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NEW DELHI

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

ON
"NEW THRUST IN DEMOCRATIC DECENTRALIZATION"

Sunday, the 1st November, 1987

10.00 A.M.

I.I.P.A. Auditorium

LIST OF CONTRIBUTORS

- | | |
|---|--|
| 1. Prof. S.N. Mishra
I.I.P.A., New Delhi. | Discussion Paper on "New Thrust
in Democratic Decentralization" |
| 2. Shri R.P. Agrawal,
Kanhaurakka, Muzaffarpur. | A Thought on Democratic Decent-
ralization |
| 3. Shri Ajaib Singh
6th Street Y Block
12th Main Road, Madras-40 | New Thrust in Democratic
Decentralization |
| 4. Shri R.R. Dalavai
35, Bharathi Salai,
Madras-600 005 | -do- |
| 5. Dr. C. Gnanaprasadam,
Lecturer in Political Science
ICCE, M.K. University,
Madurai. | -do- |
| 6. Smt. Santha Gopinath
New Delhi. | -do- |
| 7. Dr. (Mrs) Wazih Murtaza
Post-Graduate Deptt. of Pol.Sc.,
Patna University, Patna. | New Thrust in democratic Decent-
ralisation and the Village
Panchayat. |
| 8. Shri R.K. Pandey
Addl. Collector & vice Chairman,
Santhal Parganas IIPA Local
Branch. | New Thrust in Democratic Decen-
tralization. |
| 9. Shri K.N. Sahay
Principal Retd.)
Dooghar College,
B. Dooghar. | -do- |



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10. Shri K.R.N. Sahay (Retd. Engineer) Road No.1, Rajendranagar, PO Patna-800016		Decentralisation Towards Democracy at District Level.
11. Shri Om Prakash Gathi 144, Housing Board Colony, Gurgaon-122 001, Haryana		Democratic Decentralization and Development Challenges & Response
12. Shri J.P. Singh Indian Airlines, Gauhati Airport, Gauhati-781 015		New Thrust in Democratic Decentra- lization.
13. Shri K.P. Singh, Patna & Shri G.P. Singh, Patna	-do-	
14. Dr. J.K.P. Sinha Hony. Secretary, IIPA Bihar Regional Branch, Patna.	-do-	
15. Shri K.R. Sinha Sri Krishna Nagar, Patna		New Thrust in Democratic Decentra- lisation with special Reference to Bihar.
16. Prof. N. Sinha Hony. Secretary, Santhal Pargana, IIPA Local Branch, PO Deoghar, Bihar.		New Thrust in Democratic Decentra- lisation with special Reference to Santhals.
17. Mrs. Nutan Sinha Research scholar, Patna University, Patna.		New Thrust in Democratic Decentra- lisation.
18. Mrs. Vaena Sinha Research Scholar, Patna University Patna.	-do-	
19. Dr. (Mrs.) Prabhavati Sinha Head, Deptt. of Pol. Sc., Women's College, Patna University, Patna.	-do-	
20. Shri P.K. Sivanandan Vattiyurkava, Trivandrum-695013	-do-	
21. Shri Subodh Kant, M.L.A., Patna.	-do-	
22. Shri Saroj Kumar Verma C/O Dr. Bipin Behari Verma Professors' Colony, Red House Compound, Gaya-823001	-do-	

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THEME PAPER
ON
NEW THRUST IN DEMOCRATIC DECENTRALIZATION

By

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THEME PAPER

NEW THRUST IN DEMOCRATIC DECENTRALIZATION

- S.N. Mishra,
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The contemporary Indian society has been striving for establishing social, economic and political justice through modernization of its political and administrative institutions. The rising expectations of people and the government's emotional commitment to economic development, democratic political ideals, and administrative decentralization are placing increasing demands on the public bureaucracy to implement socio-economic development programmes more effectively and with greater public participation. Due to this changing socio-political milieu, the local development bureaucracy is confronted with a formidable task of promoting economic development through democratic management, local autonomy and the joint sharing of responsibilities with people's representatives.

The institutional expression of the policy of "democratic decentralization" in India is identified with "Panchayati Raj". The development needs and concern for democratization of the administrative mechanism determine the role of political and administrative institutions in the country. Any analytical study examining the role of these institutions therefore can not escape

I am thankful to my colleague Dr. Gangadhar Jha for his impartial comments and useful suggestions in revising an earlier draft of the paper.

the impact of social setting, local political dynamics, development goals, functional dimensions, structural processes and relationships, popular support and governmental attitude towards the capacity and nature of responsibilities of these institutions. In a rapidly changing political environment, it is difficult to assess the actual contribution of these experiments to the theory of democratic management and control. However, the operational dynamics do present a number of challenging questions to normative as well as empirical democratic theory.

It is, therefore, desirable to identify some of the fundamental questions which will provide the basis for discussion in this paper. Related to the political consequences, the first basic question draws our attention to the problem of conceptual clarity. What does the concept of "decentralization" mean in Indian context? Is there any conflict between "democracy", "decentralization" and "development" as the three basic goals of decentralized democracy? Should the institutions of democratic decentralization be treated purely as a "developmental mechanism" or a "power mechanism" providing a hierarchical chain of political offices through which the actual political power can be exercised? What type of relationship should these institutions have with the national or state political organization? Without any organization or party lines, can these institutions serve the functions of interest aggregation and interest articulation reflecting the people's aspirations and demands?

