

Panchayats in India: where government meets the grassroots

BY *HARIHAR BHATTACHARYYA*

This past July, elections to India's most local level of federal governance—the *panchayats*—took place in Andhra Pradesh state.

Panchayats are village councils constitutionally empowered to manage local affairs and the implementation of public works for rural India.

Some 1,000 representatives were elected to the *Zilla Parishad* (District Council, the highest tier of panchayats). Those who were elected in Andhra Pradesh joined the other three million elected panchayat representatives across the country—about one million of whom are women.

Panchayats have become the most significant political institutions for rural Indians. And they have been a key element in the process of decentralization which India began in the late 1950s.

What are panchayats?

This form of local government has a long history in India.

Panchayats (literally, “the assembly of five”) have existed as a traditional village unit of government in the Indian sub-continent for many centuries, and served as the backbone of Indian civilization.

They were hereditary, but were constituted by representatives from various social groups, giving them a certain representative quality. Their style of governance was open and face-to-face.

The key function of the panchayats was to resolve disputes, by consensus, in favour of the status quo. Panchayats were the defenders of social stability in rural India for most of their history.

After Indian independence in 1947, the panchayats continued to have importance in rural India where they managed local affairs according to traditional values.

They did not have any constitutional or formal status.

As the Indian federation evolved over the years (see *box, page 2*), panchayats developed into units of local self-governance within states, specifically mandated to work on matters of rural development and infrastructure.

The 73rd Amendment (1992) to the Indian constitution identifies 29 areas concerning which the panchayats have powers. These include agriculture, irrigation, roads, electricity, cottage industries, forests, rural housing, drinking water, health and education.

The average population under panchayat jurisdiction and the size of panchayats vary enormously across the states. For instance, the average population of a *gram* panchayat in Kerala is 25,000. In West Bengal, the *gram* panchayats cover an average population of around 12,000.

The taxing powers of the panchayats as well as their incomes also vary substantially across the states. The contribution of taxes to the total income of panchayats ranges from 0.9% in Punjab to 63.4% in Kerala. Generally, government grants still form the major source of income for panchayats.

A democratic process

India's development of the panchayats as units of local self-government has been marked by two distinctive features.

First, the process is democratic. Panchayat representatives must be elected by their constituent population on the basis of universal adult suffrage in open, competitive multi-party elections.

Second, there are provisions for reserving seats for women, as well as disadvantaged groups (known in India as Scheduled Castes and Scheduled Tribes).

The demography of the panchayat representatives is indicative of both the democratic nature of the process, and the issues which the panchayats address.

In a sampling of panchayat representatives across the country, you will find a high proportion of wage labourers, peasants, village housewives, and the like. Rooted in their local realities, these representatives often hold posts of chairpersons, and are involved in the myriad of panchayat committees (roads, literacy, forestation, etc.)

When asked about her perception of the panchayats, one representative (a housewife from the district of Burdwan with only primary-level education) stated: “I attend to all the problems of the villagers, from the construction of roads to family problems. I am called for taking part in decisions at the Panchayat office. I am happy to work for the public.”

In a study of 1190 villagers, it was found that 83% of them considered panchayats to be a very useful institution without which they would suffer. Of the same sample, 88% believed that the panchayats were responsible for breaking the domination of the higher castes in the villages.

The high level of popular trust in the panchayats is reflected in the high turn out for panchayat elections—which is always higher than for state and central government elections. In the last panchayat elections in West Bengal in 1998, the voter turn out was 85%.

Decentralization within states

The decentralization India has achieved by empowering panchayats is quite different from the decentralization achieved through state creation (see *Federations*, Vol.1 No.3, March 2001).

When India creates new states it is often to accommodate demands related to ethno-linguistic particularity. The empowerment of panchayats is not bound by any such considerations. Giving panchayats formal status in India gained support due to their effectiveness in implementing rural development projects.

The Indian constitution makes the empowerment of panchayats a state responsibility. Consequently, states have enacted different laws on panchayats according to their different needs and contexts.

