Seminar on

Parallel Bodies and Panchayati Raj Institutions

(Experiences from the States)

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PRIA
PARALLEL BODIES AND PANCHAYATI RAJ INSTITUTIONS
Experiences from the States

1.0 Introduction

The paradigm shift in interest in recent years to participatory approach to development is being witnessed on a growing scale at both national and international levels. It has been observed that the experiences of the past have either tended to marginalise/alienate the people from development activities or only to involve them at the peripheral level in the decision making process. A wide gap existed between the people and the decision making bodies such that the programmes lacked community ownership, which further reflected on the sustainability of the projects. Decades of such centralised planning and development dilemmas shifted the focus of interest towards community participation in development projects. The demand for such participation in development projects is also now seen reflected in the recent Five-year plans of India.

Community participation as the name implies is a process by which local people come together on the basis of shared interests to resolve common issues through collective action for change and sustainable development. Acknowledging the relevance of people’s participation, various development initiatives have local level groups/organisations in-built in their programmes to foster people’s participation.

With the passage of the 73rd Constitutional Amendment Act, 1992, which came into force on 24th April 1993, a new and legal institutional framework was provided, through the establishment of Panchayati Raj Institutions, for ensuring active and sustainable people’s participation. It provided the much-needed opportunity for the local people to be an integral part of the planning and development process of their village. It is assumed that participation through local self-governing institutions would go beyond enhancing project effectiveness to empowering local people and further building units of local self-governments through which people can engage in democratic decision making which gets represented at higher levels of government. Moreover, the voice of the hitherto voiceless people like women and marginalised sections will reflect in development plans.

To enable panchayats to be local self-governing units, several subjects as listed in the Eleventh Schedule accompanying the Constitutional Amendment Act, were brought under the ambit of PRIs. It includes a whole range (29 items) of works of local significance ranging from agriculture, drinking water, land and water conservation, minor minerals, minor forest produce to communications, poverty alleviation programmes, family welfare, education, libraries and cultural activities, maintenance of community assets etc.

It is in this context that the issue of emergence and functioning of structures parallel to PRIs need to be studied. It must be borne in mind that the creation of parallel bodies to perform same functions was one

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1 Powers and Functions of Panchayati Raj Institutions, A Framework; Government of India, Ministry of Rural Development, Department of Rural Development
of the reasons why the PRIs (before the constitutional amendment) did not have the requisite authority to exercise the functions, in earlier times. Development functionaries working in the field of strengthening PRIs are highlighting the emergence of parallel bodies in various states as a growing concern. The functioning of these parallel bodies, which are constituted by the Central and State governments, were often found to be posing serious threats to the effective functioning of local governance institutions.

The concerns highlighted in the functioning of parallel bodies were that they represented processes external to the constitutionally mandated role of panchayat and enabled bureaucracies to override democratically elected representatives, the trespassing of such bodies on the existing functions expected of Panchayats vis-à-vis administrative and financial functions etc. The relevance of both PRIs and parallel structures are acknowledged. However, when outside structures start conflicting the functions of PRIs, the advantages of both/ spirit of establishing both are lost or missed.

1.1 The Study

PRIA and partners initiated the study in 7 states namely Himachal Pradesh, Haryana, Rajasthan, Uttar Pradesh, Gujarat, Andhra Pradesh and Kerala. Given the nature of the study, the study entailed the use of much qualitative data. Questionnaires, semi structured dialogues and focused group discussions were widely used for the study.

The objectives of the study were to describe and analyse the emergence and subsequent functioning of parallel bodies and to explore whether these bodies strengthen or undermine the role and functions of Panchayati Raj Institutions.

The term parallel bodies as used in the study refers to those bodies whose functional domain overlaps with that of the panchayats or which are presently functioning in such a way as to hinder/ support the decision making powers/ effective functioning of the Panchayats in areas which are constitutionally demarcated to Panchayats, as per the (73rd Amendment Act) Eleventh Schedule.

1.2 Emergence/ Existence of parallel bodies

The parallel bodies in various states, dealt with in this study, may be broadly classified into those that were created in the Pre-73rd Constitutional Amendment period and those created in the Post-73rd Constitutional Amendment period.

