

Governance for Development at Grassroots

Prof. G.PALANITHURAI

Dr. V. RAGUPATHY

Rajiv Gandhi Chair for Panchayati Raj Studies
Gandhigram Rural Institute – Deemed University

Introduction

In the recent decades, federal governments in the world have started decentralising political, financial and administrative responsibilities to lower level institutions and even to the private sector.¹ Decentralization is more specific and intensive in developing countries as they face a number of problems in governance.² But it is ultimately due to the extreme political pressure on the central system of governance with an expectation of proper delivery of services, effective mobilization of resources and allocations, and stability in the macro economic system along with equity.

A variety of experiences have been gained by nations in the whole process of decentralization of power.³ There are ups and downs in the experiments and a stage has come not to argue or debate on whether decentralization is “good” or “bad” or “unproductive” since decentralization is a political reality throughout the world. Against this background India made a historical and significant attempt through the 73rd Constitutional Amendment to decentralize powers to local bodies. This write up provides a descriptive narration of the whole process of decentralization of powers from the initiative of introducing the 73rd Constitutional Amendment Act to the functioning of grassroots level institutions against the backdrop of the conceptual framework.

Rural India has undergone a metamorphosis after the introduction of the 73rd Amendment to the Constitution of India and the positioning of the Panchayats in place for governance, administration and management of development.⁴ The development envisaged at the grassroots is equity based, social justice based. Developments to be achieved at the grassroots are designed with the active participation of the people through a process of planning. The supply driven rural development activities are turned into demand driven ones. The hitherto excluded social segments and the women are brought into the fold of governance at the grassroots through reservation of seats especially for women and Dalits. The hitherto managers of rural development, namely the bureaucracy, has been pushed to background, projecting the elected representatives to the front for taking up the development initiative. To deliver goods and services to the people, but these potentials and initiatives have to be tapped properly by all stakeholders. How these new initiatives are working in India can be seen in this paper. Before moving on to the real issue, one has to fully understand the context in which the new dispensation has been introduced. First the global context has to be seen.

Multiplicity of Concepts

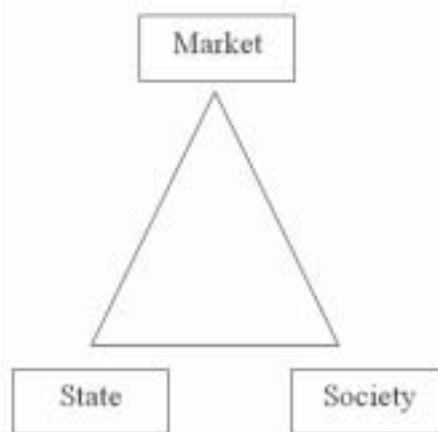
For “decentralization of power” a variety of concepts have been used by academics and administrators and the meanings of the concepts are not the same. Concepts such as Local Self Government, Local Government, Grassroots democracy, Grassroots institutions, Panchayat Raj, Panchayati Raj, Panchayati Raj System, New Panchayati Raj System, Local Body Institutions, Empowering people, Small Government Approach and Decentralized Governance are used interchangeably to connote the same meaning of devolving powers and responsibilities from higher level governing institutions to lower level governing institutions. Of course all the concepts are not the same and there are semantic differences among the concepts.

Some of the concepts are western in origin and many others are indigenous in nature. The concepts have contextual meanings also. Academics and administrators have been using those concepts interchangeably to connote a broader meaning, namely that the problems of the people at the community level are being tackled through service facilities rendered by legitimately created institutions. At present “Decentralization of Powers” is an accepted concept all over the world and hence it is being used everywhere. But, at the same time, some other concepts are used for rhetoric, such as empowering people and grassroots democracy.

Background of the New Initiative

It is essential to look at the emergence of the new institutional mechanism to perform certain duties and responsibilities in this context. All over the world countries have introspected on their development path and initiated the corrective mechanism in the light of the reforms introduced in the domain of the economy of the developed countries. The new developments in India are the outcome of an introspection which resulted in the introduction of new policy initiatives which are quite opposite to the path ways of prosperity which India has followed so far.

At present the three forces the State, the market and the society are at loggerheads because of the increased market oriented economic activities and the resultant activities of controlling the power of the state and the society. The State cannot abdicate its responsibilities as the people’s participation in the development process has increased and the influence of the democratic institutions has been expanded. States are not able to control the influence of the market and hence a parallel organisational setup is needed to contain the activities of the market when they are exploitative in character. To maintain equilibrium in the system it was thought of empowering the people through an organisational mechanism.



Basic Objectives of Decentralization of Power

Objectives vary from country to country depending on the needs and the conditions of the respective country. In India the objectives are broader and deeper as they have to create far reaching results in the attitude, behaviour, performance and the life style of the people who live in the rural areas. The objectives are:

(a) Deepening of Democracy

The confined democracy within the framework of the parliament and state legislatures has to be broadened to percolate into the society to the level of the last rung of the society. Collectivities who have been hitherto marginalised and deprived have to be brought into the fold of democracy. More numbers from women and Dalits have to be brought into the system of governance. This should be an affirmative action by which the marginalised and depressed are given an exclusive space through reservation of seats in the local bodies. It is a process by which democracy is being widened and deepened.

In many of the developing countries the gap between the people and the government is wide and as a result people are not being treated with self respect and dignity. Many a time the poor are illtreated in the government offices by government officials. The local bodies will be able to bridge the gap between the people and the government. Further development activities have been changed from supply driven to demand driven mode.

(b) Ensuring and Enlisting People's Participation

People's participation is a sine quo non for development. Development initiatives are to come from the people. People are the initiators and the government is the facilitator. To make the government a facilitator as different from the role of a provider, people have to take the initiative and accept new responsibilities. Their participation in development activities will bring about accountability on the part of the government. People have to assess their requirement and chalk out schemes and programmes according to their own needs. They should be people's programmes and the government has to participate in the programmes by enabling the people to carry out their programmes on their own.

