

CHAPTER - II

PANCHAYAT RAJ IN KARNATAKA

After a brief study of Panchayat Raj Institutions in India, an attempt is made to study the process of democratic decentralisation in Karnataka. Till today, in Karnataka three different types of Panchayat Acts are implemented to constitute the local bodies. They are, Mysore village panchayats and local bodies Act, 1959. The Karnatak Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983 and Karnatak Panchayat Raj Act, 1993. In this chapter, while studying these Acts more stress is laid on the second Act and a very brief attempt is made to study the 1993 Act, because this dissertation is concerned to the Act of 1983 particularly the working of Mandal Panchayat Unit.

After the Balwantrai Mehta Committee's report of 1957, the Panchayat Raj movement started in India. The committee gave the blue-print of a three-tier Panchayat Raj system, which was introduced in all the states and Union Territories of the Indian Union suited to local genius and conditions.¹

The Panchayat Raj system was introduced in Karnataka on 1st November, 1959, after the enactment of Mysore village panchayat and Local Bodies Act, 1959. After the renaming of the state as Karnataka on 1st November, 1973, this Act is called " The Karnataka Village Panchayats and Local Boards Act, 1959. The Panchayat Raj inaugurated by the then President of India Dr. Rajendra Prasad, on 21st December, 1960 stated that

before the enactment of this legislation, no uniform pattern of rural Government was prevalent in the state, as it was composed of disparate units which previously formed part of the states of Andhra, Bombay, Hyderabad and Madras and the whole part 'C' state of Coorg. The five different areas which constituted the new Mysore state, now Karnataka, were governed by different rural Government Acts. In 1959, these Acts were superseded and since then, the state could proudly claim a uniform pattern of rural Govt. for the entire state.²

The Karnataka village Panchayat and Local Boards Act of 1959 was enacted on the basis of the recommendations of the different committees, like the Integration and co-ordination of Local Bodies Committee, 1950 headed by Venkatappa, the Local Bodies Enquiry Committee, 1954, which is known as Chandrasekhariah Committee and the famous report of Balwantrai Mehta Committee.

By the Act of 1959, a three-tier Panchayat Raj system was introduced in Karnataka. The village Panchayat at the village level, Taluka Development Board at the Taluka level and the District Development Council at the district and the top.

VILLAGE PANCHAYAT :

Village Panchayats occupied an important position in India. Village Panchayat in Karnataka is directly elected body. This, Panchayat is constituted for a revenue village or group of revenue villages with a

population of 1,500 to 10,000. The strength of each village panchayat varies from 11 to 19 members. They are directly elected by the entire adult voters by secret ballot. Seats are reserved for the representatives of SCs and STs in proportion to their population in area. Two seats are also reserved for women.

The Chairman and Vice-chairman are elected by the members among themselves. The term of office of all the members is 5 years. The village panchayat will meet for the transaction of business at least once in every month. Every panchayat is required to constitute three committees by election. These committees are;

- a) Agriculture Committee,
- b) Health Committee, and
- c) Village Industries Committee.

There is a secretary to maintain the records and to collect the taxes. He carries out day to day work of village panchayat under the instructions of the chairman.

Functions :-

The functions of the village panchayat may be divided into two categories as obligatory and optional. Under Section 42, The obligatory functions mentioned in the Act, under section 42, are

- 1) Supply of water for all purposes.
- 2) Looking after public health and sanitation of the village.
- 3) Construction and Maintainance of Village roads.
- 4) Lighting of village streets.
- 5) Construction and maintainance of public wells, public baths etc.
- 6) Village education.
- 7) Improvement of village agriculture by supplying seeds, fertilizers etc. to farmers.
- 8) Collection of taxes and issue licences³.

Optional Functions of the village panchayat were covered under Section 43 of the Act. They are, maintenance of hospitals, maternity and child welfare centres, providing medical relief, first-aid centres for animals, improvement of griculture, promotion of co-operative societies and village industries, establishment of libraries, wrestling ground, public gardens and playgrounds, public markets, slaughter houses and welfare of Scheduled Castes and Tribes.

Source of Income :

The main source of income in Karnataka fo the village panchayats are, share from land revenue, property tax, profession tax, trade tax, tax on vehicles etc. Under section 78, the panchayats were entitled to get 30% of the land revenue collected by the village and 10% of the land revenue collections as a discretionary grant.

