January 16, 2001

Dear Friends,

The dream of "Swarajya" is still a distant reality in India. However, the 73rd Constitutional Amendment has created a possible roadmap towards this dream.

The experience of PRIA and its partners over the past six years in Strengthening Panchayati Raj Institutions has brought mixed results. This document highlights the gains and constraints on various aspects of functioning of Panchayati Raj Institutions today.

However, it is our belief that genuine democracy in our society can take strong roots if Panchayati Raj Institutions begin to function as institutions of Local Self-Governance. Unless our societal base is strengthened with strong democratic polity, people's participation in governance will not materialize. Panchayati Raj Institutions can not, and should not, be allowed to degenerate into mere subcontractors of development schemes. They must empower the ordinary citizens to act in common interest with dignity and integrity.

We appeal to you to use your good offices to help realize this dream of "Swarajya" in our country.

Best wishes

Sincerely

Rajesh Tandon
1. Introduction

Village communities have been in existence in India for over centuries. Tradition of having panchayats has been part of Indian culture. During the time of Rig-Veda (1200 BC), evidences suggest that self governing village bodies ‘sabhas’ existed. With the passage of time, these bodies took the form of Panchayats (council of five persons). Panchayats were functional institutions of grassroots governance in almost every village. The Village Panchayat or elected council had large powers, both executive and judicial. Beside the village self-government set-up, there were caste panchayats, which promoted and regulated social life and activity among people belonging to particular castes.

Casteism and the feudal system of governance tended to cause erosion in self-government in villages. Under Mughals, a new class of feudal chiefs and revenue collectors (zamindars) emerged between the ruler and the people. And, so began the stagnation and decline of self-government in villages. During the British rule, the autonomy of Panchayats virtually disappeared owing to the centralising impulse of governance evident through the establishment of local civil and criminal courts, revenue and police organisations and the rapid expansion of communication networks like railways and telegraph.

Despite the village having a history as a basic unit of political system, panchayats did not find place in the first draft of independent India’s Constitution. The Gandhian concept of ‘village republic’ was opposed by Ambedkar and others who saw village as a sink of localism, a den of ignorance, narrow-mindedness and communalism. Later a compromise was forged and Panchayats found place in the non-justiciable part of the Constitution, the Directive Principles of State policy, as Article 40 of the Indian Constitution.

In independent India, an era of centralised planning began. The first five-year plan visualised the Panchayats at village level mainly as agencies (for development) of higher authorities. However, a review of community development programmes forced political leadership to realise that as long as the country did not evolve a representative and democratic institutions at the local level government authority by itself would never be able to evoke local interest and excite local initiative in the field of development. Accordingly the formal system of Panchayati Raj was first introduced in the year 1959. Since then this system has evolved differently in different states. However, the bureaucracy, local vested interests and the elected representatives in the State Legislature and in the Parliament did not take kindly to the Panchayati Raj Institutions, whose ascendancy they feared. Due to the lack of political will and the support of the bureaucracy, Panchayats could not become vibrant institutions of self-governance. Irregular elections, inadequate representations of the weaker sections of society, prolonged supersession, absence of financial and functional autonomy, insufficient devolution of power and lack of resources became common characteristics of these institutions. Nevertheless, Panchayati Raj continued to be considered as the true basis to facilitate participatory processes at the grassroots level besides meeting the local needs and aspiration of rural masses in general, and the excluded in particular.

The Constitution (Seventy-third Amendment) Act, 1992 came into force on 24th April 1993. It was meant to provide Constitutional sanction to establish “democracy at the grassroots level as
it is at the State level or National level”. The Gram Sabha or village assembly has been envisaged as the foundation of the Panchayati Raj system. There are three tiers of Panchayats at village (Gram Panchayat - GP), intermediate (Panchayat Samiti - PS) and district (Zilla Parishad - ZP) levels. The states having population not exceeding 2 million have not constituted the Panchayat at intermediate level. All the seats in a Panchayat at every level are filled by elections from respective territorial constituencies. Not less than one-third of the total seats for membership as well as office of chairpersons of each tier have been reserved for women. Reservation for scheduled castes and tribes (SCs and STs) have been provided at all levels in proportion to their population in the Panchayats. To supervise, direct and control the regular and smooth elections to Panchayats, a State Election Commission has been constituted in every State and UT. The Act has ensured constitution of a State Finance Commission in every State/UT, to suggest measures to strengthen finances of PRIs. To promote bottom-up-planning, the District Planning Committee (DPC) in every district has been accorded constitutional status. An indicative list of 29 items has been given in Eleventh Schedule of the Constitution. Panchayats are expected to play an effective role in planning and implementation of works related to these 29 items. The spirit of the Constitution visualises Panchayats as institutions of self-governance. However, in consideration of the federal structure of our polity, most of the financial powers and authorities to be endowed on Panchayats have been left at the discretion of concerned State Legislature. Consequently, the powers and functions vested in PRIs vary from State to State.

