

# APPOLO STUDY CENTRE

## PANCHAYAT RAJ

### Balwant Rai Mehta Committee

The specific recommendations made by it are:

1. Establishment of a three-tier panchayati raj system—gram panchayat at the village level, panchayat samiti at the block level and zila parishad at the district level. These tiers should be organically linked through a device of indirect elections.
2. The village panchayat should be constituted with directly elected representatives, whereas the panchayat samiti and zila parishad should be constituted with indirectly elected members.
3. All planning and development activities should be entrusted to these bodies.
4. The panchayat samiti should be the executive body while the zila parishad should be the advisory, coordinating and supervisory body.
5. The district collector should be the chairman of the zila parishad.
6. There should be a genuine transfer of power and responsibility to these democratic bodies.
7. Adequate resources should be transferred to these bodies to enable them to discharge their functions and fulfil their responsibilities.
8. A system should be evolved to effect further devolution of authority in future.

### Ashok Mehta Committee

Its main recommendations were:

1. The three-tier system of panchayati raj should be replaced by the two-tier system, that is, zila parishad at the district level, and below it, the mandal panchayat consisting of a group of villages with a total population of 15,000 to 20,000.
2. A district should be the first point for decentralisation under popular supervision below the state level.

3. Zila parishad should be the executive body and made responsible for planning at the district level.
4. There should be an official participation of political parties at all levels of panchayat elections.
5. The panchayati raj institutions should have compulsory powers of taxation to mobilise their own financial resources.
6. There should be a regular social audit by a district level agency and by a committee of legislators to check whether the funds allotted for the vulnerable social and economic groups are actually spent on them.
7. The state government should not supersede the panchayati raj institutions. In case of an imperative supersession, elections should be held within six months from the date of supersession.
8. The nyaya panchayats should be kept as separate bodies from that of development panchayats. They should be presided over by a qualified judge.
9. The chief electoral officer of a state in consultation with the chief election commissioner should organise and conduct the panchayati raj elections.
10. Development functions should be transferred to the zila parishad and all development staff should work under its control and supervision.
11. The voluntary agencies should play an important role in mobilising the support of the people for panchayati raj.
12. A minister for panchayati raj should be appointed in the state council of ministers to look after the affairs of the panchayati raj institutions.
13. Seats for SCs and STs should be reserved on the basis of their population.
14. A constitutional recognition should be accorded to the Panchayati Raj institutions. This would give them the requisite status (sanctity and stature) and an assurance of continuous functioning.

### **G.V.K. Rao Committee (1985)**

The Committee to review the existing Administrative Arrangements for Rural Development and Poverty Alleviation Programmes under the chairmanship of G.V.K. Rao was appointed by the Planning Commission in 1985. The Committee came to conclusion that the developmental process was gradually bureaucratised and divorced from the Panchayati Raj. This phenomena of bureaucratisation of development administration as against the democratisation weakened the Panchayati Raj institutions resulting in what is aptly called as 'grass without roots'. Hence, the Committee made the following recommendations to strengthen and revitalise the Panchayati Raj system:

- i. The district level body, that is, the Zila Parishad should be of pivotal importance in the scheme of democratic decentralisation. It stated that “the district is the proper unit for planning and development and the Zila Parishad should become the principal body for management of all development programmes which can be handled at that level.”
- ii. The Panchayati Raj institutions at the district and lower levels should be assigned an important role with respect to planning, implementation and monitoring of rural development programmes.
- iii. Some of the planning functions at the state level should be transferred to the district level planning units for effective decentralized district planning.
- iv. A post of District Development Commissioner should be created. He should act as the chief executive officer of the Zila Parishad and should be in charge of all the development departments at the district level.
- v. Elections to the Panchayati Raj institutions should be held regularly. It found that elections became overdue for one or more tiers in 11 states.

### **L M Singhvi Committee (1986)**

It made the following recommendations.

- i. The Panchayati Raj institutions should be constitutionally recognised, protected and preserved. For this purpose, a new chapter should be added in the Constitution of India. This will make their identity and integrity reasonably and substantially inviolate. It also suggested constitutional provisions to ensure regular, free and fair elections to the Panchayati Raj bodies.
- ii. Nyaya Panchayats should be established for a cluster of villages.
- iii. The villages should be reorganised to make Gram Panchayats more viable. It also emphasised the importance of the Gram Sabha and called it as the embodiment of direct democracy.
- iv. The Village Panchayats should have more financial resources.
- v. The judicial tribunals should be established in each state to adjudicate controversies about election to the Panchayati Raj institutions, their dissolution and other matters related to their functioning.

### **Thungon Committee (1988)**

1. The Panchayati Raj bodies should be constitutionally recognized.
2. A three-tier system of Panchayati Raj with panchayats at the village, block and district levels.
3. Zilla Parishad should be the pivot of the Panchayati Raj system. It should act as the planning and development agency in the district.
4. The Panchayati Raj bodies should have a fixed tenure of five years.
5. The maximum period of super session of a body should be six months.
6. A planning and co-ordination committee should be set-up at the state level under the chairmanship of the minister for planning. The presidents of Zilla Parishads should be its members.
7. A detailed list of subjects for Panchayati Raj should be prepared and incorporated in the Constitution.
8. Reservation of seats in all the three-tiers should be on the basis of population. There should also be reservation for women.
9. A state finance commission should be set-up in each state. It would lay down the criteria and guidelines for the devolution of finances to the Panchayati Raj institutions.
10. The district collector should be the chief executive officer of the Zilla Parishad.