(c) More Responsibilities to the People

In the past fifty years all the responsibilities of the people and the community have been taken away from them and vested with the government departments. Communities had enormous responsibilities to manage their affairs on their own and they had their own management system. In the name of nation-state, governments have expanded their departments. The expansion of the government has increased only the management cost not the efficiency in delivery. To deliver services worth one rupee the government takes six rupees as delivery charges. Moreover the quality of the service is also poor. In this structural expansion of the government, people lost their orientation towards the responsibilities that have to be discharged. Ultimately what we find is that people have voters' orientation and not citizens' orientation. In order to make the people responsible citizens more responsibilities have to be given to them. Hence development works should be allowed to be done with the involvement of the people.

(d) Reduction of Government Structure

Many of the countries in the world are facing a crisis as a result of the expansion of the departments of governments. The bigness of government is a burden on the society. It will pave the way for the disintegration of the nation. The unwieldy expansion of government departments becomes a threat to the elected representatives. Moreover people are terrorized by the government through its procedures, rules and regulations. The larger the size of the government the lesser the contact with the people. Hence there is a gap between the people and the government. In order to avoid this complication of the bigness of the government it was felt that the structure of the government should be reduced to the minimum level and this could be done only by giving more responsibilities to the people through institutions created legitimately.

(e) Harnessing the Human Energy

It is a truism that development depends upon the way in which the human energy is being utilized. Human energy has different forms and different levels. The state should find a way to raise the level of the energy of the people and more particularly the state should work out a detailed mechanism through which the energy of the people can be utilised. The developed nations have demonstrated to the world how best the energy level of the people could be enhanced and how best the enhanced energy could be utilised for activities to accelerate economic growth. To utilise the energy of the people, space should be created appropriately-preferably an institutional arrangement to utilise the energy of the people. An institutional mechanism can be created for this purpose. Local body institutions are one such institutional device or mechanism to make use of human energy for productive functions.

(f) Administering Development and Social Justice

It is a well known fact that countries which are in the process of decentralizing powers have different objectives. In India, it was a conscious decision of the central government that Panchayati Raj Institutions have to work for administering development and social justice by evolving their own plan of action. Traditionally Panchayati Raj has been looked at as an institution meant for providing services and facilities. But in the new context it is meant for not only services and facilities but also growth with equity.

(g) Planning from the below

So far the planning exercise was done at the central level which resulted in large scale demands of the people being unmet. In fifty two years of governance, centralised planning has achieved tremendous results in the macro economics of this country and yet the rural realities have not been changed drastically towards achieving development. Still people are living in sub-human living conditions in the rural and urban areas. In order to provide basic facilities, to make use of the facilities to grow and to bring economic activities to the rural areas planning exercise has to be done at the micro level. This exercise was thought of many times in independent India-whether planning institutions could be created at the bottom either at the block level or at the district level. Now this concept has gained currency and the planning exercise has to be initiated at different levels starting from gram panchayat.

(h) Building the Capacity of the people

It is imperative in decentralization of power that people should take more responsibilities and discharge the same effectively and efficiently to deliver services of quality to the people. To perform the new responsibilities the capacity of the people has to be increased. Till date people have developed an attitude that the government would provide everything and people have to receive the same. Now the role has been reserved. People have to manage their affairs on their own. Therefore the new system envisages a new task of building the capacity of the leaders and the people. In a market driven economy for every act people require skill and efficiency. People with skills are to be updated and upgraded to match the requirement of the market. Against this background capacity building assumes significance.

(i) Establishing the Principle of Subsidiarity

The whole exercise has to revolve around the principle of subsidiarity. Activities that can be carried out at the lower level can be allowed to be carried out at that level and things that can not be carried out at that lowest level can be allowed to be carried out at the next higher level. In this manner activities are to be carried out at different appropriate levels depending on the capacity of the people. Based on the above principle powers are to be devolved.

Putting the Last First

Fifty years of development in India have demonstrated the postulate that development can not be achieved without the involvement of the people in the development process as stakeholders. In all the years development programmes have been the programmes and schemes of the government and not of the people. In the whole development process one would find the people as the last beneficiaries. What is more, development was not achieved as planned. Now programmes are not to be generated by the government but evolved by the people. Programmes and schemes are to be owned by the people. Governments have to participate in the programmes and schemes of the people. Thus the people come first and the government comes next.

Establishing Good Governance

The administration has demonstrated that it can only alienate the people. Proliferation of administrative procedures, norms and regulations have made the system totally untransparent. As long as administration is being run in a nontransparent way corruption will continue to be entrenched in every nook and corner of the society. To avoid such a malaise, the administration should simplify procedures, norms and regulations. The whole process has to be initiated from below. Administration should be transparent. Further it should accommodate every segment of the society, especially women and the marginalised.⁵

It should be Pro-Nature

The alarming environmental problems and global warming caution our policy makers and administrators that unless serious action is taken our life will become problematic. Hence the global scenario needs local action to protect the environment. The activities of the people should be oriented towards protecting the environment and maintaining the natural order. While taking decisions at the micro level and implementing schemes and programmes for rural development enough care should be taken to protect the flora and the fauna. All the ponds, wells, tanks, channels and lanes are to be protected and maintained properly. All the

commons are to be well secured and managed. There is a close link between environmental problems and poverty. The green is the lifeline of the poor. By protecting the green the poor can be given life.

It should be Pro-Poor

All the activities are to be decided upon on the basis of equity. While taking decisions and fixing priorities for rural development activities, the panchayat has to decide whether the benefits will reach the poor. Normally, in the absence of basic facilities and amenities, the rich do not bother about it, because they can afford to purchase the same. But in the case of the poor, their life will be miserable in the absence of public facilities and basic amenities. Hence priority has to be given to the poor. Unto this last has to be the policy of the panchayat. The poorest of the poor have to be given priority in deciding upon benefits.

