

(RURAL ECONOMICS)

Unit-II

CHAPTER- PANCHAYATI RAJ

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INTRODUCTION

- In our country **THE PANCHAYATI RAJ (PR)** refers to **THE LOCAL SELF GOVERNMENT OF VILLAGES** in rural areas.
- The PR system of self government is one in which local leaders make decision for the villages.
- The **COMMUNITY DEVELOPMENT PROGRAMME** was **launched in 1952** as the development of villages as the development of villages was the immediate problem faced by the country (india) after independence.

CONTINUATION

- Under Community Development Programme (CDP) the administration at the district and the lower levels was reorganised. A network of administrative machinery was created to coordinate developmental works in the villages.
- The main objective of bureaucracy under the CDP was the overall development of villages. All over the nation number of CDP blocks were created. **The administrative personnel in each of them consisted of- Block Development Officer, the extension officer and the village level workers.**

National Extension Service Scheme (NES)

- One year after the launch of the CDP, on 2nd October 1953- National Extension Service Scheme was introduced.
- NES was launched with the idea of coverage at less cost and more peoples participation. Each NES block had about 100 villages and about 65,000 population.
- The SECOND FIVE YEAR PLAN RECOMMENDED the restructuring of local government and development of administration at the district level on the democratic lines with the village panchayats organically linked to hier tiers.

Balwant Rai Mehta Committee

- **Balwant Rai Mehta Committee** was appointed by Government of India (Gol) in the year **1957** to examine the working of the CDP and NES and to suggest measures for their better performance.
- The report by this committee was submitted in November 1957. The committee recommended the establishment of the scheme for democratic decentralisation which came to be known the **PANCHAYATI RAJ** scheme.

RECOMMENDATIONS BY BALWANT RAI MEHTA COMMITTEE

A. 3 TIER PANCHAYATI RAJ SYSTEM

- GRAM PANCHAYAT (VILLAGE LEVEL)
- PANCHAYAT SAMITI (BLOCK LEVEL)
- ZLLA PARISHAD (DISTRICT LEVEL)

B. LINKING THESE TIERS SHOULD BE ORGANIC

- That was made possible through indirect elections

C. The village panchayat should be constituted by directly elected representatives

OTHER RECOMMENDATIONS BY BALWANT RAI MEHTA COMMITTEE

- All planning and developmental activities should be entrusted to these bodies.
- The Panchayat Samiti should be the executive body while the Zilla Parishad should be the advisory, coordinating and supervisory body.
- The District Collector should be the Chairman of the Zilla Parishad.
- There should be a genuine transfer of power and responsibility to these democratic bodies.
- Sufficient resources should be transferred to these bodies to enable them to discharge their functions and fulfil their responsibilities.
- A system should be evolved to effect further devolution of authority in future.
- Irrespective of political parties, Elections has to be constituted for every 5 years in a genuine way.

ASHOK MEHTA COMMITTEE

- Janata Government in Dec 1977 appointed a committee on Panchayati Raj institutions under the chairmanship of Ashok Mehta.
- In its report submitted in August 1978, it made 132 recommendations to revive and strengthen the declining Panchayati Raj system in the country.

SOME IMPORTANT RECOMMENDATIONS of ASHOK MEHTA COMMITTEE

- **Some of its recommendations were -**
 - a) 3-tier system of Panchayati Raj should be replaced by the 2-tier system.
 - b) That would include zila parishad at the district level, and mandal panchayat consisting of a group of villages having a total population of 15,000 to 20,000.
 - c) A district should be the first point for decentralization under popular supervision below the state level.
 - d) Zila parishad should be the executive body.
 - e) It should be made responsible for planning at the district level

SOME IMPORTANT RECOMMENDATIONS of ASHOK MEHTA COMMITTEE

- f) Political parties should officially participate at all levels of Panchayat elections.
- g) Panchayati Raj institutions should have compulsory powers of taxation so as to mobilize their own financial resources.
- h) Regular social audit by a district level agency and by a committee of legislators to check proper use of funds allotted for the vulnerable social and economic groups.
- i) The state government should not supersede the Panchayati Raj institutions.
- j) In case of super session, elections should be held within six months from the date of super session.

