency at the local level
- d. Decentralization promotes non-violence

Gandhi's perception about decentralization is rooted in his concept of Swadeshi. There are three basic components in his concept of Swadeshi: the concept of self-sufficient village as the primary unit of production, distribution and consumption of goods and services; the use and reliance on native polity and indigenous institutions and to help rectification of defects, if any, in them, and the nourishment of village industries to make them grow more efficient and self-sufficient. Gandhi is popularly known as the ideologue of the village. He became pre-occupied with Indian village right from his days in South Africa and remained so until the end of his life. In his letter to Nehru on August 23, 1944 Gandhi observes, "For me India begins and ends in the villages". There are three different phases in which he used the idea of the Indian village. First, he invoked it to establish equivalence of the Indian civilization with the West. Second, he counterposed the village to the city and presented the village life as a critique of and alternative to, the modern Western culture and civilization. Third, he was concerned with the actual existing villages

of India and emphasized on the ways and means of reforming them. Gandhi believed that the changes brought about by the colonial rule impaired the villages by making them less creative and more dependent on the outside world. Exploitation of the rural masses can end only when an average villager recognizes his own strength and becomes conscious that he is the maker of his own destiny. The real task is one of empowering the people which can be done through decentralization—decentralised polity and economy.

In the decentralized polity power does not flow to the people from the central parliament but resides in the people. Panchayati raj is thus not a gift of the all powerful state to its citizens. Thus it is a bottom up process. The objective of panchayati raj is to put a check on the pyramidal authority structure and turn all authority structures into an oceanic circle. The government of the village will be conducted by the panchayat of five persons annually elected by the adult villagers, male and female possessing minimum prescribed qualifications. Every panchayat shall form a unit. Gandhi's panchayat is not a mere local government within the framework of representative government. It is a way of life, a mere pattern for structuring society, the economy as well as polity. At the centre of the pattern lies the dream of the individual freedom. Herein we find a Gandhi who is steeped in the Western values.

Gandhi had possibly realized that panchayati raj system as he visualized it would not see the light of the day in independent India. It may be recalled that on October 2, 1945 Gandhi insisted upon a free and fair discussion with Nehru on the question of the place of the village in the Constitution of India. Gandhi felt that without truth and non-violence there could be nothing but destruction of humanity. And this could be realised only in the simplicity of the village life. Nehru reacted by saying that the question before us was not one of truth vs. untruth or violence vs. non- violence He failed to understand why a village should normally embody truth and non-violence. According to his perception a village normally speaking was backward intellectually and culturally and no progress could be made from backward environment. The objective resolution introduced by Nehru reflected his preference for the western state model and did not visualize village as the basic unit of the new political system.

In the resolutions on the aims and objects of free India's Constitution placed before the constituent assembly on December 13, 1946 there was no mention about the place of the villages. The Provincial Constitution Committee set up in pursuance of the CA resolution of April 30, 1947 to decide on the principles of a model Provincial Constitution, did not touch on panchayats in its report submitted to the President of the CA.

When the attention of Gandhi was drawn to this he remarked that it was

certainly an omission calling for immediate attention, if independence was to reflect the voice of the people. While moving the resolution for the consideration of the draft constitution Ambedkar remarked that villages were "sinks of localism, ignorance, communalism and narrow-mindedness". He observed that he was glad to see that the draft Constitution had discarded the village and adopted individual as its unit. His speech triggered a spate of serious criticism. Some of the members became so upset that they fell back on God to save the nation. Some of them observed that it had happened because many of us did not take part in the freedom movement. After a long discussion the Constitution provided a place for the village panchayats in Article 40 in the Directive Principles of State Policy following the intervention by K.Santhanam. Article 40 says: The state shall take steps to organize village panchayats and to endow them with such powers and authority as may be necessary to enable them to function as units of self government. After India became independent rural India received attention of the policy makers. The community development programme (CDP) was initiated in 1950s on the advice of the Ford Foundation to bring about speedy improvement in the social and economic life of the villagers. It was a programme with very limited involvement of the people and it was basically bureaucracy – driven programme.

