

Evolution and Functioning of Panchayat Raj Institutions in Karnataka State

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Abstract: Panchayat Raja in India is a system of local self-government by which the people in rural areas have taken on themselves the responsibilities for their socio-economic and cultural development. Historians have been able to trace information on the evolution of Panchayat Raj and some of the details from a close study of the inscriptions of the past and a few stray references to Panchayat Raj, found in literature. From these studies, we infer that ancient India did possess local self-governing institutions and the local bodies enjoyed a large measure of freedom from the state control. Karnataka government has undoubtedly taken a number of steps to grant greater responsibilities, powers and financial resources to the PRIs. Consequent to the 73rd Constitutional Amendment Act, the State Government enacted the Karnataka Panchayat Raj Act, 1993 (henceforth referred to as KPR Act, 1993) to establish three tier Panchayat Raj Institutions (PRIs) - Gram Panchayats (GPs) at the village, Taluk Panchayats (TPs) at the taluk and Zilla Panchayats (ZPs) at the district levels in the rural areas of the state. In this context, the present paper intends and tries to narrate the evolution and functioning of Panchayat Raj Institutions in Karnataka State.

Keywords: Panchayat Raj, self-government, Social Justice.

1. INTRODUCTION:

Panchayat Raja in India is a system of local self-government by which the people in rural areas have taken on themselves the responsibilities for their socio-economic and cultural development. Basically, it is thus an arrangement of participation of people in the administration of local affairs. Historians have been able to trace information on the evolution of Panchayat Raj and some of the details from a close study of the inscriptions of the past and a few stray references to Panchayat Raj, found in literature. From these studies, we infer that ancient India did possess local self-governing institutions and the local bodies enjoyed a large measure of freedom from the state control. In this context, we recollect the statement made by Metcalfe. He had written that "the village communities are little republics, having nearly everything they can want within themselves and (are) almost independent of any foreign relations. They seem to last where nothing else lasts, dynasty after dynasty tumbles down; revolution succeeds to revolutions. The union of village communities continue each forming a separate little state in itself. It has contributed more than any other cause to the preservation of the peoples of India through all the revolutions and changes which they have suffered. And is in a high degree conducive to the happiness, and to the enjoyment of a great portion of freedom and independence." It is also understood that the village communities exhibited vigour and vitality in their functioning. Although, the picture portrayed by Metcalfe may have been an idealistic one, but all accounts of village panchayats in ancient India do point to the fact that there existed village panchayats which attended to the near of the people living in the villages. Later, they fell into disuse. The early British rule led to their disintegration. Therefore, it is argued that it is possible to restore its health and prosperity if these institutions are revived and revitalised with suitable encouragement and distance to meet the challenges of modern times.

2. Objectives of the study:

- To study the evolution Panchayat Raj Institutions in India.
- To analyse the composition and functioning of Panchayat Raj Institutions in Karnataka State.
- To study the present issues in Panchayat Raj Institutions and suggest appropriate measures.

3. Collection of data:

The research paper is descriptive in nature and is purely based on secondary data, which is collected from internet, Government documents, newspapers, published papers, books and Karnataka State published reports.

4. Evolution of Panchayat Raj in India:

The history of Panchayat Raj in India can be divided into the following periods from the analytical point of view:

4.1 Vedic Era: In the old Sanskrit scriptures, word 'Panchayatan' has been mentioned which means a group of five persons, including a spiritual man. Gradually the concept of the inclusion of a spiritual man in such groups vanished. In the Rigveda, there is a mention of **Sabha, Samiti and Vidatha** as local self-units. These were the democratic bodies at the local level. The king used to get the approval of these bodies regarding certain functions and decisions.