It should be Pro-Women

There is yet another important sector which needs care and attention. Panchayat activities have to be carefully designed so as to provide enough scope for women both in terms of participation and benefits. Hitherto the neglected section of the society were women, who should be integrated into the mainstream of economic and political activities. Further, of the problems faced by the rural society, 70 to 80 percent are being faced directly by women in the absence of basic amenities, facilities and services. Hence the decentralized political institutions nearer to the people should have resilience to accommodate women folk in their activities.

With the above posited objectives an amendment was introduced in parliament to amend the Constitution of India so as to create a systematic structure at the lowest level of the sociopolitical system.

A Framework for Decentralization of Powers in India

The process by which the 73rd and the 74th Amendments to the Constitution of India were enacted, the subsequent enactment of conformity legislation in the states, the conduct of elections to grassroots institutions, the constituting of committees to suggest ways and means to devolve powers to the three tier Panchayats, the constituting of State Finance Commissions to make recommendations to augment resources, the subsequent steps taken to implement the recommendations of the committees and commissions, the perception of the newly elected leaders of the new dispensation, the understanding of the new system by the officials in the administrative system, the outlook of the people towards the new institutions, the capacity of the leaders of the grassroots institutions and the activities carried out at the grassroots under the new dispensation have brought to light the conflicting tendencies in the whole range of activities of the institutions, procedures and processes, which, incidentally, indicate the confusion in the minds of the players and the stakeholders in the institutions about the new institutions. For any meaningful exercise perspective is more important than any other aspect. Obviously variations are bound to emerge. But conflicting tendencies need not and should not figure in the process as they will affect the whole system. While looking at the scenario of the process of devolution and decentralization taking place in India one notices the stagnation and the conflict which are the result of poor understanding of the package of

devolution. Even academics, while writing articles and books on the Panchayati Raj System, have not set the perspective as the backdrop for their analysis. To look at the issues of grassroots institutions, one has to have the right perspective. The prime objective of this write up is to develop a perspective for devolution of powers in the Indian context against the backdrop of the initiatives which have been taken in the political dispensation.

Backdrop

No doubt the new dispensation has come through a political resolution and Constitutional provision. The political resolution and Constitutional provision is not a sudden development in Indian polity. It has its own historical background. The new dispensation is not an isolated event. It is contextual. When a perspective is developed against the backdrop of history one cannot wish away the context while looking at the historicity. Democratization, Decentralization, Devolution and Developmentalization are contemporary issues and movements all over the world. Though the process of creating democratic institutions in India has a history of its own, the very interface between national and global activity and global and local activity cannot be ignored. Both the Indian tradition of building up grassroots democratic institutions and the contemporary globalization and localization of economic and political activities form the core for building a perspective for devolution of powers in India.

There are ample historical evidences to argue that democratic practices had been developed even in ancient India. But, in modern India, it started from Mahatma Gandhi. British administrators, excepting Rippon, had looked upon institution building at the grassroots not as a part of democratizing the society but as an instrument to ease the frustration of the people by delivering some services. Rippon's resolution reiterated an important fact that the people of India should be given their first lessons in popular and political education through local boards. The same British had dismantled the existing system, despite knowing the fact that natural resources were being controlled and managed by the communities. The community structure was strong and hence they were able to manage the natural resources. By making the land to be owned by individuals, the British weakened the community structure and practices. It was only during the freedom struggle that the democratic process at the grassroots was initiated. Gandhiji's framework of Gram Swaraj was the basic foundation for subsequent discourses on empowering people. Jawaharlal Nehru initiated the process of looking for institutional framework at the grassroots within the established democratic politico administrative system despite staunch opposition.⁶ Next to Mahatma Gandhi, Jayaprakash Narayan made a fervent plea through his framework for developing a grassroots democratic system. In fact, he developed his thesis on the basic propositions of Mahatma Gandhi. Finally Rajiv Gandhi started this exercise not as a dream but to find a solution to the unsolved problems of the people over three decades. His framework of devolution was not instantaneous. It was a framework evolved through a process of consulting the millions of stakeholders who were in the process of administering development and social justice. Rajiv Gandhi did not advocate an instrument to negate the state system as Mahatma Gandhi and Jayaprakash Narayan did. In the process of decentralizing governance and administering development and social justice Rajiv Gandhi wanted to rejuvenate and reinvent the government machinery both at the Centre and in the States.

Rajiv Gandhi's Framework

Devolution of powers for revitalizing Panchayat institutions is the outcome of a series of serious discussions and deliberations held among the Chief Ministers, Secretaries to Government, Ministers of Rural Development, officials and representatives of the people in local bodies. This process was started in the year 1985 itself. As a young Prime Minister, Rajiv Gandhi wanted to look at administration from a modern perspective of new public management. He identified the crux of the issue, namely, the poor delivery of services and the reason for the poor delivery of services to the people. He lamented that our administration is unresponsive because it is not representative in character. He organised a series of workshops and conferences and analysed the reasons through the host of stakeholders.⁷ The framework he developed was the distilled essence of the views of thousands of elected local body representatives, hundreds of District Magistrates, scores of senior government servants and dozens of Ministers and Chief Ministers. His perception of development was of two types. One was macro and the other was micro. Governments had paid adequate attention to macro development but that much of attention has not been given to micro development. When very big dams were constructed, we totally forgot to construct small checkdams at the community level. When very big industries were established we failed to pay attention to small and tiny industries, including cottage industries. When universities and research institutions were developed, elementary schools and primary schools were not given that much of importance. When higher level medical facilities were developed, primary health care was not given that much of importance.

Rajiv Gandhi pointed out the neglect of the micro activities. Why this stagnation? Why this neglect? He tried his best to find answers through Gandhiji and hence he quoted Gandhiji "True democracy cannot be worked by twenty men sitting at the centre; it has to be worked from below by the people of every village". Further he quoted Gandhiji: "Swaraj is to be obtained by educating the masses to a sense of their capacity to regulate and control authority". To underline the importance of people's participation, he quoted Nehru: "It is not good enough to work for the people, the only way is to work with the people, and give them a sense of working for themselves; development work can be executed only if the people take the responsibility in their own hands".