The first category (Pre-Constitutional Amendment period) include those bodies that were functional even before the 73rd Constitutional Amendment Act came into being, like the Joint Forest Management (JFM), Water User Groups (WUGs) etc.
The second category (Post-Amendment period) includes those bodies that were constituted after the 73rd Constitutional Amendment Act came into being, like the Expert Committees in Kerala, Janmabhoomi in Andhra Pradesh, Vigilance Committee in Himachal Pradesh and the Gram Vikas Samiti in Haryana.

The following table provides a glimpse into the areas overlapped by the parallel bodies and the relationship of the parallel body with PRIs in the respective state.

<table>
<thead>
<tr>
<th>No.</th>
<th>State</th>
<th>Parallel Body</th>
<th>Areas of overlap/ substitution</th>
<th>Institutional Linkage with PRIs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Uttar Pradesh</td>
<td>Water User Groups (WUG)/Site Implementation Committee (SIC)</td>
<td>• Formulating, developing and approving plans of the area covered by the WUG&lt;br&gt;• selection of beneficiaries (farmers)&lt;br&gt;• Construction, maintenance and management of link and main drains&lt;br&gt;• policy decisions like decision on rates of water charges</td>
<td>Village Pradhan may be the ex-officio chairperson of the SIC.</td>
</tr>
<tr>
<td>2.</td>
<td>Haryana</td>
<td>Gram Vikas Samity</td>
<td>Supervision of construction of work out of the funds released by HRDF Board, decentralised planning or any other state government scheme</td>
<td>The samity consist of 4 members of gram panchayat Chairperson - Sarpanch&lt;br&gt;Elected Members - one panch each from SC community, BC community and a woman panch</td>
</tr>
<tr>
<td>3.</td>
<td>Kerala</td>
<td>Expert Committee Preparation</td>
<td>Preparation of panchayat development plans</td>
<td>Technical advisory body to the panchayats regarding the plans prepared by the panchayat.</td>
</tr>
<tr>
<td>4.</td>
<td>Andhra Pradesh</td>
<td>Janmabhoomi</td>
<td>Planning and implementation of development programmes at the local level.</td>
<td>Sarpanch and the concerned ward member finds representation in the Habitation Level Committee of Janmabhoomi.</td>
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</table>
1.3 Functions

A cursory look at the functions performed by the bodies in question leads to its classification into the following:

- Ensuring user/beneficiary participation
- Provision of technical input/expertise
- Convergence of programmes
- Promoting/ensuring efficiency

1.3.1. Ensuring user/beneficiary participation:

As part of development initiatives, project induced user/interest groups were formed by various organisations with the purpose of mobilising beneficiary participation in the programme. Among the programmes include Joint Forest Management and Watershed development.

In actual practice it is seen that JFM and Watershed programmes work independently of the local self
government institutions even though the Eleventh Schedule accompanying the Central Act clearly specifies that minor irrigation, water management and watershed development, and Minor forest produce come under the purview of Panchayats. The problems/hindrances encountered in such independent functioning are captured below.

For effective implementation of development programmes of Panchayats, various Standing Committees are set up by each tier of Panchayats for subjects ranging from planning, construction, welfare to education, administration, water management etc. Bypassing their roles, some of the parallel bodies, in fact, are performing these very functions which are to be performed by the Panchayat Committees.

<table>
<thead>
<tr>
<th>Water User Groups in Uttar Pradesh Sodic Lands Reclamation Project.</th>
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<tbody>
<tr>
<td><strong>WUGs have been entrusted with the responsibility of developing plans of the area covered by the group and place them for approval before the Site Implementation Committee. Formulating plans related to development and management of irrigation in the panchayat and placing them before the gram panchayat for consideration and approval is precisely the work of the Water Management Committee of the panchayat.</strong></td>
</tr>
<tr>
<td><strong>Similarly, construction, maintenance and management of link and main drains which fall under the purview of WUGs are actually the responsibility of the Panchayat Construction Committee which is the legally authorised body to undertake all the construction works in the village. The WUGs have also been entrusted with the responsibility of deciding the rates of water charges to be charged from each member of the group.</strong></td>
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<td><strong>Source: Study by SSK Lucknow</strong></td>
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</table>

The ambiguity in various government Acts/laws has also led to contradictions/confusions in the functioning of Panchayats. While setting up the parallel bodies, the concerned authorities seemed to have sidelined the fact that such initiatives should be done via the constitutionally mandated Panchayats.

