

1. One of the major reasons for the failure of the local self-government institutions in India has been half-hearted devolution of powers to them. Elucidate.

Introduction

The 73rd and 74th Constitutional Amendment Act 1993 envisaged the idea of Mahatma Gandhi's grassroot democratic institutions in the country. It transfers the representative democracy to participative democracy. However, the dark side of this revolutionary concept is the lack of devolution of powers to the local self-government.

Body

Reasons for failure due to half-hearted devolution of powers

- 73rd and 74th Amendment providing voluntary provision to state governments in devolving powers and funds. Only 20/29 subjects on an average have been devolved by the state governments.
- Lack of adequate resources and funds. As much as 95% of a rural local government's budget relies on funds devolved from a higher level of government.
- Local government spending is only 2 percent of the GDP.
- Reluctance of state politicians to devolve much powers to the district level or below because of fear that if such local institutions acquired real powers they would become alternative source of influence and patronage. Even though States like Kerala, Tamil Nadu, Karnataka have done well in devolving the powers, states like Uttar Pradesh, Bihar are lagging behind.
- Even though State Finance Commissions have been established in all states, their recommendations are brushed aside and not implemented.
- PRIs also suffer from structural deficiencies i.e. no secretarial support and lower levels of technical knowledge which restricted the aggregation of bottom up planning.
- Lack of separate bureaucratic cadre for local self-government with expertise in local administration. For example, Karnataka has separate cadre.
- The state and central government have also started creating separate structures or units for implementing specific projects on education, health, and so on; this limits the role and powers of the PRIs.
- Institutional structures like the district planning boards, created to expedite decentralised planning, are either non-functional or do not give priority to PRIs.

Conclusion

The time has come to move from political representation to power devolution. There is a need for the state political leadership to accept the importance of PRIs, and devolve power to them as mandated in the Constitution of India. Building the

capacities of the PRIs not as mere implementers of the projects but as planners and evaluators would help strengthen the institution. The center also needs to financially incentivize states to encourage effective devolution to the panchayats in functions, finances, and functionaries.

2. Tokenism and surrogate representation have severely constrained the efficacy of panchayati raj institutions (PRIs) as instruments of socio-economic transformation. Comment.

Introduction

Direct local democracy has been mandated constitutionally through the 73rd and 74th Amendment. However, the actual progress of decentralisation has been uneven across States. In the absence of adequate financial clout, functioning of the Panchayati Raj Institutions (PRIs) and Urban Local Bodies (ULBs) have been severely constrained. It has been argued that the current functioning of panchayats fares poorly on the criteria of efficacy in service delivery, inclusiveness and accountability.

Body

Issues like Tokenism and surrogate representation are hindering the socio-economic development process as below.

Tokenism

- Panchayats have not been granted enough powers for revenue generation. As a result, they only have limited functional autonomy. Even after 25 years of constitutional backing, the PRIs are able generated only 5 percent of their revenue.
- Elections are not held regularly. For example, in Tamil Nadu elections were not held for 3 years after the term ended.
- Devolution of power which is imperative for socio-economic development has not been addressed properly.
- Separate cadre for local administration should have been setup for effective implementation of policies and decision making.
- Even after a decade and a half after the PESA Act, there is very little awareness about the Gram Sabha being designated as a self-governing body or having legal jurisdiction over the natural resources and forests. Neither is there any support mechanism for the Gram Sabhas to play any significant role.
- Recommendations of State Finance Commissions (SFCs) are generally not taken seriously

Surrogate representation

- Twenty-five years after women were given 33% reservation in local self-governance bodies, many women sarpanchs remain faceless wives and

daughters-in-law. Even Prime Minister Narendra Modi acknowledgement the fact that ‘Sarpanch Pati’ tradition should be ended.

- With the backing of national and state political parties, the object of direct and grassroots democracy gets defeated.
- The state and central government have also started creating separate structures or units for implementing specific projects on education, health, and so on; this limits the role and powers of the PRIs.

