

Genesis of *panchayati raj* philosophy in India: some reflections

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True democracy cannot be worked by twenty people sitting at the centre. It has to be worked out from below, by the people of every village.¹ An ideal democracy can blossom only when the monopolists and racketeers of the State power at the Central and provincial levels agree to invigorate village units of government operated by the popularly elected surrogates of the weaker segment of grass root society and endow with such powers and authority - legislative, executive and judicative, as may be necessary to enable them to function as people's administration without bureaucratic inhibition.²

Fortunately, India has a distinction of having the largest saga of village self-government in the world. As a matter of fact, India has been the cradle of rural local government which continued to flourish from the time of Vedic civilization to the advent of British rule. The institution of local government was developed at the earliest and was preserved in India among all the countries of the world. All through the Indian history, the village was the basic unit of government whether the central authority was monarchical, oligarchical or republican. The local government has always been considered the foundation stone on which

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1. Mahatma Gandhi, quoted by S.M. Shaw, "We Need a Viable Panchayati Package", *Yojana*, Vol. 33, No. 1 & 2, January 26, 1989, p.61.
2. V.R. Krishna Iyer, "Is Panchayati Raj a Futile Phantom", *Yojana*, Vol. 33, No. 1 & 2, January 26, 1989, p.23.

every empire in India was reared.³ Even the rise and fall of empire or the external aggressions were not able to abolish this system. So, Panchayati Raj is not a new phenomenon for village in India, it is as old as the Indian society itself.

Panchayati Raj in Pre-Independence Era

The village Panchayat in India has been the pulse beat of our democracy since the ancient times. These Panchayats were the custodians of Indian village corporate life. Nothing was too small or too great in entire range of human activities to be covered under the umbrella of these institutions. A Panchayat normally consisted of five wise men of the rural society but with the passage of time the number had not remained sacrosanct. The Panchayat served as the backbone of our democratic institutions around which the entire fabric of social and economic activity of the village rested.⁴

The study of Indian legal history shows that every village in ancient times had a self governing body of its own. The local bodies were free to govern themselves. There was no interference of any external agency in the day-to-day functioning of local administration. During the Vedic times, the villagers themselves managed these local affairs.⁵ They exercised powers in various spheres such as commercial, administrative and social, including civil, education and religious functions. These ancient institutions were small republics.⁶

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3. R.C. Majumdar (Ed.) *Advanced History of India* (1946), p.556; also see K.M. Pannikar, *A. Survey of Indian History* (1947), p. II; and A.S. Alterkar, *State and Government in Ancient India* (1962), p.226.
 4. P.V. Narasimha Rao, "Education Expansion will Help Strengthen Panchayati Raj," in Devendera Thakur (Ed.) *District Planning and Panchayati Raj* (1991), p.418.
 5. B.L. Tak, *Sociological Dimensions of Gram Raj* (1973), p.7.
 6. Shri Ram Maheswari, *Local Government in India* (1971), p.10.

About the origin of this system, Shriman Naryan opines:

“It is believed that the system was first introduced by King Prithu while colonising the Doba between the Ganges and the Jamuna. In the Manusmriti and Shanti Parva of the Mahabharata, there are many references to the existence of gramsanghas or rural communities. A description of these rural communities is also found in the Arthasasthra of Kautilya who lived in 400 B.C. In the Ramayana of Valmiki we read about the Grampada, which was perhaps a king of Federation of Village Republic. An account of village commonwealths during the seventeenth century is found in Sukracharya’s Nitisara. In fact, the village in India has been looked upon as the basic unit of administration since the earliest vedic times.”⁷

K.P. Jayaswal says:

“The acceptance of parliamentary democracy in India was in no way an accident, it was symbolic of the revival of the traditional way of Indian political life ... the objective of promoting increased appreciation for the democratic ideals, the constitutional makers followed a tradition almost as old as India itself.”⁸

Right from the Buddhist and Gupta period, the village never lost its importance. Even during the period of highly centralised administration such as that of Chandragupta the village was considered as an

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7. Shriman Naryan, “The Panchayat System of India,” in B.N. Verma (Ed.), *Contemporary India* (1964), pp.201-02.
 8. K.P. Jayaswal, *Hindu Polity* (1955), p.86.