In Gujarat, there is major role conflict between the JFM committees and Village Panchayats with regard to minor forest produces. The Gujarat Panchayat Act vests the minor forest produces of forest areas other than National parks and Sanctuaries on village Panchayats and also provides for the income earned through the sale of minor forest produces to be part of the panchayat fund.

On the other hand, the Gujarat Minor Forest Produces Trade Nationalisation Act- 1979, identifies 13 categories of 6 minor forest produces, of which all the rights are vested with the Gujarat State Forest Development Corporation. The outcome of the above-mentioned factor is that the village Panchayats fail to possess any control over the minor forest produce. The JFM committees hence have more financial resources than the village Panchayats. Similarly, though forest areas delineated for JFM purposes are actually common property resources, only minority gram sabha members of the gram panchayat are using them. Unlike that of Panchayats, the benefits received by the JFM committees are distributed among its own members, with the exclusion of larger proportion of gram sabha members.
Article 243N of the Indian Constitution which deals with the ‘Continuance of existing laws and Panchayats’ states, “Notwithstanding anything in this Part, any provision of any law relating to Panchayats in force in a State immediately before the commencement of the Constitution (Seventy-third Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by a competent legislature or other competent authority or until the expiration of one year from such commencement, whichever is earlier”.

But cases show that the existence of related functions in parallel laws (for example, the omnipresent conflict between forest department and gram sabhas over minor forest produce) have created confusion and mis-trust in the minds of people. What is needed is an integration of the existing laws with that of the Panchayats.

1.3.2. Provision of technical input/ expertise:

In some cases, structures have been created to fill the gap or supplement the activities of the panchayat, when it was found that the panchayat do not have the competency in selected functional areas. This is an appreciable arrangement, given the fact that most panchayat members lack technical competence. Problems arise when these structures/ bodies, consciously or unconsciously start usurping the powers of the Panchayats and take on a big brotherly attitude. In such cases they tend to take the nature of a parallel body.

**Expert Committees in Kerala**

In Kerala, a number of expert committees were created for supplementing the capacities of the panchayat and ensuring the technical feasibility of the projects. It is because of the lack of technical expertise of the Standing Committees of the panchayat, (particularly the Standing Committee for Development), that the parallel expert committees were appointed by the government. Theoretically, the moment the panchayat committees acquire the required expertise the parallel bodies will become redundant.

The crucial point however is whether these bodies, are a help to the Panchayats in the area of planning and project formulation or a hindrance, undermining the roles of Panchayats. Opinions are divided. More than one-third of the people (elected members, members of the expert committee and panchayat officials) interviewed have a positive attitude regarding expert committees. To them, the existence of committees is a relief in terms of going after bureaucrats for getting sanction, filling the gaps in technical expertise competence, and low levels of bribery and corruption.

While acknowledging the positive side, the negative opinion of the majority people (65 per cent) interviewed on the performance and relevance of parallel bodies, particularly the BLEC (Block Level Expert Committee) cannot be taken lightly. The criticism ranges from
The micro level planning methodology adopted in Kerala is based on the principle that the planning process starts at the grass roots with maximum participation of people. Hence, the programmes and projects should naturally reflect the felt needs and priorities of the masses. It is true that Expert committee, formed, as part of the People’s Plan Campaign is a novel mechanism.

However, if in the name of ensuring technical feasibility and viability of projects, drastic changes are made in the projects, without consulting the concerned Panchayats, the exercises by gram sabha in planning loses its relevance. In other words, the decision-making powers of the gram sabha and gram panchayat are undermined, when their decisions are overrided by that of the expert committees.

To prevent these committees from dominating the PRIs, what is required is gradual empowerment/ improvement in the capacity of the masses to take decisions on matters of vital importance to their existence and the capacity of the panchayat members to develop their technical competence. In addition, the PRIs should be given the benefit of choosing a panel of experts to assess the technical feasibility and viability of their projects.