Rajiv Gandhi first listed the ills in the present system. He started arguing that the democratic structure at the top and the middle are strong because these two structures were positioned only through the conduct of elections promptly whereas the third tier is weak because elections are erratic. When the third level governance is weak, it will certainly affect the other two tiers. Without a strong structure at the grassroots, democracy cannot flourish at the Central and State level. It was promised during the freedom struggle that democracy and development would be ensured down to the lowest level. But those promises were not fulfilled after independence. People at the top were busy strengthening their own positions in politics as well as in administration. Democracy and development were part of our freedom struggle. When they have not been achieved, one can presume that the freedom struggle is not over and it will continue. The form and mode may vary.

Development programmes are designed in the capitals by intellectuals regardless of the needs at the grassroots and, as a result, the intended targets and results are not achieved. The

centralized development planning initiatives improved the conditions of people sitting at the top but did not remove the difficulties of the people at the grassroots. In the absence of elected representatives at the grassroots, power brokers emerged in our country. For any benefit the people had to approach the power brokers. The administrative system was being managed by the best brains in the country and yet our administration was weak, unresponsive, inefficient, unsympathetic, often callous, sometimes even cruel to those whom they were meant to serve.

It is the considered opinion of talented civil servants that despite all the goodwill in the world, all their sincerity and all their dedication, a bureaucratic administration can not be responsive until it is rooted in a democratic polity. A responsive administration needs must be a representative administration, an administration which is responsible to the people. The bureaucracy is responsible only to its masters at the next higher level.

No one denies the importance of the bureaucracy. They are essential as they are experts in their art. But people should not be depend solely on the bureaucracy. Excessive dependence on the bureaucracy by the people will slow down progress. Normally people see the administration, not as servants of their representatives, but as a form of bureaucratic dictatorship. Yet another problem Rajiv Gandhi identified was that our administration was plagued by enormous wastage. The cost of administration was eating up a disproportionately high share of the total outlay for schemes and programmes. Further there were leakages as power brokers were in the pipeline.

There is yet another malaise: people have increased their expectations and demands from the government. This is also the creation of our polity. We have reduced our people to recipients of development benefits instead of being participants in the development process. There is a vast gap between what the people demand and what is possible to achieve. This is a dangerous trend in our polity. Yet another issue in polity is the neglect of women in the progress of governance. Women are under-represented. At the grassroots they are totally neglected and marginalized. It is women who undertake much more than half the economic activities of rural India. It is the women of rural India who are the main repository of India's great cultural tradition of moral values, which are fundamental to the survival of our civilization. But, many of the women issues do not surface in the decision making bodies. Dalits and tribals are another marginalized segment and they have to be brought under the new dispensation. By pushing the people to the periphery the civic culture of the people has been dismantled.

Framework for Action

Rajiv Gandhi emphasized two important concepts, namely democracy and development, which are cardinal principles. The two aspects are very important contextually. The rising aspirations of the people in respect of democracy and development are very high at present. How development is going to be achieved through a democratic process at the grassroots is now the main concern. First a system has to be created at the bottom through a Constitutional amendment. Regular conduct of election to these institutions will stabilize the system as in the case of the National Parliament and the State Legislatures. Devolution of powers, functionaries and finance will ensure delivery of services to the people on a sustainable basis. Provision has to be made to induct women and Dalits into the portals of governance. To

ensure the regular conduct of elections and regular flow of finance for independent activities, a State Election Commission and a State Finance Commission have to be created. The power given to the State Finance Commission is not the same as the power of the Central Finance Commission. A list of 29 subjects have been incorporated in the 11th Schedule for decision making. The Eleventh Schedule does not confer any legislative power on local bodies. To ensure people's direct participation in governance the Gram Sabha has been created. To involve the people in the development process, and to alter the trend of supply driven activities to demand driven activities, a District Planning Committee is created at the district level to develop a plan from the people. The planning process involves the people in the exercise and integrates the social justice component in the plan.

The above system can be created through an amendment to the Constitution. This will be a charter for ending bureaucratic oppression, technocratic tyranny, crass inefficiency, bribery, red tapism, nepotism, corruption and the million other instances of malfeasance that afflict the poor of the villages, towns and cities.

The essence of the framework is: "we trust the people, we have faith in the people, it is the people who must determine their own destinies and the destiny of the nation. To the people of India, let us ensure maximum democracy and maximum devolution. Let there be an end to the power-brokers. Let us give power to the people".⁸ In this framework one can notice a few limitations: the 29 subjects mentioned in the 11th Schedule do not give power to legislate, but only to take decisions. The State Finance Commission's recommendations are not mandatory in nature. The whole responsibility of giving power to the Panchayat system is given to the State government. The Centre enacts the law and State has to operationalise the law which has been enacted by the Centre.⁹