Conclusion

It is imperative to acknowledge the potential of women in ensuring inclusive democracy and the phenomenon of ‘sarpanch pati’ should be addressed with the backing of effective law. PRI representatives need clear mandates of local functions, and the ability to raise their own revenue, to foster better local governance. With adequate functions and finances, PRIs efficiency can be improved.

3. The attainment of Sustainable Development Goals (SDGs) require active participation of the panchayati raj institutions (PRIs). Do you agree? Substantiate.

Introduction

- Panchayati Raj Institution (PRIs) is a revolutionary concept to build democracy at the grassroots level. In India it has significantly transferred the representative democracy into participatory democracy with the bottom up approach of governance.
- The sustainable development goals (SDGs) are a collection of 17 global goals and 169 targets set by the United Nations General Assembly in 2015 for the year 2030.

Body

- Around 68.86% of India’s population lives in rural area, which makes role of PRIs in attaining the SDGs crucial.
- The implementation of SDGs needs every country to judiciously prioritize, and adapt the goals and targets in accordance with challenges, capacities and resources available.
- SDGs can be met only through high standards of governance at all levels. In this respect, India is especially fortunate to have highly committed governments at the central (union), state and local level.

Role of Gram Panchayat in localising SDGs

The role of panchayats in the attainment of SDGs is summed up as follows:

1. Convergent implementation of schemes-

- Ensure effective implementation of flagship programmes pertaining to livelihood like National Rural Livelihood Mission, Mahatma Gandhi National Rural Employment Guarantee Scheme, Swachh Bharat Mission etc.
Eg The Assam governments Samagra Gram Unnayan Yojana (CMSGUY) – a 5-year mission to initiate investment in rural areas towards doubling farmers' incomes.
2. **Participatory outcome based planning for local development**
 - Effective functioning of the Gram Sabha as participatory discussion and decision making forum for local development.
 - Ensure coordinated functioning in tandem with Self Help Groups and their collectives
 - Institute outcome based planning that sets baselines and monitors advancement in development indices.
 3. **Specific governance interventions in panchayats**
 - Effective functioning of Standing Committees and Functional Committees of the panchayats
 - Strengthening fora for community participation
 - Institution of clear community based monitoring and tracking mechanisms and information feedback to the community.
 4. **Interventions across tiers of panchayats**
 - Effect convergent planning between the three tiers of Panchayati Raj
 - Effective functioning of the District Planning Committees which link rural and urban planning
 - Coordination for service delivery and implementation of flagship schemes.
 - Eg. The Government of Bihar's umbrella programme titled 7 Nischay (or 7 resolves) addresses challenges in multiple sectors following an inter-sectoral approach.

The local development plans of Panchayats is expected to synchronize with attainment of identified sectoral goals. Building local leadership capacities and promoting aspirational Panchayats by enabling them to find innovative, community driven, sustainable solutions to local problems is key to attaining the SDGs at the local level.

The way ahead

- It is very crucial that the Village/Gram Panchayats develop their own action plan to improve living conditions
- In rural Indian context, the living condition is linked with the practice of social justice principles. There is a need to be more inclusive in addressing the problems of people from different sections.

- Strengthening stakeholder participation in governance particularly in decision making. The various village level committees formed under different development programs – School Management Committee, , Sanitation and Nutrition Committee, Matru Mangal Samiti for Anganwadi, PDS Committee, etc. shall be strengthened so that they plan and monitor the service delivery.
- Each village panchayat must assess the status of various public assets and services with regard to its functionality.
- The gram panchayat and various committees must periodically assess all the services. Primary focus must be given to five key services: (i) anganwadi (Child care) as it has direct link with child development and curbing malnutrition (ii) primary education – it has link with universal literacy particularly among girls (iii) drinking water and sanitation – it has direct link with the health status and wellbeing (iv) access to public health services – it will improve institutional delivery and healthy life (v) access to public distribution system and food availability in anganwadi and mid-day-meal – it will address malnutrition.

4. Strong political will of the state governments and cooperation from the bureaucracy are vital for vibrant local self- government institutions. Elaborate.

Introduction:

Local Self- Government is a form of government that has no share in sovereignty and is thus entirely subordinate to central authority or, in a federal system, to state or regional authority. This level of government is recognized by the people as they are close to the citizen and involve them in the decision making process. The task of developing local self-help government institutions and modernization is not possible without the proper cooperation and effective bureaucracy.