4.2 Epic Era: It indicates the two great epic periods of India, that is, the Ramayana and the Mahabharata. The study of Ramayana indicates that the administration was divided into two parts -Pur and Janpad or city and village. In the whole of the state, there was also a Caste Panchayat and one person elected by the Caste Panchayat was a member of the king's Council of Ministers. Self-government of a village finds ample expression in the 'Shanti Parva' of the Mahabharata; in the Manu Smriti as well as in Kautilya's Arthashastra. As per the Mahabharata, over and above the village, there were units of 10, 20, 100, and 1,000 village groups. 'Gramik' was the chief official of the village, 'Dashap' was the chief of ten villages, Vinshya Adhipati, Shat Gram Adhyaksha and Shat Gram Pati were the chiefs of 20, 100, and 1,000 villages, respectively. They collected the local taxes and were responsible for the defense of their villages.

4.3 Ancient Period: There is a mention of village panchayats in Kautilya's Arthashastra. The town was referred to as Pur and its chief was the Nagarik. Local bodies were free from any royal interference. During the Mauryan and Post-Mauryan periods too, the headman, assisted by a council of elders, continued to play a prominent role in the village life. The system continued through the Gupta period, though there were certain changes in the nomenclature, as the district official was known as the vishyapati and the village headman was referred to as the grampati. Thus, in ancient India, there existed a well-established system of local government which was run on a set pattern of traditions and customs. However, it is significant to note that there is no reference of women heading the panchayat or even participating as a member in the panchayat.

4.4 Medieval Period: During the Sultanate period, the Sultans of Delhi divided their kingdom into provinces called 'Vilayat'. For the governance of a village, there were three important officials - Mukkaddam for administration, Patwari for collection of revenues, and Choudhrie for settling disputes with the help of the Panch. The villages had sufficient powers as regards self-governance in their territory. Casteism and feudalistic system of governance under the Mughal rule in the medieval period slowly eroded the self-government in villages. It is again noteworthy to note that even in the medieval period there is no mention of women participation in the local village administration.

4.5 British Period: Under the British regime, village panchayats lost their autonomy and became weak. It is only from the year 1870 that India saw the dawn of representative local institutions. The famous Mayo's resolution of 1870 gave impetus to the development of local institutions by enlarging their powers and responsibilities. The year 1870, introduced the concept of elected representatives, in urban municipalities. The revolt of 1857 had put the imperial finances under considerable strain and it was found necessary to finance local service out of local taxation. Therefore, it was out of fiscal compulsion that Lord Mayo's resolution on decentralization came to be adopted. Following the footsteps of Mayo, Lord Rippon in 1882 provided the much needed democratic framework to these institutions. All boards (then existing) were mandated to have a two-thirds majority of non-official who had to be elected and the chairman of these bodies had to be from among the elected non-officials. This is considered to be the Magna Carta of local democracy in India. Local self-government institutions received a boost with the appointment of the Royal Commission on centralisation in 1907 under the Chairmanship of C.E.H. Hobhouse. The commission recognized the importance of panchayats at the village level. It is in this backdrop that the Montagu Chelmsford reforms of 1919 transferred the subject of local government to the domain of the provinces. The reform also recommended that as far as possible there should be a complete control in local bodies and complete possible independence for them from external control. These panchayats covered only a limited number of villages with limited functions and due to organisational and fiscal constraints they did not become democratic and vibrant institutions of local self-government at the village level. However, by 1925, eight provinces had passed the Panchayat Acts and by 1926, six native States had also passed

panchayat laws. Local bodies were given more powers and functions to impose taxes were reduced. But, the position of the local self-government institutions remained unaffected.