Politics has, of course, left its mark on this process, and decentralization has often suffered.

The states have frequently seen any local power as a potential challenge to their own authority. And the traditional dualist paradigm of federalism—that power is balanced on a centre-state axis—does not easily admit a third party. Ethnic considerations have also motivated opposition to any process of decentralization beyond the framework of ethno-linguistic state autonomy.

Nevertheless, the widespread popular support for panchayats has been unavoidable, and the states have had to hand power over to them. In the states where panchayats have not been formed, there are strong movements for instituting them.

Despite some opposition from the states, there is a consensus among scholars and other opinion makers in India that the country's democratic decentralization to panchayats has served to enhance state legitimacy.

The case of West Bengal

The eastern state of West Bengal has the best record in India in terms of devolving powers to local authorities, and is worth examining for how the project of decentralization to panchayats has turned out so far.

The Communist-party led state government of West Bengal is known for supporting local government. West Bengal was one of the first states to adopt panchayats formally as local units of government. Elections to panchayats have occurred every five years since 1978. The panchayats there implement plans

worth fifty percent of the state budget dedicated to rural areas.

The dramatic social and economic development that rural society in West Bengal has undergone since the late 1970s can be attributed in large degree to the activity of the panchayats.

They were key players in the redistribution of surplus land among landless peasants and agricultural workers, in the improvement of literacy, in establishing provisions for potable water, irrigation, road construction, and the like.


Through the panchayats, the rural population was itself involved in these activities.

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Because of these successes and the direct involvement of the local population,

people are increasingly seeing panchayats as political institutions and not simply agencies for implementing development projects.

The panchayat elections in Andhra Pradesh illustrate this point. If the rural voters in the Telengana regions of Andhra Pradesh vote overwhelmingly for the Telengana Statehood Association in the *gram* panchayat elections in the next phase of voting, it would be a verdict on popular support for the formation of a separate state of Telengana out of Andhra Pradesh.

Panchayats are not just a by-product of Indian federalism; they can as well serve as a factor for further federalising India. Panchayats may indeed be the means by which India will be transformed in the near future. 

Panchayats: Legal and Constitutional History

The first Indian Constitution (1950) recognized panchayats under Article 40, but this article falls in the non-justiceable Chapter 4 of the Constitution, and places panchayats under the competence of the states.

From the first of the five-year plans, beginning in the 1950s, the Union government made a series of attempts to institute panchayats according to Article 40, beginning with the famous Balwantarai Mehta Committee (1957).

Some state governments also tried to establish these institutions through amendment acts and holding elections to panchayats. West Bengal, for instance, during 1957-62, formed some 19,662 *gram* panchayats, and 2,926 *anchal* (block level) panchayats. In most cases, these panchayats did not survive.

In the 1980s and 1990s, India gradually developed panchayats into a third tier of its federal system.

Prime Minister Rajiv Gandhi's government introduced the 64th Constitution Amendment Act (1989) on panchayats, intended to establish them formally as a third tier of Indian federalism. But it fell through in the Rajya Sabha (Council of States) by a margin of just two votes.

It was the 73rd Amendment Act on panchayats, passed by the Indian

Parliament in 1992, that made the formation of panchayats by the state governments mandatory.

New articles in this Amendment (243-243O) provide for a three-tier system of panchayats: the village level, the district level, and an intermediate level between the two.

Seats are to be reserved for Scheduled Castes and Tribes, and for women. For the castes and tribes, the number of seats reserved shall be according to their demographic proportion in the area concerned. No less than one-third of all seats must be held by women.

Every panchayat government will exist for five years from the date of its first formation, but can be dissolved earlier in accordance with the procedures established by state law.

As far as powers and functions are concerned, the state legislature has the power to confer on the panchayat such powers and authority necessary to enable them to function as institutions of self-government. The 11th Schedule of the Indian Constitution contains 29 items concerning which the panchayats have powers. They deal mainly with economic development and social programs.