

Chapter - III

PANCHAYATI RAJ INSTITUTIONS IN INDIA

Panchayati Raj in India is not a new idea. The word 'Panchayat' conventionally obfuscates a body of five elders in a village. They were responsible for resolving conflicts of villagers. In this conventional concept of a 'Panchayat', females and lower classes were not permissible. Decentralisation of financial, political, managerial power is crucial in a democracy because few places of authority cannot realise or achieve the desires of the huge multitude of individuals. It means that individuals share the accountability to quicken the procedure of development. The main goal of Panchayati Raj is to support and strengthen the base of democracy at the local level. And to allow people to manage their matters and issues in the best possible manner. The main philosophy behind the Panchayati Raj was to guarantee people's involvement in development programmes.

Panchayati Raj Institutions (PRIs) has been measured as a device of social and economic change in rural India. Participation of people at the local level is the most significant means of carrying socio-economic development. In India PRIs is recognized as official expression of democratic decentralization. Decentralization of power is understood as a means of empowering people and including them in policy making process. Governments at grass root level being nearer to the people of local level can be more responsive to local requirements and can make improved use of resources. In a nation, the democratic system can be guaranteed only if there is mass involvement in the governance. Therefore, the system of democratic decentralization commonly recognized as Panchayati Raj is assumed as a tool to guarantee democracy and socio-economic change.

Historical Background:

Panchayat In Ancient India:

Panchayats or village self-governance is not a current development in India. It has its roots in prehistoric India. The tradition of local self- government in India, in fact, it is old as the Aryan civilization. Panchayati Raj in India have a glorious history since the Vedic period. Almost every village in the nation had a self-governing body beginning from the Vedic phase to the termination of the British rule. The Rig Veda indicates the role of chosen bodies like Sabha, which was allotted with the work of legislating as well as

repaying justice. Panchayats, in prehistoric India, were classically selected assemblies with policymaking and legal powers. The Panchayat structure of prehistoric India was far more extensive and effective than in the British period or even present-day.

A description of these village councils is also found in Arthashastra of Kautilya who lived in 400 B.C. Arthashastra gives a comprehensive account of the system of village administration prevailing in his time. During this period, the village administration was carried under the supervision and control of Adyaksha or headman. There were other officials such as Samkhyaka [accountant], Anikitsaka [veterinary doctor], Jamgh karmika [village couriers], Chikitsaka [physician]. The village headman was responsible for ensuring the collection of state dues and controlling the activities of the offenders. In Ramayana of Valmiki, there are references to the Ganapada (village federation) which was perhaps a kind of federation of village republics.¹

Administration of village throughout the Vedic period was run under the administration of the village headman which was called 'Gramani'. The Gramani was guided in the supervision by the view of the villagers. In later times, the decision-making committee and village assembly formed by the community elders was known as village panchayats. The village administration was run by the community or village elder assemblies called Panchamandali or Panchayat. Ancient India discloses that there was the facility of village assembly and decision-making in ancient India. The village Assembly was known by dissimilar names in dissimilar places in India. They were known as Sabha, Mandalam and Nagaram.

The most significant effort of the Assembly was to select the executive of village. And other work of village Assembly was to select the members of several sub-committees. The conferences of the village Assembly or councils were also organized sometimes when issues of unfamiliar significance like the sale of community property to ease the miseries of scarcity were to be considered. The village Assembly was known in later times as Panchayat.

Self-governing village communities characterized by agrarian economies existed in India from the earliest times. It is mentioned in Rigveda that dates from approximately 200 B.C. The village was the basic unit of administration in the Vedic period. The most remarkable feature of the early Vedic polity consisted in the institution of popular assemblies of which two namely 'Sabha', and the 'Samiti' deserve special mention. A

Samiti was the Vedic Folk Assembly that in some cases enjoyed the right of electing a king while the Sabha exercised some judicial functions. Both the Samiti and Sabha enjoyed the rights to debate, a privilege unknown to the popular assemblies of other ancient people. The office of the village head man (Gramani) indicates the emergence of the village as a unit of administration. In the later Vedic period, the Samiti disappeared as a popular assembly while the Sabha sank into a narrow body corresponding to the king's Privy Council.²

During the early Mourya period there was no substantial progress in the state of village councils. As Kautilya's Arthashastra (300 B.C.) throughout this period states that, village used to organise works of public helpfulness and reformation, settle the disagreements between the peoples and act as 'Trustees' for the possessions of minors.

The village assembly, was not a systematic body till the Gupta time. At least in some part of India the village assembly seems to have advanced into regular bodies in the Gupta period. In Central India, they were recognized as Panchamandali and Gram Janapada in Bihar. Various inscriptions disclosed the existence of village Council or Executive but it is tough to determine whether it was a regular administrative or not. In 600 A.D. inscription from Gujarat and Deccan show that village seniors used to select an official administrative team of their own. Inscriptions in modern Rajputana the village council was recognized as Panchakula, and it operated under the supervision of a headman recognized as Mahanta.