1.3.3. Promoting/ ensuring efficiency:

In some cases, it was found that new bodies were created to promote people’s participation and ensure efficiency in the development work at the village level. Examples are the Gram Vikas Samiti (GVS) in Haryana and Vigilance Committee in Himachal Pradesh.

A major concern regarding GVS is that its major function relating to the implementation and supervision of construction related work, coincides with what has been legally entrusted to Panchayats. Section 21 of the Haryana Panchayati Raj Act clearly specifies the construction and maintenance functions that have been given to Panchayats.

The perception of a cross section of people interviewed reflected doubts/apprehensions in the functioning of GVS. GVS is also increasingly being felt as another implementing agency, which fails to elicit people’s participation. While implementing and supervising the work, they highly depend on state funds. There is also lack of community ownership as people feel they are not consulted in the whole process.

Similar is the case of Vigilance committee of Himachal Pradesh. The system of social audit introduced through vigilance committee is an appreciable and much needed mechanism. In practice, however, certain anomalies tend to appear which hinders the smooth functioning of the panchayats. The major concern regarding these committees is that it is highly politicised. Moreover there are
complaints that the vigilance committee consider themselves as a superior body to the panchayat, constantly on the look out for loopholes or mistakes in the functioning of Panchayats. In most cases they constantly question the Gram Panchayat which leads to the impression that Gram Panchayats are accountable to the vigilance committee and not to the gram sabha. Strangely, neither the Panchayati Raj Act nor the Rules mention to whom the vigilance committees are accountable.

It was also found that due to their lack of technical competencies, the members of the vigilance committee were unable to make proper assessment of the work done. In such a situation the work was delayed, utilisation certificate was not available on time, which further delayed the release of instalments from the BDO. In some cases, inorder to get their (Gram Panchayat) work done in time and release the instalments from the block office, the panchayat especially the Pradhan bribed the chairperson of VC to get the utilisation certificate.

Gram Swaraj in Madhya Pradesh

Experiences across states highlights low levels of attendance and participation of people as the basic problems in the functioning of Gram Sabha. Given this situation, transferring the powers of Panchayats to the Gram Sabha requires careful consideration. The Government of Madhya Pradesh has however gone ahead in experimenting with transfer of functions to gram sabha. In the words of James Manor², “this experiment is a leap into the unknown”.

The concerns that arise in such transfer of powers to gram sabhas are: what is the institutional mechanism that will ensure the sustained participation of people? In the given situation where the powers are transferred to the gram sabha and the eight permanent (and other temporary) committees which it will elect, the issue of functional role of gram sabha to operate the standing committees needs to be examined.

What is the mechanism existing to address the concern of failure of gram sabhas to carry out their responsibilities? Here it may be reminded that participation level in gram sabha meetings has been an issue of great concern in Madhya Pradesh.

Though five years have lapsed since the enactment of the Panchayati Raj legislation, experiences in panchayat functioning shows that its functioning is yet to be stabilised. State Government is yet to transfer adequate functions, functionaries, finances to panchayats for its effective functioning. Given this situation, taking away whatever little powers that were given to panchayats and transferring it to another body will only further weaken the Panchayati Raj Institutions. Powerful groups within the village will again get opportunities to take control of the affairs of the village. Obviously, it will be more easy for them to deal with the bureaucrats (reviving old nexus) than with the local elected bodies.

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² Madhya Pradesh Experiments with Direct Democracy; James manor; EPW; March 3, 2001
1.3.4. Convergence of programmes:

In Andhra Pradesh, the Government has embarked on a new programme or an approach, as they would like to call it, to development. The Janmabhoomi programme, as it is called, tends to mobilise people, the entire state administrative machinery etc., and draws upon all the existing government (state and central) schemes as resource for development work. Sectoral or user groups are mobilised under the Janmabhoomi programme. The groups include Joint Forest Management Councils, Development of Women and Child in the Rural Areas (DWCRA) groups, Chief Minister’s Empowerment of Youth (CMEY) groups, Water Users’ Associations and Watershed Development associations. In short, all the local issues related to the functioning of local institutions and implementation of government schemes now come under the purview of the Janmabhoomi programme, thus substituting the functions of Gram Panchayat.