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Arising out of these questions, the paper first deals with the conceptual underpinnings of decentralization for comprehending the substantive meaning and nature of democratic decentralization. It then deals with the normative aspects of democratic decentralization by analysing the desirable nature of decentralization in terms of basic unit of decentralization which could be administratively viable and also closer to the people. The paper afterwards probes the efficacy of the experiment tried in this regard which raises certain questions at this stage viz. Do these patterns of decentralized democracy involve the decentralization of political or administrative powers or do they merely lead to the transfer of certain governmental functions to the local authorities? How far have the institutional organization and administrative arrangements been successful in promoting harmonious working relationships among the officials and elected members of political organs? Has there been adequate inter-institutional, inter-departmental coordination among the different components of the decentralized system to facilitate an effective planning and execution of development plans at the local level? Based on the analysis of all these aspects of the problem the paper finally puts forward some suggestions to provide new thrust to the concept of democratic decentralization in Indian context.

Democratic Decentralization: The Conceptual Context:

The real meaning and significance of democratic decentralization can be understood in the light of the prevailing social, economic and political conditions which determine the purpose and pattern of democratic process. India has greater diversities in terms of culture, languages, caste groups and economic stratification apart from authoritarian political tradition. Side by side the demands for eradication of poverty, disease and ignorance are increasing in alarming proportion and require massive efforts. This challenging task emphasises economic priorities and increasing public participation to fullfil the rising expectations of the vast masses. At the same time aspiration aroused by political freedom require a widening of the base for political participation. With a view to contain the forces of diversities, the emerging trend is tilting the balance towards decentralization. Thus, a true image of pattern of 'democratic decentralization', both at conceptual and operational level, can better be visualised in contextual term where the objective and motivation of the political leadership provides a true perspective for understanding the process and problems of decentralization.

The concept of decentralization, as it applies to India, presents a different approach to the decentralization of political and administrative powers. Having its mixed goals of democracy, decentralization and development, it refers to

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the programmes and tendencies which implies devolution of governmental powers and responsibilities, decentralization of political institutions, development of local leadership and strengthening the efforts for economic modernization. However, not all scholars agree to this formulation.

In a narrow and technical sense Prof. Hanson uses the term "democratic decentralization" to identify the process whereby the responsibilities of the central government are transferred to subordinate agencies which are elected by geographic or functional constituencies. These agencies acquire some of their powers not by delegation from higher administrative authority but by legislative or constitutional provisions (Hanson, 1963, p.20).

The Balwantrai Mehta Report of 1957, however, repudiates the above conceptual development and holds the view that 'delegation of power does not divest the government of the ultimate responsibility for the actions of the authority to whom power is delegated, this authority is under the control of the government and is in every sense subordinate to it. Decentralization, on the other hand, is the process whereby the government divests itself completely of certain duties and responsibilities and devolves them on some other authority (Mehta, 1957: V.1:7).

However, the real test is not decentralization of political agencies or institutions, but the effective

decentralization of responsibilities, powers and prestige or status. Presumably, genuine decentralization involves a significant measure of either deconcentration, delegation, or devolution, i.e. conferring of real powers on local authorities (Alderfer, 1964:187-77). Decentralization also implies clear understanding of socio-cultural and legal factors.

Thus the pattern of decentralization as evolves in India involves both the delegation or deconcentration and devolution or transfer of political and administrative powers. Thus the degree of democratization and decentralization is determined by the politico-economic objective and the operational procedures designed to regulate the administrative mechanism.

Democratic Decentralization in India: The Genesis:

Many efforts in India were made before independence, both by individuals and voluntary associations, for rural reconstruction by decentralising the political and administrative powers. After independence, Community Development (CD) and National Extension Services (NES) programmes were launched in 1952 and 1953 respectively for the development of rural areas. But they failed to achieve their development objectives. The review of the working of the CD and NES movement revealed that its attempt to evoke popular initiative

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was one of its least successful aspects. The proposal of the Planning Commission for the Second Five Year Plan stressed the need for creating within the district a well organised democratic structure of administration in which village panchayats would be organically linked with popular organisations at a higher level. The proposal was subsequently taken up by the Study Team appointed by the Committee on Plan Projects. The Team, presided over by Balwantrao Mehta submitted an elaborate report in 1957.

The Mehta Study Team, realising the importance of popular participation, recommended creation of institutions which were to be statutory, elective, comprehensive in duties and functions, equipped with necessary executive machinery, with adequate resources, and with enough autonomy and freedom. The creation of the Panchayati Raj in 1959, with the object of entrusting the authority and responsibility for rural development to rural people was hailed not only as an innovation but also as a revolution.¹

1. Henry Meddick - Panchayati Raj: A Study of Rural Local Government in India, London, Longman, 1970, p.3, Norman D. Palmer describes it as the most exciting experiment in democratic decentralization in any developing country. See Norman D. Palmer, The Indian Political System, Boston, Houghton, Mifflin, p.104, A.H. Hanson and Janet Douglas considered Panchayati Raj a India's distinctive contribution to the theory and practice of local government. See A. Hanson, Janet Douglas, India's Democracy, Delhi, Vikas, 1972, p.184.

The Study Team recommended a three tier system for self-government at the grass-roots level. Subsequently when the PRIs were introduced in early Sixties, they were assigned three major tasks viz., developmental, administrative, and political. The Mehta Committee had assigned greater importance to the developmental tasks but the three tasks mentioned above were supposed to maintain a mutual inter-relationship. However, non-devolution of own sources of revenues proved to be the greatest stumbling block in performance of these assigned tasks. This led to the mounting pressure on the district level bureaucracy, ultimately it led to a hostile attitude of the bureaucracy towards these grass-root institutions.