With respects to the ancient Indian village supervisions different inscriptions and literature are quiet on the involvement of females in the administration of village. Women did not take part in politics in India during ancient times, according to evidence presented in literature though they had joined in the socio-economic events. Women were not permissible to join the political Meetings.

Panchayat in Medieval India:

Village Panchayats continued to be autonomous as in the past in the periods of initial Muslim rule. In medieval India, the authority of the government as recognized by Muslims leaders was only in convinced domain while the other domain was left to be controlled by other organizations.

Indian Historians entitled that the Panchayat structure continued to go on Mughal ages well. They accredited the Muslim leaders with a strategy of non-interference in the organizations of Indian administration. Village Panchayats have understanding of all matters and issues of public and marital clashes, property quarrels, clashes arising from sharing irrigational services and all types of quarrels arising in social and economic life of individuals. Village temple or near a tank was the place of holding Panchayat conference. The consent behind the conclusions of the Panchayats was a joyful mixture of old-style purity, a common sense of subordinating individual to public interests, together with a distress of public exclusion that destined denial of all the benefits of public life. Village Panchayat of medieval age acted as the guardian of the rural good and welfare.

During the medieval and Moghal periods, village bodies were the pivot of administration. In the Moghal period, particularly in the regime of Sher Shah, the villages were governed by their own Panchyats. Each Panchayat comprised of village elders who looked after the interest of the people and administered justice and imposed punishment on defaulters. The head man of the village, a semi government official, acted as a coordinator between the village Panchayat and the higher administrative hierarchy. Akbar accepted this system and made it an indispensable part of civil administration. In this period, each village had its own Panchayat of elders. It was autonomous in its own sphere and exercised powers of local taxation, administrative control, justice and punishment.³

Panchayat During the British period:

In India, the story of local self-governance under the British rule can be suitably classified into four stages. The first phase may be assumed to have ended in 1882, when Lord Ripon issued his well-known resolution on local self-government. The second phase covers developments from 1882 to 1919, when more powers were transferred from the centre to the provinces, and the recommendations of the Decentralisation Commission of 1907, besides discussing other matters, suggested some changes in local self-government. The third phase extended upto 1935, during which the Indian Taxation Enquiry Committee (1925) considered the problems of local taxation, along with central and provincial finances. The Simon Commission of 1930, reversed the process of decentralisation, by recommending strict control of the state over local bodies. The fourth phase covers developments up to 1947. During this phase, the struggle for independence was intensified and with the introduction of provincial autonomy in 1937, and coming into

power of congress ministries in many provinces, local bodies, particularly village Panchayats, received a great stimulus and there was democratisation of local bodies. But “local self-government became a mere annexe to the national political stadium, where the struggle for independence was moving towards its climax.”⁴

A strident break arose when India was colonised, from the practice. The state scheme, after the arrival of the Britishers occurred as an extremely centralised set up. During the British period, local institutions were more a formation of the administration from whom they derived their self-government rather than a procedure of impulsive progress. No efforts were completed to build up the scheme on native foundations, although amoral agreement of native taxation was taken in local finance.

In India, it is relevant to describe that Britishers were in favour of extremely unified imperial system for decentralized administration which provided slight opportunity. However, in India British officers who were concerned in the formation of decentralized institutions based on local self-government were liberal democrats. British rule in the later period in 1958 more chiefly after the seizure of administration by British Empire from the East India Company Lord Rippon presented the local self-government in India for attaining co-operation of Indian people and for devolving financial administration. The strategy of financial administration was introduced by Lord Mayo in 1870, which highlighted on the necessity for associating Indians in municipal supervision, solidification of municipal administrations and decentralization of resources to provinces.

Lord Rippon announced reforms in local government via a resolution recognized as the 'Lord Rippon's Resolution' in 1882. The resolution highlighted the necessity for connecting Indian people in administration, classifying methods and means to make these bodies work more effectively and capably and endowing local levels both in cities and villages with source of income.

In 1907, Viceroy Viscount Morley appointed a Royal Commission on Decentralization headed by Charles Hobhouse. It is notable that the first ever reference in a document of constitutional significance to village Panchayats as local self-government was made in the report of the Royal Commission on Decentralization in 1909. In 1917, Mr. Montague, the then secretary of state for India, enunciating the future policy of the British Government promised the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India.⁵

Panchayat After independence:

In order to strengthen the Panchayati raj structure fell on the government of India which was formed after the independence. India a nation of villages had to strengthen Panchayats in order to strengthen democracy, and the progress of villages are related to the progress of the people who are living in countryside. About 70 percent people lives in villages. Villages of India are very poor. India can progress only when its village will be independent.