Characteristics of the 73rd Constitutional Amendment Act

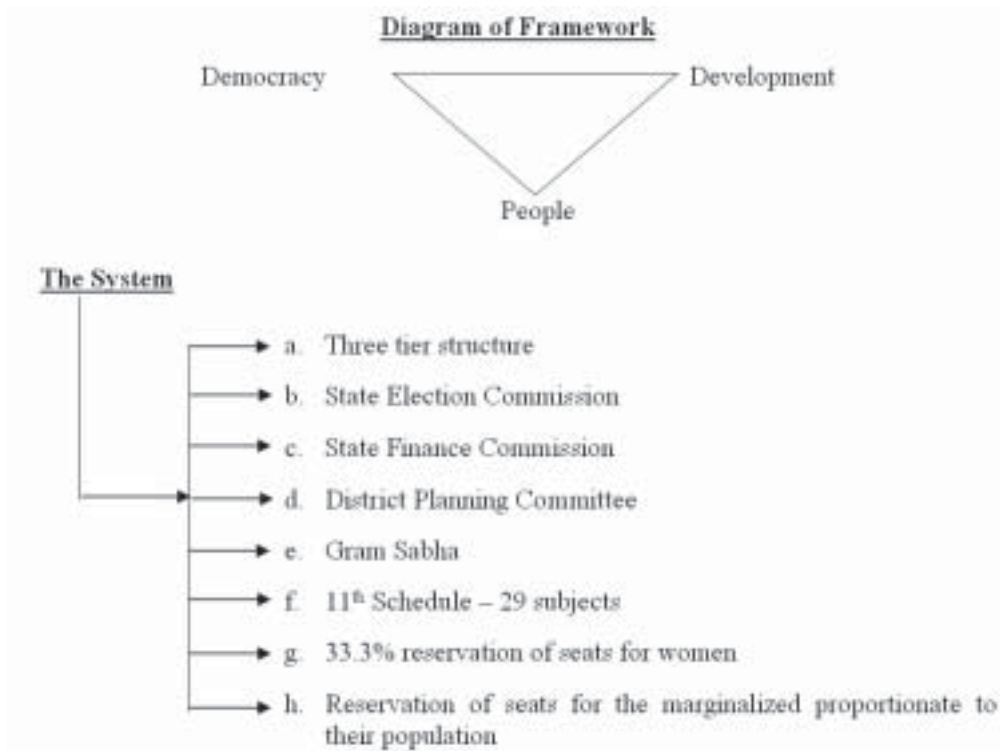
The 73rd Amendment to the Constitution of India is a guideline and a basic framework evolved to guide the state governments to take the initiative of organising grassroots democracy as a system of governance to administer development and social justice. It opens up a new chapter in the modern political history of India. It has certain key characteristics which cannot be set aside by the state governments. They are:

a) Constitutional Entity

The New Panchayati System came into being as an institution of governance with the approval of the Constitution and it is placed in the third stratum of the hierarchy of the institutions of governance. It enjoys the status enjoyed by the parliament and the state legislature in terms of its existence and conduct of elections. It is a permanent institution with earmarked role and responsibilities to be discharged by the newly created institutions.

b) A New Phenomenon in Federalism

In a federal structure there should be two constituent units maintaining their relationship in administering development and peace through the institutional mechanism. There shall be division of powers between the central government and the provincial governments. Likewise there shall be sharing of resources between the central and state governments. But, now there is a third institution which has come into being as a institution of self governance with



distinct and categorical political, financial and administrative powers to administer development and social justice. Now the concept of federalism takes on a new meaning which explains the relationship among the three institutions namely federal, regional and local. Hence the 73rd Constitutional Amendment brought forth a new phenomenon in Indian federalism.

c) From Representative Democracy to People's Democracy

Indian democracy has the character of a representative from government and the decision making has been based on the representations made by the representatives of the people both in the national parliament and state legislatures. It is an irony that one hundred crore people are being represented by around four thousand and seven hundred representatives of the people through state legislatures and the national parliament. It is natural that a representative cannot represent millions of people. Hence, even after fifty years of Independence, basic facilities and amenities have not been provided to the people. Now the concept of representation has been changed to direct participation of the people in the governing process and thereby an institutional mechanism, namely, the Gram Sabha, was created to enable the people to participate in the development process. The Gram Sabha is the basic institution created for the benefit of the people to participate in and administer development. It has been created to make the people associate themselves with the community to discuss the problems of the community and to find out solutions to the problems. It should be out and out an organisation of the people. This body will nurture democratic principles in the community.

The Gram Sabha gives meaning to the concept of “Empowerment of People”. Cutting across caste, creed and colour people will participate in the meetings on equal footing.

d) Three Tier Structure

The new system envisages a three tier structure, namely Gram, Block and District Panchayats. The entire Panchayati system is operating in the area of a district. To administer development the entire development administration is being divided into three units. All the three units are independent in certain respects and inter dependent in certain respects. The Gram Panchayat will function at the lowest level and the Block Panchayat will function at the Block level and District Panchayat will function at the District level. Roles and responsibilities, powers and duties for each tier will be clearly demarcated and they have to function as per the powers conferred upon them. Development activities have to be carried out by lower level units and planning, coordination, monitoring and supervision activities have to be carried out by the district level body, namely, the District Panchayat.

e) 11th Schedule and Earmarked 29 Subjects

The New Panchayati System is grounded perfectly in the domain of governance authoritatively only through the 11th Schedule conferring 29 subjects on the rural local bodies. As indicated in the Constitution 29 items of work are reserved for the Panchayati Raj System. Of the 29 subjects, which are to be allocated to Gram Panchayat and the other tiers could be spelt out by the state government through legislation. The role of the state government is to allocate appropriate duties and responsibilities to each tier of the Panchayati Raj System. The 73rd Constitutional Amendment has indicated and suggested the items. It is not an exhaustive list. If the state government wants to give more powers to the local bodies there is no bar. It is more appropriate if the 11th Schedule is given in the fourth list as central list, state list, concurrent list and panchayat list.

f) Reservation of Seats for Women

Reservation of seats for women in all the tiers of local bodies is a new phenomenon in governance. When Rajiv Gandhi brought the 64th Amendment bill only 25% of the seats were earmarked for women. The one third reservation of seats for women was the contribution of P.V.Narasimha Rao. The one third reservation of seats for women has propelled the nation to moot another demand, namely, proportionate reservation of seats for women in the State Legislatures and the National Parliament. It is a moot question as to why reservation of seats to women is available in only local bodies? It is unequivocal from the reply given by many in the authoritative bodies that in the absence of basic facilities the worst sufferers are women. The sufferings of women are not felt by the policy makers since they are mostly men. By giving women the opportunity of taking decisions they will reduce the burden of the women. There is an yet another argument that the women have a legitimate space in governance which should be ensured to them. All along they have been marginalised and now it is felt that it should be given to them. It is their space which is being occupied by men. The next explanation is that, while deepening democracy, deprived sections have to be included in the fold of the governing bodies and hence they are included by making exclusive reservation of seats for women.