As these institutions took a shape, the MLAs, MLCs and other politicians came to realise the strategic importance of PRIs and started looking at the representatives of PRIs as the political rivals. Therefore, they seemingly started a non-cooperation movement against these institutions. This inevitably led to a decline of these. The performance and objectives of the PRIs were considerably deluted making them directionless. The declining political support coupled with indifferent attitude of local level bureaucracy led further diminution of the developmental and administrative role of the PRIs making the political role more prominent.

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The basic philosophy behind the PRIs was to ensure people's participation in development programmes which was expected to unleash the arrested process of change and growth. However, these institutions failed to a great extent on both the fronts due to their non-performance. So much so that during the Seventies it created an impression of 'a God that failed'. Nevertheless it had the perceptible impact in terms of galvanizing the average citizen in rural India and wherever it took its roots; it helped in narrowing the gap between the bureaucracy and the people. At the same time, it also succeeded in devising a development strategy for the people.

New Strategy:

After initial enthusiasm and promising performance, when PRIs began to decline rapidly, the Asoka Mehta Committee was appointed in 1977 by the Janta Government for suggesting ways and means of reviving the PRIs.

Crux of the Asoka Mehta Report:

The terms of reference of the Asoka Mehta Committee encompassed all important aspects of the Panchayati Raj as is evident from its extensive 132 recommendations. Diagnosing the ills afflicting the PRIs the Committee pointed out that haphazard programmes, non-performance, rise of vested interests, lack of political will on the part of the Central and State Governments, lack of adequate financial resources, etc. have

positively contributed to its decline. It also felt that the concept of Panchayati Raj itself got lost in the haze of conflicting interpretation. However the Committee hastened to add that this failing was not peculiar to Panchayati Raj only. It was only symptomatic of the decline afflicting the entire body politic of the nation.

New Approach:

The major thrust of the Report pertained to decentralization "the formulation of structural functions and the utilization of financial, administrative and human resources in Panchayati Raj institutions should, in our opinion, be determined on the emerging functional necessity of management of rural development".

The Committee's dominant thinking centres round the functional necessity for decentralization of administration. It was called a "new approach" towards Panchayati Raj.

It is, however, felt that the Committee perceived the philosophy or 'approach' to PR in some what narrow terms. "It gives one a feeling that Panchayati Raj is a mere administrative contrivance whose justification lies only in terms of rural development". It might have been more secular if PR, or rural local government, were regarded like its counter-parts at the state and central levels as a system of government having a measure of autonomy in the matter of functioning and existing in its own right. The Committee's

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is a too closely focused definition of rural local government and it needs to be liberalised and made more open ended".²

Without going into the details of the Report of the Committee let us look at the major recommendations of the Committee and the model suggested by it. It suggests that Panchayati Raj should be viewed as a 'government' in its own right at the grass-root level which means a three tier structure of federation instead of two at present.

The Model:

- 1) Being conscious of the operational realities of Panchayati Raj Institutions the committee adopted a flexible approach to the problem and recommended a "two tier" model of Panchayati Raj. Keeping in view the development necessities the first point of decentralization below the state was suggested should be the district. Apart from being the basic units of devolution, the district level should be treated as the unit of planning;
- 2) For the second tier, the Committee thought that in order to be a viable unit the unit has to be bigger than the existing Panchayats. It therefore suggested the creation of "Mandal Panchayats (which will be the implementing body) consisting of a cluster of villages covering a population of 15,000 to 20,000. The Committee further felt that a Mandal Panchayat

2. S.R. Maheshwari, "Panchayati Raj between the two Mehtas and Beyond", Panchayati Sandesh, Delhi, Vol.10, No.10-11, January-February, 1979, p.12.

- would alone be able to ensure a balance between technological requirements and possibilities of popular participation in decision making;
- 3) The Committee recommended direct election for both tiers i.e. Zila Parishad and Mandal Panchayat with reservation of seats for scheduled castes and scheduled tribes in proportion to their population and women (two seats) who got the highest number of votes in Panchayati Raj elections;
 - 4) It suggested to encourage committee system at both the levels;
 - 5) MLAs and MPs should not be 'insiders'. However, the Committee was of the opinion that a Committee of the whole Zila Parishad may be constituted for planning purposes and MLAs and MPs should also be ex-officio members of this Committee. Therefore in the proposed system of elections the directly elected component would be larger than the ex-officio and coopted elements;
 - 6) The Committee categorically favoured the participation of political parties in Panchayati Raj. This was thought to impart distinct orientation towards programmes and would facilitate healthier linkages with the higher level political processes. It would also help in providing constructive outlet to opposition parties at the state level who may chalk out their achievement at the District level. Moreover, direct elections coupled with programme based contest would offer greater scope to weaker sections for availing the opportunities offered by the political system;

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- 7) The Committee suggested that the Zila Parishad would be the first point of decentralization and the basic unit of Panchayati Raj endowed with a comprehensive range of developmental responsibilities. At the grass-roots level, the Mandal Panchayat would be the hub of development activities;
- 8) In regard to the functions of Panchayati Raj institutions the Committee felt that development being a dynamic process, functions can not remain static; periodic adjustments would be necessary to suit the changing requirements. As such the committee recommended that all development functions relating to a district which are now being performed by the State Government should be entrusted to Zila Parishad;
- 9) So far local level planning is concerned, the committee suggested that there should be a professionally qualified team at the district level for the preparation of district plans;
- 10) With a view to ensure social justice the Committee favoured representation of scheduled castes/scheduled tribes on the basis of their population; and social justice committee with chairman from the scheduled castes/scheduled tribes. In order to ensure the benefit from the development programmes to the weaker sections of the society, it suggested social audit system.
- 11) An important related recommendation is that all the staff with decentralized functions should be under the Zila Parishad.