Mahatma Gandhi believed in Gram Swaraj beseeched for the transmission of power to the rural peoples. But amazingly, in 1948 the draft Constitution which was organized had no space for Panchayati Raj Institutions. Gandhi strictly disapproved this and called for fast consideration. after this Panchayati raj finds a place in the constitution. When constitution of India was adopted in 26th January 1950. The idea of village self-administration finally got amalgamated in the Part IV article 40 of the Indian constitution which is known as the Directive Principles of State Policy. Article 40, of the Constitution says, "The State should take steps to organize village Panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government". However, Part IV of the Constitution is solitary in the nature of guidelines to the government and cannot enforceable by the law of court. Though it is not compulsory for the state governments to apply its provisions and set up Panchayati Raj in states.

With the passing of 73rd and 74th Constitutional Amendment Indian federal system has become a three-tier federal structure: the union government at the top and local self-governments at the lowest levels and the States government are placed at the middle. It provides new chance at local level, for effective implementation of various societal and economic development program. A Panchayat comprising of a village or a group of villages having a population of not less than 5000 and not more than 7000 or the topographical distance of an area within a region of five kilometres from the centre. It is generally supposed that self-governing association at the local level is very indispensable for the growth of a nation. People can actively participate in this level of decision-making. The Constitution of India is based on the principles of equality. Panchayat Raj institutions (PRIs) at rural level is an important step in the way of empowerment of

female. It is known that the local self-government is an active and efficient process of governing the progress schemes and system at the grassroot level

The level of Panchayati Raj has been a level of ups and downs. It appears to have approved through four different phases in its short extent of life: the stage of dominance (1959-1954), the stage of inactivity (1965-1969), the stage of deterioration (1969-1983) and the stage of restoration (1983-onwards). Some may even suggest the commencement of restoration to the launching of the trial of Panchayati Raj by the west Bengal government even prior. Still it cannot be denied that the Karnataka Zilla parishads, taluka panchayat samitis, Mandal panchayat and Nayaya panchayats act ,1983 did commence the movement for the restoration of panchayati raj in the nation. In 1985, at the centre Rajiv Gandhi's government also constituted L.M. Singhvi committee to write a concept paper on Panchayati Raj.

Development of village is very necessary for the progress of nation. Rural development has been receiving increasing attention of the government across the world. In the Indian context, rural development assumes special significance for two important reasons. First about two thirds of the population still lives in villages and there cannot be any progress so long as rural areas remain backward. Second, the backwardness of the rural sector would be a major impediment to the overall progress of the economy. India is predominately an agricultural country and farming is their main occupation. In terms of methods of production, social organization and political mobilization, rural sector is extremely backward and weak. Moreover, technical developments in field of agriculture have increased the gap between the rich and poor, as the better off farmers adopted modern farm technology to a greater extent than the smaller ones. The all India Rural Credit Review Committee in its report warned "If the fruits of development continue to be denied to the large sections of rural community, while prosperity accrues to some, the tensions social and economic may not only upset the process of orderly and peaceful change in the rural economy but even frustrate the national affords to set up agricultural production."⁶

There is no single explanation of the concept of rural development. Rural development is a vital term which is related to local interest and it is widely used in both developing or developed nations in the world. This term is used in different framework and in different situation. This concept is used to define the universal development of rural areas with a

sight to improve the superiority of life of rural people. Rural development is a term of multi dimensions because it can be used as a strategy, as a discipline, as a phenomenon as a concept which includes the progress of agriculture, cottage industries and linked village activities, community services and various other facilities. The phenomenon of rural development is the result of interface between various social-cultural, institutional, physical, technological, economic factor. While used as a strategy, it is designed to recover the economic and social well-being of a definite group of people. As a discipline, it is multidisciplinary in nature which represents a connection of agriculture social behavioural, engineering and management sciences. According to Robert chamber rural development is a strategy which enables specific group of poor rural women and men to gain more what they want and need for themselves and their children.

Various committees:

Constitution of India did not offer direction on how to develop the Panchayati raj institutions. This accountability fell to a sequence of national Committees that lectured subjects of execution of the Constitutional Mandate. In India Panchayati raj system had passed through various stages. For this various committees were set up. These are:

Balwant Rai Mehta Committee

In order to look into the matter of democratic decentralization in India the first committee Balwant rai Mehta was set up in 1957. The committee was set up to report on community development program. This committee pointed out that community development program was unsuccessful because it was failed to induce local creativities and that in the nonappearance of local creativity and local awareness development work would not be possible.

The committee laid down five fundamental principles.