The present paper is an attempt to summarise findings from PRIA’s report on “The State of Panchayats: A Participatory Perspective”. The report focuses on a number of aspects pertaining to the functioning of Panchayats, like the Gram Sabha, the legislative structure of the Panchayats, their functioning, the leadership of women and dalits, participatory local planning, capacity building initiatives, finances of Panchayats, issues pertaining to Panchayat elections and the role and perspective of civil society and the media in the context of Panchayats. These findings are based primarily on the experiences and learning that PRIA (along with the Network of Collaborating Regional Support Organisations in 7 states and other partners in areas across many states of the country) have garnered in the course of the 7 years succeeding the enactment of the 73rd Amendment Act. The insights that PRIA has gained are drawn from experiences of PRIA and its network of partners working with communities, towards strengthening Panchayati Raj Institutions. Wherever possible, information and experiences from other states too have been incorporated in order to give a holistic picture of the status of local bodies throughout the country.

2. GRAM SABHA: THE PEOPLE’S COUNCIL

The 73rd Constitutional Amendment Act defines Gram Sabha as a body consisting of persons registered in the electoral rolls to a village (or a group of villages) within the area of a Panchayat at the village (or a group of villages) level. The constitution of Gram Sabha for every Gram Panchayat provides a political forum to people in every locality to meet and discuss the local development problems, and consequently understand the felt needs and aspirations of the community. It is an institution to meet, discuss and analyse the development and administrative
actions of the elected representatives, and, thereby ensure transparency and accountability in the Panchayati Raj system.

The experiences

1. A Gram Sabha may include one or more than one village. In Haryana, Gram Sabha, on an average consists of 1.2 villages while the same figure for Karnataka is more than 10. The legal provisions envisage the Gram Sabha in to role of a watchdog in the interest of the village communities. In actual practice, the Gram Sabha, being a new institution, has not received adequate attention in most states.
2. Most of the State Acts have not spelt out the powers of Gram Sabhas nor have they laid down any procedures for the functioning of these bodies.
3. Some of the states like MP have empowered Gram Sabhas with 'right to recall' its elected representatives after a specific period.
4. Agenda of the Gram Sabha meetings in most cases is limited either to selection of beneficiaries for various poverty alleviation programmes or decisions on various works related to physical infrastructure to be taken up by the Gram Panchayat.
5. One of the basic problems in relation to Gram Sabha, attendance and participation. Based on the studies, conducted and on observation, the reasons cited for the low level of participation are: lack of time, lack of awareness about the meeting, unsuitable timing of meeting as well as venue and the distance to be travelled to reach the venue of the meeting. Besides this there is also a general lack of interest amongst the people which is largely due to lack of information, disenchantment with the system and apathy. In the case of the women Gram Sabha members, the problem of attendance and participation can also be linked to the taboos attached to sharing public space with men.

Suggestions:

1. It is necessary to specify the scope of Gram Sabha’s powers and functions.
2. The agenda of the Gram Sabha should not be limited to identification of beneficiaries for various poverty alleviation programmes, but cover a range of subjects that affect the day to day affairs, like management of village schools, water supply schemes etc.
3. In order to make Gram Sabhas effective, there is a need to provide requisite information about programmes, schemes, rights, roles, powers and responsibilities to the village community and to orient and encourage them to attend and participate in the meetings.
4. The size and area of Gram Sabha need not necessarily be co-terminus with the Gram Panchayat. The size and area should be such so that there is easy accessibility and manageability. If necessary there can be more than one Gram Sabha or several ward sabhas under one Panchayat.

5. In order to ensure participation of women, suitable timing for the meeting should be fixed. Moreover, their participation should be specially insisted upon as part of the quorum. A suitable venue for Gram Sabha will also ensure adequate participation.

6. Most importantly, decisions of Gram Sabha should be binding on Gram Panchayat.

### 3. PANCHAYATS: STRUCTURE AND FUNCTION

The operational success of the decentralisation process is dependent to a large extent on the efficient functioning of the Gram Panchayat, which is regarded as the basic unit of the Panchayati Raj system. In the PRI system, basic functions are assigned only to the Gram Panchayat. Tiers at intermediate and district levels, in majority of states, are still to acquire relevant roles. Often they are just fund forwarding agencies for governmental programmes being implemented by the Gram Panchayat. The 73rd Amendment aroused a great deal of expectation that the Panchayats would be entrusted with substantial functions at the ground level and that they would come back to life. No doubt there is progress, but not up to the level of expectations raised by the 73rd Amendment. Unless the functions of PRIs are clearly defined, problems will continue to persist. State Governments, continue to perceive Panchayats as institutions created to erode their authority. In fact, very few states have devolved specific functions to Panchayats. This is not withstanding the fact that they amended their acts in conformity with the provision of the 73rd Amendment.

**The Experiences**

1. The quorum of Panchayat meetings is seldom met. Generally, the Sarpanch and the secretary convene the meeting.

2. The Panchayat meetings are supposed to be held at the Panchayat Bhavan. It has been observed that in many places it is held at the Sarpanch’s residence. The duration of the meetings varies from two to three hours, depending on the issues on the agenda.