Interestingly, there are now two different gram sabhas functioning here: one is the mandatory gram sabha by gram panchayats to strengthen the participatory process of local self governance. The other is the gram sabhas conducted by the state government for the Janmabhoomi programme. The prospect of perceptible benefits, involvement of officials from all line departments etc., in Janmabhoomi, made people attend these gram sabha in reasonable numbers. On the other hand, the GP’s gram sabha suffered from poor attendance mainly because of the perception that fewer benefits are possible through panchayats. This undermines the institutions of local self governance.

Though Sarpanch is to preside over the JB gram sabha, they remain mere spectators (actual actors being officials) who watch the proceedings. PRI members have complained that they were not consulted either for planning or for implementation. Moreover there are many allegations that in the planning and selection of projects, preferences are given based on personal contacts and influence rather than merit.

This programme tends to be centralised at the state level as the implementation, monitoring and evaluation of the programmes are centred in the Chief Minister’s office. The Chief Minister, in fact, is the central force behind the programme.

1.4 Functionaries

Elected representatives from among the local people and one-third reservation for women are important features of the new Panchayati Raj system. In fact, it was to increase women’s participation in development activities that reservations were introduced. Parallel bodies formed are conceived to be people’s bodies involving a wide cross section of people. However, a critical look at the composition of these parallel bodies show that the representation of Panchayat Sarpanch/ members in the body is low/ nominal. No special reservation has been made for women and marginalised groups in many parallel bodies. The end result is that majority of the elected members and especially women may tend to be excluded from the programme. The voices of women and marginalised groups will again go unheard. Functionaries of these parallel bodies are not under the control of PRIs. In many cases, they
actually control PRIs. The following examples illustrate the meagre presence of panchayat elected members in the parallel bodies.

The Janmabhoomi programme in Andhra Pradesh, envisages the participation of Sarpanch (chairperson of the programme) and the ward member (the only two panchayat representatives in the programme) in whose habitation the programme is carried out. In reality the participation of the Sarpanch and ward member is only nominal and the entire show is carried out by the officials and the political executive who derive their constituency from beyond a particular habitation or village.

In Rajasthan, the ward panch/Sarpanch of the concerned panchayat are honorary/non-official members of the Executive Committee of the Village Forest Protection and Maintenance Committee (VFPMC). In other words they do not have any voting rights. Besides they can be a party of VFPMC only if they reside in the village for which the committee is formed. Thus other panchayat members are not its members and cannot attend its meetings.

1.5 Finances

A major impediment in the effective functioning of PRIs is the lack of adequate funds for the implementation of need based programmes. Those funds, which are available, are mostly tied in nature, leaving little flexibility to the Panchayats. This in turn affects the autonomy and authority of panchayat functioning.

An analysis of the finances of parallel bodies shows that most parallel bodies are in a better financial position than the Panchayats. Take for example the case of Gram Vikas Samiti (GVS) initiated by the Haryana government. It is expected that major sources of State funds would flow to GVS without official intervention. While it is true that the Gram Panchayat is entitled to Central funds and Gram fund that is appreciable, one cannot overlook the fact that the funds devolved to Gram Vikas Samiti is sizeable (128 crores). The trend is that the amount may increase under the Haryana Rural Development Fund (HRDF). Interestingly, the percentage of HRDF from the rest of the share to the Panchayats (over the period of five years i.e. 1994-99) shows that on an average HRDF forms 22.07 per cent of the total. More than this amount (if one includes funds related to decentralised planning and state government schemes) will now be transferred to GVS for development work.

Own resources of Panchayats find utmost significance in the funds available to PRIs, particularly in the context of PRIs being perceived as local self-government institutions. However, a study conducted by PRIA on ‘Panchayat Finances’ shows that own income (from own tax and non tax revenues) of Panchayats, on an average, were found to be not more than one-third of total income of ‘better’ Panchayats. In general, own revenue of PRIs is negligible in comparison to their income from governmental grants. Their income pattern poses a question mark over financial sovereignty of the Panchayats. Several reasons were attributed to this situation. Among them, is the failure of Panchayats to tap potential resources. This may be due to the ambiguity in Acts, usurping of rights by parallel
structures etc.