important unit of the empire.⁹ These village Panchayat attained to the needs of the people living in the villages. Gradually they fall into disuse and the Mughal rule led to their disintegration.¹⁰

Frankly admitting, the advent of Mughal's in India was different from others in the sense that its basic tendency was towards the centralization of powers in the hands of Mughal rulers. The Muslim regime established direct links between the villagers and the king. There are little references to the administration of affairs at the local levels. And whatever material that is available in this regard, refers to the municipal administration because the Mughals were basically urbanites.¹¹ Although, panchayats continued to exist during Muslim era yet unlike the ancient Indian Village community, these wielded no sovereign powers. Even the precise composition of village Panchayat during medieval period is not known.¹² These institutions were not sovereign bodies and the Mughal rulers were almost indifferent to day-to-day working of the Panchayats unless the authority of rulers was shaken or its door-steps were knocked at by the parties aggrieved by the action of the Panchayat. The truth is that the pre-eminent authority and status of ancient times, was relegated to the background. To quote Sir. J.N. Sirkar:

“There was nothing like ‘socialistic’ or ‘welfare’ activities by the Mughals in the rural sector. And in this sense the Village Panchayats appear to be really self governing and self reliant i.e., they

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9. R.S. Rajput, “The Concept of Village Republics and the Spirit of Article 40,” in R.S. Rajput and D.R. Maghe (Eds.), (1984), pp.47-48.
 10. N.L. Madan, “Grassroot Structures and Rural Development” *Journal of Delhi University Political Association*, Vol. 14, Nos. 3 and 4, 1988, pp. 49-50.
 11. P. Saran, *The Provincial Government of the Mughals* (1949), p.129.
 12. Hugh Tinker, *Foundation of Local Self Government in India, Pakistan and Burma* (1967), p.19, also see, P. Saren, *op. cit.*, p.245.

administered and managed their affairs, raised funds by their own and by itself decided the disputes of villagers.”¹³

During the British regime the Panchayats lost most of their autonomy. The Britishers undoubtedly gave these bodies a new political touch a western blend of electoral system, though their love for these bodies was not natural but was an outcome of political necessity. Like the Mughals the Britishers too remained urbanites and their activities centered around the Presidency towns. Thus rural self-government did not receive much of the attention and perhaps upto Lord Ripon's Resolution of 1882 no conscious effort was even made to revive and revitalize these indigenous institutions.

It was, however, after the Great Uprising of 1857 that the Britishers were compelled to think about the revival of Panchayati Raj in India. The dominant motive behind the institution of local government in India was to give relief to the imperial finances which had been created for the first time by the revolt of 1857.¹⁴ Perhaps the real and genuine efforts in revitalizing this system was made by Lord Ripon which is clearly evident from the Resolution of Lord Mayo on Financial Decentralization (1870) which suggested that local bodies must be created to generate their own funds and should utilize it for the benefit of public. Since the successors of Lord Ripon did not show liberal approach towards *Panchayati Raj* institution the result was that the local self-government remained the most neglected sphere of the government's attention and activities and lost much of their vitality till the attempt was made in 1907 - 1909 A.D. to revive and strengthen them.¹⁵ The credit to strengthen the intention of Lord Ripon goes to Hobhouse Commission (1907). It earnestly made a sincere attempt to bring improvement over the framework of Lord Ripon. The Hobhouse

13. J.N. Sirkar, *Mughal Administration* (1963), p.118.

14. S.R. Maheshwar, *Local Government in India* (1971), p.17.

15. *Supra*, n.12, p.64.

Commission stressed that the basic unit of rural self-government should be the village. It observed that the foundation of any stable edifice which shall associate the people with the administration must be the village. It was suggested by the Commission that Panchayats must be vested with civil and criminal jurisdiction of petty cases, village sanitation and expenditure of minor works.¹⁶ The Commission devoted much attention to furthering Ripon's policy of reviving Panchayats.

