

## EVOLUTION OF PANCHAYAT RAJ SYSTEM AND RELEVANCE OF COMMITTEES IN EMPOWERING PANCHAYAT RAJ SYSTEM IN KARNATAKA: AN ANALYSIS

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### ABSTRACT

*Karnataka has a long history of local governance dating right back to the Vedic ages. But over the centuries this region witnessed a gradual decline of village Autonomy. This trend got accentuated with the advent of the British rule. During the early years as Colonizers they were primarily interested in consolidating their territorial gains. But in Post – Independence attempts have been made to decentralized political and economic power to the people. For Decentralising Power Panchayath Raj Institutions have been given a statutory and Constitutional Status. Committees were set up submit reports to recommendation to improve local rural administration. Implementation of their recommendation coupled with The Implementation of 73<sup>rd</sup> Constitutional Amendment and enactment of legislation, whether helped in the empowerment of Panchayath raj Institution or not is a questions till to be a investigated. Therefore this paper examines evolution of Panchayat Raj System in Karnataka to identify the Paradigm Shift to the rural local governance. It also focuses on recommendations of various Committees. Ramesh Kumar Committee to determine their Adequacies. In adequacies and ethicists in Panchayathraj Institutions, papers focus on Karnataka Panchayat Raj Act 1993 is also pertinent to identify. The difference between Theoretical Aspects of the legislation, prescriptive nature of the Ramesh Kumar Committees Recommendation and the practical dimension of the local rural governance. Therefore, an overview of Panchayat Raj Institution in Karnataka is warranted to have a penetrative insight into the working of these representative institutions of the local level.*

**Key Words:** *Local Governance, Panchayathraj System, Committees, Empowerment.*

## PANCHAYT RAJ SYSTEM IN KARNATAKA – AN OVERVIEW

### Mysore Karnataka

The history of local governments in Karnataka began with the old Mysore State formed in 1956, and is not very different from the history of local governments in India. Mysore State included areas from Bombay Karnataka and Hyderabad Karnataka and Mangalore and Bellary from the Madras Presidency.

Inscriptions dating back to 1005 AD show that village bodies were very strong. The Grama, Agrahara, Nadu and Vishaya were autonomous, In Agrahara villages; the assembly of the Mahajans (head of the families of learned Brahmins) served as the local body. In others, the village assembly was known by a numerical suffix as in the case of aivathu okkalu (50 families) or muvathu okkalu (30 families). The functions of the village assembly included maintaining temples, arranging festivals and running chaultries and aravattiges (centers to distribute water), collecting toll, conferring gifts for meritorious services, installing the statues of heroes who had died in the defence of the village, maintaining the families of such deceased heroes by grant of land and the settling of disputes.

The old Mysore State was ruled by many dynasties since the 6th century, including the Yadavas of Devagiri and the Hoysalas (1200 to 1336 AD). As there was not much interference with the functioning of local governments they continued to work efficiently on their own. This continued during the Vijayanagara Empire and by the end of the 16th Century, they were tike republics with their own finances. Similarly the Odeyars (1610 to 1761 and 1810), Hyder Ali and Tippu Sultan (1761 to 1799) left them intact.

### Bombay and Hyderabad Karnataka

The Bombay Presidency ruled directly by the British included Belagavi, Uttara Kannada, Dharwad and Bijapur; while Hyderabad Karnataka ruled by the Nizam included Bidar, Gulbarga, Raichur, Yadgir and Koppal.

The headquarters of government was essentially an urban area, located at strategic places that expanded in size due to increased political, judicial, economic, administrative and military activities. Agra, Delhi, Hyderabad, Lahore, Lucknow, Multan and Poona (Pune) were among the important cities. Temple cities of Hinduism, such as Kashi (Varanasi), Mathura, Prayag (Allahabad) and Madura are examples of religious factors that contributed to their growth Most towns were small market places. The Moghuls, essentially an urban people, preferred to develop urban administration in India.