It was realized soon after the launching of the CDP that bureaucracy

alone could not deliver the goods in the absence of democracy and a bureaucracy-led programme failed to evoke people's initiative. The need for active involvement of people's representatives in the development process was expressed in the Second Plan document. Following the budget speech of 1956-57, the National Development Council appointed a Committee on Plan Projects under the leadership of Balwantray Mehta. The Committee stressed the need for developing a network of three-tiered elective institutions known as the panchayati raj. The Mehta Committee gave birth to what can be called the first generation panchayati raj in India. Outlining the concept the report observes that PRIs would be the single representative and vigorous democratic institution to take charge of all aspects of development work in the villages.

But the institutions failed to strike firm roots. There is an extreme view that they were 'killed before they were truly born'. The first generation panchayats set up on the basis of the recommendations of the Balwantray Mehta Committee had almost disappeared from the rural scene by the end of 1950s. The fact however, remains, that the institutions declined. The Asok Mehta Committee which examined the issue in 1978, identified three phases in the evolution of panchayati raj in India – the phase of ascendancy (1954-64), phase of stagnation (1965-69) and phase of decline (1969—.) The Asok Mehta Committee, prepared a blue print of the

second generation panchayats. It presented two-tier PRIs. The committee felt that like national democracy it is both an end and a means. As an end it is an inevitable extension of democracy. As a means it is responsible for discharging obligations entrusted to it by the national and state governments in spheres not transferred to its exclusive jurisdiction. However, the recommendations of the Committee gave birth to what can be called second generation panchayats.

The LM Singhvi Committee appointed by the Rajiv Gandhi Government examined the issue of the strengths and weaknesses of PRI in India and recommended the amendment of the Constitution of India to constitutionalise panchayats as the first step to strengthen the PRIs and focused on the gram swaraj as the starting point of village democracy. The Constitution was amended in 1992. The Seventy Third Constitutional Amendment is a great watershed mark in the history of local self government. Panchayats came to be defined as the institutions of self government. This amendment gave birth to the third generation constitutionally mandated panchayat system in India. The need for constitutional backing of the grassroots democratic structures was felt long back but it came at a time when India opted for liberalization which essentially means weakening role of the state.

The Constitutional amendment seeks to give panchayats a new meaning and a fresh lease of life. The basic features of

the amendment are as follows: Article 243G defines panchayats as institutions of self-government meaning they have autonomy and power to govern in an exclusive area of jurisdiction. The amendment defines the role of panchayats as instruments of economic development and social justice. Incidentally, earlier there was confusion about the role of panchayats. Thus this clarification through constitutional amendment is significant. The amendment requires the States to hold panchayat elections through the State Election Commission at regular intervals of five years. If a State Government dissolves panchayats before the expiry of their full term, it is mandatory on the part of the State Government concerned to hold election within six months from the date of dissolution. The Act provides for reservation of one-third seats and posts of chairpersons for women and weaker sections, i.e., Scheduled Caste (SC) Scheduled Tribe (ST). According to the provisions of the Constitutional amendment the State Government shall constitute State Finance Commission, which will review the financial position and recommend the principles for fund devolution on PRIs and the distribution of funds between the State Government and the PRIs. But the third generation panchayats are now at the cross-roads as they are facing a lot of challenges from within and without. In this paper I would like to focus on these challenges.

Mention may be made of the MPLAD which was launched immediately after the amendment of the Constitution.

Under this scheme a sum of Rs. 1,580 crores per year is placed at the disposal of the MPs. The MPs are allowed to spend the money to undertake local area development schemes without consulting the panchayats. In this way the constitutionally mandated local government institutions are bypassed. Under the scheme each MP can suggest to the District Collector works worth up to Rs. 2 crores in a year. The Ministry releases the funds directly to the Collectors who get the works done on the advice of the concerned MP. The Central Government has given an illustrative list of 28 items. There is also a list of works not permissible such as raising of memorials, building of places of worship and the like.