The Government of India Act, 1919, also contained the policy to associate more and more people in the administration of country through the agencies of local self-government. The Act included as the basic principle that as far as possible there should be complete popular control over local government. In reality the change was not so great as it appeared and much could not be done because the finance being the reserved subject, every time the minister for local self-government had to run to the executive councillors for funds and the Governor being a foreigner had no realisation for the aspirations of the people.¹⁷

The overall growth of local self-government up to 1935 was not much encouraging though all local government institutions were democratized. The half-hearted implementation of Government of India Act 1919 could not satisfy the demand of Indian Nationalists. There was thus a wide spread agitation. The political turmoil in the country ultimately resulted into Round Table Conference, which stressed for constitutional reforms in the country. The nationalistic approach was vigorously devoted towards attaining complete independence and consequently India attained freedom in 1947 and accomplished the long cherished dream of establishing the biggest the largest democracy in India. It was only after independence that the Panchayats in India regained their prestige and power in their true perspective.

16. A.E. Pandit, *Social Systems in Rural India* (1907), p.125.

17. Sahib Singh Swinder Singh, *Local Government in India* (1986), p.86.

Panchayati Raj in Post Independence Era

India became independent on 15th August, 1947. In the independent India the role of local self - government acquired a new significance. The advent of freedom and acceptance of the concept of welfare state posed new challenges. Economic growth and social justice within the framework of parliamentary democracy and secularism raised new issues apart from giving new dimensions to the old problems. It was felt necessary that there should be popular participation in carrying out various programmes and to face the need of development. Regarding the Panchayats, there was a debate as to whether the Constitution should give the primary place to village republics from which various tiers of representative institutions could be established to ensure grass root democracy.¹⁸

Gandhi sought to recapture the idea in the revitalization of village life. He wanted that Panchayats should be made responsible for total development of the village.¹⁹ When Mahatma Gandhi discovered that there was no mention of Panchayati Raj in the earlier draft constitution, he insisted on its inclusion in the revised draft, because Panchayati Raj was an important component of his vision of future free India in which economic and political powers were to be decentralised and each village was to be made self-reliant economically. He felt that the people's voice should be reflected in our independence through Panchayats and, therefore, 'the greater is the power of Panchayats the better it is for the people'. He subscribed to village based government and self-sufficient, male and female-annually elected by villagers having the required authority and jurisdictions was his idea of village government. This *panchayat* was to be of the legislature, judiciary and executive a perfect village government where perfect democracy would be found based on the individual freedom.²⁰

18. *Id.*, p.67.

19. *Id.*, pp. 87 88.

20. Mahatma Gandhi, *Harijan*, July 24, 1942, quoted in *Socialism of My Conception* (1957), p.146.

Dr. Rajender Prasad also supported the view point of Gandhi with a profound hope that village should be the unit of self - government.²¹ Similarly, Pandit Jawaharlal Nehru said:

“Local Self Government is and must be the basis of any true system of democracy. People have got into the habit of thinking of democracy at the top and not so much below. Democracy at the top may not be a success unless you build on a foundation from below.”²²

After a good deal of thought and discussion K. Santhanam moved a resolution for the incorporation of the “Panchayats”. In essence the Congress lobby in the Constituent Assembly asserted that the Panchayati Raj was the basic touch-stone of our ancient political philosophy and therefore, should find a place in the Constitution of the country. They insisted that the Constitution of the country must contain the mention of Village Panchayats. D.S. Seth was the first who proposed the amendment in the Draft Constitution.²³ H.V. Kamath, the champion of Gandhian philosophy remarked:

“If we do not cultivate sympathy and love and affection for our villages and rural folk, I do not see how can we uplift our country.”²⁴

Further, Aruna Chandra Guha observed:

“We require a strong centre, but that does not mean that its limbs should be weak. We cannot have a strong centre without strong limbs. If we can build

21. Quoted in L.M. Singhvi “Public Opinion is of Utmost Importance,” *Kurukshetra*, Vol.37, No. 6, March 1989, p.12.

22. Quoted in H.D. Malviya, *Village Panchayats in India* (1956), p.257.

23. C.A.D. Vol. VII, p.38.

24. *Id.*, p.212.

the whole structure on the village Panchayats, on the willing cooperation of the people, then I feel that the centre would automatically become strong.”²⁵

Thus Guha suggested the House that it may incorporate some clauses so that village Panchayats may be allowed to play effective part in the future administration of the country.²⁶ Article 40 of the Constitution is the final culmination of the long deliberations which took place in the august body of the Constituent Assembly which provides that the state should take steps to organise village Panchayats and to endow them with such powers and authority as may be necessary to enable them to function as units of self-government.²⁷