### **Gadgil Committee (1988)**

1. A constitutional status should be bestowed on the Panchayati Raj institutions.
2. A three-tier system of Panchayati Raj with panchayats at the village, block and district levels.
3. The term of Panchayati Raj institutions should be fixed at five years.
4. The members of the Panchayats at all the three levels should be directly elected.
5. Reservation for SCs, STs and women.
6. The Panchayati Raj bodies should have the responsibility of preparation and implementation of plans for socioeconomic development. For this purpose, a list of subjects should be specified in the constitution.
7. The Panchayat Raj bodies should be empowered to levy, collect and appropriate taxes and duties.
8. Establishment of a State Finance Commission for the allocation of finances to the Panchayats.

9. Establishment of a State Election Commission for the conduction of elections to the panchayats.

### **Eleventh Schedule**

It contains the following 29 functional items placed within the purview of panchayats:

1. Agriculture, including agricultural extension
2. Land improvement, implementation of land reforms, land consolidation and soil conservation
3. Minor irrigation, water management and watershed development
4. Animal husbandry, dairying and poultry
5. Fisheries
6. Social forestry and farm forestry
7. Minor forest produce
8. Small-scale industries, including food processing industries
9. Khadi, village and cottage industries
10. Rural housing
11. Drinking water
12. Fuel and fodder
13. Roads, culverts, bridges, ferries, waterways and other means of communication
14. Rural electrification, including distribution of electricity
15. Non-conventional energy sources
16. Poverty alleviation programme
17. Education, including primary and secondary schools
18. Technical training and vocational education
19. Adult and non-formal education
20. Libraries
21. Cultural activities
22. Markets and fairs
23. Health and sanitation including hospitals, primary health centres and dispensaries
24. Family welfare
25. Women and child development
26. Social welfare, including welfare of the handicapped and mentally retarded
27. Welfare of the weaker sections, and in particular, of the scheduled castes and the scheduled tribes
28. Public distribution system
29. Maintenance of community assets.

## COMPULSORY AND VOLUNTARY PROVISIONS

### A. Compulsory Provisions

1. Organisation of Gram Sabha in a village or group of villages.
2. Establishment of panchayats at the village, intermediate and district levels.
3. Direct elections to all seats in panchayats at the village, intermediate and district levels.
4. Indirect elections to the post of chairperson of panchayats at the intermediate and district levels.
5. Voting rights of the chairperson and other members of a panchayat elected directly or indirectly.
6. 21 years to be the minimum age for contesting elections to panchayats.
7. Reservation of seats (both members and chairpersons) for SCs and STs in panchayats at all the three levels.
8. Reservation of one-third seats (both members and chairpersons) for women in panchayats at all the three levels.
9. Fixing tenure of five years for panchayats at all levels and holding fresh elections within six months in the event of supersession of any panchayat.
10. Establishment of a State Election Commission for conducting elections to the panchayats.
11. Constitution of a State Finance Commission after every five years to review the financial position of the panchayats.

### B. Voluntary Provisions

1. Endowing the Gram Sabha with powers and functions at the village level.
2. Determining the manner of election of the chairperson of the village panchayat.
3. Giving representation to the chairpersons of the village panchayats in the intermediate panchayats or in the case of a state not having intermediate panchayats, in the district panchayats.
4. Giving representation to the chairpersons of the intermediate panchayats in the district panchayats.
5. Giving representation to members of the Parliament (both the Houses) and the state legislature (both the Houses) in the panchayats at different levels falling within their constituencies.
6. Providing reservation of seats (both members and chairpersons) for backward classes in panchayats at any level.
7. Granting powers and authority to the panchayats to enable them to function as institutions of self-government (in brief, making them autonomous bodies).
8. Devolution of powers and responsibilities upon panchayats to prepare plans for economic development and social justice; and to perform some or all of the 29 functions listed in the Eleventh Schedule of the Constitution.
9. Granting financial powers to the panchayats, that is, authorizing them to levy, collect and appropriate taxes, duties, tolls and fees.
10. Assigning to a panchayat the taxes, duties, tolls and fees levied and collected by the state government.
11. Making the grants-in-aid to the panchayats from the consolidated fund of the state.
12. Providing for constitution of funds for crediting all moneys of the panchayats.

## Articles Related to Panchayats at a Glance

| Article No. | Subject-matter  |
|-------------|---|
| 243         | Definitions   |
| 243A        | Gram Sabha  |
| 243B        | Constitution of panchayats                                      |
| 243C        | Composition of panchayats                                       |
| 243D        | Reservation of seats  |
| 243E        | Duration of panchayats, and so on                               |
| 243F        | Disqualifications for membership                                |
| 243G        | Powers, authority and responsibilities of panchayats            |
| 243H        | Powers to impose taxes by, and funds of, the panchayats         |
| 243-I       | Constitution of finance commission to review financial position |
| 243J        | Audit of accounts of panchayats                                 |
| 243K        | Elections to the panchayats                                     |
| 243L        | Application to union territories                                |
| 243M        | Part not to apply to certain areas                              |
| 243N        | Continuance of existing laws and panchayats                     |
| 243-O       | Bar to interference by courts in electoral matters              |

## Committees Related to Panchayati Raj (After Constitutionalisation)

| Name of the committee   | Chairman            | Appointed in | Reported in |
|---|---------------------|--------------|-------------|
| Task Force on Devolution of Powers and Functions to Panchayati Raj Institutions               | Lalit Mathur        | 2001         | 2001        |
| Expert Group on Planning at the Grassroots Level  | V. Ramachandran     | 2005         | 2006        |
| Task Force for Preparation of a Manual for District Planning                                  | Smt. Rajwant Sandhu | 2008         | 2008        |
| Committee on Restructuring of DRDA (District Rural Development Agency)                        | V. Ramachandran     | 2010         | 2012        |
| Expert Committee on Leveraging Panchayats for Efficient Delivery of Public Goods and Services | Mani Shankar Aiyar  | 2012         | 2013        |