The Report of the Comptroller and Auditor General (2001) showed that the scheme was plagued not only by the inadequacy of funds but also by the increasing underutilization, misuse and diversion of money earmarked for the project. The Report noted that 64 per cent of the released amount could be spent. Similar have been the findings of the sample study of audit in 106 constituencies where it was found, 31 per cent of the total money was, in fact, not spent at all. The guidelines seem to have been observed more in their breach. In Nagaland, for example, the money was spent for building roads connecting the Church, in Orissa temples were built, in Madhya Pradesh money was spent for building housing complex for the police officials. The Centre for Budget and

Governance (CBGA) reviewed the scheme in 2004 in seven constituencies spread across six Indian states- Rajasthan, Madhya Pradesh, Gujarat, Uttar Pradesh, Jharkhand and Orissa. The report holds the members of both the houses of Indian Parliament responsible for the underutilization of funds. While the Lok Sabha members (till 2003) have used only 77 per cent of their total entitlement, the amount used by the Rajya Sabha members has not exceeded 50 per cent.

The overall picture that emerges is that a lion's share of the MPLAD funds is spent in a top-down manner without taking into consideration people's actual needs. Beneficiaries also alleged that they were paid much less than the specified minimum wages in employment works under the scheme and an overwhelming number (62%) agreed that the quality of assets created was either bad or very bad. Some critics feel that most of the schemes being funded and executed form part of the 11th and 12th schedules to the Constitution which define the functional domain of the panchayats and municipalities. The guidelines authorizing the MPs to exercise their personal choice and decision in funding and executing the scheme lead to usurpation of the power and responsibilities of the local bodies. It has been argued that in many instances the choice of schemes and amounts expected can significantly alter or distort local priorities as may be decided or desired by the local bodies.

Having considered the problems the Administrative Reforms Committee

(ARC) in its successive reports have recommended the abolition of the scheme. The matter was hotly debated in the floor of the house. As most of the MPs openly expressed their unwillingness on the floor of the Parliament to give up the scheme, it was finally decided to continue the scheme but with new and stringent safeguards. The main lacuna of the CAA, however, is that instead of clearly specifying the powers and functions of the panchayats, it has left it to the mercy of the state governments. It is clearly evident in Article 243(G) which states that the state legislature may, by law, endow the panchayats with such powers and authority as may be necessary to enable them to function as institutions of self government. The repeated usage of the word 'may' in the article fails to make it mandatory on the part of the state government to implement these provisions, thus leaving power-sharing with the state government solely at the disposal of the political leadership at the state level.

There is another set of parallel bodies in some states where there exists traditional panchayats with different legitimising sources. In Maharashtra, for example, there exist village "collectives" called gavki. The gavki is constituted by the upper caste elites, the rich and undoubtedly, only the patriachs of the village, excluding women. Before the amendment of the constitution these bodies functioned alongside the elected panchayats. Unfortunately, they continue even today. Lele narrates an interesting

case of how a gavki defied the elected panchayat. The gavki decided to auction the sand from the riverbed and the money earned was to be a contribution to its own fund. The GP raised objection to it leading to a conflictual situation. The persons who raised objection to this issue were the more informed active villagers, some dalits and women, associated with a local NGO who were in favour of the panchayats. However, they do not have strength to go against the gavki. The gavki has been found to be more effective in areas where women or dalits are in power. Thus, as Lele rightly observes “reservations which intended to empower both these marginalised sections in rural governance are being made ineffective by the established powers in the rural areas”.

