



## KARNATAKA'S EXPERIMENT IN DECENTRALISATION;AN INSIGHT INTO PANCHAYATIRAJ ACT 1983

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### KEYWORDS

A Democratic Polity involves the decentralization or deconcentration of power in a way that the affairs of the local people are managed by means of their positive participation. It signifies marked devolution of power from the higher to the lower levels in a way that the units of local government exercise their authority with the participation of people of that area with occasional control and supervision of the provincial and central government.

The institution of Panchayat Raj is the foundation on which lies the edifice of democracy. Indian democracy cannot become strong unless the democracy at the village level is strong. Mahatma Gandhi therefore was firmly of the view that India's freedom would not be real until her nearly six lakh villages become economically self sufficient or autonomous and politically self governing.<sup>1</sup>

India resides in villages, this was not true only about ancient India but holds good even today. Vast majority of our population still lives in our villages and earns its livelihood from agriculture. This vast majority is governed by village panchayats, whose representatives are elected by adult franchise. These panchayats have been assuming more and more powers and are also being given constitutional status by recent acts and their amendments from time to time.<sup>2</sup> Panchayats have played an important and significant role in ancient India. History bears ample testimony to that of both communities of Hindus and Muslims govern themselves by Panchayat methods. Then the governments did not much interfere in the working of village panchayats. Its only concern was to collect revenues from the villages. As long as a village paid revenue and so long as there was not serious disorder village panchayats enjoyed perfect autonomy. There were various methods of constituting these village's panchayats but the basic principle was that the adult population should be allowed to participate in the composition and the functioning of panchayats.

It was however during the disorder that prevailed in India after the fall of Mughal Empire and the establishment of East India company rule village panchayats lost their independence. In 1882 Lord Ripon was the first Viceroy who took steps to bestow some independence on villages.<sup>3</sup> Thereafter some autonomy was given under the Government of India Act of 1919 and 1935. Our local governments in the provinces then made efforts to restore their lost independence and autonomy to our villagers. A new chapter was however opened after independence in 1947 and by Panchayat Acts introduced after 1959 by the recommendations of Sri Balwant Rai Mehta Committee of 1957.

Democracy is never complete unless there is active involvement of the people of the country at all levels of governance. The institutions of democracy at the national and state levels have gained considerable strength since independence. Recognising the importance of democratic decentralisation, Article 40 of the constitution states "the state shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to

function as units of self government.<sup>4</sup> But the institutions at district, block, and village levels have not been able to acquire the status and dignity of viable and responsible people's bodies.

Mahatma Gandhi was of the view that Indian freedom would not be real until her nearly six lakh villages become economically self-sufficient or autonomous and politically self governing. To Gandhiji, "a network of such rural organisations (i.e., panchayats) functioning in the villages without any connection with the government will be the true foundation's of civil revolt"<sup>5</sup> The plea to establish democratically The plea to establish democratically elected local self government was a vital strategic element in the struggle for independence.

The Panchayati Raj institutions seek to realise the goal of decentralised administration and decision making by people themselves at the grass root level. The Panchayati Raj system in the country was not uniform and varied from state to state. In many states, the Grama Sabha which is a collective body of adult people constitutes the foundation of this structure. Besides, there is normally either a three tier panchayat structure at the village, block and district levels or a two tier structure, some states have only a single tier Panchayati Raj at the village level.

However, many discrepancies have crept into these grass root institutions making them mock units. Even where these institutions function, they came to be dominated by economically and privileged sections of the rural societies and were utilised to save the class and sectoral interests of the vested interests. Various committees had been set up by the government time and again to suggest a modified scheme of PRI's.

The Balwant Rai Mehta study team was appointed in 1957 to study community development and National extension service programmes especially from the point of view of assessing the extent of popular participation and to recommend the creation of institutions through which such participation can be achieved.<sup>6</sup> Balwant Rai. Mehta committee suggested the three tier system which was as follows:

1. The panchayats consisting of villages.
2. The panchayat Samitis consisting of blocks.
3. There were however, some variations in the three tier system in their adaptation some states followed two tier system and named third as "District Development Councils" as was in the case of Karnataka level i.e., single level system. However, most of them adopted the three tier system.

There were different names to these levels, Village panchayats, Grampanchayats and Gram Sabhas. Asan Panchayat, Mohkuma Parishad, Panch Samiti and so on. Some of them are equivalents in the native languages of the states. Some of the first states to adopt the Panchayati Raj were West Bengal, Andhra Pradesh, Rajasthan and Karnataka. The rest of the states followed this very soon. They made chang-

es in their own state enactments to suit the local needs and situation. As Panchayati Raj institutions came to be dominated by the privileged section of society. It limited the utility of Panchayati Raj for the average villagers. In view of this a 13 member committee headed by Ashok Mehta was set up in 1977 to suggest measures to strengthen the Panchayati Raj Institution.<sup>7</sup>

The Ashok-Mehta Committee recommended a two tier set up i.e.,

1. District level and 2. Mandal level

Covering the population of 15,000 to 20,000 and suggested the abolition of block as the unit of administration.

An integrated concept for growth and poverty alleviation would continue to be one of the principal areas of emphasis in the Seventh Plan, the government appointed 12 member committee under the chairmanship of Dr. G.V.K. Rao in 1985 to review the administrative arrangements for rural development and poverty alleviation programmes.<sup>8</sup> The Committee recommended that the district should be the basic unit for policy planning and programme implementation. The committee also called for regular elections to the Panchayati Raj institution.