Operational Magnitude of Panchayati Raj

The need to take steps to organise village Panchayats and endow them with necessary powers to enable them to function as units of self-government was felt after the introduction of Comprehensive Community Development Programme in 1952. The remarkable thing was that the Community Development Programme was to operate and work on the initiative of the people. The people themselves were required to formulate their own destiny and it was they who had to devise means and tools by which they could be uplifted socially and economically. The programme failed in its entirety because the popular initiative could not be generated. It was noticed that the Community Development Programme, instead of being people's programme with government's assistance was becoming more and more government's programme with varying degree of people's participation.²⁸ The team for the study of

25. *Id.*, p.256.

26. *Ibid.*

27. Constitution of India, Article 40.

28. Rajeswar Dayan, "Organizational Analysis of Panchayati Raj Institution in India" in Indian Institute of Public Administration, *Articles on Panchayati Raj*, p.48.

Community Projects and National Extension Service, which was headed by Balwantray Mehta Committee (1957), was the direct consequence of its failure. The Mehta Committee as such was never on Panchayati Raj institution. Its task was concerned with community projects, though the report became an integral part of local Self-Government because it emphatically stressed that for the success of community Development Programme the revitalization of Panchayati Raj institutions was necessary because it was the form through which popular initiative could be brought forth.

The Balwantray Mehta Committee observed that the unrepresentative character and ineffectiveness of Panchayati Raj Institution due to lack of powers failed to motivate the people's participation. The Committee emphatically asserted that so long as we do not discover our great representative and democratic institution which will supply local interest, supervision and care necessary to ensure that expenditure of money upon local objects conforms with the needs and wishes of locality, invest with adequate powers and assign to it appropriate finances, we will never be able to evoke local interest and excite local initiative in the field of development.

It is imperative to mention here that at that time when the team made its study, there were two sets of institutions that were already engaged in local-government. These were village Panchayats and District Boards. The former were working in the villages while the later were working at District Headquarters. Since the Committee was to determine suitability of a place for development administration, the Committee rejected both these institutions as the focal point of development administration. Because in the view of the team, the village was too small in area and population and financial resources to carry out all these functions, and the District was considered to be too large in area and population and the people under such circumstances could not be expected to take personal interest and to make a personal sacrifice for common institution at the local government level. Nor the link between District Boards

and Constituent villages could be live one.²⁹ All these requirements favoured the creation of an 'intermediate level of institution.' The Committee specifically referred to it as the Panchayat Samiti.³⁰ The jurisdiction of Panchayat Samiti was proposed to be identical with the Tehsil and sub-division because it was an area large enough for functions which the village Panchayats could not perform and yet small enough to attract the interest and service of the residents.³¹

The Committee, therefore, highlighted that village Panchayat should be elected by direct franchise.³² For its financial viability the Committee suggested that certain taxing powers on matters of local nature should be given to village Panchayat. The Committee reminded the government of the fact that the financial non-viability of this institution led in its inefficiency in tax collection.

Further, the Committee proposed that the function of village panchayat should be divided into two: compulsory and delegated.³³ The compulsory functions were to be of minor nature like water supply, sanitation, lighting, maintenance of roads, primary education etc. In performing the delegated functions, the village Panchayat was to act as the agent of Panchayat Samiti in executing development programmes. The other recommendation was that village Panchayat should act under the general control and supervision of Panchayat Samiti, though state government was also proposed to have limited power of supervision.³⁴

It was also recommended by the Committee that the Panchayat Samiti should consist of about twenty members who were to be indirectly elected by the Panches of the village Panchayats of the Block concerned, the

29. For details see the *Report of the Team for the Study of Community Projects and National Extension Service*, Vol. I (1957), p.6.

30. *Id.*, p.10.

31. *Id.*, p.9

32. *Id.*, p.15.

33. *Id.*, pp. 17-18.