The committee thus visualised a separate development administration having decentralized functions alongwith a composite Zila Parishad Secretariat;

- 12) Since all functions relating to implementation at the district level are transferred to Zila Parishad, the committee felt that the funds should also be transferred to Zila Parishad automatically. Administrative expenditure on the salaries and allowances of staff transferred to Zila Parishad should be borne by the government.

In sum, the Committee's approach was that the pattern of administration should suit the decentralization of development function. "A delectable comparison of administration is made with a women's dress. It has to drape well the body politic and has to fit with the contours".(Mehta, VI, 68-78).

Observations:

It is difficult to disagree with the major conclusions arrived at by the Asoka Mehta Committee. However, what is more important is whether the Centre and the State Governments are serious about implementing them. The stance of the existing government on genuine decentralization is well known. This also needs to be viewed in the context of the trends towards complete monopoly of power in the states as well. The Committee has taken note of it and has explicitly stated that "the existing scheme of distribution of powers between the Union and the States would require a detailed out separate consideration". This question has been debated for many years and is remained still inconclusive. It is obvious that the remedy lies only in the amendment of the

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Constitution. The Constitution had not foreseen integrated administrative development and percolation of genuine democracy to the grass-roots. In the Government's scheme of things, bureaucracy would always reign supreme at the lower level, unlike at the Centre and State levels.

The litany of praise for the so-called "Technological revolution" contained in the report may be good for the Government time capsules, but actual experience has shown that the situation has only worsened in the rural areas. A cursory glance at the screaming newspaper headlines about the recent atrocities in rural India highlights their plight. Today we have the Scheduled Castes, Scheduled Tribes and Backward Castes, together with other landless, bearing the brunt of exploitation. For their emancipation, genuine democracy has to be extended to the grass-roots level, decentralization is the only tool for this.

This brings us to the question of regular elections at the local levels. Co-option, as indicated in the Report, will not be conducive to the smooth functioning of elected organs of administration. In fact, there is a case for proportional representation for organized groups, though the Committee has specially come out against this. But only by resorting to some sort of a proportional representation can justice be done to political parties, religious minorities, scheduled castes, scheduled tribes, women, etc.

Representation to the scheduled castes and scheduled tribes and backward classes is absolutely justified, both in terms of social advance and in the light of the past exploitation and present subjugation. But this cannot be an indefinite feature at the Panchayati Raj level. It would help in the formation of an elite group amongst them. Recent experiments in "Reservation" carried out in the State of Bihar have shown that it leads to unnecessary exacerbation of caste conflicts. In India today, there are millions of upper caste people who have been dispossessed and pauperized. Therefore, it is essential that economic status should also be an important criterion for reservation. All the same the 20 percent reservation for the important posts of chairman envisaged by the Committee for the Scheduled Castes and Scheduled Tribes is a good thing. Panchayati Raj has long been the domain of the land-holding upper castes and it is essential to break their stronghold. But this cannot be done simply by reservation. What is preferable is a broad alliance between them and the poor belonging to the other castes.

The radical recommendations in regard to the tiers may raise many eyebrows. A reaction³ may be noted thus, "in

3. "The Committee does not recognize a need for an elective participative organism at the level of the village; it is content with village committees. Such a view makes the village too conspicuous by its absence in the Mehta Scheme of organisation. Political institutions do not operate in a vaccum, and by over-looking village, which

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Asoka Mehta two-tier structure of Zila Parishads and Mandal Panchayats, the Gram Panchayats and Village as a unit are the casualties. Villagers come in contact with the Gram Panchayat directly therefore making it more effective and useful, should have been attempted ... Efforts all through have been to strengthen the grass-root level but the Committee thought it wise to shift the power and focus of activities to cluster of Villages or Mandals, to talk of decentralization from the State to Zila Parishad level but to recommend the shift of power and activity from a village to a cluster of villages appears to be contradictory in spirit".⁴

Chapters VIII and IX of the Report dealing with the problem of administrative and financial resources have no radical measures to offer. The glaring disparity in service conditions between Central and All-India Services, between State services and the services of the local bodies are not exactly conducive to the morale, especially of local level government employees.

In the matter of allocating resources the Committee lays great stress by the altruism of the Central and State

is an organic entity, the Asoka Mehta Committee runs the risk of suggesting precisely such a kind of remedy. It may perhaps do us good to recognise the full organic personality of the village and build the decentralized structure upon it" (Maheshwari, Panchayati Raj between the Two Mehtas and Beyond, p.13).

4. S.K.Sharma, Review of Asoka Mehta Committee Report on Panchayati Raj Institutions', Kurukshetra, New Delhi, (Vol.XXVII, No.3, November 1, 1948, p.10).

Governments. It would have been better if the Panchayati Raj institutions were allowed to mobilize their own resources. The Central and State Governments should start tapping financial resources that fall within the purview of the local bodies. There could be an understanding on the part of the Centre, State and Panchayati Raj institutions on providing an equitable basis for allocation of financial resources. This would be the right attitude. Otherwise it would lead to merely burdening the rural people with more taxes.