4.6 Post-Independence Period: After the Constitution came into force, Article 40 made a mention of panchayats and Article 246 empowers the state legislature to legislate with respect to any subject relating to local self-government. However, this inclusion of panchayats into the Constitution was not unanimously agreed upon by the then decision-makers, with the major opposition having come from the framer of the Constitution himself i.e. B. R. Ambedkar. It was after much discussion among the supporters and opponents of the village panchayat that the panchayats finally got a place for themselves in the Constitution as Article 40 of the Directive Principles of State Policy. Since the Directive Principles are not binding principles, the result was the absence of a uniform structure of these bodies throughout the country. After independence, as a development initiative, India had implemented the Community Development Programmes (CDP) on the eve of Gandhi Jayanti, the 2nd October, 1952 under the major influence of the Etawah Project undertaken by the American expert, Albert Mayer. It encompassed almost all activities of rural development which were to be implemented with the help of village panchayats along with the participation of people. In 1953, the National Extension Service was also introduced as a prologue to CDP. But the programme did not yield much result. There were various reasons for the failure of CDP like bureaucracy and excessive politics, lack of people participation, lack of trained and qualified staff, and lack of local bodies interest in implementing the CDP especially the village panchayats. In 1957, the National Development Council constituted a committee headed by Balwant Rai Mehta to look into the working of community development programme. The team observed that the major reason for the failure of the CDP was the lack of people's participation. The committee suggested a three-tier PRIs, namely, Grama Panchayats (GPs) at the village level, Panchayat Samiti (PSs) at the block level, and Zilla Parishad (ZPs) at the district level. As a result of this scheme of democratic decentralization was launched in Rajasthan on October 2, 1959. In Andhra Pradesh, the scheme was introduced on 1st November, 1959. The necessary legislation had also been passed and implemented in Assam, Gujarat, Karnataka, Madhya Pradesh, Maharashtra, Orissa, and Punjab etc. The appointment of the Ashok Mehta Committee in 1977 did bring new thinking in the concepts and practice of the Panchayat Raj. The committee recommended a two-tier Panchayat Raj institutional structure consisting of Zilla Parishad and Mandal Panchayat. In order to use planning expertise and to secure administrative support, the district was suggested as the first point of decentralization below the state level. Based on its recommendation, some of the states like Karnataka incorporated them effectively. In subsequent years in order to revive and give a new lease of life to the panchayats, the Government of India had appointed various committees. The most important among them are the Hanumantha Rao Committee (1983), G.V.K. Rao Committee (1985), L.M. Singhvi Committee (1986) and the Sarkaria Commission on Centre-State relations (1988), P.K. Thungan Committee (1989) and Harlal Singh Kharrar Committee (1990). The G.V.K. Rao Committee (1985) recommended making the "district" as the basic unit of planning and also holding regular elections while the L.M. Singhvi committee recommended providing more financial resources and constitutional status to the panchayats to strengthen them. The Amendment phase began with the 64th Amendment Bill (1989) which was introduced by Rajiv Gandhi seeking to strengthen the PRIs but the Bill was not passed in the Rajya Sabha. The Constitution (74th Amendment) Bill (a combined bill for the PRIs and municipalities) was introduced in 1990, but was never taken up for discussion. It was during the Prime Ministership of P.V. Narasimha Rao that a comprehensive amendment was introduced in the form of the Constitution 72nd Amendment Bill in September 1991. 73 and 74 Constitutional Amendments were passed by Parliament in December, 1992. Through these amendments local self-governance was introduced in rural and urban India. The Acts came into force as the Constitution (73 Amendment) Act, 1992 on April 24, 1993 and the Constitution (74 Amendment) Act, 1992 on June 1, 1993.

4.7 Salient Features of the Constitution 73 and 74 Amendments:

- These amendments added two new parts to the Constitution, namely, added Part IX titled "The Panchayats" (added by 73rd Amendment) and Part IXA titled "The Municipalities" (added by 74 Amendment).
- Basic units of democratic System-Gram Sabhas (villages) and Ward Committees (Municipalities) comprising all the adult members registered as voters.
- Three-tier system of panchayats at village, intermediate block/taluk/mandal and district levels except in States with population is below 20 lakhs (Article 243B).
- Seats at all levels to be filled by direct elections Article 243C (2).
- Seats reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs) and the chairpersons of the Panchayats at all levels also shall be reserved for SCs and STs in proportion to their population.
- One-third of the total number of seats to be reserved for women.
- One third of the seats reserved for SCs and STs also reserved for women.