Body:

Strong political will of the state governments are vital for vibrant local self-government institutions.

a) Strong political commitment from higher level authorities within the Government.

Activity mapping which was supposed to be done by states as per resolution of the State Panchayat Ministers' round table has been done by quite a few states, but implementation has often remained incomplete. Transfer of functionaries has also remained mostly symbolic.

b) Autonomy of the local bodies in decision making and implementation of local schemes:

Since Panchayats implement state and union government schemes they are required to adhere to the guidelines without any authority to deviate even a little as per necessities emanating from local conditions. In the absence of Panchayats' own financial resources they can hardly undertake programs on their own in line with local requirements. It is here that decentralization of

political decision making needs to be complimented by measures to ensure fiscal autonomy for PRIs so that such institutions can muster necessary financial resources on their own to be truly self-reliant in local decision-making and its implementation.

c) Availability of the internally generated resources at the local level:

In the federal system of governance that is existent in India, almost all the sources of tax or non-tax revenue come under the jurisdictions of the State and Union Governments. This leaves little scope for local governments to generate resources on their own. Their own revenue generation capacity remains limited vis-a-vis their requirements and expenditure obligations. In view of this the constitution mandated for setting up of the State Finance Commissions that would help determine the devolution of state's revenue to the local governments.

Cooperation from the bureaucracy is vital for vibrant local self- government institutions.

- The development of bureaucracy should not be conservative but it should have scientific outlook, progressive, innovative, reformist and revolutionary in nature. The concrete tasks of development which the state had to undertake include modernization of agriculture, industrialization and economic diversification and building of infrastructure including irrigation, electrification, communication, transport, education, health and promotion of science and technology.
- The Twenty Point Program contained a number of points for the poorest sections of the society like the liquidation of the rural indebtedness, provision of house sites for landless, and enforcement of minimum wages. The formulation and implementation of these programs required bureaucracy to play a new role, the role of an agent of development or agent of change as compared with the traditional role of the past as agent of status quo. Furthermore, since most of these were people oriented programs bureaucracy had necessarily to work with people.
- Motivating and mobilizing the people, communicating programs to them, eliciting their cooperation, building up grass-root popular institutions-these were the new methods and techniques of administration which bureaucracy had to adopt.
- The bureaucracy had to go to people as development workers rather than just passing orders on cases of people approaching them with their grievances.

Conclusion:

The 73rd Constitutional amendment was hailed as an important landmark for its radical approach towards decentralization, devolution of power and in ensuring the participation of the marginalized sections. The Amendment sought to bring a new political system in rural areas by giving priority to decentralization, people's participation and democracy at the local level.

5. The experience of the PRIs in different states of the country has not been the same. Illustrate with the help of suitable examples. Which are some of the better performing states? Examine.

Introduction

Our Constitution provides a clear mandate for democratic decentralization not only through the Directive Principles of State Policy which exhorts the State to promote Panchayati Raj Institutions but more specifically now through the 73rd Amendments of the Constitution which seek to create an institutional framework for ushering in grass roots democracy through the medium of genuinely self-governing local bodies.

Body

Experience of the PRIs in different States is not been the same because of the following Reasons

- **Gram Sabha:** The act provides for a Gram Sabha as the foundation of the panchayati raj system. However, It may exercise such powers and perform such functions at the village level as the legislature of a state determines.
 - **Example:** In most of the states, each constituency of the members of the Gram Panchayat is called the Gram Sabha and all the voters of the same constituency are members of this body. However, in some states this is called Ward Sabha/Palli Sabha etc. In West Bengal it is called Gram Sansad (village parliament). Gram Sabha in West Bengal has a different meaning. Here all the voters of the Gram Panchayat as a whole constitute the Gram Sabha.
 - Gram Sabhas hold meetings normally 2 to 4 times a year, but can meet as and when necessary. In some states dates of these meetings are fixed (Madhya Pradesh, Gujarat etc.) while in others dates are fixed by the Gram Panchayats.
- **Three-Tier System:** The act provides for a three-tier system of panchayati raj in every state, that is, panchayats at the village, intermediate, and district levels. However, a state having a population not exceeding 20 lakh may not constitute panchayats at the intermediate level.
 - **Example:** Arunachal Pradesh took away its Anchal Samiti, the intermediate level of the three-tier panchayati raj system, and set up a two-tier system in the state. Whereas Most of the States have 3 tier Panchayati Raj system.
- **Reservation of Seats:** Article 243D of the Constitution provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat (i.e., at all the three levels) in proportion of their population to the total population in the panchayat area. The act also authorises the legislature of a state to make any provision for reservation of seats in any panchayat or offices of chairperson in the panchayat at any level in favour of backward classes.