Caste Panchayats in some states have outgrown their functions as local dispensers of justice. Recently a caste panchayat in Nauranjabad village in UP's Meerut district ruled that a young woman pregnant with the child of her second husband, return to her first husband who had reappeared after five years. The argument was that the first husband, though assumed dead, had never divorced her. Married off at just 14 to soldier Mohammed Arif, Gudiya had barely spent a week with him when Arif was called to duty at Kargil War and declared a deserter by the army. Soon after he was given up for dead as time went by. After four years 'widowed' Gudiya's parents with the consent of the Community married her off to her cousin Toutiq. Gudiya became pregnant. Now the caste panchayat

declared her second marriage illegal. The constitutional panchayat has nothing to do. The general reaction against the parallel bodies is that they represent processes external to the constitutionally mandated role of panchayats and enable bureaucracies to override democratic bodies. Thus they pose serious threats to the effective functioning of local self-governing institutions.

In a divided society like ours, spontaneous consensus in the interest of a large section of people is a myth. If there is at all any consensus, it is that of caste, religion etc. and basically class. It is a veiled attempt to guide local democracy from the top and in the interest of the ruling classes. The Santhanam Committee (1963) examined the scope of unanimity in panchayat elections. The Committee came across villages where the anxiety for unanimity and consensus meant the continuation of the traditional authorities and suppression of the new spirit of the youth. It was felt that the securing of unanimity through cash incentives was not desirable. The silver lining is that the people of Gujarat seem to have rejected the idea as is evident from the contests that characterised the elections in more than 90 per cent of the GPs.

Interestingly, what is happening in some states in the name of achieving unanimity is a cause of serious concern. During the panchayat elections in Karnataka in 2000 some of the seats were auctioned. The Election Commission could not interfere on the ground that if

the voters made an arrangement among themselves to ensure unanimous election it was beyond the legal competence of the Commission to intervene. In order to augment the resources some of the seats were put to bidding in Andhra Pradesh in 2001. Even the reserved seats were not spared. The highest amount for the post of the Sarpanch in Velpur village under Guntur district was 10.10 lakhs. Seats are auctioned in Madhya Pradesh and Rajasthan. In 2005, auctions were held for the post of Sarpanch in at least two gram panchayats. In Madhya Pradesh it was a case of trade off in - the post cost 1.80 lakh. In Rajasthan it was the caste factor which mattered most. The panchayat dominated by the Gujjars was reserved for the SCs. Disturbed by the sudden loss of power, some of the influential Gujjar leaders decided to extract a price for the post. An announcement for open sale was made at the village chaupal (meeting place) assuring unanimous election of the highest bidder. The auction took place two weeks before the day of polling. The reserved price was fixed at Rs.50,000. One person offered Rs.2.7 lakh and the seat was allotted to him. But the effort proved to be abortive because of the intervention of the District Collector who got three of them arrested .

The electoral processes have been criminalized in some of the states like Uttar Pradesh (UP) Bihar. In the intermediate panchayat elections in UP there was blood bath, which resulted in the killing of 200 persons. Dalits were threatened with dire consequences. The

Election Commission had to ban the entry of two ministers into their native blocks wherefrom their wives were contesting. One contestant for the ZP Presidentship had 42 criminal cases against him. There was large scale distribution of gifts and allurements offered by the candidates in UP elections held in 2005, some of them were financed by the non-resident Indian relatives. There was a free flow of money and liquor in many villages. Hand pumps were installed outside each house in one of the villages and voters in one of the villages received silver rings and glasses. A candidate in one village called Pratapgarh promised gold rings to each woman in the GP if he won. In several constituencies whisky bottles were distributed liberally. There was hardly any serious candidate who did not exceed the expenditure ceiling fixed by the SEC. The local newspapers were splashed with advertisements by the well-to-do candidates.