3. The lack of participation of 'unaware' ward members (especially women and dalit members) in Panchayat meetings a matter of concern.

4. Significantly the participation of female Panches was higher when Panchayats were headed by women Sarpanches.

5. A perusal of the agenda of Panchayat meetings across the country, demonstrate a pattern of work priority being accorded to infrastructure issues such as the construction of roads and community buildings. Social sector development issues such as health and education take a back seat. Even discussion of the infrastructure issue is found to be limited to new constructions. Repair and maintenance of existing structures is often overlooked. However, that active women Sarpanches have given importance to social development activities like health, sanitation, old age pensions and welfare.
6. There are very few instances where the Panchayats have taken initiative on their own. It was also observed that where the Panchayat’s own income is high from the own sources (octroi duty, remunerative enterprises, and property taxes) the Panchayat Bhavan opens regularly and the Panchayat members meet almost daily. Where the Panchayat’s own income is very low, the interest of the members is also minimal.

7. A provision like the **no-confidence motion** has often been misused and proved quite handy for influential sections in the village to remove or thwart the enthusiasm of a representative from the marginalised sections.

8. Rajasthan is one of the pioneers in introducing Right to Information in the Panchayat Act. Under this provision, every citizen has the right to see the official government records after paying a nominal sum decided by the state government. However, most villagers are not familiar with this provision.

9. Various Sub-committees included in the State Legislations (Social Justice, Amenities, Production, Executive Committee, etc.) are not functional in any of the Panchayats under study. There is no clarity about the role and composition of these committees and no effort has been made to make them operational.

10. Lack of adequate resources is an important factor for the low level of interest in the functioning of the committees.

**Suggestions:**

1. Administrative independence and control should be given to the Panchayats. Also the authority to employ staff, to appoint them, supervise their work and take appropriate disciplinary action if required at the Panchayat level should be with the Panchayat itself. Staff salaries should be directed through the Panchayat itself. The implementation of the 11th Schedule should include the Panchayats' entire authority over the administration and finances of these departments.

2. Once the Gram Panchayat approves the plans and estimates submitted to the prescribed authority for sanction, then it should be binding upon the prescribed authority to take some concrete action on the plan submitted, and inform the concerned GP within a limited time frame.

3. Powers of the State to supersede these bodies should be totally eliminated with an alternative provision for control; by referendums for village Panchayat that are unable to function properly for any reason.
4. To avoid the misuse of no-confidence motion against women and dalits, a provision should be made that a suspended Sarpanch from the marginalised sections (e.g., woman, dalit, etc.) be replaced by a representative belonging to that particular section only.

5. Nyaya Panchayats should be made functional to ensure speedy resolution of disputes at the local level itself. That would save time and money and would be convenient for the people.

6. In addition to the Standing Committees formed as per the notification by the State government, PRIs should have the flexibility to form other committees. Formation, constitution, functions, roles, responsibilities of these committees, etc., should have the approval of the Panchayat. The related government officials and the departments should be informed of the same by the Panchayats. These Committees should be made accountable to the Gram Sabha in addition to being accountable to the Gram Panchayat. Functional vertical linkages among the committees formed at the three tiers need to be established.

4. Participation of Marginalised Section: Women and Dalit Leadership in Panchayats

Politics should be the realm of all citizens, yet men in general and higher castes in particular continue to dominate political space in India. The virtual absence of women and Dalit representatives in decision making fora led to the provision for reservation in the 73rd Amendment. There is a need to analyse the socio-economic status of women and Dalits leadership at the local level and and examine their new roles in the Panchayati Raj System in order to reflect on the three pillars - Family, Community and State- as enabling or inhibiting factors in the effective functioning of these marginalised groups.

The Experiences:

1. Affirmative action through the 73rd Amendment that provided an opportunity for women and dalits, was seen as an enabler to build role models, provide justice to women and Dalits, represent their interest in the hope to transform politics that was once considered to be a male upper caste domain. Hence, reservations are not viewed as an end in itself, but a means to an end - that of empowerment of the weaker sections, particularly of women and Dalits.

2. Nearly eight lakhs (0.8 million) women and about six lakhs (0.6 million) scheduled caste and tribe members were elected to different levels of Panchayati Raj Institutions (PRIs) in different states. These numbers do not include members from the States of Bihar, Jammu
and Kashmir.

3. Profile of Elected Representatives

- Age: Most of the women who stood for the elections and won were in the age group of 35-55 years.
- Political experience: Less than 20 percent of the women, compared to the 80 percent of men, had previous political experience.
- Caste: Caste still plays a major role during elections. Almost 60 percent of the elected members whether men or women, were from the dominant caste. However, reservation for the “downtrodden” castes added a margin of representation for these groups.
- Education: Literacy is one of the crucial factors for effective leadership and functioning of women and dalits representatives. Here too, the variations were striking between men and women, with 20 percent of men being professionally educated, compared to less than 5 percent of women.
- Occupation: The majority of women representatives were engaged in domestic work including child rearing, field working, fetching water, looking after the old members of the family. This put limits on the time they could spend in political affairs.