1. There should be three tier structures of local self-government bodies from village to the district level and these bodies should be linked together.
2. There should be genuine transfer of power and responsibility to these bodies to enable them to discharge their responsibility.
3. Adequate resources should be transferred to these bodies to enable them to discharge their responsibilities.

4. All welfare and developmental schemes and programs at all three levels should be channelled through these bodies, and
- 5 The three-tier system should facilitate further devolution and disposal of power and responsibility in future. The committee envisaged three tier systems of panchayats known as Zilla Parishad, Panchayat Samiti and Gram Panchayat and recommended encouragement of peoples' participation in community work, promotion of agriculture and animal husbandry, promoting the welfare of the weaker sections and women through the Panchayats.⁷

Balwant rai Mehta Committee' recommendations came into effect on 1st April 1958. The first state was Rajasthan to apply it on 2nd October 1959. Till mid-1960s, Panchayat had touched all parts of the nation. There was eagerness in rural India and people realised that they had a say in the matters moving their day-to-day life. These were considered as the auspicious days of PRIs in India.

K. Santhanam Committee:

In 1963 K. Santhanam Committee was appointed to look exclusively at the matter of Panchayati Raj Institutions finances. Its suggestions have influenced the discerning and the discussion to date on this matter:

- The Panchayats should have distinct powers to charge distinct tax on land incomes, home tax, etc;
- All allowances and subsidies at the state level should be merged and not tied up; and
- Finance Corporation should be set up which would look into the economic resources of Panchayati Raj Institutions at all three levels at grassroots level governments.

The Committee on Status of Women in India, 1974:

In 1974 the Committee on the status of Women in India (CSWI) was selected by the Indian Government. Main work of the committee was:

- To estimate the transformation that had taken place in the position of women as a result of the constitutional and administrative measures which were accepted since freedom.
- To observe the influence of the composite processes of social transformation on several unit of women of India.
- To recommend measures that could allow women to play with their complete and adequate role in making the nation.

In 1974 the committee on Status of Women in India measured the political troubles of women and made some courageous recommendations with regards to the participation of women in Panchayati Raj. This committee made a report “Towards Equality” where questions raised by it on the dominant mode of co-option in Panchayati Raj institutions and considered it as mere ‘tokenism’. The committee apprehended that the conventional attitude in rural society inhibited female from enunciating their problem and it essential to be rooted out.

Ashok Mehta committee:

The Janata government selected a Committee in 1977 under the chairmanship of Ashok Mehta and was assigned with the duty of questioning into the reasons accountable for the poor presentation of PRIs. It was also asked to advise events to strengthen PRIs. The committee recommended two tier structures of Panchayati Raj comprising of Zilla Parishads at district level and Mandal Panchayats at the block level against three tier structures recommended by the committee of Balwant rai Mehta. The committee suggested legal safety to the PRIs and more devolution of power at all stages. A remarkable feature of the report is that it suggested systematic and regular elections to these bodies.

The question of women's participation in rural development process merited attention of the Committee on the Status of Women in India (1974). It considered the question of establishment of statutory all-women Panchayats at the village level with autonomy and resources of their own for the management and administration of women and children development programs. It was conceived as a transitional measure to break through the traditional attitudes that inhibited- most women from articulating their problems of

participating actively in the local bodies. Like the Panchayats women would be directly elected to these bodies, and should have the right to send their representatives to the Panchayat samitis and Zilla Parishads. To ensure a viable relationship between existing gram Panchayats and the proposed women's Panchayats the chairman and secretary of both these bodies should be ex-officio members. (1) The Committee on Panchayati Raj Institutions headed by Asoka Mehta (1978) laid stress on the need for recognizing and strengthening women's role in the decision-making processes of the panchayati raj. To quote, "Greater representation of women in the Panchayati Raj bodies and participation in the elective process are in a way related." This measure is likely to influence both the directional and the implementation level. The Committee recommended the reservation of two seats for women in Panchayats and to co-opt women, in case they did not come through elections. With regard to women's participation in elections the Committee felt that part of the idea in the Punjab Panchayat committees and Zilla Parishads Act, 1961 would be relevant. The Act provides that two women securing the highest number of votes amongst the women candidates in the election, will take the seats reserved for them. This is a method of co-optation by election. The Committee suggested that these seats would be in addition to the seats which they might win" by a majority in the normal course. The Committee had also "felt the need for an institutional arrangement in the form of a committee with all women members of the Mandal panchayat represented on it. (2) It would ensure that decisions were taken by "women themselves on priorities and choices in welfare and development. Programs specifically meant for women and children." The Asoka Mehta Committee had felt the need for associating women with the process of decision-making, but could not give a clear direction as some sort of ambivalence was there. This resulted in a cumbersome proposal about the participation of women in Panchayats. But the fact remains that it set the ball rolling.⁸

The Ashok Mehta Committee Suggested:

- PRIs should have obligatory power of taxation to organize their own resources.
- There should be a systematic social audit by a district level agency and by a team of legislators to check whether the funds allotted to any group are actually spent on them.
- Seats of schedules caste and schedule tribe should be reserved according to their population.