To review the functioning of Panchayats and to suggest measures for their revitalisation, a committee under the chairmanship of Dr. L.M. Singhvi was formed in 1987.<sup>9</sup> It recommended reorganisation of villages to make village panchayats more viable and suggested more financial resources for these institutions. In 1985 the Sarkaria Commission on centre-state relations also noted that many of the local self governing bodies were not effectively functioning mainly because the elections to these bodies were not held regularly and that super sessions of these bodies were taking place on flimsy grounds. The commission felt that there was a need for uniformity of laws in states, urged to the holding of periodical elections avoiding supersessions.

A sub-committee of the parliamentary consultative committee attached to the ministry of personnel, public grievances and pensions was set up under the chairmanship of Mr. P.K. Thungon to consider the type of political and administrative structure needed in the district for district planning.<sup>10</sup> This Committee felt that a constitutional provision should be made to ensure timely and regular elections to these bodies with their terms lasting for five years. The Zillaparishad should be only a planning and development agency in the district according to the opinion of this sub-committee.

The Constitution (sixty fourth) Amendment Bill, 1989, which though was passed by the Lok-Sabha could not be enacted as it was not passed by the RajyaSabha. This Bill provided for the constitution of Panchayats in every state at the village, intermediate and district levels with the exception of states which have a population not exceeding 20 lakh where states may not constitute intermediate level.

In 1990, the constitution (Seventy-Fourth) Amendment Bill was introduced in the Lok-Sabha but could not be taken up for consideration and in the mean time since the Lok-Sabha was dissolved two bills also lapsed. This bill provided for "Gram-Sabha" in each village and it was also proposed that panchayats should be constituted at the village and other levels.

The constitution (Seventy Second) Amendment Bill was passed with near unanimity by the Lok-Sabha on Dec. 22 1992 and by the Rajyasabha on Dec. 23, 1992.<sup>11</sup> After having been ratified by 17 State Assemblies this has emerged as the constitution Seventy Third Amendment Act 1993 came into force from April 24, 1993. This Act accorded constitutional status for Panchayati Raj system in India. Subsequently heralded a new era in local-self government as a land mark of

rural upliftment through measures of development and social welfare.

very state panchayats are to be established at the village and district levels and at the intermediate levels. States which have population less than two million need not have the intermediate level panchayats. The important thing is that new panchayats cannot be suspended for long, fresh elections would have to be held within six months of the dissolution of a panchayat. Secondly in all panchayats, seats would be reserved for women, SC and ST's. There shall be a fixed five years term for all panchayats. They shall have their jurisdiction in their respective areas, the panchayats shall be able to formulate their own development plans and implement them. Every state shall have state election commission for conducting panchayat elections and every five years a state finance commission shall be constituted to take stock of the economic conditions of panchayats

As it is all the states have already within a year passed legislation as required under constitutional obligations. Elections to local bodies have also been held or are being held in most of the state.

In Karnataka the Panchayati Raj Act 1993 has a three tier system via.

1. Zillaparishad.
2. Taluk Panchayat and
3. Gram Panchayat.

The Chief Executive Officer who is the chief of this network in a district functions under president, an

#### Colclusions:

The basis of present analysis has been a multidimensional poverty approach i.e. composed both income and non-income party – as invoked by the world Development Report 2001. Some actions considered to alleviate multi-dimensional poverty have been analyzed using Indian experiences. After exploring the logic and design of decentralization theoretical pros and cons regarding poverty alleviation were advanced. The Echerri-Gent these embrace many of these pros and cons. The decentralization is likely to result in either greater responsiveness to the poor or local elite dominations.

Although it is difficult to isolate decentralization effect, some suggestions were made as to whether decentralization in West Bengal and Karnataka has had positive impacts on multi-dimensional poverty. In general, some impact on income poverty was evident in rural West Bengal. Where Karnataka improved relatively more than all India in terms of non-income poverty. But having first examined the logic of decentralization one should not be surprised by the seemingly limited effects of decentralization.

For a start, the design matters and the cases had fiscal and institutional deficiencies from the outset. Just to mention two, the fiscal strength has been weak in West Bengal. While political autonomy has been leading in Karnataka after 1989. The theoretical pros and cone have found some support as well, most notably in Karnataka where local elites became dominant. But also clear as to the low substantial participation of the poor in West Bengal. This leaves us with the impression. Those poverty alleviation outcomes of decentralization are contingent upon several factors attributed to the design and context of decentralization.

To conclude the Indian decentralization cases show that some improvements in poverty can be reached. But it is a slow and resource demanding process. A close alternative to decentralization is micro credit programs, which operate on a smaller scale. The outreach of such programs will remain low in the short and medium run, especially commitment to finances self-sufficiency are made. Still, the micro credit promises are hard to neglect in a poverty alleviation framework, and it

can be a pragmatic and viable alternative to decentralization where decentralization pre-requisites are not met.

In perspective, decentralization in itself attracts attention besides the potential pro-poor impacts. It can be part of political learning in developing makers are not remotely located, but instead located and held accountable locally. Again, this points to the fact that patiency is important when it comes to decentralization in developing countries.

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