For instance, in accordance with the issuance of the government resolution of 1994, the JFM committee is entitled to-

- possess consumption rights on the forest land delineated for the purposes of JFM
- acquire fodder from the developed/conserved forest area
- collect minor forest produces and tree branches
- collect fuel wood from the cut-back works
- collect 25 per cent bamboo from thinning works
- collect 50 per cent of the total yield from tree cutting, according to the working scheme approved by the state government
- dispose of final products in collaboration with the forest department of the state

The above mentioned are obviously rich sources whereby Panchayats can generate income. The existence of parallel structures adversely affects this. These arrangements usurp the rights entitled to Gram Sabhas and Village Panchayats in the schedule 5 areas, as in the state of Gujarat.

### 1.6 Consequences of functioning of parallel bodies

The success of any programme depends largely on its sustainability. Panchayats are constitutionally mandated bodies and hence its sustainability is legally ensured. As mentioned earlier, most of the bodies created after the Constitutional Amendment are creations of the ruling government, which are based on the issue of government orders. Obviously, they may become de-funct once the ruling government changes and if the new party do not conform to the objectives of the parallel structure. This naturally results in resource and energy waste and disillusionment in the minds of people.

The sustainability of the donor-funded projects is also questionable. In donor funded projects, the project holder has to abide by the peculiarities of the funding agency. Shifts in national and international policies may immediately reflect on the decision of donors to continue funding or not. India has had many example in recent years. Similarly, it is difficult to ensure the sustained participation of the people once the project comes to an end and the flow of funds ceases. The following case is illustrative of this fact.

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**Bhithauli** is a village in Vijaygarh block in Aligarh district of UP. It has a population of 1500. The village was selected in 93-94 for sodic land reclamation. Sixty hectares of land were selected for the above purpose. Out of these 54 hectares of land were of C category. 11 WUGs were formed in the village. In July 99 when assessment of the work was done by UPLDC in which about 20 beneficiaries also participated, it came out that 5 hectares of land still remained to be reclaimed.
On the other hand, the provisions of the constitutional amendment mandates election to the Panchayats every five years. Hence, elected members are present throughout to co-ordinate and facilitate the whole process of planning, implementation, monitoring and evaluation of programmes. Development programmes are carried out within the framework of PRIs. However this is not ensured in the case of several parallel bodies. Take for instance the case of gram swaraj in Madhya Pradesh. People are vested with the powers of taking decisions and implementing them. How will the participation and co-ordination of activities by the people be ensured? What mechanism will help the process?

Lack of communication and co-ordination between the Panchayats and the parallel bodies are the major difficulties in sustainability. The criticisms on the expert committees in Kerala, is that under the guise of technical feasibility, the decision making power of the Panchayats has been mortgaged to the parallel bodies, which follow a rather technocratic-bureaucratic approach. Without adequate field study and consultation with the members of the local bodies, they either make drastic alterations in the projects or reject them completely. This practice, in the view of majority of people interviewed is detrimental to the spirit and goal of participatory, sustainable local development. What is needed is a free and constant flow of communication between the parallel expert committees and the Panchayat Samity. For instance, after the technical scrutiny there should be a discussion between the members of

The meetings of the SIC were highly irregular. The last meeting of SIC took place in 98 and after that no meeting of SIC has taken place. Members of the WUG says that the members of the core committee don’t organise the meetings as they feel there is no use of meetings now as the inputs have stopped pouring in. Similarly members of the SIC also feel that since they are not going to get any direct supply of inputs hence there is no need to attend the meeting.

13 borings were done in the village during the early period of the project, that is in 95-96 and out of this 3 borings failed after about one year of operation. This was basically because of lack of proper maintenance of the pump sets during the early period. There was problem in water sharing. Some of the influential among the members of the WUGs was trying to block the link drain in the area. They just did not want them to develop as they used to feel that if the weaker people who didn’t have any proper source of income, if start getting regular crops would get out of their clutches. Hence they used to create problems by blocking the drains. SIC was not able to resolve these issues as members used to identify the SIC as an informal body and not a formal body to take decisions in this kind of conflicts. Similarly after 3 years the cropping also got discontinued in some of the WUGs due to conflicts. The Mitra Kisan and the Mahila Mitra Kisan were not carrying out their routine job and were doubtful about their future roles.