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The Eleventh Schedule does not list subjects or functions but only matters, as T.N. Srivastava points out. There is no constitutional mandate that rural local bodies would perform these functions or these would be transferred to rural local bodies or the schemes related to them will be entrusted to them for implementation. The legislature of a state is required to endow these bodies with such functions as may be necessary to enable them to function as institutions of self government. Such law may contain provisions for devolution of powers and responsibilities subject to such conditions as may be specified therein and for the implementation of schemes for economic development and social justice as may be entrusted to them including those mentioned in the Eleventh Schedule. The state legislature is thus sole determinant of self-government. The repeated usage of the word 'may' in the Article fails to make it mandatory on the part of the state government to implement these provisions, thus leaving power-sharing with the state government solely at the disposal of the political leadership at the state level. Presumably the Parliament was compelled to use the word 'may' because some of the items come under the purview of the state list. It is also a clear indication that the Indian state lacks genuine will to create a vibrant third layer in the governance structures of the country. It is also indicative of the fact that it is not possible to strengthen the process of decentralization in India without overhauling the existing centre-state

relationship. Thus panchayats cannot enjoy full autonomy as they are set within the states and form part of the state list. Nor can the states for that matter as they are placed within the Indian union. What the Seventy Third Amendment has done, as Mukerjee tells us, is to constitutionalise three strata of government.

It is found that while the states like Kerala, Karnataka and West Bengal have carved out a clear path of devolution to PRIs, other states like Rajasthan, Maharashtra, Gujarat and Bihar have different levels of momentum in their initiatives in this regard. States like Haryana, Uttar Pradesh have still to make necessary progress. As per the information available in November 2006, only eight states and one Union territory have formally transferred all the 29 functions or subjects to the PRIs. The Working Group on the Decentralised Planning observes, "..... items listed as responsibilities in the states are couched in vague terms. A glance at the variety of these items reveals that they are shopping list of sectors and sub-sectors, broad activities in a sub-sector and activities, sub-activities/specific responsibilities under a broad activity, with no role clarity.... In some states the line departments still exercise the powers of supervision and control over the scheme of subjects transferred to the panchayats". The Parliamentary Committee in its 37th report submitted in 2003 expressed concern at the pace at which the states are working in this direction. The Report of

the Task Force on the Devolution of Powers and Functions to the PRIs brought out by the Ministry of Rural Development has admitted that the mandatory provisions of the 73rd Amendment Act are yet to be implemented in letter and spirit by most of the states/UTs even eight years after the said Act brought into force in April, 1993. The conformity legislations of most of the States have not significantly altered the functional domain of gram panchayats. A close scrutiny of the Acts in different states tends to indicate that except in a few states clear functional mapping for the different tiers does not exist. There are states like UP where departmental heads at the district level could function independently of the PRIs.

The lack of clarity in functional allocation and absence of desegregation into detailed activities as Panchayati Raj Development Report 1995 mentions, has led to considerable overlapping and duality of control in most cases. It has been argued in the report that the functional autonomy is rendered difficult because in almost all the states, the state governments retain the power to assign, amend or withhold functions which as per the 73rd Amendment of the Constitution, is a job only the state governments are authorized to do. The Indian state has decided in favour of undertaking activity mapping to ensure effective devolution of functions (as listed in the Schedule XI) to all the three tiers of the PRIs. This is indeed a welcome move whereby every activity can

be attributed to the appropriate level of panchayat so as to enable a more effective delivery of public services and a better quality of life for the citizens. Devolution of powers, (as declared in the First Round Table of Ministers- in- Charge of Panchayati Raj, Kolkata, July 2004) was to be based on the principle of subsidiarity which means that “any task that can be done at the lower level, should not move to a higher level.” The progress of the states in this regard is, however, not satisfactory.

The transfer of functions without corresponding transfer of funds does not make sense. But this has happened. Mahi Pal rightly says that before listing the functions to be performed by the panchayats, the states have introduced certain qualifying clauses. In Andhra Pradesh, Haryana and Tamil Nadu it is “within the limits of its funds”. In Punjab “it is to the extent its funds allow to perform”. In Madhya Pradesh and Himachal Pradesh, it is “as far as the gram panchayat funds at its disposal”. A critical review of the provisions in the Acts of the different states regarding tax assignments, tax sharing, non- tax revenues makes it very clear that the PRIs at the level of the samiti and parishad do not have independent taxing powers. Most of the taxes are assigned at the GP levels.