TALUKA DEVELOPMENT BOARD :

In Karnataka, the second tier of Block level is known as Taluka Development Board for every Taluka. This Taluka Development Board is composed of the members who are directly elected by the rural population. The number of elected members of the Taluka Development Board is, a Taluka having population less than one lakh population has 15 members and 19 members for a population of a lakh and above. The seats are reserved for the Scheduled Castes and Scheduled Tribes and women also. Local MLAs MLCs and MPs also the ex-officio members of the Taluka Board. The term of office of the elected members is five years.

The Taluka Development Board should meet once in every month. The quorum for the meeting is 1/3rd of the total number of the members. The head of the Taluka Board is called the President or the Chairman, who was elected by the elected members of the T.D.B. The Block development officer is the chief executive officer of the T.D.B.

Functions :

The functions of T.D.B. are, construction and maintenance of public roads, minor irrigation works, promotion of agriculture and co-operative societies, supervising and giving assistance to the Panchayats. The following departmental schemes are implemented through T.D.B.

- 1) Agriculture,
- 2) Animal husbandary,
- 3) Development of village forest,
- 4) Industries,
- 5) Maintainance of rural Ayurvedic despensaries.

Source of Income :

T.D.Bs have been given a very powerful place in the three-tier structure of PanchayatRaj. To perform the functions it collects taxes and fees and penalties levied by the T.D.B. This body mostly depends on Governments grants. The Act has assigned just two taxes to be imposed by them. They can levy a duty on the transfer of immovable property in the shape of an additional stamp duty (not exceeding 3 %) and a tax on animals brought for sale at the markets at the rate not exceeding 25 paise per animal.⁴

DISTRICT DEVELOPMENT COUNCIL :

In the Panchayat Raj hierarchy, at the highest level the third tier is known as District Development Council. This D.D.C. is advosory body in Karnataka.

The D.D.C. is composed of the Local MLAs, MLCs and MPs, (whose constituency lies within the district) Presidents of the Taluka Development Boards in the District and 15 Government officers working in

in the district, who deal with public health, Agriculture, Education, Public works etc. In addition two members of Scheduled Castes and a woman is nominated by the Government. It is clear that, the District Development council is partly manned by the indirectly elected representatives and partly by the Govt. nominated persons. Further more the very fact that the president of the District Development Council is the Deputy Commissioner of the District, the District Development Council becomes a bureaucratic organisation rather than an organisation of the elected representatives of the people.⁵

Functions :

The Deputy Commissioner of the district was to be the ex-officio president of the D.D.C. The Secretary of the D.D.C. which was established by the Act of 1959, was a purely co-ordinated and supervisory body without any executive functions. The functions of D.D.C. were, to approve the budgets of Taluka Boards, co-ordinate and supervise work of Taluka Development Boards and distribute funds sanctioned for the district among the various Taluka Boards.

Source of Income :

No funds have been provided for the council by the Act. Therefore, the District Development Council was completely dependert on the Grants provided by the Government for its expenditure.

The appointment of Deputy Commissioner as the ex-officio Chairman was criticised by many. It has been asked that when both the Panchayats and the Taluka Boards have non officials as Chairman and President respectively. Why should an official be the president of the District Council ? While an official could be the executive authority, it is argued, it is undemocratic and a retrograde step, to make him preside over a policy making body.⁶

The Kondaji Bassappa Committee recommended the replacement of the District Council, which was a purely co-ordinating and supervisory body. The aim of the Panchayat Raj is not only to develop the locality but also to develop rural leadership by participating local administrative affairs. But this Act does not give any scope to the local leaders to hold office of the President in the District Development Board.

The District Development Council is not based on the recommendation of Balwantrai Mehta Committee reports. The District Development Council has no executive powers and not composed by the elected representatives, of the people. It does not have any independent sources of Income, which meant that its expenditures are burden on the state purse. The obvious defect of the present pattern of the Panchayat Raj in Karnataka is that, there is no organic link between the Panchayats and the Taluka Boards, which is essential for the co-ordinated functioning of those local bodies⁷ ".

The Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983.