4. With women coming into the Panchayat arena, a lot of men saw their rule ending within panchayats and therefore, pressurised their wives or other female members of their family into standing for elections. When elected they were expected to act like puppets.

5. There are a number of cases, where women assisted by male relatives have moved ahead to take control, ownership and responsible positions for themselves in Panchayati Raj Institutions.

<table>
<thead>
<tr>
<th>Inhibiting factors</th>
<th>Enabling factor</th>
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<tbody>
<tr>
<td>Illiteracy</td>
<td>Training</td>
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<tr>
<td>Ignorance</td>
<td>Awareness Generation</td>
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<tr>
<td>Lack of Confidence</td>
<td>Training and Awareness Campaign</td>
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<tr>
<td>Hesitation</td>
<td>Exposure</td>
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<tr>
<td>Apathy at personal level</td>
<td>Personal interest, involvement and commitment</td>
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<tr>
<td>Family</td>
<td>Family Support</td>
</tr>
<tr>
<td>Mobility</td>
<td>Family Support and Economic Support</td>
</tr>
<tr>
<td>Patriarchy</td>
<td>Family, Community and CSOs Support</td>
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<tr>
<td>Poor Economic Status</td>
<td>SHGs and other Income Generation Programmes</td>
</tr>
<tr>
<td>No-confidence Motions</td>
<td>Governmental and NGO support</td>
</tr>
<tr>
<td>Male Officials</td>
<td>Gender sensitive administration</td>
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</tbody>
</table>
1. Women and Dalits have to face many structural and institutional constraints. The rejection or acceptance of this group is based on a combination of gender bias, caste based prejudice, cultural taboos (widows).

2. The lack of adequate information from state functionaries, about roles and responsibilities, inhibits women panchayat leaders from functioning effectively. In almost all states more than 90 percent of the panchayat secretaries are males. Local government officials at the block level feel uncomfortable in dealing with the women members. Such a feeling is partly due to gender bias and partly due to lack of experience in perceiving public roles for women. In case of SC/ST members the prejudices of majority of officials are discernible. Used to interaction based on well-defined caste hierarchy, these officials have to reorient themselves in dealing with women and SC/ST Panchs and Sarpanches.

Suggestions:

1. Awareness programmes in order to promote critical consciousness - that propagates and perpetuates messages of the importance of women’s participation in the panchayats. The Gram Sabha could be tapped and sensitised towards women and Dalit issues. Women’s rights and responsibilities as citizens could be discussed in the form of small and large group meetings at the village level, via folk media like puppet shows, kala jatha (street plays), rallies, posters, pamphlets, and mahila sammelans.

2. Sensitisation of the government officials working directly with the women and Dalit representatives would be beneficial for future effective functioning of the institution as a whole.

3. Liberating education with the establishment of Panchayat Resource centres (PRCs). Such a centre could enable timely and smooth access to information about various government orders (GOs), schemes and Acts.

4. Joints collaboration between the Government and the Civil Society in training the newly elected women and Dalit representatives would lead to wider coverage in capacity building of the latter

5. PARTICIPATORY LOCAL PLANNING

With the process of democratic decentralisation panchayati raj institutions have got constitutional mandate and the power to formulate plans for economic development and social justice. Local self-governance entails the ability and right to do and own development planning. According to the constitutional provisions, plans are to be prepared initially at the Panchayat level with people’s participation. All the panchayat level plans are then to be consolidated at the block level by the Panchayat Samiti to form a block level plan. All the block plans are then to be sent to the Zilla Parishad and consolidated. There is to be constituted in each district, a District Planning Committee to consolidate the plans prepared by Panchayats and Municipalities in the district and to prepare draft development plan for the district as a whole. Thus, the Constitution has provided a framework for bottom-up planning initiative starting from the village level to district level, which could become the basis for state plan and finally the national plan.

The Experiences:
1. Participatory Planning (wherever undertaken) process has helped in (i) turning (centralised-
top down) planning on its head (ii) mobilising resources (iii) negotiating with Block/District
Governments and (iv) developing a framework for accountability at GP to the GS.

2. People have got so used to the top-down planning that they do not want to get involved in
a process unless they see some direct gain from it. People having access to resources and
services either do not want to participate or try to control the participatory planning
processes, often excluding the poor & marginalized. Sustained participation of women and
marginalised groups in decision making and implementation of the plan is an important area
of concern. Access to information and resources is an issue of concern, given the fact that it
is controlled by the dominant caste or class and in both cases women have minimum
access.

3. The process of participatory planning is intensive, raises people’s expectations and time
consuming. Due to administrative procedures at the block and district levels, the results are
usually delayed. Control of development resources remains with local administrators and
officials, who do not wish to share power with PRIs. The government and line departments
are often indifferent to Gram Panchayat’s demands. This brings about a sense of frustration
and apathy among the community members.