They interfered very little with the ancient customs of village governments. For them the village was a unit for revenue. In that era, each village society made its own, laws due to the isolation of each village from the neighboring hamlets. There were threats from the landlord, the robber or the invader, Fear strengthened the requirements for a village organisation such as the panchayat.

These bodies took charge of almost all the matters of the village including disputes and apportioned taxes. panchayats gave dignity and order to village life, and their deliberations had the weight of religion and custom. In modern terms, these village governments were never 'democratic'. However, the old panchayat whether as a caste tribunal or as a judicial or administrative body, normally conducted its deliberations in the presence of all who cared to attend and the reactions of the listening crowd would be registered and would have an indirect influence. If one of the elders showed partiality or foolishness, this would be remembered by his colleagues.

These judicial powers of the panchayats were considerably curtailed under Mogul Rule. In short, the panchayats in ancient India were different in character that the notion advanced in the West: "In ancient India the king was head of the state, but not of the society. He had a place in the social hierarchy, but it was not the highest place. As a symbol of the state, he appeared to the people like a remote abstraction with no direct touch with their daily lives, which was governed by the social organization."

### **British Karnataka**

In 1874, the British Government marked the beginning of modern local governments. With the establishment of the 'Local Fund Committee' in each district, these committees became subordinated to the bureaucracy and membership was exclusively restricted to officials Lord Ripon's resolution in 1882, though not very radical, tried to bring some elements of democracy into the functioning of local governments. He paved the way for the Mysore Local Boards Act of 1902, creating a three tier local government system for the first time in the history of Karnataka. It provided for a Union (village) Panchayat with a nominated Chairman, a Taluk Board with a Sub Divisional Officer as President, and a District Board with a Deputy Commissioner as President.

But there were some problems with this Act, and in 1914 the 'Government of Mysore constituted two committees; the Local Self Government Committee under the chairmanship of Shri M. Kantharaj Urs, and the Local Finance Committee under the chairmanship of Dewan Shri Bahadur C. Srinivas Iyanger. These Committees examined the question of liberalizing the constitution and power of local bodies to make them more effective. They recommended an elected majority in all district and taluk boards and independent powers for the taluk boards'

In the year 1915, a conference on local self governments was held under the president-ship of the ex-Dewan of Mysore, Shri K.P Puttanna Chetty that stressed the need for local governments to be made more effective and prompted the enactment of the Mysore Local Boards and Village Panchayathi Regulation Act of 1918. This provided for the establishment of village panchayats with enhanced powers and the participation of elected members and was the first significant step in establishing self governing bodies in the state.

### **THE MYSORE DISTRICT AND MYSORE VILLAGE PANCHAYAT ACT (1925)**

After the enactment of the Mysore District and Mysore Village Panchayathi Act of 1926, Mysore and twenty other states passed acts to establish panchayats along democratic lines that provided for District Boards with adequate powers, functions and resources. For the first time the appointment of a secretary was mandatory and voting rights were given to those above the age of twenty. But women were not given the opportunity to contest Gram Panchayat elections and were totally kept out of all decision making.

### **DEVELOPMENTS AFTER 1947**

In the wake of India's independence, Gandhi's idea of 'Grama Swaraj' had a strong impact on Karnataka. After independence, the Princely State of Mysore had to adjust itself to the changed conditions and the requirements of the new political system. To advise them they appointed the Shri V Venkatappa Committee in 1949 that suggested a two tier system of Gram Panchayats at the village level and District Committees at the district level. The Venkatappa Committee submitted its report in 1950 and on that basis the Mysore Village Panchayats and District Boards Act of 1952, was enacted but did not achieve the expected results'. In the year 1953, with the intention of strengthening local governments, a Local Board Enquiry Committee, popularly known as the D. H. Chandrashekariah Committee was formed. This committee submitted its report in 1954 and suggested a three tire system with Taluk Boards at the intermediate levels, but these suggestions were not implemented.