To discuss the recommendations of the Asoka Mehta Committee, the Chief Ministers conference was called in Delhi in August 1979. In the light of the discussions, to bring uniformity in the Panchayati Raj pattern for the whole of the country, a model bill was prepared with a hope that every state government will pass it and will follow an uniform pattern. But unfortunately in the course of events the model bill did not attract the attention of state governments and the bill could not be passed.

However, keeping in view the plan priorities of the 7th Five Year Plan in respect of rural development and poverty alleviation programmes, the Planning Commission setup the Committee on Administrative Arrangements for Rural Development to review the existing administrative arrangements for rural development and poverty alleviation programmes and to

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recommend appropriate structural mechanism to ensure that they are planned in an integrated manner and implemented effectively.

CAARD Report:

The Committee which was constituted on March 31, 1985 had Shri G.V.K. Rao as its Chairman. In the terms of reference of the Committee, apart from other issues, one of the important matters was to study the role of Panchayati Raj bodies and their relationship with the proposed administrative setup, and to make appropriate recommendations in this regard.

While examining the genesis and role of Panchayati Raj institutions in historical perspective the committee looked into the factors which were responsible for decline in their status. The Committee pointed out that decline in the status and authority of Panchayati Raj Institutions may be attributed to the reluctance of political leadership at state level to share power with district leadership.

With a view to activate the PRIs the Committee gave several useful suggestions. District being the prime unit for overall planning and development, it suggested to strengthen the Zila Parishad by introducing a system of Sub-Committees constituted on the basis of proportional representation. This would encourage and enhance the participatory democracy. Planning, plan implementation and monitoring of rural

development programmes were suggested to be entrusted to the PRIs at the District and lower levels. It even talked of transferring some of the planning functions at the state level to the district level. In order to appreciate the ideals of participatory democracy, it envisaged of hold the local elections regularly.

In regard to integration of rural development programmes, one of the suggestions of the Committee is that Zila Parishad should be apex body for the overall planning at the district level. It should be assisted by a District Planning Board which should be an advisory expert body with a Planning Cell. The plan should be prepared by the DPB and sent to Zila Parishad for review and authentication. In this model all the rural development activities pertaining to the district should be covered under the purview of district body.

Having thus analysed the new refreshing ideas suggested by the CAARD for restructuring of the system, let us now turn to a much talked about model in this regard tried and working in Karnataka, Andhra Pradesh and West Bengal. Though the structure of Panchayati Raj system in West Bengal is based on the old model of three tier but its functioning in recent years has attracted the attention due to its functioning on genuine decentralised pattern. This also needs careful consideration.

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Karnataka Experiment:

In Karnataka the 1983 election was fought by the Janta Party on the basis of "power to the people" which was the main thrust of its election manifesto. Therefore, immediately after acquiring the power, the Janta Government, following Gandhi's philosophy believed that the state should rest upon four pillars viz., village, district, state and centre.

The Karnataka Zila Parishad and Mandal Panchayat Act therefore enacted in 1985 was implemented with effect from March 1987. It basically follows the model suggested by the Asoka Mahta Committee with certain modifications. The objective of the Act is to give the highest priority to rural development, eradicate poverty and bring about around improvement in rural economy through people's participation. To achieve these objectives, the Act provides the maximum degree of decentralisation - both in planning and implementation.

The Karnataka model brings into its fold a three tier Panchayati Raj structure by establishing Zila Parishad, the Taluk Panchayat Samiti and the Mandal Panchayat. The Act also provides for the institution of Gram Sabha at the revenue village level and Nyaya Panchayat at the Mandal level. However, the Nyaya Panchayat will come into being only after five years. The main characteristics of the Karnataka

model are as follows:-

Gram Sabha:

The Gram Sabha consisting of all the adult members of the village and meeting twice in a year looks after the implementation of the development programmes, making proposals for any new programme of development, integration of all sections of the village, building up of land army, programme of adult education and such other functions as may be prescribed from time to time. The novel feature is that the meetings of the Gram Sabha are presided over by the Pradhan of Mandal Panchayat.

Mandal Panchayat:

The Mandal Panchayats consisting of a cluster of villages have not less than 10,000 and not more than 15,000 population for general areas and 5,000 population for those areas which are surrounded by forests and having heavy rainfall. Similarly, for every 500 population one member is elected and the total membership of the Mandal Panchayat ranges between 20 to 22 and for forest areas 10 elected members constitute Mandal Panchayat. The novelty of this system is the reservation of 25 percent seats for women. Seats are also reserved for ST/SC in proportion to their population. If the representatives of backward classes do not find place through electoral process 2 members of

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that community may be nominated by the State Government. It is interesting to note that the Pradhans and Up-pradhans are paid for the positions they hold.

The Act provides for obligatory, discretionary, and transferred functions. In order to enable them perform those functions, the Act provides that apart from local resources it will include the allocation of funds by the State Government or the Zila Parishad. Moreover, it also provides for a per capita grant of Rs.15/- to the Mandal Panchayat.

However, the financial as well as personnel matters of the Mandal Panchayat are subject to the supervision of Zila Parishad. In all these matters, therefore, the linkage between the Mandal Panchayat and Zila Parishad is vertical, the latter exercising control downwards.