g) Reservation of Seats for Dalits

Reservation of seats for Dalits in the state legislatures and the national parliament is not so difficult as these institutions are far away from the communities. Hurdles are not so great for them to function as members of legislative institutions. They are always looked at from the party perspective and not from the caste perspective. But it is very difficult for the Dalits to emerge in local bodies as they are seen by the society from the caste perspective. The whole lot of human rights violations, discrimination, social injustice are frequent at the grassroots level. Voices are raised vociferously from the marginalised. Both central and state governments have not fulfilled the objective of administering social justice. Hence it is felt that the responsibility of administering social justice could be handed over to the lower level institution of governance and thereby it has been handed over to local bodies. This process starts from providing reservation of seats to the Dalits in the local bodies as it has been done for women, but proportionate to their population. By creating this clause in the Constitutional amendment, the marginalised have been given adequate representation. This is yet another revolutionary step taken by the government knowing fully well that the caste ridden Indian society has to pass through social conflict for sometime.

h) Creation of Finance Commission

It is a well known fact that the Panchayats had been crippled in the past by reducing the financial allocation to Panchayats as that power was vested with the state government. In order to overcome this eventuality the amendment has incorporated a provision by which a Finance Commission has to be constituted in every state to suggest the ways and means to share the resources between the local bodies and the state government and suggest how local body finance could be strengthened. By creating this provision in the amendment act, financial flow to local bodies has been ensured regularly and this provision enables the local body institutions to keep themselves on a permanent footing.

i) Creation of Election Commission

To elect near about 4700 representatives for State Legislatures and the National Parliament, an independent election commission has been created and now functions in all the states. As per the new provision, representatives to the tune of 30 millions have to be elected for which a massive machinery is needed. Against this backdrop a permanent election commission has been created. Conducting the election to the local bodies is the main earmarked function of the State Election Commission.

j) District Planning Committee

Though planning is a much loaded concept and publicised word among the people since the days of Jawaharlal Nehru, the Planning Commission at the Centre and the State are not Constitutional entities. But the District Planning Committee is a constitutional creation. This District Planning Committee has come to stay with the specific purpose of altering the planning process. As per the new dispensation the planning exercise has to be initiated from the below. For the development of the whole district the District Planning Committee has to prepare a perspective development plan. Thus the central concept of planning has been recognized at all the three levels as institutions of governance functioning at all the three levels to administer development.

Ensuring Regular Election to Panchayati Raj System

Election to local bodies was the will and pleasure of the state governments. That is why election was not conducted for local bodies for about fifteen years in the past. Any number of reasons could be projected for postponing the elections. But through the new dispensation election has been ensured as it has been ensured to the parliament and state legislatures. The provision which is applicable to the election of Lok Sabha and state legislature is applicable to the New Panchayati Raj system. Hence now the Panchayati Raj System becomes a permanent entity. No state government can withhold elections beyond six months. The above stated features are the key characteristics of the 73rd Constitutional Amendment Act and the spirit of the above act has to be carried out by enacting a suitable conformity Act at the provincial level.¹⁰

To realize the potential of the 73rd Amendment, local bodies have to cross several stages and obstacles as it gives power to many by destabilizing the existing power holders. To make the Panchayats function and deliver goods and services as they are designed by the 73rd Amendment the following are imperative:

Political Will

Since it is a political and bureaucratic exercise, at different levels strong coordination and direction are essential. This direction has to be given by the Chief Minister of the respective state. The Chief Minister should have the political will and determination of devolve powers, functionaries and finance. The 29 subjects mentioned in the 11th schedule are not in the hands of the Minister of Panchayati Raj and Rural Development. Several ministries have to be coordinated. It could be done only by the Chief Minister. The Chief Minister should have political commitment.

Conformity Act

The basic principles of the 73rd Amendment have to be confirmed through a state legislation for the establishment of the New Panchayati Raj System. The new conformity legislation of the state government should reflect the spirit of the 73rd Amendment to the Constitution of India. The new institutional arrangement is for governance not for implementing the schemes and programmes of the state and central government.

System Creation

In order to keep the Panchayati Institutions as institutions of governance, the Act has to be followed meticulously by evolving suitable rules and the rules have to be notified. All the details should be compiled and make into a compendium or handbook. This will be in the regional language and that will be in all offices from Gram Panchayat to District Panchayat. The Panchayat administration and management have to be carried out and guided by a set of well regulated rules and norms and procedures.

Capacity Building

To carry out the task the officials involved at all levels from Gram Panchayat to state government have to be motivated, oriented and trained for a new task. Equally all the Panchayat leaders from Ward Members of Village Panchayat to District Panchayat President—the elected representatives—have to be trained properly to carry out their role and responsibilities. The

training should be rigorous and serious. The Skill, the capacity and the capability of all the individuals who are involved in grassroots governance have to be enhanced.

Awareness Building

Since the participation of people in governance is the main focus of the new dispensation, people have to be conscientised and they are to be mobilized. Against this background, with the help of the media, awareness has to be generated among the masses. The full potential of the new dispensation and the roles have to be explained.

Support Structure

When Panchayat leaders are in action that too women and Dalits, they have to face a lot of problems in the field as ours is an unequal society divided on caste and class and political lines. To overcome the problems the Panchayat leaders need a support structure which will provide needed information and resource persons.