SOME IMPORTANT RECOMMENDATIONS of ASHOK MEHTA COMMITTEE

- k) Nyayan panchayats should be separate bodies from that of development Panchayats.
- l) Nyaya panchayats should be presided over by a qualified judge.
- m) Organizing and conducting the Panchayati Raj elections would be by the Chief Electoral Officer of a state in consultation with the chief election commissioner.
- n) Development functions should be transferred to the zila parishad.
- o) All development staff should work under ZP's control and supervision.
- p) The voluntary agencies should play an important role in mobilizing the support of the people or Panchayati Raj.
- q) To look after the affairs of the Panchayati Raj institutions, a minister for Panchayati Raj should be appointed in the state council of ministers.

SOME IMPORTANT RECOMMENDATIONS of ASHOK MEHTA COMMITTEE

r) Seats for SCs and STs should be reserved on the basis of their population.

s) Constitutional recognition to the Panchayati Raj institutions - This would give them the required status and a guarantee of continuous functioning.

Due to the collapse of the Janata Government no action could be taken on these recommendations.

But, 3 states of Karnataka, West Bengal and Andhra Pradesh took steps to revitalize the Panchayati raj, considering some of the recommendations of the Ashok Mehta Committee.

SINGHAVI REPORT

- The Report of L.M. Singhvi Committee on Revitalization of Panchayati Raj Institutions, Government of India, 1986, focuses on integrated vision of democracy, ascent and ennuil of Panchayati Raj momentum. The Committee takes the Indian villages and the Gram Sabha as the republican base of our democratic nation. It considers the Gram Sabha as the embodiment of direct democracy. It has recommendations on Nyaya Panchayats and integrated administrative structures.
- <https://www.panchayatgyan.gov.in/documents/30336/0/L%20M%20Singhvi%20Committee%20Report,%201986.pdf/be5b7a6c-41f9-419d-9266-46772aec9b60> - REFER TO THIS LINK FOR READING THE WHOLE REPORT

METHOD OF ELECTON FOR PANCHAYATI RAJ

- As per Article 243-C(5)(a) of the Constitution, Village **Panchayat** Chairpersons may be elected directly or indirectly as the Legislature of the State may, by law, provide; As per Article 243-C(5)(b) of the Constitution, Chairpersons of Intermediate and District **Panchayats** shall be elected indirectly.

DATA FOR THE ELECTION TYPE IN ALL STATES AND UTs

Sl. No.	Name of State/ Union Territory	Village Panchayat	Intermediate Panchayat	District Panchayat
1	ANDAMAN & NICOBAR ISLANDS	Direct	Indirect	Indirect
2	ANDHRA PRADESH	Direct	Indirect	Indirect
3	ARUNACHAL PRADESH	Indirect	Indirect	Indirect
4	ASSAM	Direct	Indirect	Indirect
5	BIHAR	Direct	Indirect	Indirect
6	CHHATTISGARH	Direct	Indirect	Indirect
7	DADRA & NAGAR HAVELI	Direct	Indirect	Indirect
8	DAMAN & DIU	Direct	Indirect	Indirect
9	GOA	Indirect	Indirect	Indirect

DATA FOR THE ELECTION TYPE IN ALL STATES AND UTs

14	JHARKHAND	Direct	Indirect	Indirect
15	KARNATAKA	Indirect	Indirect	Indirect
16	KERALA	Indirect	Indirect	Indirect
17	LAKSHADWEEP	Indirect	Indirect	Indirect
18	MADHYA PRADESH	Direct	Indirect	Indirect
19	MAHARASHTRA	Direct	Indirect	Indirect
20	MANIPUR	Direct	Indirect	Indirect
21	ODISHA	Direct	Indirect	Indirect
22	PUDUCHERRY	Direct	Indirect	Indirect
23	PUNJAB	Direct	Indirect	Indirect
24	RAJASTHAN	Direct	Indirect	Indirect
25	SIKKIM	Indirect	Indirect	Indirect