Taluka Panchayat:

The Taluka Panchayat Samiti consists of members of Zila Parishad and State Legislature representing a part or whole of the Taluk whose constituency lie within the Taluk, the Pradhans of Mandal Panchayats, presidents of Primary Land Development Bank and Taluk Agricultural Produce Co-operative Marketing Society as also 5 co-opted members of SC/ST, backward classes and women. The MLA representing the major part of the Taluk is the Chairman of the Samiti and Block Development Officer is the Secretary.

The Samiti has three major powers that of supervision, review, and co-ordination.

Zila Parishad:

The Zila Parishad composed of (1) elected, (2) associate and (3) nominated members is a the body corporate like the Mandal Panchayat. For the election of Zila Parishad both territorial and population criteria are employed, i.e., one member for 35000 population except for the district of Kodagu where each member will represent a population of 15000. The Chairman/President of District Central Co-operative Bank is an Associate Member and has no voting right. The nominated members are the members of Parliament and State Legislature representing a part or whole of the area. Here again, there is provision for reservation of seats for women and SC/ST. The term of office of the member is 5 years.

The Adhyaksha and Upadhyaksha are elected from amongst the members of Zila Parishad for a period of 5 years and the Adhyaksha receives the salary of a State Minister and the Upadhyaksha that of a Deputy Minister.

The Office of the Executive Officer is perhaps a new innovation as far nomenclature is concerned. He is designated as Chief Secretary, Zila Parishad and is of the rank of Deputy Commissioner.

The functions of Zila Parishad are very many right from supervision and integration to the preparation of plan

for the district. The Zila Parishad, thus has adequate developmental functions but has not been given any regulatory function. As it has replaced the erstwhile District Rural Development Society, it has taken over the functions of the latter too. It functions through nine standing committees.

The finances of Zila Parishad include: the amount transferred to Zila Parishad by appropriation from the consolidated fund of the State; all grants, assignments, loans and contribution made by the Government; all profits and other money occurring by gift, grants, assignments or transfer from private individuals or institutions; and all sums received on behalf of Zila Parishad by virtue of the present or any other act. However, transfer by way of appropriation from the consolidated fund of the State Government is the main source.

One of the interesting parts of the Act is the "Finance Commission" for the Zila Parishad to be set up by the State Government.

The Zila Parishad has been provided wide range of powers of superintendence and control over the functions of Mandal Panchayat.

On the whole, Karnataka is the only State other than West Bengal which has proclaimed faith in devolution of authorities and effectiveness of Panchayati Raj Institution.

Karnataka Model: An Evaluation:

It should be obvious from the above that the experiment with the Zila Parishad administrative set up having a Chairman as 'Executive Head' and a Chief Secretary who is a relatively more senior IAS officer - is indicative of a promising future. A major reason for this could be the clarity with regard to their respective positions and roles, and a better attention to administrative details. The pay structure of Chairman and Vice-Chairman evoke the status of Minister of State and Deputy Minister in the State Government.

Secondly, the Act reflects a stronger commitment to decentralization and to the related idea of 'horizontal decision-making levels'. In regard to chronic problem of supersession, it can be said that the Mandal Panchayat and Zila Parishad enjoy a secured position in the present Act.

Thirdly, decentralization of powers and functions would be illusory without requisite financial backup. In this regard it may be added that a decision has already been taken to transfer 40 percent of the plan expenditure and 50 percent of non-plan expenditures to Zila Parishads.

However, on debit side, if one may say so, there is a feeling among some exponents of backward classes that these classes have received a raw deal. It is felt that the system of reservation as obtaining in Andhra Pradesh should have been adopted here as well. It is worth

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mentioning that in Andhra Pradesh 20 percent seat of the President's in Mandal Praja Parishad (MPP) and Zila Praja Parishads(ZPP) are reserved for such classes.

By giving powers of planning and implementation of development programmes to Zila Parishad, the government, it seems, intends to introduce a District Government in phases. Though the Karnataka model aims at giving "powers to the people" but there is no definite provision in the Act to ensure accountability of the representatives to the people excepting right to information.

At operational plane the Karnataka Model raise certain questions: Is it a cabinet form of government or a Mayor-in-Council form?, What is the relationship between the Chairman and the Chief Secretary?, Whether the post of Chief Secretary is a misnomer?, Whether there will be a party system within the Zila Parishad?, and whether the Chairman and Vice-Chairman have executive powers?

Moreover, the concept of "Four Pillar State" as proclaimed by Karnataka Government seems to be a wishful thinking as it requires constitutional guarantee.

The real thrust of democratic decentralization in Karnataka is at two levels viz. the district level and at the Mandal level. This does not appear to be sufficient and ultimately it may lead to increasing bureaucratization not only of the administrative apparatus but also of the people's representatives.

However, it is too early to comment as to whether the experiment will succeed or fail as the new experiment is only a nascent child of six months and it has yet to face the teething trouble. Any definite conclusion about this experiment can be drawn only after watching its performance for two to three years.

If we take a comparative view of the Panchayati Raj Institution in Karnataka and West Bengal, the following facts emerge:-

- i) In both the States, the first point of decentralization below the state is the district. This accords with the recommendations of Balwantraj Mehta Committee and Asoka Mehta Committee.
- ii) In both the States, Zila Parishads are based on direct elections, in Karnataka wholly and in West Bengal dominantly.
- iii) In both the States, the Chairman and Vice-Chairman of Zila Parishads are from amongst the directly elected members.
- iv) In Karnataka the DRDA with effect from April 1987 (After the Constitution of Zila Parishad under the new Act) has ceased to exist and its functions have been merged with Zila Parishad. Same is the case with district planning body. The district heads of line departments have also come squarely under the Zila Parishad. The Executive Officer of the Zila Parishad has been designated as the Chief Secretary, giving it the flavour of a district government. The responsibility of horizontal coordination lies with Zila Parishad.