### **THE MYSORE VILLAGE PANCHAYATS AND LOCAL BOARDS ACT 1959**

In 1957, when the Balvantray Mehta Committee held that community development would only be deep and enduring when the community was involved in the planning, decision-making and implementation process', and in keeping with this, the Mysore Village Panchayats and Local Boards Act of 1959 was enacted when Shri B. D. Jatti was the Chief Minister of Mysore.

The Act introduced a system of directly elected bodies at the village and taluk levels and an indirectly constituted body at the district level. Seats were reserved for Scheduled Castes and Tribes according to the population in the area, while two seats were reserved for women. A District Development Council was set up, headed by the Deputy Commissioner of the District, consisting of MPs, MLAs, MLCs and TDB presidents, women members and district government officials, to advise, coordinate and supervise. Under this Act, about 8,411 Village Panchayats and 96 Town Panchayats, 175 Taluk Development Boards and Councils were established.

The shortcoming of this act was that it did not make provision for financial devolution and autonomy or development planning by local bodies and as the district council was only an advisory and supervisory body; the taluk became the basic unit of administration.

### **KONDAJI BASAPPA COMMITTEE**

As the 1959 Act was lacking in many respects, another committee on Panchayat Raj was formed under the chairmanship of Shri Kondaji Basappa. This committee recommended the constitution of the Zilla Parishad as an executive body with a non-official chairman, devolution of more powers to the Taluk Development Boards (TDB) and a closer relationship between the village panchayats and the TDBs. It excluded MPs and MLAs from Panchayathi Raj institutions and provided for Nyaya Panchayats. On these lines, the Mysore Panchayathi Raj Bill 1964 was introduced, but not passed due to political reasons.

The Karnataka Zilla Parishads, Taluk Panchayat Samithies, Mandal Panchayats and Nyaya Panchayats Act, 1983. The year 1983 marked a new era in the history of Panchayat Raj in Karnataka. It was one of the first states that pioneered Panchayat Raj in India by enacting the Karnataka Zilla Parishads, Taluk Panchayat Samithies, Mandal Panchayats and Nyaya Panchayats Act, 1985 but popularly known as the Act of 1983. Patterned on the recommendations of the Ashok Mehta Committee, it was conceived and sculpted by Shri Abdul Nazeer Sab, who was also instrumental in drafting it. Chief Minister Ramakrishna Hegde, who was committed to the principle of 'power to the people', introduced the bill in the State Assembly in 1983 and the Act received the assent of the President of India on fourth July, 1985.

The Act was a landmark in the history of local governments in India. Though Panchayat Raj was given prominence in the Constitution, very few states took serious steps to operationalising this objective. The Karnataka Government for the first time showed willingness to make local governments a 'real centre of power'.

Abdul Nazeer Sab believed that "such a system of devolution of powers would improve governance" and that he had "witnessed a real awakening in the people when they realized that they could share power of the lower level".

The objective was to provide for the decentralization of powers and functions to local bodies for the purpose of promoting the development of democratic institutions and securing a greater measure of people's participation in the preparation, implementation, administration and audit of plans and finances.

The Act envisaged a three tier Panchayat Raj system it made provisions for the constitution of a Zilla Parishad, based on direct election for each revenue district in the state, replacing the District Development Council under the earlier Act. It was given the power to plan and implement development programmes and the president and vice-president were accorded the status of Minister of State and Deputy Ministers, respectively. The Taluk Panchayat Samithies at the intermediate level were coordinating bodies without executive powers with Mandal Panchayats for each revenue village or group of villages. This Act also provided for Nyaya Panchayats for each Mandal Panchayat, but unfortunately this provision was not implemented".

The Karnataka Panchayat Raj Act 1-983 attracted nationwide attention because of its radical provisions relating to the devolution of powers to the district, taluk and the villages and the 25% reservation provided for women, including the Scheduled Castes and Tribes and cooption of 5 persons belonging to SC/ST, OBC and women at the Taluk Panchayat level. Another very significant introduction were the Gram Sabhas for each village that were expected to meet at least twice a year to approve plans and programmes and discuss their implementation and also to select beneficiaries for schemes.