DATA FOR THE ELECTION TYPE IN ALL STATES AND UTs

20	MANIPUR	Direct	Indirect	Indirect
21	ODISHA	Direct	Indirect	Indirect
22	PUDUCHERRY	Direct	Indirect	Indirect
23	PUNJAB	Direct	Indirect	Indirect
24	RAJASTHAN	Direct	Indirect	Indirect
25	SIKKIM	Indirect	Indirect	Indirect
26	TAMIL NADU	Direct	Indirect	Indirect
27	TELANGANA	Direct	Indirect	Indirect
28	TRIPURA	Indirect	Indirect	Indirect
29	UTTARAKHAND	Direct	Indirect	Indirect
30	UTTAR PRADESH	Direct	Indirect	Indirect
31	WEST BENGAL	Indirect	Indirect	Indirect

PESA

- The mandate of the Ministry of Panchayati Raj (MoPR) is to oversee the implementation of Part IX of the Constitution, the provision regarding District Planning Committee as per Article 243ZD in Part IXA and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) in the Fifth Schedule Areas.
- **Constitutional Provisions with regard to Panchayati Raj System in the Country**
- The Constitution (Seventy-Third Amendment) Act, 1992, which came into force w.e.f. 24th April, 1993, inserted Part IX in the Constitution of India and accorded Panchayats a Constitutional status as institutions of local self-governance for rural India.

PESA

- Article 243M (1) of the Constitution exempts Scheduled Areas and tribal areas referred to in Clause (1) and (2) of article 244 from application of the provisions of Part IX of the Constitution. However, article 243M (4) (b) empowers the Parliament to legislate and extend the provisions of Part IX to Scheduled Areas and tribal areas referred to in clause (1), subject to such exceptions and modifications as may be specified in such law and no such law shall be deemed to be an amendment of the Constitution for the purpose of article 368.

- **Fifth Schedule Areas**

The Fifth Schedule of the Constitution deals with the administration and control of Scheduled Areas as well as of Scheduled Tribes residing in any State other than the States of Assam, Meghalaya, Tripura and Mizoram. “The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996” (PESA), extends Part IX of the Constitution with certain modifications and exceptions, to the Fifth Schedule Areas notified under article 244(1) of the Constitution. At present, Fifth Schedule Areas exist in 10 States viz. Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana.

- **Definition of Village and Gram Sabha**

Under the PESA Act, {section 4 (b)}, a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs.

PESA exclusively empowers Gram Sabha to

- **PESA exclusively empowers Gram Sabha to**
 - (i) safeguard and preserve the
 - (a) traditions and customs of the people, and their cultural identity, (b) community resources, and
 - (c) customary mode of dispute resolution
 - (ii) carry out executive functions to
 - (a) approve plans, programmes and projects for social and economic development;
 - (b) identify persons as beneficiaries under the poverty alleviation and other programmes;
 - (c) issue a certificate of utilisation of funds by the Panchayat for the plans; programmes and projects

PESA empowers Gram Sabha/ Panchayat at appropriate level with

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- right to mandatory consultation in land acquisition, resettlement and rehabilitation of displaced persons
- panchayat at an appropriate level is entrusted with planning and management of minor water bodies
- mandatory recommendations by Gram Sabha or Panchayat at appropriate level for prospective licenses/lease for mines and concession for the exploitation of minor minerals
- regulate sale/consumption of intoxicants
- ownership of minor forest produce
- prevent land alienation and restore alienated land
- manage village markets
- control over money lending to STs
- control over institutions and functionaries in social sector, local plans including Tribal sub plans and resources

Importance of PESA

- **Importance of PESA**
- Effective implementation of PESA will not only bring development but will also deepen democracy in Fifth Schedule Areas. There are many benefits of PESA.
- It will enhance people's participation in decision making. PESA will reduce alienation in tribal areas as they will have better control over the utilisation of public resources. PESA will reduce poverty and out-migration among tribal population as they will have control and management of natural resources will improve their livelihoods and incomes. PESA will minimise exploitation of tribal population as they will be able to control and manage money lending, consumption and sale of liquor and also village markets. Effective implementation of PESA will check illegal land alienation and also restore unlawfully alienated tribal land. And most importantly PESA will promote cultural heritage through preservation of traditions, customs and cultural identity of tribal population.

- THANKYOU!!!
- PLEASE CONTACT IF QUERIES !
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