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In West Bengal, the District Magistrate is also the Chief Executive Officer of the Zila Parishad. The Chairman of the Zila Parishad is the Chairman of the district planning committee, as also of the DRDA. Horizontal coordination in this case is sought to be achieved by the key role allotted to the Chairman, Zila Parishad.

- v) In Karnataka though there is Taluk Panchayat in between Mandal Panchayat and Zila Parishad but eventually there is only one tier below the district, namely the Mandal Panchayat. In West Bengal the old model of three tier, i.e., Zila Parishad, Panchayat Samiti and the Gram Panchayat continues.

The Andhra Pradesh Model:

The new Act of 1986 provides for the establishment of the Mandal Praja Parishad, Zila Praja Parishad and Zila Pranalika Abhivrudhi Mandals (District Planning and Development Councils). The last has since been replaced by 'Zila Abhivrudhi Sameeksha Mandals' (1987) due to the criticism that it was against the spirit and framework of democratic decentralization.

The elections to the offices of the Presidents of Mandal Praja Parishads and Chairmen of Zila Praja Parishads have already been held in March 1987. But the legislative procedure in regard to composition of Gram Panchayats are yet to be completed. However, a cabinet decision prescribes a population of not less than 3000 and more than 25000 for constitution of a Gram Panchayat. The question of

clubbing two or more villages will arise only when the population of an individual village is less than 3000. Beyond this nothing is clear about the composition, powers and functions of Gram Panchayats.

Partially elected and partially ex-officio members constitute the Mandal Praja Parishad and Zila Praja Parishad. The Mandal Praja Parishad, a body corporate, performs development functions under many heads.

The State Government provides Grants to every Mandal Praja Parishad @ Rs.5 per individual. Apart from this the financial resources of the Mandal Praja Parishad include proceeds from local resources.

The Zila Praja Parishad comprises of the following members: The Chairman (directly elected), Presidents of Mandal Praja Parishads of the district, and MPs and MLAs representing the district. But the later will have no voting right. A Deputy Chairman is elected from amongst its members.

The finances of Zila Parishad include: funds allotted to Zila Parishad by the State and Central Government, grants from all India bodies, and revenue from local taxes. Apart from these the ZPP gets grants from state government @ Rs.2/- per individual.

The business of the ZPP is discharged by six committees. Each committee consists of a Chairman, the District Collector and elected members from amongst the members of ZPP.

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Under the new Act there is provision for reservation of seats of President MPP and Chairman ZPP in following order; Scheduled Castes 15 percent; Scheduled Tribes 5 percent; Women 9 percent and Backward Classes 20 percent.

The District Development Officer, an Officer of the rank of Joint Collector, is the Chief Executive Officer of Zila Parishad.

The Amendment Act (Section 69) provides for the Constitution of 'Zila Abhivrudhi Sameeksha Mandal' (District Development review council). The council consisting of the Chairman and Vice-Chairman of Zila Praja Parishad, the MPs and MLAs of the District concerned, the District Collector and one Minister nominate by the Chief Minister who will be the Chairman. The duties of the Council (Mandal) is to review the developmental activities of all departments in the district and to perform all such activities assigned by the Government through notification.

Since the complete picture of Panchayati Raj in Andhra Pradesh is yet to emerge, it is very difficult to give a categorical opinion about this experiment.

Emerging Theme:

In regard to the functioning of Panchayati Raj institutions much talk about problem relates to its structure. In recent years Asoka Mehta Committee recommended for a two tier system. The states of Karnataka and Andhra Pradesh have introduced certain changes in their Panchayati

Raj Acts to make the institutions of grass-roots democracy more functional and development oriented.

The basic philosophy behind such models is to check the growing importance and interference of affluent sections of the rural society. But when put to test, these models have their own limitations. In spite of long experiment with the Balwantrai Mehta model the Panchayati Raj Institutions have not proved to be an effective instrument of change and development.

However, gradually the people have started realising the importance and utility of these grass-root institutions and the role to be played by them in development of rural areas. As such it is not advisable to do away with the old system by introducing the new ones. Instead of changing the structure, what is more important is to strengthen the old one (the existing three tier system) and make them more effective and development oriented.

Elections are integral part of democratic process which strengthen democratic system. When democratic institutions are considered desirable at the grass-root level, to stimulate development, periodic elections based on universal adult suffrage become an imperative. Elections not only provide opportunities for the people to choose their representatives, but also provide political education. It is also a process of mobilizing the people to get involved

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in development activities. It helps the identification of people with the institutions and is the best outlet for increasing competitiveness in rural areas.

Unfortunately, however, the Panchayati Raj elections are not held regularly. It depends on the whims of the state governments to hold or not to hold the Panchayati Raj elections. As such to provide new thrust to democratic decentralization the Constitution needs to be suitably amended to make the Panchayati Raj elections compulsory. It would serve double purpose of educating the rural masses about the functioning of democratic institutions and also the importance of participatory development. Periodic elections and change in leadership may also help in making the leadership more responsible and action oriented. Another important recommendation of Asoka Mehta Committee regarding a separate election commission for the PRIs also needs to be implemented for streamlining the electoral process at the grass-root level.

