

## **Panchayati Raj and People Empowerment**

**Laxmi Sharma**

Research Scholar

Department of Political Science

Rajasthan University

E-mailid-Laxmi.sharma21583@rediffmail.com

---

“Empowerment is the process of increasing the capacity of individuals or groups to make choices and to transform those choices into desired actions and outcomes.”

In India, history of Panchayats as a unit of local self governance goes back to hundreds of years. But the growth of Panchayat in India as a self governing institution has not been steady in the course of its long history. However, the ideals of panchayat were revived when Mahatma Gandhi arrived on the national political scene. Gandhiji asserted that the village panchayats would now be a living force in a special way, and India would almost be enjoying self-government suited to its requirements. Accordingly, the idea of panchayat as a system of local government remained an important issue in India’s freedom struggle. But when the country became independent the panchayat of Gandhi’s vision did not acquire a central place in the Indian Constitution. It was merely included in Article 40 under the Directive Principles of the State Policy. Article 40 says, “the State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of local self-government.” This was a marginal reference and Panchayats had no constitutional status. But the position radically changed in 1993, when the 73rd Amendment to the Constitution was passed in the Parliament and received the assent of the President of India. The Amendment is based on the principle of ‘power to the people’ and provides constitutional guarantee to Panchayats.

The 73rd Constitutional Amendment Act was passed by the Parliament in April 1993. The Amendment provided a Constitutional status to the Panchayati Raj Institutions in India and left no discretion with the State in several important matters pertaining to these Institutions. Before the 73rd Amendment was made effective, Article 40 of the original Constitution provided for a Directive to the government to take steps to organize village Panchayats and endow them with the powers and authority as may be necessary to enable them to function as the units of self-government. But, by mid-eighties it was realized that the said Directive was not sufficient to institutionalize Panchayati Raj in India.

The practice of Panchayati Raj as per the Directive Principles of the State Policy was not to the satisfaction of the policy makers. There were several reasons for this. One of the reasons was that no uniform pattern

of Panchayati Raj was being followed by the State governments. While few States followed a two-tier system, the others followed a system of three tiers. Further, many States were not holding regular elections to the PRIs. Since the elections to the PRIs were being held by the State governments themselves, their fairness and independence was seriously doubtful. Moreover, there were no standard guidelines with regard to delegation of powers to such institutions

More important was the need to empower the people in the rural areas as well as the empowerment of women. It was observed that political power had remained in the hands of socially and economically influential people, with the poor man having little participation in political decision-making. The same was true in case of women also, whose percentage in the Parliament has remained between 4 to 7 per cent after independence. The political policy makers then began to think in terms of Amendment to the Constitution to empower the people in the rural areas, more particularly the women, and give a Constitutional status to the PRI, so as to bring uniformity in this regard in the entire country. The Constitutional Amendment Act was passed in the year 1993 and the State governments were then required to enact revised Panchayati Raj

Acts per the provisions of the amended Constitution. Before the impact of 73rd Amendment is assessed, it would be better to consider the provisions of this Amendment. Articles 243, 243A to 243-O were added as parts of newly inserted Part IX of the Constitution. The Amendment introduced across the board three-tier system of the PRIs at village Panchayat, Block and District levels. The electorates at Gram Panchayat level have been named as the Gram Sabha which elects the representatives to Gram Panchayat by way of direct election. Further, Article 243D provides for reservation of seats at all levels for Scheduled Castes (SCs), Scheduled Tribes (STs) and women. While there reservation for the SCs/STs is as per their actual proportion in population of the concerned area, it is provided that not less than one-third of the total in the three tiers. There is a move now to increase the reservation for women to 50 per cent. The Constitution now provides the seats in all the tiers will be reserved for women. The States are empowered to reserve the offices of the Chairpersons at all that every PRI shall continue for a period of five years. The States have also been empowered to allow the PRIs in their respective legislative Acts to levy, collect and appropriate several tolls and taxes. With this the PRIs at all the tiers will be able to generate financial resources at local-level and make expenditure in the desired field as per locally-felt needs. The State laws may lay down the procedure to be followed, as well as the limits of such taxes/levies. The State governments may also assign to the Panchayats

Various taxes and duties collected by it. The State governments are required to appoint a State Finance Commission to review the financial position of the PRIs and make recommendations with regard to the distribution of net proceeds of taxes between the States and the PRIs, assignment of certain taxes exclusively to the PRIs and the grants-in-aid.

Another set of important changes made in the Constitution pertain to the elections to the PRIs. To ensure free and fair elections to these institutions, the 73rd Amendment provides for setting up of a State Election Commission in every State and the State Election Commissioner is appointed by the Governor of the State concerned. With a view to ensure the independence of the State Election Commission, it is laid down that the State Election Commissioner can be removed only in the same manner and on the same grounds as the Judge of a High Court. As per Articles 243G and 243H, the PRIs are entrusted with the responsibility of preparing micro-plans for economic development, beginning at Panchayat level. These institutions are also responsible for implementation of schemes aimed at socio-economic development and exercise powers delegated in respect of developmental items as prescribed in 11th Schedule of the Constitution. These items include: land improvement, irrigation, animal husbandry, fisheries, education, women and child development, etc. Most of the States have delegated these functions to the PRIs as per the spirit of 73rd Amendment and the PRIs are now empowered to function in these fields as per enabling provisions in the concerned Acts of the State governments. Though reservation of seats for

