



## **Panchayati Raj in Assam: Democratic Decentralization at Local Level**

**Dr. Ranjeet Kr. Tiwary**

*Asst. Professor, Dept. of Sanskrit, Women's College, Silchar, Assam, India*

### **Abstract**

*The institutional framework of modern polity includes not only the political parties, bureaucracy, administrative machinery but also 'interaction and sensitization' at all levels of governance through people's participation. Political development has to come about within the consciously adopted institutions, both at national and local levels so that a consensus can be drawn at all levels ensuring the widest reach of good governance. An important institutional innovation at the grassroots level towards decentralizing Indian polity has been the introduction of 'Panchayati Raj'. The institution of Panchayats is not a modern concept. It is an institution which existed in Indian villages since ancient times. But this age-old institution has been constitutional and institutionalized only in modern times. It was the Balwantray Mehta Committee (1957) who recommended setting up of a three-tier structure of Panchayati Raj Institutions. In the history of local governance the passing of the 73rd Constitution Amendment Act, 1992 was a landmark. This act paved the way for the passing of the Assam Panchayat Act, 1994. The Government of Assam constituted Panchayats at the district, block and gram level with powers and responsibilities in line with those provided vide the 73rd Constitution Amendment Act, 1992. In this paper I seek to analyse the concept and dimension of democratic decentralization in the context of local governance.*

***Key Words: Democratic decentralization, People's Participation, Panchayati Raj, Three-tier Structure.***

---

Democratic decentralization implies 'extension of democracy at the grassroots level, the devolution of power from the higher to the lower levels and exercise of power by the local level units with people's participation.'<sup>1</sup> The process of democratic decentralization in the form of local government has become a revolution throughout the world in general and India in particular by way of sharing and distribution of political powers to the grassroots level.<sup>2</sup> An important institutional innovation at the grassroots level towards decentralizing Indian polity has been the introduction of 'Panchayati Raj.' It is an integrated system of self-government with the twin objectives of 'democratic decentralization' and local participation in planned programs.<sup>3</sup>

The makers of the Indian constitution, while providing for directive principles of state policy, stated in Article 40, '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'. The Balwantray Mehta Committee (1957) recommended setting up of a three-tier structure of the Panchayati Raj Institutions at the district, sub-district and village levels respectively. State legislations were enacted in different states whereby Panchayati Raj Institutions were established. Rajasthan and Andhra Pradesh were the first to introduce the three-tier Panchayati Raj structure. Assam introduced Panchayati Raj legislation in 1969 alongwith Karnataka and Orissa.

The passing of the 73<sup>rd</sup> Constitution Amendment Act, 1992 was a landmark in the sphere of local governance. As per the 73<sup>rd</sup> Constitution Amendment Act, 1992 "Panchayat" means 'an institution (by whatever name called) of self-government constituted under article 243B, for the rural areas', while "Panchayat area" means the 'territorial area of a Panchayat'<sup>4</sup>. Part B clause (1) & (2) of this Act provides for the constitution of Panchayats thus,

- (1) There shall be constituted in every state, Panchayats at the village, intermediate and district levels in accordance with the provisions of this part.
- (2) Notwithstanding anything in clause (1), Panchayats at the in-termediate level may not be constituted in a state having a population not exceeding twenty lakhs.

This Act inserted part IX into the Constitution of India empowering the state legislatures to make laws for the organisation of Panchayats not only at the village level but also at higher levels of a district. This Act

included of XI schedule (Article 243 G) in the Indian Constitution which confers the following powers to the Panchayats :

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

With the passing of this Act it has been made obligatory to constitute village Panchayats (village level), Panchayat Samittis/ Anchalik Panchayats (intermediate-level) and District Panchayats/ Zilla Parishads/ District Councils (apex-level). Following this Act, almost all the states in India have enacted Panchayati Raj Acts. Assam enacted the Assam Panchayat Act, 1994. The government of Assam constituted Panchayats at the District; Block and Gram levels with powers and functions in line with those provided vide the 73<sup>rd</sup> constitution Amendment Act, 1992.

The Assam Panchayat Act, 1994 and introduced a three - tier system: Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.

**Gaon Panchayat :**

- a) It consists of 10 members elected directly by the people.
- b) The President is directly elected by the people while the Vice President is elected from among the members of Gaon Panchayat

**Anchalik Panchayats :**

- a) The president is elected by the elected members of the Anchalik Panchayats
- b) The Vice- President is elected by the elected members of the Anchalik Panchayats.
- c) The members of the Anchalik Panchayat includes one members directly elected by people from each Gaon Panchayat area, President of the Gaon Panchayats falling within the jurisdiction of the Anchalik Panchayat, members of parliament and Legislative Assembly.