The members were looking towards getting some help from the Panchayat to develop the failed borings. They also wanted some help from the panchayats to resolve the conflicts in water sharing.

Source: Study by SSK, Lucknow
the expert committee and the panchayat and the final decision should be taken by the Gram Panchayat.

In the UP Sodic Lands Reclamation Project, payments to WUGs are made through SIC. Pradhan is only an ex-officio head of the SIC. The accounts are to be maintained by the SIC. As far as details of the expenditure is concerned it has to be presented in the monthly meetings of the SIC. But the meetings often does not take place regularly and hence the details are not available to the members of the SIC as well as the WUGs. If the money is routed through the Panchayats to the SIC/ WUGs the details can be presented in the monthly meetings of the gram Panchayats as well as in the open meetings of the gram sabha. Similarly the finance available for the SIC/ WUGs can be utilised efficiently if transferred to gram panchayat.

**Efficient delivery of services** is the prime responsibility of the Panchayats. Efforts of the government, panchayat functionaries and development actors should be to enable PRIs in this regard. The creation of most parallel bodies is based on the premise that they are better able to deliver services to the people. This the concerned authorities say is the result of the corruption prevalent in the Panchayati Raj system, lack of capacity of Panchayats, lack of trust of people in elected panchayat members etc. However, the functioning of the parallel bodies too shows that they are either victims to the same problems or are posing equally serious but different problems.

Take for example the Janmabhoomi programme. Contractors are prohibited in Janmabhoomi works. But it is seen in practice, that contractors are present. This kind of allegation is bound to happen when local monitoring system is not in place. The elections to parallel bodies have also become highly political and even violent. Recently a person was killed in the WSA election in Rayalaseema region of Andhra Pradesh owing to severe competition between rivals. In addition, it has been reported that the promises made in different rounds of J.B are not being met and therefore J.B is losing its credibility and local people are getting disillusioned with it. There have been also instances where the villagers have boycotted J.B collectively.

In Kerala, there have been complaints of inordinate delay or rejection of projects by Expert Committees. Often enough projects were sanctioned with reduced budgets, which meant that the services/programmes contemplated in the project could not be delivered to the people. Delay on the other hand would mean escalation of prices, which again hinders the effective delivery of services. In the case of rejection of projects, it is clear that the people, who have been waiting anxiously for the services promised in the project, would be disappointed.

The Madhya Pradesh government justifies the enactment of the new law of Gram Swaraj on its realisation that the Panchayat Raj in MP had been reduced to the Sarpanch Raj. The Gram Vikas Samiti in Haryana, was set up to ensure more transparency and efficient utilisation of funds and to minimise official intervention. The Expert Committees in Kerala were formed to provide expert advice to PRIs on the technical feasibility and viability of the projects prepared by the Panchayats.

It is true that the present functioning of Panchayats is not devoid of gaps/ weaknesses. In many areas
the Panchayati Raj has been reduced to the Sarpanch Raj. People show general lack of faith in the
elected representatives as they feel he/ she is a corrupt person. PRI members in general lack the
capacity and confidence to prepare technical and feasible plans. However, the next automatic solution
to the problems does not lie in the creation of new structures.

Experiences in state government functioning have shown that on the whole it is the will of the ruling
government and especially the chief minister which is reflected in state policies. There are people
charged in various cases holding important portfolios both at the central and state levels. Still the
governance and functioning of the state and nation goes on. This is not to say that corruption is
justified. It is only to affirm the fact that this is how the whole system works in our country. Therefore,
condemning the functioning of panchayats in the name of sarpanch rule, corruption, inefficiency etc.,
and creating parallel structures to counter this does not provide a reasonable answer. Moreover, the
issue here is not that of corruption or sarpanch rule. These are only problems within the system which
are bound to happen and which needs to be tackled. At the same time, addressing the problems does
not mean doing away with or weakening the very system itself which is mandated by the constitution.