the SCs/STs is based on their actual proportion in the population, yet some States have also reserved seats for Other Backward Classes (OBCs). But there is no discretion with the States to reduce their reservation for women, which is prescribed to be not less than one-third of the total seats. The actual reservation for women in the PRIs ranges from 35 to 42 percent in various States. As a result, people belonging to the backward and the vulnerable sections, including the women, have almost 50 per cent seats in the PRIs to themselves, which is expected to result in their actual empowerment. The PRIs have been made responsible for preparing District, Block and Panchayat -level plans for ensuring economic development in their respective areas. The flow of funds for economic development would be based on such plans. With the power to levy several taxes at Panchayat -level, these provisions would empower the PRIs financially and make them self-reliant. Most of the States have also taken necessary steps to enforce most of the provisions provided for in their own Panchayati Raj Acts. But there are serious problems in actual practice. Though in most of the States the PRIs are functioning as per the Constitutional provisions, yet it is seriously doubted whether the objective of empowerment of people at the grass root level has actually been achieved.

It would reveal that the policy makers at the highest level are fully aware that the goals of empowerment have not been met fully and a serious thinking is required to be done by the Union as well as the State governments. But it would also be wrong to conclude that the situation is hopeless. There are many success stories and at many places female and SC/ST representatives have done a wonderful job in the PRIs. The objective of empowerment is not far from being achieved. But some procedural and legislative changes may be necessary. Most necessary are the attitudinal changes.

As Gandhi often pointed out, India lives in villages and unless village life can be revitalized the nation as a whole can hardly come alive. When India became independent in 1947, perhaps one-third of the villages of India had traditional Panchayats and many of them were far from flourishing conditions.

The congress government has made a determined effort to promote the creation of Panchayats and to make them effective units of local self- government. Article 40 of the Constitution clearly declares 'The state shall take necessary actions 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'. The aim was to foster democratic participation, to involve villagers in the development of the community and to reduce the burden of higher level of administration.

Though various steps were taken by successive governments to revitalize the system, Gramswaraj through village Panchayats remained as a distant dream till 1992. Bureaucratic apathy, indifference of the people, lack of political will, lack of uniformity etc were the main factors behind the failure of the system. Realizing the potential of the PR system, Rajeev Gandhi government initiated a process of Constitutional amendment to give sanctity and uniformity to Panchayati Raj system so that it can be immune from political interference and bureaucratic indifference.

The article mainly focuses on the effectiveness of Panchayati Raj in securing empowerment of people. The article tries to capture the efforts of various states to implement panchayati Raj system and makes a comparative study of performance of states in terms of people's participation, capacity building, de-bureaucratization and decentralization of powers. The salient features of 73rd Amendment Act including reservation of seats, provision for separate election commission and finance commission, gramsabha, taxes, periodic elections etc are discussed. More over it examines the initiatives of state governments towards democratic decentralization and highlights special programmes initiated by Kerala, Andhra Pradesh, Rajasthan, Karnataka, Madhya Pradesh etc to make the system effective.

The article critically evaluates the effectiveness of PRIs as a system of governance for increased people's participation empowerment and social change. Here attempt is made to incorporate the results of impact assessment studies conducted by World Bank. Concluding section highlights the need for revitalizing the system through integrating NREGP [National Rural Employment Guarantee Programme and NRHM [National Rural Health Mission] etc.

I think that true empowerment of people could take place only if the panchayat raj system was strengthened. The Union government and the Planning Commission knew that the panchayat raj system was not being implemented properly; they did not interfere in it because it was a State subject. I felt it was for the States to implement it properly. But the Centre had influence in relation to development activities and there were guidelines on how Central funds should be utilized.

Funds given to the social sector and anti-poverty programmes in urban and rural areas by the Union government had increased from Rs. 7,600 crore in 1994 to Rs. 1, 85,000 crore now. But India's position in the United Nations Human Development Index (HDI) was 134th in 1994 and it held the same slot even now. "We increased the expenditure by 18 times, but we are in the same position,"

Of every rupee spent on poverty alleviation programmes, 85 paisa went for administrative expenses. Only 15 paisa reached the people. There were 139 Central schemes. But the Union and State governments had different delivery mechanisms. The Union government should send funds directly to gram panchayats through State capitals. The flow of funds could be tracked electronically.

As per the "Approach to the 12th Five Year Plan" approved by the National Development Council (NDC), notwithstanding the global economic crisis, the Gross Domestic Product (GDP) had averaged over eight per cent annually for the last five years. But the same document confessed that over the last 11 years, the rate of poverty alleviation in the country had averaged under 0.8 per cent per annum. "The tragedy is that while India is prospering, Indians are not".

Lopsided development had led to the growth of naxalism in one-third of the country. There was 50 per cent reservation for women in the panchayat raj system in Karnataka. This meant that social change could come from panchayat raj. The panchayat raj system would also ensure that political leadership grew from gram panchayats upwards.

For people's empowerment through decentralized institutions, Panchayati raj has been the greatest successful experiment in democracy ever undertaken anywhere in the world or at any time in the history. In Indian scenario Panchayati raj has empowered people in following ways:

- ✓ Widening the funnel of representation.
- ✓ Making Gram Sabha a decision making forum at the Gram Panchayat level in which every member has the equal opportunity to participate in the decision making process.
- ✓ Women entering the democratic process in large numbers.
- ✓ Representation of SC, ST and other backward classes.

- ✓ Power to recall the elected representatives.
- ✓ Inculcation of leadership qualities and learning the art of administration
- ✓ Provision for reservation enabling people to challenge traditional leadership