34. *Ibid.*

co-option of women, members of Scheduled Castes and Scheduled Tribes and social workers was also proposed.³⁵ The Committee also recommended that to make the Panchayat Samiti demonstrably useful to the village community it was necessary that the state government should give them adequate grants - in - aid.³⁶ Further more, all central and state funds spent in the Block area should invariably be assigned to Panchayat Samiti. The Committee felt that there was a need that Panchayat Samiti must be made a focal point of development administration. However, it was observed that certain amount of central will inevitably have to be retained by the government like the power of superseding a Panchayat Samiti in public interest.

The Zila Parishad under the Mehta Model of 1957 was to consist of the Presidents of the various Panchayat Samities of the District, the members of State Legislature and Parliament representing that district and district level officers of the Welfare Departments of the State. The Collector of the district was to be its Chairman.³⁷ The task of Zila Parishad was to ensure necessary co-ordination between the Panchayat Samiti and to provide guidance and supervision and assistance to these bodies of development administration.³⁸

Further, it was in 1977 that central government appointed a committee on the Panchayati Raj Institution under the Chairmanship of Ashok Mehta to review the existing situation regarding the democratic decentralization in the states, the working of Panchayati Raj institutions, particularly in respect of planning and implementation of schemes for rural development, the method of their constitution including the system of elections, the shortcomings and defects in the present system and to suggest measures for removing such defects and to enable these institutions to fulfil their future role.³⁹

35. *Id.*, p.10.

36. *Id.*, p.13.

37. *Id.*, p. 19.

38. *Ibid.*

39. For details, see *Report of the Committee on Panchayati Raj Institutions*, Ministry of Agriculture and Irrigation (1978), p.4.

The Committee daringly observed that the whole gamut of the weakening of Panchayati institutions lies in the extent politico-bureaucratic set-up which thinks these institutions to be inherently incompetent in discharging the development functions. Rather it viewed that Panchayati Raj institutions can perform a promising role in the democratic set-up of the country. It propagated that Panchayati Raj, like democracy at the national and state levels, was both an end and as a means. As an end, it was an inevitable extension of democracy; as a means, it would continue to be responsible for discharging obligations entrusted it by national and state governments.⁴⁰ Thus, as to the democratic decentralisation, the Committee was of the view that decentralisation was the executive necessity of the day and could not be ignored at any cost. Therefore, government must not think decentralisation as a political charity or administrative concession. Rather government must consider Panchayati institutions as dynamics of development.⁴¹

Keeping in view the inevitable role of the Panchayati Raj institutions, the Committee suggested that institutional, structural and functional contours of Panchayati Raj have to be in conformity not only with the accelerating pace of development but also with its strategies and policies.⁴² Thus, the Zila Parishad was offered to be the main seat for rural development and was considered to be the first focal point of decentralisation below the state,⁴³ It was to consist of six types of members, directly elected from suitably demarcated elected divisions, Presidents of the Samitees, nominees of the bigger municipalities, nominees of district level cooperative federation, two men who secured the highest number of votes in the Zila Parishad election, and two other co-opted members having their specialization in rural development and education.⁴⁴ It was suggested that all the members of Zila Parishad, the M.L.A's and M.P's elected from the district were to constitute as the Planning Committee at the District level for plan formulation and periodic review.

40. *Id.*, p.176.

41. *Id.*, p.182.

42. *Id.*, p.177.

43. *Id.*, p.178.

44. *Id.*, p. 179.

The Committee suggested the broad outline of a model consisting of two tiers only: district level Zila Parishad and Mandal Panchayats which were to act not as the independent organs but only as the executive committees of the Zila Parishad.⁴⁵ The Mandal Panchayats were suggested to be executive organ of Zila Parishad and each was to consist of about 15 directly elected members from electoral wards, representatives of farmers' societies, the first two women candidates securing maximum votes in the Mandal Panchayat elections.⁴⁶ These Mandals were made responsible for the implementation of the schemes and the projects assigned by the Zila Parishad. At the village level, the formation of village committees was suggested. These committees were to be bodies of the representatives of the small and marginal farmers. Thus, the Committee suggested for a total departure from the Balwantray Mehta Model. Under this scheme of 1978, the Mandal Panchayats were the executive organs of the *Zila Parishad* while the village committees were to be extensions of the Mandal Panchayats.