Provisions for independent budgeting by the three tiers is another prime requisite to ensure autonomy. In some states like Andhra Pradesh and Odissa for PS, Punjab for ZP, Rajasthan for PS and ZP, Tamil

Nadu for all tiers, the preparation and presentation of budgets is left to the executive authority rather than to elected representatives. The Constitution provides for setting up of the State Finance Commission (SFCs). By mid-1990s the first SFCs had submitted their reports. Referring to the role of the SFCs the mid-term appraisal of the Ninth Plan pointed out, "more buoyant taxes like sales tax and excise are kept out of the purview of the PRIs. All SFCs have put great emphasis on internal revenue mobilisation but none has suggested any effective mechanism for PRIs to generate their revenue. The SFC reports have paid less attention to issues of autonomy, financial management and auditing proceedings. The state governments have also been slow and hesitant in accepting the recommendations where they are useful in terms of improving the revenue generation capacity of the local bodies. Only two states – Karnataka and Sikkim – have devolved funds to the panchayats for 29 subjects.

Balance sheets of panchayats reflect either financial scarcity or helplessness to have control over budgeted finance. Except for a few states where the panchayats have access to some funds, the financial position of the PRIs is in a bad shape. Except in MP, in most of the states, the middle tier of the panchayat system does not have any taxation powers. PRIs across the states do not have any control over their own physical and human resources. A study of 15 select states, namely, Andhra Pradesh, Gujarat, Kerala,

Madhya Pradesh, Maharashtra, Tamil Nadu, Orissa, Punjab, Haryana, Assam, Goa reveals that where middle or top tiers have been constituted, states have not endowed them with adequate functional responsibility. Most states have granted a plethora of functional responsibilities but no executive follow up of granting adequate powers, staff and financial resources. Significantly, a study of panchayats in 15 states done by National Institute of Rural Development, shows that the political parties are reluctant to devolve powers.

To function effectively as institutions of self government the PRIs need to have the power to recruit and control staff required for managing its functions. Staff is a resource that an organization must possess to perform its activities. Strangely, Part IX and IXA of the Indian Constitution remain silent on this vital aspect of institutional autonomy. Viewed from this perspective the state panchayat legislations too present an indeed gloomy picture. The state governments still have retained for themselves the power for inspection, inquiring into the affairs of the panchayats, suspension of panchayat resolutions and issuing directions. Besides in most states the key functionaries, namely, the secretaries and executive officers at all the three levels of panchayats are state government employees who are appointed, transferred and controlled by the state government. Being under the direct control of the state administrative hierarchy they are often reluctant to work under the administrative control of the

elected panchayats. Moreover, provisions for the deputation of officials from the state government to the panchayats have been made in the state panchayat Acts without consultation with the panchayats. The tenure, transfer and the promotion of deputationists are also decided by the state government without consulting the panchayats.

Gram Sabha did not figure prominently in the scheme of the panchayati raj introduced in most states in early 1960s. We find from the report of the Ashok Mehta that the sporadic efforts to revive the institution were not successful due to “the lack of interest on the part of the office bearers and the apathy on the part of the public, the gram sabha has not been functioning satisfactorily.” While the constitution makes it mandatory to establish Gram Sabha at the village level, it does not stipulate any details regarding the structure, powers, and functions of this institution. In terms of Article 243G these details are to be spelt out in the panchayati raj legislations passed in each state in compliance with the 73rd amendment of the Constitution. Accordingly all the state governments have provided for the institution of Gram Sabha in their respective panchayat legislations. But the jurisdiction of the Gram Sabha (GS) in state legislations is too big to facilitate effective participation of the people. In states like Kerala, West Bengal and Orissa the problem has been resolved by creating another body down the line at the electoral constituency level to ensure effective participation of the people.