It is time to let go off the control over panchayats by higher levels of government and let the local self
governing units make their own decisions on aspects/ issues that affect their every day lives. Let the
PRIs be governments by their own rights. The need of the hour is (1) for the state government to
devolve adequate functions, functionaries and finances to the panchayats so as to enable them to
function as autonomous and self governing institutions (2) strengthening of Gram sabha as there is no
greater fora for social audit than the gram sabha.

Ways Forward

• For PRIs to be institutions of local self governance/ third stratum of governance, it is imperative
that the subjects listed in the Eleventh Schedule (which forms the functional areas of the Panchayats)
are treated with the same respect and seriousness as those of Central and State subjects. If this is
so, the efforts of the Central and State governments, civil society etc., would be to complement
and supplement the efforts of the Panchayat and not to replace/ substitute them. This involves
working in collaboration with PRIs. On the other hand, taking away the functions and funds of
PRIs are against the spirit and letter of the 73rd Constitution Amendment Act.

• There is a pressing need to establish an active co-ordination between PRIs and the bodies mentioned
in the study. Civil society organisations, various ministries/ departments of central and state
governments have adequate resources and expertise at their disposal. Panchayats on the other
hand are starved of funds and technical expertise. If the programmes of the above mentioned
organisations/ departments are formulated and implemented in collaboration with Panchayats,
there will be pooling of resources, expertise etc., leading to greater quality and efficient services
and sustainability of the project.
• Collaborations/linkages of the panchayat to the body concerned should not be just confined to member representation of panchayat in the body. Panchayats should have a role in management and decision making.

• Where the role of a body is to scrutinise/assess the work of Panchayats, the existence/use of well defined criteria/indicators, ample opportunities for discussions with PRIs after scrutiny, and placing the details before gram sabha (which should be the body for social audit) within the stipulated time period, will strongly contribute to efficient delivery of services. The final decisions based on the above should be with the Gram Panchayat.

• Sensitisation of the government machinery, CBOs etc., to the need for local body intervention in programmes like JFM$s and watershed should be stressed.

• Where bodies are formed to supervise/monitor/audit the works of panchayats, a mechanism needs to be evolved to ensure mutual dialogue between them and the panchayats and also for ensuring the accountability of the parallel body.

• Organising separate gram sabhas for different programmes will only lead to disillusionment and doubts in the minds of people and lack of faith of people in PRIs, given the fact that greater powers are now with the parallel bodies. This undermines the PRIs. What is needed is convergence of various programmes at the level of PRIs so that they can work in partnership with the PRIs leading to greater efficient delivery of services.

Rather than creating new structures to address the problems in the present system, what is needed is a careful examination of the gaps in the existing system and formulation of practical solutions whereby the gaps can be addressed within the framework of PRIs and outside the influence of bureaucracies.
PRIA and Partners Perspective

on

Panchayati Raj Institution

1. Panchayati Raj Institutions (PRI as common term for both rural and urban) are to be viewed as institutions of local self-governance, and not as mere implementers of centrally determined development programmes. Bottom-up comprehensive planning, based on Micro-planning exercise, is to be the basis of self-governance. PRIs should not be allowed to become third tier of development administration.

2. Emphasis must be placed on active participation in decision-making by women (and other weaker sections) with a view to enhance their role, status and leadership in local self-governance,

3. Interventions in strengthening PRI should focus on building, promoting and empowering new leadership of women, SC/ST and dalits.

4. PRIs should assert their access to and control over local natural and human resources, as well as other development resources being available with state and national governments.

5. Strengthening PRIs will entail clarity of their roles, system of governance, accountability and transparency and inter linkages.
About PRIA

‘Participatory Research in Asia,’ PRIA is a non-profit voluntary development organisation based at Delhi, India, which has been promoting people centred development initiatives within the perspective of participatory research. It aims to strengthen popular knowledge, demystify dominant concepts and promote experiential learning and people’s participation. For nearly two decades, this has been the basis of supporting empowerment of the poor and the oppressed in PRIA’s work. It learns about challenges of promoting people’s participation and democratic governance through local grassroots action via systematic documentation. It facilitates learning through sharing of its research findings and capacity building, by promoting a conducive environment and supportive public policies towards this end. PRIA operates locally, nationally, regionally and globally.

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