4. Realistic planning is still a distant dream. Though constitutional recognition has been
 accorded to the District Planning Committee, favourable conditions have not been created,
for recognition and implementation of the same. District Planning Committees (DPCs) are
dominated by state civil servants and politicians- Ministers, MLAs and MPs, not
panchayats. The precise mandate of these bodies is often not clear beyond integrating
district level urban and rural development plans.

5. Constitutional contradictions/ambiguities. According to Article 243- ZD, the District
Planning Committee will prepare a draft development plan for the district as a whole based
on the consolidation of the plans prepared by the panchayats and municipalities. The
Constitution does not mention as to how the district plans will be integrated in the state
plan. This goes against the very concept of planning from below. The Ninth Plan which was
framed long after the 73rd and 74th Amendments and became effective along with the
corresponding state Acts did not provide a clear policy and operative statement on this
issue.

Suggestions:

1. Local-planning should become people’s agenda. The whole process of village level planning
also needs to be demystified.

2. The planning process must discourage over dependence on funds from outside. The Gram
Sabha should be encouraged and empowered in mobilising its own (natural, physical and
human) resources.

3. At the panchayat and community level, in order to ensure effective participation of the
people in the planning process, Gram Sabha meetings have to be held regularly, and, with
the required quorum, representing all sections of the community including women, dalits and other backward classes.

4. To ensure the inclusion of views and opinions of all sections of panchayat, smaller meetings at ward/village level can be organised first and then at the village level for better attendance and participation so that the panchayat plan is more authentic and holistic.

5. The data along with the various maps, list of beneficiaries, plan documents, budget, should be kept in a public place like panchayat ghar for everybody to see and refer to. Alternatively these documents could be kept in Panchayat Resource Centres or Village Information Centres set up for the purpose.

6. For horizontal spread of participatory planning,

   1) Exposure visits can be arranged for PRI representatives and other interested individuals to the panchayats where participatory planning initiatives have taken place.
   2) District and block level melas can be organised by the Voluntary Agencies in collaboration with the block and district level administration.
   3) Orientation of NGOs and other community based groups on participatory planning.

6. FINANCES OF PANCHAYATS

It was hoped that the Constitution (73rd Amendment) Act will ensure for the Panchayats a measure of financial strength which would enhance their autonomy and authority. Accordingly Panchayats have been provided powers to mobilise resources by means of levying and collecting taxes/fees and engaging in remunerative enterprises. National Finance Commissions (Tenth and Eleventh) and the State Finance Commissions in different states have suggested measures to strengthen finances of Panchayats.

The Experience:

1. The total income of all the tiers of PRIs have increased, on average, 2-3 times over the years 1996-1999. But this increase is mainly due to scheme-wise tied grants from Central and State Governments.
2. Transfer of money to Gram Panchayat, in many states, is usually routed through tiers at intermediate and district levels. In the entire financial management process ZPs and PS often play the role of post office for routing Government grants in instalments.
3. Chairpersons of Panchayats, especially Sarpanches lack skills in financial management and they have to depend on Secretaries of the panchayats.
4. Audit and accounts are not taken seriously. The Eleventh Financial Commission, while expressing its concern on the state of audit and accounts at Panchayat levels, has suggested an amount of Rs.98.6 crores (from the annual grant of Rs.1,600 crores to States) for 25 states for maintenance of accounts of village and intermediate level Panchayats.
5. The first ever SFCs in almost all States have submitted their reports. Except Assam, Goa and Gujarat, all the states have, partially or fully, accepted the recommendations of their SFCs.
6. SFCs recommendations are regarding tax assignment, tax sharing, own tax revenue, non-tax revenue, untied grants, tied grants, expenditure assignments, distribution of state/central fund across PRI-tiers and loans from different institutions. However, in many states, resources devolved upon PRIs by SFCs do not relate directly with the requirements of the PRIs.

7. The total income of Panchayats varies not only from state to state but also within the state.

8. Own income (from own tax and non-tax revenues) of Panchayats, on an average, has been found to be nor more than one-third of total income of 'better' Panchayats. In general, own revenue of PRIs are negligible in comparison to their income from governmental grants. Their income pattern poses a question mark over financial sovereignty of the Panchayats.

9. Panchayats at all levels in all States do not spend, on average, more than ten per cent on core services like water supply, street lighting, sanitation and roads. The EFC has found this figure to be about 7 percent during 1995-98 for all tiers in all states.

<table>
<thead>
<tr>
<th>Tier at</th>
<th>Percent Own Revenue</th>
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<tbody>
<tr>
<td>Village Level</td>
<td>10.43</td>
</tr>
<tr>
<td>Block Level</td>
<td>0.79</td>
</tr>
<tr>
<td>District Level</td>
<td>0.77</td>
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</tbody>
</table>

Source: EFC Report, 2000

Suggestions:

1. Panchayats be provided funds in accordance with their prioritised needs as reflected in their annual development plan prepared by Panchayats in consultation with the Gram Sabha.

2. State and Central Governments should provide united grants to Panchaats (with introducing provisions for plan and non-plan budgets for PRIs). Information dissemination and communications need to be systematised. There should be procedural requirements where by all the Panchaats are automatically informed about the nature and amount of funds available to the Panchayat.