This Act was hailed in political, intellectual, and academic circles, as revolutionary in concept and wide in its sweep and generated much debate. However, this did not substantially alter the panchayat leadership" inadequate devolution of financial and administrative powers, lack of commitment on the part of bureaucrats and political leaders were some of the reasons cited for its falling short of expectations on the ground.

According to Nazeer Sab, "the Four Pillor State - Village, District, State and Centre - was the dream of Mahotma Gandhi. But when Karnataka set out to implement this, it was realized that within the limitations imposed by the Constitution, this ideology could not be implemented by a State government on its own and without a Constitutional amendment these intentions and efforts may not be as fruitful as one desired."

## KARNATAKA PANCHAYAT RAJ ACT, 1993

When the 72<sup>nd</sup> Constitutional Amendment Bill (which emerged as the 73<sup>rd</sup> Amendment Act) was introduced by Shri Narashima Rao, in pursuance of Shri Rajiv Gandhi's 64<sup>th</sup> Amendment Bill, and passed by Parliament, Karnataka took the lead. Under the leadership of Shri Murarirao Yeshwantrao Ghorpade (M Y Ghorpade) a seven-time MLA from Sandur, who was the Honorable Minister for Finance and Rural Development and deeply committed to devolution, the Karnataka Panchayathi Raj Act of 1993 was enacted. 'Shri Veerappa Moily, the then Chief Minister, ensured that Karnataka was the first State to realize the 73<sup>rd</sup> Amendment.

The bill was introduced in the legislature on 1st April, 1993, and received the approval of both houses. Following the Governor's assent on April 1-3<sup>th</sup>, it came into effect on 10<sup>th</sup> May, 1993.

Shri M. Y. Ghorpade and Chief Minister Veerappa Moily wanted to bring in reservations for the backward classes and so made a provision in the 1993 Act for reservation of IB of the membership and offices of the Panchayats based on an income criterion. Any person having an annual income of less than Rs. 10,000 could contest from any seat reserved for the backward classes irrespective of his or her community.

After the elections in 1994, Chief Minister, Shri Deva Gowda set up a pub committee under the Chairmanship of Shri Siddaramiah who was a member of the Karnataka Cabinet to further strengthened reservations. Shri D. R. Patil, Shri P. G. R. Sindhia and Shri M. P. Prakash were some of the members. They suggested creating two categories; the B CM A with 26.6% and the BCMB with 6.4% that included Muslims, these two totaling 33%. This came into effect in 1995-95.

Taking into consideration the experience of implementing Panchayathi Raj for over a decade, the Act made some major shifts from the 1983 Act and the effect of this has been significant.

The Act established a three tier structure with the Zilla Panchayat at the district level, the Taluk Panchayat at the taluk level and the Gram Panchayat at village level. It provided for the direct election of all members of all tiers and the election of the Adhyaksha and Upadhyaksha from among them it allowed the participation of political parties in the elections at the Taluk and Zilla (District) level, but not at the Gram Panchayat Level and anticipated a gradual phasing out of political parties in all three tiers.

The preamble to this Act reads as follows;

'An Act to replace the present enactment relating to panchayats by a comprehensive enactment. Whereas it is expedient to replace the present enactment to establish a three tier Panchayathi Raj System in the State with elected bodies at the grama, (village), taluk and district levels, in keeping with the Constitution Amendment relating to panchayats for, greater participation of people and more effective implementation of development programmes"

Shri M. Y. Ghorpade said that "political decentralization was not sufficient without simultaneous administrative and financial decentralization. PRI institutions must get direct funding from the government and have their own bureaucracy to regulate their use for local development works", he argued

Mr. Ghorpade, was truly a champion of decentralization. He showed a keen interest in the design, implementation and outcomes of a study of PRIs in Karnataka. He displayed an unflinching commitment to the cause of decentralization and took great care to understand the process and its shortcomings towards reforming the system then, in an otherwise grim situation of fiscal decentralization, his steadfast commitment was a silver lining.

He said; "The cardinal principle is that what is appropriate at the given level of the three tier system should be done at that level and not at a higher level'.