Follow-up Machinery

The devolution process has to be tracked and then the information has to be given to different stakeholders to correct it. Monitoring of devolution is imperative: otherwise it would move in a reverse direction. By evolving a devolution index, the devolution has to be evaluated.¹¹

Evaluation

Initially, to enact conformity legislation to confirm the spirit of the 73rd Amendment to the Constitution of India, pressure had to be exerted on many states by the centre. After the enactment of conformity legislation pressure had to be exercised on the states to conduct the elections to the local bodies. Much has not been done on devolving powers, functionaries and finance to the local bodies. There are six states, namely, Maharashtra, Gujarat, West Bengal, Kerala, Karnataka and Madhya Pradesh in the forefront in setting up models in devolving powers to the local bodies. These states are repeatedly referred to for decentralized governance in India by the scholars who are analyzing local governance. Having got positioned, the local body institutions have started their functions and, as a result, the demand to the representatives by the people and the demand to the state governments for powers, functions, functionaries, finance and freedom by the elected representatives of the local bodies are increasing gradually.¹² The ills affecting the society have started influencing the Panchayats also. The traditional control over natural resources has been questioned and the service delivery mechanism has been thoroughly examined by the elected representatives of the local bodies.¹³ The entry of women and Dalits has its own dimension of conflict and recognition depends on the maturity of the local political culture.¹⁴ The presence of elected local body institutions has made a difference in grievance redressal mechanism. Barring a few states many of the states have not shown commitment in devolving powers, functionaries and finance to local bodies.¹⁵ Panchayats have started asserting themselves as institutions of governance. By their intervention in the rural areas, the petitions submitted to the government have been drastically reduced. Many of the Panchayat leaders have started assuming responsibilities and carrying out activities. Women and Dalit leaders have started asserting themselves as factors to reckon with.

Dalits have brought to the fore the problems which they have been facing over a period of time.¹⁶ Women leaders have formed their own organisations to articulate their problems in the Panchayati Raj.¹⁷ Women leaders, especially Dalit women leaders, face an array of personal, familial, social, economic and political hurdles to their access to reserved quotas and empowered political participation in governance which negate their ability to produce gender – responsive policy outcomes.¹⁸ Basic services are being ensured by the local body leaders. Through local governance Panchayats have established a responsive administration. Good governance is being achieved at the grassroots.¹⁹ Never have government departments responded positively to the poor as is being done by the local bodies. Hitherto neglected social development issues are being discussed in the Gram Sabha, the Panchayat Council, the District Planning Committee and other Panchayat fora. Of course it is all being driven from the state government. In many places it alters the paradigm of development from supply driven to demand driven mode. Panchayat leaders have evolved their own schemes to help the ultra poor. Dalit and women leaders have embarked on the issues of natural resource management.²⁰

Many of the women leaders have changed the governance landscape from rulership to leadership.²¹ For women leaders sanitation, water supply, street lights, livelihood are the major issues. They develop a new culture of democracy by listening to the people. They allow people to discuss, interact and debate. Some of the leaders are real models for the state government to introduce new schemes. Panchayat leaders have formed alliance with varied stakeholders to work in the Panchayat together. Leaders having needed skill, capacity and capability manage the Panchayats effectively and deliver goods and services efficiently. The above narration is based on case studies conducted in the whole country by various organisations. No systematic study has yet been conducted in the whole country on the performance of the Panchayati Raj Institutions. In many of the Panchayats, with the support of the community based organisation and non governmental organisations, planning was initiated at micro level as there is no initiative from the state government for micro level planning.²² Panchayats have mobilised the community for social development activities.²³ Now Panchayats are spear heading another movement for creating knowledge revolution in the villages with the support of development organisations.²⁴ But these are all stories of experiences from different parts of the country at the initiative of some of the development organisations and leaders, but not throughout the country.

The Panchayat leaders are swimming against the current. In many of the states, conditions are not favorable for devolution of powers. The hurdles are many. Officials are not cooperative. There is no clear cut activity mapping with regard to devolution of powers. The orders passed by the government do not reach the Panchayat leaders. The negative mindset of lower level officials, the corrupt administrative system, the caste ridden society dividing the community on caste lines, political parties' pressure on the system, the poor capacity of the leaders, the poor resources of the Panchayats are working against the Panchayat. The Panchayat leaders have to overcome all these problems and then only they can perform. Women and Dalit leaders have to face a battery of problems, as they are women and Dalits. There are training institutions and they do conduct training programmes for the local body leaders. There are State Institutes of Rural Development all over the country working for capacity

building. Even the capacity building is not being done very rigorously. Many development organisations have come to the rescue of the Panchayat leaders when they are in trouble while in the field. Barring Kerala, micro plan exists on paper not in action. But many of the Panchayat leaders on their own have taken steps to evolve plans for their villages with the active participation of the people. The leaders are working on different issues in the Panchayats. One would find variations in the functioning of the Panchayats among the states. Of the three governments more number of representatives are in the third tier of governance but they are weak as the Panchayat is a state subject. In order to overcome the existing impasse in devolving powers to local bodies and associated problems, the present UPA government at the centre created a full-fledged Ministry for Panchayati Raj. In consequence of the creation of the Ministry, seven round table discussions have been held with state government ministries and the higher level officials and 150 resolutions have been passed unanimously on 150 issues for furthering the devolution process. Action points have been fixed and a monitoring mechanism has been evolved to monitor the process. Thus second phase of decentralization of powers has been initiated.²⁵

Conclusion

The 73rd Amendment to the Constitution of India provides an opportunity to the change the paradigm of development from the supply driven to the demand driven mode, from exclusive to inclusive strategy, from top down planning to bottom up planning and from bureaucratic activities to people centric activities. It alters the character of our democracy from the representative to the participatory. All the above are only opportunities provided by the Constitutional amendment. But the outcome of these opportunities depends on how these opportunities are utilized by the people. Limited experience from case studies shows that Panchayats have potential to bring about transformation and needed change in the society. But there are an array of hurdles in the process. It is natural that people who hold power want to retain the same with them. To change the scenario the state governments have to have political will. The elected representatives have to be sensitized on administration management and development. They have to be trained. The needed support structure has to be created. Officials at all levels have to be trained. A linkage between Self-Help Groups and Panchayats has to be established. Now models are emerging. By using these models, Panchayats have to be activated through out the country. When more activities are carried out by the Panchayat, it can win over the community. Though the decentralization process is centrally driven, to reach the target it should be made a people's programme. The potential has to be tapped by making it a mass movement. Civil society organisations, development organisations and institutions, media, academic and research institutions have to play a vital role in the transformation process.