3. Accounting system at (Village and Block level) Panchayats needs to be simplified and strengthened. There should be a process of checks and balances so that the accountability of all the stakeholders could be ensured.

4. The process of social audit should be promoted with the help of NGOs and other CSOs and responsibility for the same should be fixed and notified. In this regard Government must involve CBOs to facilitate the process of Social Audit in specially called Gram Sabha for the same purpose.

5. Panchayats need to be assigned buoyant sources of revenues and also provided administrative machinery to support their collection. Proper incentives (and also disincentives by way of penalties) should be provided in the form of matching grants, etc. for better 'own revenue' efforts.

6. Members of village communities need to be made aware and sensitised about the importance of paying taxes and user's charges. Gram Sabha level decisions should be taken regarding measures to be taken against tax defaulters. The tax structures need to be restructured (e.g.: house tax in different states) in the form of minimum and maximum range of taxes and fees.

7. Public contribution for implementation of village development plan should be encouraged in every Gram Panchayat.
8. Participatory mapping of village resources will help GPs in mobilising additional resources and also in initiating productive economic activities at village level in collaboration with financial institutions.

9. Panchayats should be encouraged to enhance their social sector expenditure by reducing their non-development expenditure.

7. CAPACITY BUILDING INITIATIVES

Efforts need to be made in building capacity of (i) the elected representatives who are managing the affairs of the panchayats; (ii) the Gram Sabha members who also have a role to play in ensuring the transparency and accountability of the elected representatives. Various capacity building interventions have been taken up by the government as well as the voluntary sector, to strengthen Panchayati Raj Institutions. Capacity building can be in the form of structured trainings, field exposure, information dissemination through Panchayat Resource Centres etc.

The Experiences:
1. Capacity building efforts by various agencies (including government and the non-governmental sector) lack sustainability in the sense that these efforts seem to be sporadic.
2. In the training programmes that have been conducted for the elected representatives, emphasis has been mainly on awareness generation about the provisions in the Act, rather than on the practical aspects of functioning of Panchayati Raj Institutions. There was no special emphasis on the training and other capacity building efforts of women, dalits, tribals and other weaker sections.
3. Training of government officials who are working with the elected panchayat representatives was either absent in many states or rather inadequate.
4. In many states, training could not be imparted to all. Hence, many of the elected members (especially the ward panchs) did not receive any form of structured training during the first term.
5. Inadequate training infrastructure as well as the availability of trainers in terms of quality as well as quantity is far below the desired level considering the increase in the number of elected representatives in each state.
6. Presently most of the PRCs, especially those run by NGOs are accessing government related information and data including various government schemes, programmes, forms etc. This might reinforce the feeling of dependency amongst the people. PRCs have been set up and maintained as ‘information centres’ with very little emphasis on Gram Panchayat or governance related issues.

Suggestions:
1. There is a need for a national consultation on policy initiatives and action plan for capacity building for elected panchayat representatives. Post election training is required for elected PRI functionaries. The training of women and weaker sections needs to be given priority.

2. Trainings should be organised in a decentralised manner. Use of participatory training methodologies, and use of modern technology should be encouraged. Educational and learning materials should be prepared for dissemination to the participants. These should be in simple language as well as adapted for use by the illiterates.

3. Besides training of the elected representatives, government officials who work with the PRI members and the community also need to be trained.

4. Gram Sabha members need orientation on Panchayats and local-self governance. There is need to build the capacities of the members of committees.

5. Different actors, both government and civil society organisations, are providing training. There is a need for joining hands of all those institutions, organisations, groups engaged in panchayat training for the impact to be more effective. Efforts should be made to enlist the services of experienced personnel such as community groups, members of VEC and other committees at the village level, retired panchayat member’s etc.

6. Training programmes need to be carried out in a sustained manner, with links to orientation programmes, refresher courses, exposure visits etc. Continuous capacity building efforts requires building of a team of trainers at the local level which can continuously interact with the representatives at the local level.

7. Need to develop a network of panchayat members in order to share the varied experiences of working in the panchayat system. Special efforts should be made to promote and facilitate a network of elected women representatives. Intra-state and inter-state exposure visits of panchayat members need to be arranged.