The supersession of PRIs and inordinate delay in holding of fresh elections need to be avoided. Therefore strict rules have to be framed to check the supersession of PRIs on political consideration or otherwise. If at all stern action has to be taken, against a defaulting institution, it has to be dissolved, not superseded so that elections take place within six months.

The Gram Sabha is an institution which provides opportunity to all the people, willing and capable, to participate in development process. Unfortunately through out the country, it meets only on paper. To make the Gram Sabha an effective and functional institution, the elected heads and members of the executive committee should be made responsible to get the Gram Sabha activated. This calls for some statutory arrangement for putting the responsibility on them, so that there could be regular meetings of the Gram Sabha. For this purpose the members of Panchayat Samiti of the area would also be made responsible.

Steps have also to be taken to strengthen Nyaya Panchayat along the lines of the recommendations of the Asoka Mehta Committee.

The Panchayat Samitis are most effective so far as planning and implementation of development programmes are concerned. However, due to the procedure of indirect elections money and muscle power play a significant role. As a result, some times the inefficient and undesirable elements get elected as its President.

Therefore the number of co-opted members needs to be minimised and for elective offices there should be provision for direct election. A minimum of 20 percent of the seats of Mukhya/Sarpancha and Pradhans may be reserved for SC/ST, women and other down trodden sections of the society. This

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will help minimise the ever growing influence of affluent sections of the society on Panchayati Raj Institutions.

Another point of concern at the Samiti level is non-functional character of committees. The committee system should be made effective through direct election from amongst the members of Panchayat Samiti. The Committees must meet once in a fortnight to review the progress.

At the Zila Parishad/Zila Panchayat level undue interference by MPs, MLAs, MLCs and other nominated members is generally reported. This could be minimised by not giving voting right to such members.

In regard to powers and functions of Zila Parishad, though so much powers have been given to the Zila Parishad but these are subject to changes made by the state governments from time to time. This creates a state of uncertainty. Therefore steps have to be taken to give full freedom to the Panchayati Raj institutions to exercise their statutory powers freely without any political interference from the state governments.

Finances happen to be yet another problem being faced by the Panchayati Raj institutions. They do not have adequate finance to implement development programmes. Therefore financial requirements of Panchayati Raj institutions have to be incorporated in the state budget separately. They also need to be encouraged to mobilise

their own resources by way of tax, fees, and remunerative projects.

The remoteness of the planning agencies from the areas of implementation has hampered the matching of sectoral financial allocations with location specific needs. The existing planning model has contributed to regional and social imbalances. In order to achieve balanced development, local level planning or areas planning has to be more effectively introduced.

On the democratic front it is also imperative that the process should not be terminated at the state level and democratic institutions at all levels should play an important role in the planning and implementation of rural development programmes.

As regards decentralization, the district should be the first point below the state level. Zila Parishad should play an important role in planning and implementation of all development programmes of the district. Block level planning should be the part of district planning. However, block level planning should not be viewed as an hierarchy of levels from a cluster of villages to the block, regional, district and state levels. The main thrust of block level planning should be to speed up the process of decentralization.

In regard to inter-institutional and inter-departmental coordination, it can be said that successful operation of

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multi-functional administrative agencies requires a high degree of coordination among the different divisions of the undertakings. The realization of the policy goals of democratic decentralization requires both vertical as well as horizontal coordination among different development departments and the institutions of Panchayati Raj.

The process of development usually involves multiplication of administrative units. As such in the operational phase the new functions tend to emphasize the development of new organizational patterns and relationship which in turn require coordinated efforts within the same organizational unit as well as in the area of its external relationship.

Under the existing arrangements, the democratic bodies exercise only the coordinating control over the local development personnel drawn from various departments and the actual administrative control remains with their departmental heads. In such a situation provisions may be made that the services of different development departments at local level may be transferred to Zila Parishad which should remain under its direct control. Adequate coordination among different institutions of the Panchayati Raj is also necessary. Theoretically political parties are not allowed to operate in the area of decentralized democracy, but in practice, these bodies are sharply divided into different factions along the lines of caste, community, race, religion

and social status. The emergence of the majority of one power-faction generates enough friction in the body where the indifference and frustration tend to force the minority faction into a position of 'political excile' (Mishra, S.N. 1986:142). In such a situation, collaboration and cooperation are often replaced by open hostilities and obstructionist attitudes. To ward off such tendencies the political parties may be allowed to inter into the election arena.

The problem of maintaining harmonious relationship between the officials and elected representatives has proved most difficult and has adversely effected the performance of these decentralized democratic institutions. As such efforts should be made to facilitate healthy psychological adjustment and smooth working relationship between the two.

In sum, lack of unity in command, inadequate coordination, paucity of financial resources, dual operational control over the functioning of extension personnel, overlapping of functional responsibilities and undue political interference in day to day routine matters seriously undermine the effectiveness of these agencies both as institutions of local self-government and as instruments of social and economic development planning.

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as the fault of the idea or philosophy of democratic decentralization. The responsibility for such a failure will fall upon the political and administrative leadership which could not successfully devise suitable institutional structure, operational procedures and working arrangements. Thus to provide new thrust to democratic decentralization, the problems raised above need to be taken care of by finding an immediate solution.

Finally, if a new thrust to democratic decentralization has really to be given our constitution has to be suitably amended for making Panchayati Raj elections compulsory and the requisite quantum of financial resources has to be made available to them.