- One-third offices of chairpersons at all levels reserved for women (Article 243D).
- Uniform five-year term and elections to constitute new bodies to be completed before the expiry of the term.
- In the event of dissolution, elections compulsorily within six months (Article 243E).
- Independent Election Commission in each State for superintendence, direction and control of the electoral rolls (Article 243K).
- Panchayats to prepare plans for economic development and social justice in respect of subjects as devolved by law to the various levels of Panchayats including the subjects as illustrated in Eleventh Schedule (Article 243G).
- 74th Amendment provides for a District Planning Committee to consolidate the plans prepared by Panchayats and Municipalities (Article 243ZD).
- Budgetary allocation from State Governments, share of revenue of certain taxes, collection and retention of the revenue it raises, Central Government programmes and grants, Union Finance Commission grants (Article 243H).
- Establish a Finance Commission in each State to determine the principles on the basis of which adequate financial resources would be ensured for panchayats and municipalities (Article 243I).
- The Eleventh Scheduled of the Constitution places as many as 29 functions within the purview of the Panchayat Raj bodies.
- The following areas have been exempted from the operation of the Act because of the socio-cultural and administrative considerations:
 - Scheduled areas listed under the V Schedule in the states of Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa and Rajasthan.
 - The states of Nagaland, Meghalaya and Mizoram.
 - The hill areas of district of Darjeeling in the state of West Bengal for which Darjeeling Gorkha Hill Council exists.
- In conformity with provisions in the Constitution Amendment Act, an Act called the Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996 passed by the Government of India.

5. Functioning of Gram Panchayats in the State:

Consequent to the 73rd Constitutional Amendment Act, the State Government enacted the Karnataka Panchayat Raj Act, 1993 (henceforth referred to as KPR Act, 1993) to establish three tier Panchayat Raj Institutions (PRIs) - Gram Panchayats (GPs) at the village, Taluk Panchayats (TPs) at the taluk and Zilla Panchayats (ZPs) at the district levels in the rural areas of the state. The KPR Amendment Act 2011 inserted sub section (i) under section 246 according to which "The Comptroller and Auditor General shall provide technical guidance and support for audit of accounts under this section in accordance with the provisions of Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971[CAG's (DPC) Act] and also undertake test check of the accounts of the GPs". The Act was further amended in 2013 and 2015 and was renamed in 2017 as the Karnataka Gram Swaraj and Panchayat Raj Act, 1993(KPR Act,1993).

6. Devolution of functions of GPs:

The 73rd Constitutional amendment envisaged transfer of 29 functions listed in the 11th schedule of the Constitution of India to the PRIs. This is also covered in the KPR Act, 1993. Section 58 of the KPR Act, 1993 empowers the GPs to perform 31 functions as specified in the Schedule-I of the Act. Similarly, Section 145 and Section 184 of the KPR Act,1993 empowers TPs and ZPs to perform 30 functions and 28 functions as specified in the Schedule-II and Schedule-III of the Act respectively. Though, the State Government transferred all the 29 functions as listed in the 11th Schedule to the PRIs, the activity map for distribution of all the functions among GPs, TPs and ZPs was devised only in November 2016. Some of the important functions of GPs are Drinking Water Supply, Town and Rural Schemes and Public Works, Poverty alleviation, Rural Electrification, Power and Energy, Disaster Management etc.