As to the functions that were to be decentralised to the Panchayati institutions, the committee observed that there should be adequate scope for evolving functional priorities by the panchayati raj institution and there must not be any temptation to introduce functional rigidity. The Committee pointed out that the entrustment of development functions to Panchayati Raj institutions would remain incomplete unless all the Panchayati Raj institutions were vested with the authority to take their own decisions and plan according to their own requirement.⁴⁷ The Committee suggested that the district should be the principal seat of economical planning.⁴⁸ Besides, it was also strongly recommended that government should provide continuous assistance in the process of district planning through financing, and other infrastructural requirement. While denouncing the prevailing syndrome of "No taxation, only representation" the Committee recommended that certain powers

45. *Id.*, p.178.

46. *Id.*, p.180.

47. *Id.*, p.183.

48. *Id.*, p.185.

of taxing by the Panchayati Raj institutions should be made compulsory. It was also suggested that these institutions should also be empowered to levy fees and taxes for rendering services like sanitation, lightening and water supply etc. The Committee viewed that public priorities should statutorily be vested in the Mandal Panchayats for the purpose of maximising the yield out of these resources.⁴⁹

In order to review the existing administrative managements for Rural Development and Poverty Alleviation Programmes, the Planning Commission set-up a Committee, popularly known as Rao Committee in 1985. The aim and objective of this Committee was to study the role of Panchayati Raj bodies and their relationship with the proposed administrative system and suggest the appropriate administrative model at district and below district level which could provided an integrated framework for the implementation of Rural Development and Poverty Alleviation Programmes.

The Committee noticed the deplorable state of affairs as regards to democratic decentralisation and observed that the success of the development schemes depends upon effective steps for decentralisation of planning and development administration on the one hand and involvement and the participation of the people in the formulation and implementation process through elected grass-root level institutions as the other.⁵⁰ So, the Panchayati Raj institutions were considered to be focal point to act as the centres of decentralised administrative model as well as the forum through which people participation could be secured.⁵¹ The Committee felt an inevitable need to transfer the power of the state to democratic bodies at the local level.⁵²

49. *Id.*, p.194.

50. For details, see *Report of the Committee to Review the Existing Administrative Arrangement for Rural Development and Poverty Alleviation Programmes* (1985), p.42.

51. *Id.*, p.41.

52. *Id.*, p.44.

The remarkable feature of G.V.K. Rao model is that it does not stress upon the rigidity, whether structural or operational. It provides viable options, each of which can be adopted and developed by the states according to their needs and circumstances. The Committee was clear that some representative body must exist below district level organization i.e. Zila Parishad. The Committee was, however, not adamant as to which organisations should exist at the lowest level.⁵³ At the middle tier of Panchayati Raj institutions, there was proposed to be a representative body called as the Panchayat Samiti.⁵⁴ It was to consist of directly elected members. The Panchayat Samiti was proposed to have executive functions in the implementation of the development scheme.⁵⁵

The Committee suggested that all development departments like Agriculture, Animal Husbandry, Co-operation, Minor Irrigation, Primary and Adult Education, Public Health etc., must be brought under the control of Zila Parishad. Zila Parishad was proposed to operate through its Committees like General Standing Committee, Finance and Audit Committee, Planning Committee, Health Committee, Education Committee etc.

For the financial viability of the Zila Parishad the Committee suggested that budgets, non-plan and plan of the development departments and the funds for various special schemes implemented at the district level or below should be transferred to Zila Parishad. This whole amount was to be the District Budget.⁵⁶ For this it recommended that post of Development Commissioner must be created and filled by the very senior officer of the state of the rank of Chief Secretary.⁵⁷ The Committee expressed a strong hope that if this concept was made workable then financial anaemia of the Zila Parishad could be rectified. The Committee also suggested that the similar administrative

53. *Id.*, p.48.

54. *Id.*, p.47.

55. *Ibid.*

56. *Id.*, p.45.