- A district should be the initial point for devolution under general supervision below the state level.
- Three tier structures of PRIs should be replaced by the two-tier structure. Zilla panchayat at district level and Mandal panchayat at block level.
- A minister should be appointed by the for Panchayati Raj in the state council of minister to manage the affairs of panchayati raj institutions.

Due to breakdown of Janata party government before the completion of its tenure no action could be taken on the recommendation on the Ashok Mehta committee at center level. Only some states like West Bengal, Karnataka and Andhra Pradesh have accepted some of its recommendations. And took step to rejuvenate the panchayati raj system.

G.V.K. Rao Committee:

This committee was administrative arrangement for rural development and poverty alleviation program appointed by the planning commission in 1985 under the chairmanship of G.V. K Rao. The committee came to conclusion bureaucratization of development administration as against the democratization weaken PRIs. Committee made the following recommendation:

- Zilla parishad (at district level) should be pivotal in the system of democratic decentralisation.
- Elections to the PRIs should be held regularly.

L.M. Singhvi Committee:

Rajiv Gandhi government appointed a committee under the chairmanship of L.M. Singhvi to made a concept paper on renewal of PRIs for development and democracy. It suggested some recommendations which were:

- PRIs should be constitutionally known and protected.
- New part in the constitution should be provided to describe their powers and roles
- Committee suggested that there should be free and impartial election to be conducted by the election commission

- Committee suggested for the selection of finance commission
- Nyaya panchayat should be set up for a cluster of villages
- and all the rural development programmes are assigned to the PRIs by amending 7th schedule of the constitution.⁹

This committee provides the integrated vision of democracy. The national parliament and the Central Government, the State Legislatures and the State Governments and the whole pyramid of our judicial system are important to the working of democracy and the maintenance of the rule of law to the common Indian villager, however, they do not represent a preoccupying part of his daily life. There are gaps and anomalies in the democratic experience of the Indian citizen, particularly in the countryside. Panchayati Raj institutions in our rural areas and municipal bodies in our urban areas represent, first and foremost, the possibility of a truly dependable and durable institutional assurance for overcoming those distances and gaps. Without local units of self-government, we cannot hope to establish a viable and vibrant democracy. It is in this perspective that rural and urban development are, in effect, two sides of the same coin and are parts of a composite continuum of what may be called democratic urbanisation. It is with an integrated vision that they have to be reviewed, restructured, reclaimed, renewed and revitalised. The committee envisages and recommends that local self-government should be constitutionally recognised, protected and preserved by the inclusion of a new chapter in the Constitution. Local self-government and more particularly, Panchayati Raj institutions, should be constitutionally proclaimed as the third tier of Government. The Committee is of the view that a separate chapter should be added in the Constitution so as to make the identity and integrity of the Panchayati Raj institutions reasonably and substantially inviolate.¹⁰

Sixty Fourth Constitution Amendment Bill, 1989:

64th Amendment Bill was presented in the Parliament in 1989 to make the panchayati raj institution influential bodies under the prime ministership of Rajiv Gandhi.

The salient characteristics of the draft of the Sixty Fourth Constitution Amendment Bill were as follows:

- a) For all the states three tier Panchayats but states having a population not above twenty lakhs may have a two-tier panchayat,
- b) Seats to be filled by direct election,

- c) A static tenure of five years;
- d) Reservation of seats for the SC and ST according to their population;
- e) Reservation of 1/3rd of the seats for women as well as tribal women;
- f) Decentralization of powers and responsibilities upon panchayats with reverence to the preparation of plans for economic progress and social justice;
- g) Selection of Finance Commission in the states in every five years to analyse the financial position;

64th Constitution Amendment Bill was approved in the Lok Sabha. But Rajya Sabha did not pass the bill. Since 1952 this was the first time when this constitutional amendment bill moved by the government has been defeated in the Rajya Sabha.

73rd Amendment Act:

In 1992, the 73rd and the 74th Constitutional Amendment Acts was passed by the government which set up a three-tier structure of Panchayats at the village level, intermediate and district levels and Municipalities in the urban areas respectively. This is the duty of the states to decentralize suitable powers, finances and responsibilities upon these frames so as to permit them to formulate strategies and implement various arrangements for social justice and monetary growth. These Acts offer an elementary agenda of decentralisation of powers to the Panchayati Raj or Municipal bodies at village level and urban levels. For to set up the strong and feasible system of local government States are projected to act in accordance with the essence of the 73rd and 74th constitutional acts. This act adds a new episode in the course of democratic decentralisation in the country. In terms of these Amendments, the accountability for taking conclusions concern with the actions at the local level which affect the lives of people directly would rest upon the selected members of the individuals themselves.