7. Formation of Committees:

Section 61 of KPR Act, 1993 provides that each GP shall constitute Standing Committees from among its members by election. The Standing Committees shall perform the functions as delegated to them by the GPs. The details of the roles envisaged for the Standing Committees are given in the Table 1.1:

Table 1.1: Constitution of the Standing Committees and its functions

Sl. No.	Standing Committees	Executive of Standing Committees	Functions of the Standing Committees
1	General Standing Committee	Upadhyaksha	To perform functions relating to agricultural production, animal husbandry and rural industries and poverty alleviation programmes, education, public works and other functions of the GPs
2	Finance, Audit and Planning Standing Committee	Adhyaksha	To perform functions relating to the finance of the GPs, framing of budgets, examinations of receipts and expenditure statement, general supervision of revenue and expenditure of GP and any other functions relating to the development plan of the GP
3	Social Justice Standing Committee	Chairman (elected from amongst Scheduled Caste (SCs)/Scheduled Tribe (STs) members)	Functions shall include: (a) Promotion of educational, economic, social, cultural and other interest of the SCs and STs and backward classes and their protection from social injustice. (b) Shall address women's concerns and issues such as empowerment of women by achieving their social, cultural and economic development and to protect them against crimes of domestic violence, sexual harassment etc. Also, shall include tendering of advice on promoting gender friendly programs by ensuring adequate facilitations for women at schools, offices, factories hospitals and other public places and go about their daily lives in freedom and dignity.

Source: KPR Act, 1993

7.1 District Planning Committee:

According to Section 309 of the KPR Act, 1993 every GP shall prepare a development plan annually in the prescribed form and forward it to the TP within the stipulated time. The TP consolidates the plans of all the GPs in digital form at the taluka level and places them before the Taluk Planning and Development Committee constituted under Section 309D of the KPR Act, 1993 for carrying out the integration of planning. District Planning Committee (DPC) constituted under Section 310 (1) of the KPR Act, 1993 in every district shall consolidate the plans prepared by the ZPs, TPs, GPs, Town Panchayats, Municipal Council and Municipal Corporations in the district and prepare a draft development plan for the district as a whole. These plans are forwarded to Karnataka State Decentralised Planning and Development Committee (DPDC) formed under section 310 B of KPR Act, 1993 to enable the Government to formulate development plans. DPC was formed in all the districts of Karnataka, except Bagalkote.

8. Issues of in Panchayat Raj Institutions:

- The grey area is the lack of adequate funds. There is a need to enlarge the domain of panchayats to be able to raise their own funds.
- The interference of area MPs and MLAs in the functioning of panchayats also adversely affected their performance.
- The 73rd amendment only mandated the creation of local self-governing bodies, and left the decision to delegate powers, functions, and finances to the state legislatures, therein lies the failure of PRIs.
- The transfer of various governance functions like the provision of education, health, sanitation, and water was not mandated. Instead the amendment listed the functions that could be transferred, and left it to the state legislature to actually devolve functions.
- There has been very little devolution of authority and functions in the last 30 years.
- Because these functions were never devolved, state executive authorities have proliferated to carry out these functions. The most common example is the terrible state water boards.
- The major failure of the Amendment is the lack of finances for PRIs. Local governments can either raise their own revenue through local taxes or receive intergovernmental transfers.

- The power to tax, even for subjects falling within the purview of PRIs, has to be specifically authorized by the state legislature. The 73rd Amendment let this be a choice open to the state legislatures a choice that most states have not exercised.
- A second avenue of revenue generation is intergovernmental transfers, where state governments devolve a certain percentage of their revenue to PRIs. The constitutional amendment created provisions for State Finance Commissions to recommend the revenue share between state and local governments. However, these are merely recommendations and the state governments are not bound by them.
- Though finance commissions, at every level, have advocated for greater devolution of funds, there has been little action by states to devolve funds.
- PRIs are reluctant to take on projects that require any meaningful financial outlay, and are often unable to solve even the most basic local governance needs.
- 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.
- There is a presence of adhocism i.e. lack of clear setting of agenda in gram sabha, gram samiti meetings and no proper structure.
- Though women and SC/STs has got representation in PRIs through reservation mandated by 73rd amendment but there is a presence of Panch-Pati and Proxy representation in case of women and SC/STs representatives respectively.
- Accountability arrangements remain very weak even after 26 years of PRIs constitutional arrangement.
- The issue of ambiguity in the division of functions and funds has allowed concentration of powers with the states and thereby restraining the elective representatives who are more aware and sensitive to the ground level issues to take control.