57. *Id.*, p.63.

arrangement should be made at Panchayat Samiti level with Assistant Development Commissioner having the administrative control and being responsible for the execution of the programmes.⁵⁸

It was in August 1989 that the former Prime Minister Rajiv Gandhi introduced the Constitution (64th Amendment) Bill in the Lok Sabha for strengthening and revitalising Panchayat Raj institutions in India and enable them to function as effective units of self-government. The Bill was proposed to be based on the slogan "Power to the people." It was expected that the new law on Panchayati Raj would enable the people to fight and finish 'power brokers' and endeavour to make periodic elections to Panchayati Raj institutions mandatory. It was really a historic and revolutionary step in associating the people directly in the functioning of democracy and national building. Unfortunately, the 'Model Bill' could not muster two-third majority and hence could not be passed in the Parliament. It was dubbed as the one leaning towards centralism.⁵⁹ Further, the Constitution (Seventy-second Amendment) Bill 1991 was introduced in the Lok Sabha in September 1991 and was referred to a Joint Committee of Parliament. It was on the recommendation of the joint Committee that Lok Sabha passed the Bill on December 22, 1992 and sent it to the Rajya Sabha. The Rajya Sabha passed the Bill on following day. After ratification by the legislatures of more than half the states, the President of India was pleased to give his assent to this Bill on April 20, 1993. Finally, this Act was brought into force by a notification with effect from April 24, 1993.

The 64th and 72nd Amendments draw their sanction from the Directive Principles of State Policy⁶⁰ which enjoin upon the State to establish Panchayats as 'units of self-government.' By itself, the 72nd Amendment is primarily an enabling enactment for the establishment of Panchayats. It has little to offer to the Panchayats by way of functions, 'powers and resources to shape them as units of self-government.' This

58. *Id.*, p.64.

59. Kirti Kumar, "Strengthening Democracy at Grass-Root Level; The Recent Debate." *Teaching Politics*, Vol. 18, No. 3 & 4, 1992, p.5.

60. Constitution of India, Article 40.

task is left to each state legislature to determine. On the enabling plane, the amendment requires the state to (a) establish at a very base a Gram Sabha comprising all eligible voters in village to which the Panchayat will be accountable. (The 64th Amendment had no such provision); (b) mandatory periodic elections in every five years and where superseded in a mid-term election within six months; and (c) reservation to ensure representation of women in Panchayats (33 per cent in the present amendment as against 30 per cent in the 64th amendment) and representation of scheduled castes and scheduled tribes in proportion of their local population. The 72nd amendment retains the provision for the establishment of a statutory state Finance Commission whose scope is to be determined by the State Legislature.⁶¹

The basic philosophy of the Seventy-third Amendment is to improve the participation of people in the process of their development. It is now mandatory that State Governments will devolve adequate functions, finances and powers on the Gram Panchayats to ensure better implementation of various developmental programmes. The States are now under constitutional obligation to amend their Panchayati Raj Acts within a stipulated period i.e. before April 24, 1994.

Conclusion

The foregoing study portrays how the present Panchayati Raj institutions have the ancestral root in the historic past. It appears that the Panchayati Raj with effective local autonomy continued to exist even during the period of Mauryas, Guptas and of Harsha, to which we call as the period of centralized sovereignty. The Panchayati Raj institutions existed all the way in one form or the other. Unfortunately, the Mughal system of administration could not give much fillip to the functioning of the local institution for the reason that they hardly thought of welfare activities particularly at the village level. But the Britishers gave these local bodies a new political touch, a Western blend of electoral system though their love for these bodies was not natural but was the outcome of political compulsion.

61. L.C. Jain, "Future of Panchayats", *Teaching Politics*, Vol. 18, No. 3 & 4, 1992, pp.3-4.

The self-government in India in the sense of a representative organisation responsible to an electoral body enjoying wide powers of administration and taxation, and functioning both as a school for training in responsibility and vital link in the chain of organism may be termed as a British creation.⁶² This philosophy later on acted and reacted on the minds of the wise founding fathers of the Constitution with the result that Panchayati Raj was thought to be adopted as a measure to concretise the dream of decentralisation. Moreover, the recommendations of Balwantray Mehta Committee (1957), Ashok Mehta Committee (1978), G.V.K. Rao Committee (1985), Seventy-third Constitutional Amendment Act, 1993 are the ambitious efforts made in post-independence era to accomplish the goal of decentralisation. So it may be summed up that the history of decentralisation of powers in India has not been a matter of political gift but a political necessity as true and effective decentralisation requires even the restructuring of Constitution itself.

62. Sahib Singh Swinder Singh, *op. cit.*, p.77.