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8. **PANCHAYAT ELECTIONS**

Constitution (Art.243E) has made elections to Panchayats elections mandatory every five years. The superintendence, direction and control of the preparation of electoral rolls, for, and the conduct of, all elections to Panchayats has been vested in State Election Commission. Recently concluded elections to Panchayats in MP, Haryana, U.P., Kerala, Rajasthan and H.P. have paved the way for emergence of relatively younger leadership in PRIs. These leaders, preliminary findings suggest, are more educated and more enthusiastic about their roles. New social, political and economic axes have been drawn. Intensively contested elections, hectic electioneering provide evidence that local governance is
The Experiences:

1. Elections to Panchayats in different states were intensively contested with hectic electioneering and use of all means to win elections.
2. There were, on average, three to seven contestants for the post of Chairpersons. However, many of ward members were elected unopposed.
3. Several states have postponed elections. There are misgivings about state governments commitment to the process. For instance, elections to the Panchayat in Bihar, were to be held in 1978 and still due. A tendency to postpone elections was also viewed in conducting the second round of Panchayat elections in states of Madhya Pradesh, Uttar Pradesh, Gujarat, Andra Pradesh, and Haryana.
4. In most of the states where elections were held recently, electoral rolls were not updated. In many places it was found that names of unmarried girls above 18 years did not figured in electoral lists.
5. Delimitation and reservation (rotation) of constituencies created confusion among contestants and electorates. Many times, constituencies were reserved for those castes, which had no significant demographic presence.
6. Election expenses: The State Election Commissions have endeavoured to prescribe the ceiling for election expenses at different levels as also procedures for monitoring. In practice it was observed that during elections time money spent in the elections for the post of a sarpanch was much higher than the prescribed limit.
7. Violence and distribution of liquor has also been observed in some states. It has to some extent hampered participation and influenced voting trends.
8. Initiatives by different Civil Society Organisations in the form of PEVAC (Pre Election Voters' Awareness Campaign) was very effective. Wherever PEVAC was conducted, elections were more free, fair and more participatory.

Suggestions:

1. Two-child norm as a criteria for contesting Panchayat election should be reviewed, as it tends to squeeze the political space for women.
2. Regularity of Elections: The fact that many states postponed panchayat elections lead to the belief that the Centre too has failed to demonstrate political will in directing states to hold panchayat elections. The issues of revision of electoral rolls and delimitation of constituencies, raised by various state governments to defer panchayat elections, are just excuses. The States and Central governments have to be alive and sensitive to the constitutional mandate of holding elections to Panchayat’s on time. Stringent action such as restricting funds to the state that does not hold elections should be under taken.
3. Update of Voters list: All women above the age of 18 years and over, whether married or unmarried must be registered. The state should make it mandatory for the electoral rolls to be published and made public three months before the elections so that the people could check for any discrepancies.
4. Violence: To minimise violence in the state, the State Election Commissioner should identify the district that are potentially violent, deem them sensitive areas and increase security
arrangement. Liquor outlets should be closed during elections to ensure that liquor is not used to influence voters.

5. Election Process: Reservation and rotation policy has to be looked into.

6. Strengthening State Election Commission (SEC) and the role of Civil Society: the SECs and the State Governments have to work together for strengthening institutions of local self-governance. Civil Society Organisations can help SECs in making people aware of their roles and responsibility as responsible citizens. The SECs should be provided adequate support to handle the whole election process. State resources can be put to the disposal of the SEC during election time to provide the Commission more power and authority for conducting elections properly. The relationship between the Central Government and the Election Commission of India (ECI) can be a role model in this regard. The ECI can help the state election commissions to eventually become effective election mechanisms in each state.

9. ROLE OF CIVIL SOCIETY AND MEDIA

This section looks into the roles played by the media and Civil Society to bridge the gap between the governed and the government order to strengthen Panchayati Raj System.

Civil Society
The fact of the local bodies beginning to be treated as the third tier of implementation of development policies and programmes designed by higher tiers of government negates the essence of local bodies as institutions of local self-governance. Needless to mention the lack of information flow, funds, lack of transparency in functioning coupled by with bureaucratic procedures and non-accountability of line department officials. The growing concern of transparency, accountability, self-management and self-governance in the PRIs has drawn Civil Societies’ attention to the PRI.

Role of Civil Society

1. The issue of the panchayat having control over management of all resources, (natural, physical and human resources) within their ambit, would imply accountability of line department ministries at the provincial and national levels to the local level. Strong participation of civil society organisations made this possible in several instances.

2. Increasing participation, especially of women and marginalised sections of the community, is another arena that Civil Society has influenced through various programmes.

3. Promotion of citizen participation also requires sustaining authentic and timely information. The role of civil society in assuring timely information through Panchayat Resource Centres (PRCs) has contributed towards informing the local bodies and those who form the electorate.
4. In collaboration with Civil Society, various awareness programmes have been organised with innovative means of communication to reach the marginalised sections of society.

5. Another area of important contribution of civil society organisation in effective functioning of the PRIs, has been building the capacity of new local leadership, especially in the case of women, dalits, tribal’s and other weaker sections of the society. Building their confidence, enhancing their skills and creating opportunity for continuous learning are some of the contributions that civil society organisations have made and will make in the future as well.

6. On going support through training, printed materials and involving them in awareness programmes, provided by Civil society organisation to other voluntary organisations and community based organisation interested in strengthening Panchayati Raj Institutions.

7. Continuous support is also given to the Gram Sabha in rural areas to make them effective. Support in the form of awareness programmes, identifying need based issues and prioritising them for discussion are addressed through capacity building sessions. Follow-up plans are taken in collaboration with Civil Society to liason with the government bodies to further the needs of the people.