9. Suggestions:

- States should adopt the concept of ‘activity mapping’, wherein each state clearly delineates the responsibilities and roles for the different tiers of the government in respect to the subjects listed in the Schedule XI.
- The subjects should have divided and assigned to the different tiers on the basis of accountability to the public.
- States like Karnataka and Kerala have taken some steps in this direction but overall progress has been highly uneven.
- There is need for bottom up planning especially at the district level, based on grassroots inputs received from Gram Sabha.
- Karnataka has created a separate bureaucratic cadre for Panchayats to get away from the practice of deputation of officials who often overpowered the elected representatives.
- The center also needs to financially incentivize states to encourage effective devolution to the panchayats in functions, finances, and functionaries.
- Training should be provided to local representatives to develop expertise so that they contribute more in planning and implementation of policies and programmes.
- To solve the problem of proxy representation social empowerment must precede the political empowerment.
- Recently states like Rajasthan and Haryana have set certain minimum qualification standards for Panchayat elections. Such necessary eligibility can help in improving effectiveness of governance mechanism.
- These standards should apply for MLAs and MPs also and in this direction government should speeding up efforts for universal education.
- There should be clear mechanisms to ensure that States comply with the constitutional provisions, particularly in the appointment and implementation of the recommendations of the State Finance Commissions (SFCs).

10. Conclusions:

Karnataka government has undoubtedly taken a number of steps to grant greater responsibilities, powers and financial resources to the PRIs. setting up of a Social Justice Committee to safeguard and promote the interests of the vulnerable social and economic groups, imparting training to Panchayat members etc. LSG play vital role in social inclusion and cooperative federalism. People’s demands for the sustainable decentralisation and advocacy should focus on a decentralisation agenda. The framework needs to be evolved to accommodate the demand for decentralisation. It is important to have clarity in the assignment of functions and the local governments should have clear and independent sources of finance then only complete success of LSG is possible. They need better tax collection authority and capacity, more untied grants and help with improving accounting and record keeping. But at the same time, they also need to

work towards expenditure reform and vitalized service delivery and needs a strong decentralized authority is needed at district level, in order to strengthen panchayat administration in the state.

REFERENCES:

1. Government of Karnataka (1988). District Governments and Decentralised Planning. Government of Karnataka.
2. (1993) Karnataka Panchayat Raj Act, 1993. Government of Karnataka.
3. Report of the State Finance Commission relating to Panchayat Raj Institutions (2017) (First SFC after 73rd Constitution Amendment).
4. Drishti. Panchayat Raj Institutions, <https://www.drishtias.com/printpdf/panchayati-raj-institution-pri>
5. Mamatha. K. (2018) "Rural Development and Panchayat Raj System in Karnataka State" International Journal of Creative Research Thoughts (IJCRT), Volume 6, Issue 1 January 2018
6. Combined Annual Technical Inspection Report for the year ended March 2019 & March 2020
7. Dayal, Rajeshwar, 1970. Panchayat Raj in India; Metropolitan: New Delhi.
8. Desai, K.S.,1962. Panchayat Raj; Asia Publishing House: Bombay.
9. Jain, R.B., 1981. Panchayat Raj; IIPA: New Delhi.
10. Jathar R.V., 1964. Evolution of Panchayati Raj in Indian Institute of Economic Growth: Dharwad.
11. Journals Hooja. B., 1978. "Panchayati Raj versus Decentralisation of Administration", Indian Journal of Public Administration; Pages 652-67; Volume XXIV: IIPA.
12. Maddic Henry, 1978. "Can Panchayati Raj become the agency for integrated rural development, Indian Journal of Public Administration; Pages 577-91; Volume XXIV: IIPA.
13. Mathur, P.C. 1978. "Remodeling Panchayati Raj Institution in India", Indian Journal of Public Administration: Pages 592-6 16. Volume XXIV: IIPA.