References

1. James Manor, *The Political Economy of Democratic Decentralization*, Washington DC: The World Bank, 1999.
2. The argument started from the proposition that public institutions have not delivered the goods and services to the level of the demands of the public. For more details see. Devesh Kapur and Pratap Bhanumehta (Eds) *Public Institutions in India: Performance and Design*, New Delhi: Oxford University Press, 2005.

3. Gert W. Kueck, S.C. Mathur and Klaus Schindler, *Federalism and Decentralization*, New Delhi: Konrad Adenauer Foundation, 1998.
4. D.N.Gupta, *Decentralization: Need for Reforms*, New Delhi: Concept Publishing Company, 2004.
5. G. Palanithurai, *Towards Decentralization of Powers*, Gandhigram: Rajiv Gandhi Chair for Panchayati Raj Studies, 2001.
6. Ashik Mehta, *Report of the Committee on Panchayati Raj Institutions*, Government of India: Ministry of Agriculture and Irrigation, 1978.
7. a. Rajiv Gandhi's Inaugural Address to the 13th All India Panchayat Parishad New Delhi on 22nd September 1986.
b. Rajiv Gandhi's Inaugural Address at the Workshop of District Collectors and Magistrates on Responsive Administration held at Hyderabad on 13th February 1988.
c. Rajiv Gandhi's Inaugural Address at the workshop of District Collectors and Magistrates on Responsive Administration held at Imphal on 2nd April 1988.
d. Rajiv Gandhi's Inaugural Address at the workshop of District Collectors and Magistrates on Responsive Administration held at Jaipur on 30th April 1988.
e. Rajiv Gandhi's Inaugural Address at the workshop of District Collectors and Magistrates on Responsive Administration held at Coimbatore on 18th June 1988.
f. Rajiv Gandhi's Inaugural Address in the Panchayati Raj Sammelan of Northern States New Delhi on 27th January 1989.
g. Rajiv Gandhi's speech at the Conference of the Chief Ministers on Panchayati Raj New Delhi on 5th May 1989.
h. Rajiv Gandhi's Address at a Seminar of Municipal Officers in New Delhi on 5th June 1989.
i. Rajiv Gandhi's Address at a Conference of Chief Minister's New Delhi 7th July 1989.
8. a. Rajiv Gandhi's Statement while introducing the Constitution (64th Amendment) Billon Panchayati Raj in Lok Sabha 15th May 1989.
b. Rajiv Gandhi's Statement in the Lok Sabha while introducing the Constitution (65th Amendment) Bill 7 August 1989.
c. Rajiv Gandhi's Text of reply to the debate on the Panchayati Raj and Nagarpalika bills Rajya Sabha on 13th October 1989.
9. a. Government of India, *Powers and Functions of Panchayati Raj Institutions: A Framework* (Occasional Papers 5), New Delhi: Ministry of Rural Development, 1994.
b. Government of India, *Renewing Local Self Government in Rural India*, New Delhi: Ministry of Rural Development, 1994.
c. D.Bandyopadhyay and Amitava Mukerjee (eds), *New Issues in Panchayati Raj*, New Delhi: Concept Publishing Company, 2004.
10. Government of India, *73rd Constitutional Amendment Act*, New Delhi: Government of India, 1993.
11. *Devolution Index* has been prepared in the Round Table Discussion and it was approved by all the State Governments for implementation. Ministry of Panchayati Raj, *Proceedings of the Round Table and Resolutions*, New Delhi: Government of India, 2005.
12. George Mathew (ed), *Status of Panchayati Raj in India*, New Delhi: Concept Publishing Company, 2002.

13. G. Palanithurai, *Dimensions of New Panchayati Raj System*, New Delhi: Concept Publishing Company, 2004.
14. G. Palanithurai, *Process and Performance of Dalit and Women Gram Panchayat Leaders*, New Delhi: Concept Publishing Company, 2005.
15. G. Palanithurai, *Dynamics of New Panchayati Raj System in India*, Vol.I, II, III, New Delhi: Concept Publishing Company, 2003.
16. G. Palanithurai, *Dalit Leadership in Panchayats*, Gandhigram: Rajiv Gandhi Chair for Panchayati Raj Studies, 2003.
17. G. Palanithurai, *Building Alliances and Capabilities among the Elected Women Representatives of Grassroots Institutions*, Gandhigram: Rajiv Gandhi Chair for Panchayati Raj Studies, 2003.
18. Jayshree P. Mangubhai, *To what extent does affirmative action in democratic decentralized governance in India enable women to assert their rights to political participation and socio-economic development?*, M.A. Dissertation, University of London, 2005; G. Palanithurai, "The Empowerment Process: Women Representatives in Grassroots Institutions in Tamil Nadu" *Indian Social Science Review*, Vol.6, No.1 (Jan-June 2004).
19. G.Palanithurai, "Good Governance at Grassroots" *The Indian Journal of Political Science*, Vol.LXVI: No.2, (April-June 2005).
20. G.Palanithurai, *Leadership Matters in Grassroots Governance: Pathfinders Series I to XVII*, Gandhigram: Rajiv Gandhi Chair for Panchayati Raj Studies, 2005.
21. G. Palanithurai, "Role of Elected Women Representatives in Evolving Alternative: Governance at Grassroots" *Social Change and Development*, Vol.3, (July-2005), pp.118-139.
22. Experiences of other states in micro planning are captured in the V volume of the multi volume set. G. Palanithurai, *Dynamics of New Panchayati Raj System in India Vol. V*, New Delhi: Concept Publishing Company, 2005.
23. G. Palanithurai, *Panchayat, Communities and Social Development*, Gandhigram: Rajiv Gandhi Chair for Panchayati Raj Studies, 2003.
24. M.S. Swaminathan Research Foundation, *Role of Panchayati Raj Institutions in Spearheading a Rural Knowledge Revolution*, Chennai: MSSRF, 2005.
25. G. Palanithurai, *Second Generation Reform in Decentralization*, Gandhigram: Rajiv Gandhi Chair for Panchayati Raj Studies, 2005; Ministry for Panchayati Raj, *Proceedings of the Round Table Resolutions*, New Delhi: Government of India, 2005.