Unfortunately this Act has been through several amendments, not all of them positive. An amendment to share the term of Adhyakshya and Upadhyakshya was introduced by Shri M.P.Prakash that resulted in horse trading and intensified corruption.

Another amendment to the existing Law was to disqualify members who failed to build 'Shouchalaya' or a latrine, and slap them with Penal consequences. The Bill to repeal the provision was defeated in the Council and a joint Select Committee was set up under Shri H.K. Patil to go into the subject.

#### **THE RAMESH KUMAR COMMITTEE 2014**

In the course of the discussion before the committee Shri K. R. Ramesh Kumar a member of the Committee raised the issue of Panchayat Raj among other issues and so during the Belgaum Session the joint Committee was dismantled and in its place the present Karnataka Panchayat Raj Amendment Act Committee was constituted.



More than a 100 amendments have been made to this Act and at one time 47 amendments were introduced! As a result a strong Act that could have worked well and served the spirit of the 73<sup>rd</sup> Amendment, has been mangled to the point that it is dysfunctional.

As one can see there are some weaknesses here. This Act also views panchayats as 'delivery agents' to an extent and though the 29 subjects listed in the 11<sup>th</sup> Schedule have been devolved, there are no proposed guidelines for the devolution of functionaries and finances to enable local governments to exercise real autonomy and self determination' in planning and meeting the needs of their Gram Sabhas.

## CONCLUSION

A system that originated around the 6th century AD with autonomous 'village panchayats' that managed their own affairs as independent units of government has undergone considerable change. The history of democratic decentralization in Karnataka has been one of 'promise' and 'hope' rather than substantive positive outcomes on the ground. The functioning of Panchayat Raj Institutions in the state shows that they have not fully emerged as local self governments and a new class of power centers is emerging. The Gram Sabha is not fully empowered and they are largely bodies that identify beneficiaries for the more than 428 Union and State Government schemes that are designed in New Delhi and Bangalore and lack any flexibility in the implementation. Panchayat Raj institutions have been reduced to mere delivery agents of schemes and programmes related to poverty elevation, improved living condition, infrastructure, health, education and sanitation. More importantly, several government orders over the years have withdrawn many of the powers enjoyed by panchayats by changing critical aspects of the Act.

However, it has given an opportunity to a large number of people at the grass root level to participate, to an extent, in local administration. A substantial number of scheduled castes and tribes, backward class and women representatives have now become a part of what was otherwise the domain of the vested interests and privileged sections of, society.

The participation of women has significantly increased with the fifty percent mandatory reservation for women as members as well in the position of Adhyaksha and Upadhyaksha of panchayats at all three levels and Karnataka is the only state that has consistently recognized, respected and enabled women's participation in local government.

## BIBLIOGRAPHY

1. Bhatnagar (1978), "Rural Local Government in India", Light and Life Publishers, New Delhi.
2. Drammand, J.H. (1937), "Panchayatraj in India", Oxford University Press, London.
3. In Banathan A. (1992) "The New Panchayatraj in Karnataka – An evolution", Institution of Social Sciences", New Delhi.
4. James Maner (1978), "Political Change in Indian State : Mysore 1917 – 1955", Manohar Publication, New Delhi.
5. Jorge Mathew, (1986), "Panchayath in Karnataka", Concept, New Delhi.
6. Joshi R.P. and G.S. Navvani (2005), "Panchayathraj in India – Emerging trends across the states", - Rawath Publications, Jaipura.
7. Fathar R.V. (1967), "Evolution of Panchayathraj in India", J.S.S. Institute of Ecomomic Research, Dharwad.
8. Kulkarni H.L. (1989), "Panchayatraj Institution in Mysore State, Administration training Institute, Government of Mysore.
9. March of Karnataka, Oct. 2015, Department of Information, Government of Karnataka.
10. Mathew Jerge (1986), "Panchayat raj in Karnataka Today" Concept Publishing, New Delhi.
11. Padmakar (1992), "The New Panchayat raj in Karnataka, An Evaluation, Institution of Social Sciences, New Delhi