Role of Media
Media incorporates modes like print, electronic and cultural forms of communications. With Panchayat’s acquiring a constitutional status and the slow turning of the wheel of devolution, the media’s portrayal of such developmental issues has been uneven.

Major role that media has played in strengthening PRIs
1. Medium of spreading awareness and information. Despite the low levels of literacy, media have play a part in spreading awareness and information at the state level in the local languages on the importance of Panchayati Raj. Information regarding the provision allocation and schemes by the state and central government to PRIs filled th news in the post -election period of 1994-95.

2. As a medium of Support. In fact, most of the articles in the print media have focused on the reservation aspect, on women and their newfound position of governance. This lent support to the women who have found opportunity in governance. The highlighting of atrocities against elected dalits also drew public consciousness towards the social barriers to local participation.

3. As a mode of influencing public policy. Other aspects that have been highlighted by the print media related to election, financial devolution, development schemes, political activities and people’s voices, that have fed into and influenced policy framing. Incidents of malpractice’s, embezzlement and corruption were given a place of prominence. This public exposure surely acts as a deterrent for those involved in such malpractices.

Future aspects of Panchayati Raj, Civil Society and Media

There are cases where the media and the Civil Society have worked hand in hand, in awareness building and spreading of information. However, for a large country like ours, such effort need
to be supported by all. Attempts should be made to bring local self-governance on agenda for all institutions and an issue of concern for all citizens. Sustained public education is needed to build a commitment towards local self-governance. The media and the civil society could play a supportive role in this aspect in the form of awareness programmes, training, news slits, documentaries and others. Using new information technology as well as conventional means, authentic, timely and easily accessible information about institutions of local self governance should be made available to concerned citizens on a sustained basis.

10. WAYS FORWARD

The 73rd Constitution Amendment has provided necessary condition to bring into existence vibrant local government. It has helped Panchayats in challenging deeply entrenched traditional power structure like those of patriarchy, casteism and feudalism. New social, political and economic axes are being drawn. With varying degrees of devolution of power and authority, Panchayats have made various progress across different states. Decentralisation of responsibilities has attained momentum but actual decentralisation in the form of devolution of finances and authorities to Panchayats has to still gain momentum.

Central and State governments have yet to show necessary political will in strengthening Gram Sabha and the three-tiers of the Panchayat. Efforts should be made to involve Civil Society Organisations in strengthening Gram Sabha by means of public education for awareness and social audit. The committee system in Panchayats must be given due attention. There should be Panchayat Resource Centres, controlled by a non-governmental agency, to access, systematise and disseminate relevant and timely information to the people.

Social sectors in the Panchayats are to a large extent ignored. Panchayats should be encouraged to provide special emphasis on social sector initiatives. Training to elected members should be provided in order to sensitise them about the relevance of human capital. All the social sector programmes at the local level should be implemented through Panchayats. Agencies involved in social sector initiatives should work in co-ordination with the social sector committees (health, education, etc.) of the Gram Panchayat.

At Panchayat level, sector specific training programmes are required, including governance, planning, women's leadership, Panchayat administration, and conducting Panchayat activities. In the context of capacity building of women, special training needs to be organised seperately as well as along with their male counter-parts. Building confidence, enhancing skills and creating opportunity for continuous learning forward would contribute to their effective functioning within the Panchayati Raj Institutions.

Civil society and the Media could play a beneficial role in providing information, positive support and influencing policy pertaining to Panchayati Raj. ‘External’ pressures from media and civil society organisations, in support of local bodies, have created the necessary capacity and collective will needed for effective functioning of local bodies as institutions of local self
governance. The need of the hour is that to sensitise these institutions to take up the issue and concern of Panchayati Raj as an agenda in their perspective of good governance.

Central and State governments should provide untied grants to Panchayats. Chairpersons and all the members of the PRIs should be intimated separately about the amount and timing of the release of the fund. The Gram Panchayats need to prepare a comprehensive list of available infrastructure and common property resources at the Gram Panchayat level. Such mapping of resources will help Panchayats in estimating their own revenue potential. Based on these estimates, the Gram Sabha can fix a yearly target for internal revenue mobilisation. More buoyant taxes should be assigned to Panchayats. The tax structure needs to be restructured at the State level and notified. This restructuring can be in the form of providing minimum and maximum range of taxes and fees. Accordingly, the Finance Committee (in consultation with the Gram Sabha) of Gram Panchayat can fix tax rates at Gram Panchayat level. At the Gram Sabha level decisions should be taken regarding measures to be undertaken against tax defaulters. Productive economic activities should be initiated at village level through active negotiations with financial institutions (NABARD, Rural Bank etc.) This would be the base for generating more revenues at GP level. Panchayats are ideally placed to encourage and enable micro-level investment in rural areas through promotion of infrastructure (for economic activities) and exchange opportunities. In the ultimate analysis Panchayats catalysing local level investments for productivity increases would underpin the regeneration of growth and development in rural communities.
THE STATE OF PANCHAYATS

A PARTICIPATORY PERSPECTIVE

- A SUMMARY

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