Example: As per the Constitution (Eighty Third Amendment) Act 2000, the Article 243D relating to the reservation of seats in panchayats, is not applicable in Arunachal Pradesh. However, This provision is applicable in most of the States.

- **Election of Members and Chairpersons:** As per Article 243C of the Constitution all the members of panchayats at the village, intermediate and district levels shall be elected directly by the people. Further, the chairperson of panchayats at the intermediate and district levels shall be elected indirectly—by and from amongst the elected members thereof. However, the chairperson of a panchayat at the village level shall be elected in such manner as the state legislature determines.
- **Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA):** extends Part IX of the Constitution to the areas listed under the Fifth Schedule subject to certain exceptions and modifications. A major function of the Ministry of Panchayati Raj is to oversee the implementation of the provisions of PESA by the nine States, namely, Andhra Pradesh, Jharkhand, Chattisgarh, Himachal Pradesh, Madhya Pradesh, Gujarat, Maharashtra, Orissa, Rajasthan that have the areas listed in the Fifth Schedule. The PESA Act enjoins the State governments to endow Gram Sabhas and Panchayats at the appropriate level with the power to enforce prohibition, ownership of minor forest produce, power to prevent alienation of land and restore unlawfully alienated land, power to manage village markets, power to exercise control over money lending, power to exercise control over institutions and functionaries in all social sectors and power to control local plans and resources for such plans including tribal sub-plans. The Act prohibits Panchayats at the higher level to assume the powers and authority of any Panchayat at the lower level.
- As per Article 243M of the Constitution, State of Nagaland, Meghalaya, Mizoram, Sixth Schedule Areas and hill areas of Manipur are exempted from application of Part IX of the Constitution.

Some of the better performing States.

Ministry of Panchayati Raj during the National Panchayat Raj Day event, awards were given to the best performing Panchayats.

- **Deen Dayal Upadhyay Panchayat Sashaktikaran Puraskar (DDUPSP)** are given to best performing Panchayats across the States/UTs in recognition of the good work that is done by PRIs at each level for improving delivery of services and public goods.

Some Best Performing States: Kerala, Karnataka, Gujarat, Assam, Andhra Pradesh, Jharkhand

- **Nanaji Deshmukh Rashtriya Gaurav Gram Sabha Puraskar (NDRGGSP)** are given to Gram Panchayats only for their outstanding contribution to the socio-economic development by involving Gram Sabhas.

Better Performing States: Maharashtra, Punjab, Rajasthan, Chhattisgarh, Sikkim, Tamilnadu

- **Gram Panchayat Development Plan (GPDP) Award:** This award to be conferred upon three best performing Gram Panchayats across the country. This has been done with a view to encourage the GPs which have developed their GPDPs according to the State/UT specific guidelines prepared in line with the models guidelines issued by MoPR.
Better Performing States: West Bengal, Karnataka and Sikkim
- **E-Panchayat Puraskar** This award is given to Panchayats who efficiently and effectively use of Information and Communication Technology (ICT) to build a "digital inclusive society" where large sections of rural population are able to benefit from new technologies.
Better Performing States: Sikkim, Odisha, Maharashtra, Telangana, Tripura and Karnataka.

Conclusion

Though there are inevitable variations from state to another state in regard to its, details including structure, number of tiers, location of authority, length of tenure, etc. the Panchayati Raj institutions today are functioning in all the states to deliver service and benefits to large sections of rural population.