Panchayati raj institutions (PRIs) have been given a constitutional status by the 73rd amendment. During last thirteen years state government has passed conformity legislation and taken other step for empowerment of PRIs, the national development council, therefore decided to set up an empowered sub-committee of the national development council on financial and administrative empowerment of the PRIs. The National Development Councils empowered sub- committee was set up on 31.03.2003 with the

minister of rural development as its chairperson and secretary, planning commission and secretary rural development as convenor and co-convenor respectively. The empowered sub-committee has already met twice during the year and is expected to provide directions for strengthening the PRIs.¹¹

Provisions Related To Women:

73rd Amendment Act, 1992 article 243D of the constitution provides Reservation of seats for women.

(1) Seats shall be reserved for-

(a) the Scheduled Castes; and

(b) the Scheduled Tribes,

in every Panchayat and the number of seats of reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State. Provided further that not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level shall be reserved for women:

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.¹²

73rd amendment provides a stage to women to intermingle with social and political entities, result into that they are become more visible in politics and achieved the self-confidence to accomplish their duties for the advancement of the people. Political parties nominate a woman just because of reservation policy. The system for the reservation of women has been very helpful to women in remonstrating on various problems like divorce, alcoholism and dowry quarrels. But it seems that reservation has not been very effective and functioning in some other areas. When political participation is concerned, it appears that women are very excited to acquire the knowledge about the participation techniques but there is still a vast gap to be bridged concerning the involvement of women in policymaking process.

73rd amendment provides 33% reservation at grass root level which offers wonderful chance to females for their access into politics which was else not accessible. The selection for reservation of seats is done by draw of lots. A huge numeral of women has been able to get access in the political level through the 73rd constitutional amendment. Since the Panchayati Raj institutions have capacity to begin with the procedure of women empowerment from the village level, it can alter the societal scene of the village. The Panchayati raj institution provide village women the chances for headship and to involve directly in the policymaking in the course of development. It will also assist in handling the violence against women. So, the subsequent issues had attracted to challenge the problem of women empowerment through PRIs for this effort. These are:

- I. To produce a well environment to exercise women's rights equal with men in rural parts.
- II. To shape women into groups as self -help groups for financial empowerment of rural parts.
- III. For equal involvement of women in executive bodies for their progress and good.
- IV. To prepare women for political involvement in Parliament and Assemblies also with 33 % reservation.
- V. To create political awareness and political contribution in village politics by women through PRIs

- VI. To implement a joined approach for empowering women through operative combination of the amenities, resources, system and man power in related sectors.

Various initiatives have been taken by government after independence for the empowerment of women and bringing enhancements in the socio-economic position of women. Various provisions were made by the Constitution of India to provide equal privileges and balances of socio-economic development for the development of women and men. Indian constitution also assures personal liberty, freedom of speech to take part in all type of welfare and functioning to all its citizens.

The Constitution of India not only provides equality to women but also permits the State to implement measures which helps women to exterminate different forms of discernment. fundamental rights have been given to all the citizens of India. Article 14, 15,15(3), 16, 39(a), 39(b), have great importance in this regard. Also 73rd constitutional amendment provides 33 percent reservation to women at local level.

The involvement of women in Panchayati Raj is very essential for the growth of a country. A country can attain higher development only when women will be the companion in it. The request of reserved seat was left to the National Perspective Plan for females to take up. It documented that political involvement of women is strictly constrained and proposed that a 30 per cent share for females be announced at all stages of elective frames. The method of reserved seat was introduced throughout Prime Minister ship of Rajiv Gandhi. The whole matter took on a political form as it became a controversial fact whether the framework of reserved seat at the stage of panchayats and urban local bodies was actually intended to give enlarged representation to women or was a populist quantity targeting to generate a women's constituency at a stint when the Congress Party needed to revival its image. These qualms anyhow, the 73rd and 74th Amendments to the Indian Constitution in 1992 and 1993, which provided 33 % reservation for women in rural local bodies and urban local bodies. These amendments, as a plan of assenting action, assisted as a main breakthrough guaranteeing women's equivalent access and enhanced involvement in political power buildings.

Participation of women in decision -making is very essential for the development of a country. It has been observed that the system of governance which does not provide

proper representation to women, is totally undemocratic. It is very necessary to include women into decision-making process, especially at the grass root level is an essential step towards creating gender equal opportunities. Women are always actively involved in household and local work and hence they are well aware about the real problems which are faced by common people. This gives them idea and perception which can be helpful in sustainable and complete development.