Hardly any State Acts empower the GS to have control over the GP and to take final decisions in matters of village development. Its role is only advisory. The accountability of the GP to this body has also not been clearly spelt out in most of the state legislations. In most of the states the functional domain of the GS is limited to discussions of annual statement of accounts, administration report, and selection of beneficiaries for poverty alleviation programmes. Only in a few states like Haryana, Punjab and Tamil Nadu the GSs enjoy the powers to approve the budgets. The Gram Sabhas are yet to take off properly in almost all the states. Reports from the states indicate that the Gram Sabha meetings are not being held regularly. The Institute of Social Sciences team had found in a village in Madhya Pradesh that by December 1995, three meetings were held as against the legal requirement of six meetings.

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has been defined in relation to revenue village, where as in Maharashtra and Rajasthan the unit is much larger and coterminous with the village panchayat. In Kerala there is Gram Sabha for every ward. None of the State Acts empowers the GSs to have control over the GPs and to take final decisions in matters of village development. Its role is only advisory. The accountability of the GP to this body has also not been clearly spelt out in most of the state legislations. In Kerala, however, it is obligatory on the part of the head of the GPs to explain to the GSs why a particular decision or a set of decisions could not be implemented. The same is the case in West Bengal. In most of the states the functional domain of the GSs is limited to discussions of annual statement of accounts, administration report, and selection of beneficiaries for anti-poverty programmes. Only in a few states like Haryana, Punjab and Tamil Nadu the GSs enjoy the powers to approve the budgets.

In order to add a new dimension to the process of democratic decentralization, namely, gender justice, the 73rd amendment of the Constitution provides for reservation of seats and the posts of chairpersons for women. Conceptually it indicates a shift of attitude of the state towards women. Earlier women were generally viewed as objects of development. The amendment seeks to make women actors in development. All the state Acts have incorporated this provision and elections are being held accordingly. But the studies indicate that women elected to PRIs are yet to play their

roles properly. The studies indicate that many women members have failed to perceive their role properly particularly due to the inadequate and ill-conceived training, lack of time and required literacy. Even when some of them are able to perceive their role, they cannot perform due to multiplicity of constraints. The social conditions are not conducive. The domestic load and commitment continue to remain the same. The party or the social leaders who have motivated them to contest elections, do not extend necessary help and support after they get elected. On the contrary, they want them to work as per their dictates and any attempt on their part to develop independence causes displeasure of their leaders. As a good number of them belong to the family of the leaders it generates problems in the family. Added to it is the lurking feeling that they have been elected for one term only because the seats are reserved for the women. They think that they would be replaced by the male members in the next elections. The officials do not attach importance to them. There have been cases in states like UP where the officers have refused to talk to them. For the women coming from the poor families the problem gets compounded. They have to spend much of their time to meet both ends. Even when they can manage some time they cannot attend meetings because they do not have conveyance expenses for traveling to the office. The small amount of meeting allowance is not paid on time.

The Seventy Third Amendment defines panchayat institutions as

instruments of planning for economic development and social justice. The Seventy Fourth Constitutional Amendment requires the State Governments to constitute the District Planning Committees (DPCs) to facilitate decentralised planning. The State Governments have shown scant regard for constitutional provision in this regard. Many states are still to constitute DPCs. In some states, the DPCs are chaired by the minister of the State Government as in Madhya Pradesh, where as in some other states, the officials head the DPC, as in Tamil Nadu where the collector is the chairman. All these practices are inconsistent with the very spirit of the constitutional amendments on democratic decentralisation. Globalisation is a process which is based on centralization. Decentralisation did not take positive

shape during the days of the colonial rule because the inherent process was centralisation which is the foundation stone of all colonial rule. Liberalisation is limiting the functional domain of the state. How would PRIs work as instruments of economic development and social justice as conceived by the amendment of the Constitution in a neo-liberal framework of governance and development!

Thus democratic decentralization in rural India today is facing a lot of challenges from within and without which are strong enough to derail the engine of rural decentralization, if suitable steps are not taken on time. Given this background one has reasons to express doubts about the future of constitutionally ordained PR bodies as institutions of self-government and instruments of economic development and social justice.

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