**Zilla Parishad :**

- a) The President is elected from among the directly elected members of Zilla Parishad.

- b) The members of Zilla Parisad includes members directly elected from the Zilla Parisad constituencies of the district, Presidents of Anchalik Panchayats, members of Lok Sabha and member of Legislative Assembly.

In every tier of the Panchayat Raj system there is reservation of seats for Scheduled Castes/ Scheduled Tribes. 73<sup>rd</sup> Amendment Act of the constitution in the year 1992 reserved 33% seats for women in Panchayats.<sup>5</sup> Accordingly, the provision has been incorporated under Assam Panchayati Raj Act. These provisions are major steps which can strengthen the position of the disadvantaged group and women respectively in the rural areas.

General Powers and functions devolved upon the Panchayati Raj institutions as per the Assam Panchayat Act, 1994 are –

- a) Preparation of Annual plans and Budgets,
- b) To frame bye-laws
- c) To impose taxes and fines
- d) Mobilisation of reliefs in natural calamities
- e) Remove any encroachment on public property
- f) To hold, acquire and dispose of property and to enter into contracts.
- g) Organise voluntary labours.
- h) Constitute committees.

Besides these, the Panchayati Raj Institutions in Assam exercises jurisdiction over those subjects as given in the Eleventh Schedule.

The Assam Panchayati Raj Act, 1994 has provided for the Constitution of a fund for the Panchayats for which money would be credited from,<sup>6</sup>

- i. Contributions made to the Panchayats
- ii. Grants and funds being released by Zilla Parishad and Anchalik Parishad.
- iii. Loans from various heads granted by the central and state governments.
- iv. All receipts on account of taxes, rates and fees levied by the Panchayat itself.
- v. All receipts in respect of schools, hospitals, dispensary, buildings, Institutions, constructed by or placed under the control and management of the Gaon Panchayat.
- vi. All sums received as gifts or contribution
- vii. All income from any trust or endowment made in favour of Gaon Panchayat
- viii. Such fines & penalties imposed or realized under the provisions of this Act.

Panchayati Raj was conceived in order to extend Indian democracy to the grassroots levels with the three basic objectives, ‘modernisation, politicization and decentralization.’<sup>7</sup> Now, the question arises: Has the Panchayati Raj Institutions in Assam been able to function as viable units of self -government? Since its inception the Panchayati Raj system has been beset with numerous problems.

- i. Bureaucratization of grassroot level politics.
- ii. Party politics has Panchayat system. Some elected Panchayat elections serve party interest.
- iii. A major problem which plagued the system was the absence of regular elections. Since 1972 Panchayat elections were not held. It was after a long gap of 18 years that Panchayat elections were held in February, 1992.
- iv. Panchayat elections are marred by violence.
- v. Periodic meetings of the bodies are not held.
- vi. A major problem is the lack of transparency.
- vii. Panchayats are yet to be financially empowered to discharge their allotted functions.

### **Suggestions:**

- Preparation of annual action plan for proper utilization of government schemes and funds for rural development.
- More financial and administrative autonomy to local body is essential.
- Regular and transparent meetings should be held
- Check on misuse or diversion of funds meant for rural development schemes by politicians and bureaucrats.
- Regular inspection and audits of Panchayati bodies.
- Training to village representatives

- Involvement of villagers in schemes of rural development with transparency.
- Panchayati Raj Institutions should be kept away from narrow party politics.

**References :**

1. Johari, J.C (2000) *Indian Political System*. New Delhi : Anmol Publications Pvt-Ltd, p.175
2. Das, Jogendra Kr. (2009), *Social Base of Grassroots Politics in Assam*, Guwahati : EBH Publishers, p.1
3. Kothari, Rajni (2009), *Politics in India*, New Delhi: Orient Blackwan, p.132.
4. Kaushik, S.L, Patnayak, Rama (ed) (1995), *Modern Governments and Political Systems*. vol. 1. New Delhi: Mittal Publications, p.166
5. Das, Jogendra Kr (2009), *Social Base of grassroots politics in Assam* Guwahati: EBH Publishers, p.209
6. Ibid, p.123
7. Mishra, Sumita (2000), *Grassroot politics in India*. New Delhi: Mittal Publications, p.80

\*\*\*\*\*