The existence of women in local governments helps as an inspiration for other women to enter into various occupations and also helps to breach stereotypes of women's roles in culture and communal place. People of the country had achieved self-possession in women as virtuous public superintendents and local government representatives after sighted women creating a constructive variation in life of another people.

Panchayati raj institution have always been considered as a means to good governance and 73rd constitutional amendment was set up in the hope that it would lead to better governance and provide political space to the marginalized section of the society like schedule caste, schedule tribes and women, who were kept away from decision-making process. During ancient times, it was not that women did not join politics, but the fact was that they did not take interest in politics due to the patriarchal nature of society. The political field was considered for men. The assumption was that, women have no such political knowledge which is necessary for the politics.

Only Reservation for women cannot bring change in women's life because women face various obstacles in the way of their participation. But due to reservation women are more visible in politics, whether it is nominal. Society of India is patriarchal, that's why women are keep away from politics and it is assumed that the area of politics is associated with men. This is not for women because women do not bring any new political ideas. Women are generally involved in domestic works.

Policymaking procedures in Panchayats require to be well explained, to diminish the option of elite capture, single point decision and proxy participation. Reservations for women also do not make much intelligence in a condition where there is prominence on consent in policymaking because one can just as simply silence the poor as in a consent the sturdiest speeches prevail automatically. Thus, it is simple for a condition of elite capture to prevail if business guidelines of representative bodies clearly favour consent in policymaking. The stress on consent in decision making should be advanced with caution.

One Another matter is the rotation term of reserved seat in Panchayats. Intermissions between the rotation of reserve seats for women representatives need to be protracted.

This is the most operative official step towards the political empowerment of women. Many examples are present where women have been energetic and enthusiastic to fight an election. In some cases, the Gram Sabha has convinced women with headship capacity to stand for elections. Those women, who are effective and successful representatives, now act as a role model for the other women. Women would have had no role to perform in politics at local level in India without the policy of reservation.

Haryana Panchayati Raj Act:

Haryana came into existence on 1 November, 1966. It has 1.37 % of the topographical zone of the nation and 44,212 square kilometres which is less than 2 % of total population of India. Haryana is one of the speedily growing state in India. Both sector of agriculture and manufacturing have shown high growth rates and Haryana enjoys the exclusive otherness of having provided electrical energy, tarred transportations and filtered drinking water to all its communities. It is the utmost affluent state in India, with one of the maximum per-capita earnings. Despite of the external modernism and symbols of the globalizing budget, its countryside peoples persist protected in inflexible societal context, in which class and inter-caste panchayats switch public relation, meting out penalty for desecrations of habitual law and the class pyramid.

In Haryana identity of women if she is married defined either by their husband or father in law and if she is unmarried then their identity is demarcated by their father or brother, it does not matter whether they are rich or poor, educated or uneducated.

In pursuance of the 73 Constitutional amendments, the Haryana Government enacted the Haryana Panchayati Raj Act, 1994. The Act provides a three-tier system, the Zilla parishads have been constituted afresh in the State after a gap of more than two decades. While the earlier act provided for indirect elections at the Zilla parishad and panchayat samiti levels, under the new Act, the members of the Zilla parishads are to be elected directly. It further provides for the co-option of Chairman of all panchayat samitis within the district as exofficio members and the Members of Parliament and Members of Legislative Assembly whose constituency lies within district are to be associated as ex-officio members for Zilla parishad, who have a right to vote in the meetings except for election and removal of the President and Vice-President. Likewise, while the members

of the panchayat samitis are to be elected directly from territorial constituencies within the panchayat samiti areas, one member of panchayat samiti is elected on the population of 4000 and the number of elected members will be 10 to 30 on the basis of population. MLAs representing constituencies, which comprise wholly or partly in the panchayat samiti area, as well as the Sarpanches of gram panchayats are to be co-opted as members. The Chairmen and the Vice-Chairmen of panchayat samitis and Presidents as well as Vice-Presidents Zilla parishads are to be elected indirectly by and from amongst its elected members. So far as gram panchayats are concerned, the Sarpanch and panches are directly elected by Gram Sabha from amongst its voters by secret ballot. The panchayati raj rules state that there shall be six panches for a gram panchayat having population up to five hundred and for every additional five hundred populations or fraction thereof one extra seat shall be provided subject to a maximum of twenty seats. If a fraction forms part of the number of a seat or the office computed the number of seats or offices shall be increased to the next higher number in case the fraction consists of half or more of a seat or office and the fraction shall be ignored in case it consists of less than half of a seat or the office.¹³

Features of this act are:

(1) Seats shall be reserved for Scheduled Castes in every Panchayat Samiti and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat Samiti as population of the Scheduled Castes in that Panchayat Samiti area bears to the total population of that area and such seats may be allotted to such wards having maximum population of persons belonging to Scheduled Castes. (2) Not less than one-third of the total number of seats reserved under subsection (1) shall be reserved for women belonging to Scheduled Castes and such seats may be allotted by rotation and by lots amongst the wards reserved under sub-section (1). (3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes) of the total number of seats to be filled by direct election in every Panchayat Samiti, shall be reserved for women and such seats may be allotted by rotation and by lots to different territorial constituencies in a Panchayat Samiti except those falling under sub-sections (1) and (2).¹⁴

(4) The offices of Chairman in the Panchayat Samitis in a district shall be reserved for the Scheduled Castes and women by rotation by lots: Provided that the number of offices

of Chairmen reserved for Scheduled Castes in the District shall bear as nearly as may be, the same proportion to the total number of such offices in the Panchayat Samiti as the population of the Scheduled Castes in the State bears to the total population of the State: Provided further that not less than one-third of the total number of offices of Chairpersons of Panchayat Samitis in a district shall be reserved for women including the offices of Scheduled Caste women: Provided further that the number of offices of Chairman under this sub-section shall be rotated to different Panchayat Samitis firstly having the largest maximum Population of Scheduled Castes and secondly having the next largest maximum population of such Classes and so on. (5) One seat shall be reserved for the persons belonging to Backward Classes in every Panchayat Samiti which shall be allotted in such territorial constituencies as having maximum population of persons belonging to Backward Classes. (6) The reservation of seats under sub-sections (1) and (2) and the reservation of offices of Chairman (other than the reservation for women) under sub-section (4) shall cease to have effect on the expiration of the period specified in article 334 of the Constitution of India: Provided that reservation of seats under sub-sections (1), (2), (3), (4) and (5) shall be reviewed after every decennial census.¹⁵

However, the men who controlled the grass root democracy for centuries are not ready to give-up easily. They have found a novel way to control of the reins of power. They are either getting married with educated women or have been finding educated brides for their sons. The worst affected are the districts which have a poor sex ratio and the lowest literacy rate. Sources say Mewat is one such district where more than four dozen cases of educated women marrying illiterate and school drop-outs have come to light. Deen Mohammad who belongs to Aklimpur village in Mewat district is illiterate but did not want to lose the status of being the family of panchayat representatives. The seat currently is reserved for a female candidate. As his wife was illiterate, he was not eligible to contest election, so he got his son Saiqul married to Sarmeen who is matriculate. However, she also could not contest election as she is 15 days shy of completing the requisite age of 21 years. Deen Mohammad is himself a former village headman. His mother Fazri Begum was also a Sarpanch (village headman) between 2000 to 2004. As the state's, BJP government passed a law this year only to allow educated people to contest Panchayat

elections, Deen Mohammad took the extreme step to solemnize his own and son's marriage who is class 12 student.¹⁶

Because of the reservation of seat at grass root level the power relation between wife and husband has changed because husband gets a chance to come into politics just because of his wife. In Haryana during 2015-16 election educational criteria have been selected for the election. Those village where there are women reserved seat unmarried men often seek that if nobody in their home is fulfilling the educational criteria either their mother or sister, they prefer to marry a girl who belongs to other state by giving money to the family of that girl. Or if they are married and their wife does not fulfil the educational criteria then they prefer to make fake certificates. They take help of corruption for this. This is not good for the progress of a nation.

There are various types of obstacles in the way of women's participation in Panchayati Raj. One main is the patriarchal nature of society which does not allow women to come forward to join politics or for any other purposes. Women representative are not taken seriously by their male partner. They think that women have no or say less knowledge about the functioning of gram Panchayat. There is dual burden (household work and Panchayat works) on the shoulder of women representatives. Women themselves do not want to come forward to contest election. It is always their family members who push them to contest the election in order to attain their power.

If reserve seats are rotated after every five-year tenure, it leaves very small enticement for the member who selected on a reserved seat to perform, because she thinks that in next round, there will be only a remote opportunity of being elected because she will not have the advantage of reserve seat in the same constituency. A million of women have come out from their homes for the first time to participate in public activities, to hold public offices, making their presence in the political field dominated by men only due to 73rd amendment.

Endnotes

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¹⁰L.M. Singhvi committee retrieved from http://www.panchayat.gov.in/documents/401/84079/Recommendations_L_M_Singhvi_Committee_Report.pdf

¹¹Planning Commission Government of India Annual Report 2003-04 Pp.17

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¹⁴Haryana Panchayati Raj Act 1994.

¹⁵Ibid.

¹⁶<http://indiatoday.intoday.in/story/haryana-men-marry-educated-women-to-control-panchayats/1/557139.html>