The Karnataka village Panchayats and Local Boards Act, 1959, was introduced in November, 1959. But the work of these local bodies was not found satisfactory. Hence, the first non-Congress Govt. in Karnataka brought out a new Act called The Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act in 1983. This act was enacted by the Karnataka State legislature in the thirty-fourth year of Republic of India. The said Act provides for the decentralisation of powers and functions under certain enactments to those local bodies for the purpose of promoting the development of democratic institutions and securing a greater measure of participation by the people.⁸

The new Zilla Parishads Act, 1983 received presidential assent on July 10th, 1985. The same was gazzeted on August 2nd, 1985. This act was enacted on the basis of Asoka Mehta Committee recommendations.

The 1983 Act provides tow-tier system of Panchayat Raj in Karnataka but there are four important institutions connected to the structral pattern. They are

- 1) Gram Sabha,
- 2) Mandal Panchayats,
- 3) Taluka Panchayat Samiti, and
- 4) Zilla Parishad.

It would be worth while to study how these institutions are composed, what powers they enjoy and what functions they perform. The sources of income of these bodies are also discussed in this chapter.

1) GRAM SABHA :

The provisions concerned to the Gram Sabha are placed in the second chapter of the Act. The Gram Sabha came in to existence in every village of Karnataka.

All persons, whose names are included in the electoral roll of the Zilla Parishad are eligible to attend and participate in the discussion of Gram Sabha. The Act gives power to the Deputy Commissioner, to constitute a Gram Sabha for a part of a village by notification, if it is necessary.⁹

The Gram Sabha has to meet atleast twice in year. But the gap between the two sessions should not exceed six months. The Pradhan of the concerned Mandal Panchayat shall determine the date, time and place of the Gram Sabha. The Gram Sabha is presided by the Pradhan and Up-Pradhan in his absence. The Gram Sabha will discuss all matters pertaining to the development of the village. The Gram Sabha has power to take decision on the following matters.

- a) It has to create a land army of all the villagers who are able to work and who have good physique.

- b) The Gram Sabha takes decisions regarding on development programmes related to the village.
- c) It has to undertake adult education programme and spread literacy among the villagers.
- d) Gram Sabha should select for all beneficiari es of oriented programmes transferred to the Panchayat Raj system.

The Gram Sabha should perform the functions like, plans for the development of the village, preparing the plan concerning to the cleanliness of the village such as sanitation and drainage.

2) MANDAL PANCHAYAT :

According to the Act of 1983, Mandal Panchayats come above the Gram Sabha. The Mandal Panchayats in Karnataka are based on the Asoka Mehta Committee report. A few villages are brought together under one Mandal Panchayat. Such Mandal Panchayat consists a rural population of not less than 12,000. But this Act provides to reduce this number to the ' Malnad ' districts of Belgaum, Chikkamangalur, Dakshina Kannada, Dharwar, Hassan, Koorga, Shimoga and Uttar Kannada with a population of not less than four thousand may be declared as mandal.

The number of elected members of Mandal Panchayat is not prescribed by the Act. Chapter III, Section 5(1) says, that the Mandal Panchayat shall consist of such number of elected members as may be notified from time to time by the Government.¹⁰ But at the rate of every 400 population, one member should be elected for the Mandal. Perhaps for the first time in India, the age limit is reduced from 21 to 18 years for the voting power. Those, who completed age of 21 years can contest the election of Mandal Panchayat. 25 % of the total number of seats are reserved for women. Out of the reserved seats for women, one seat should be reserved for a woman belonging to the S.C. or S.T. 18 % seats are also reserved for SCs and STs. If by any reason, no person belonging to Backward Classes is elected to Mandal Panchayat, the Zilla Parishad shall nominate two persons belonging to the said classes to the Mandal Panchayat.¹¹

Every Mandal Panchayat should meet for discussion regarding the administration and developmental programmes atleast once in a month. A sitting fee of Rs. 15/- day of sitting shall be paid to each member for attending the meeting of the Mandal Panchayat.¹² The quorum for a meeting shall be one third of the total number of members. An Executive Officer called Secretary is appointed by the Zilla Parishad. He shall draw his salary and allowances from the Zilla Parishad Fund.

Pradhan and Up-Pradhan :

In the first meeting of the Mandal Panchayat, after the elections for mandal, it elects one member as Pradhan and One as Up-Pradhan by the elected members. The Pradhan will preside over all the meetings of the Mandal Panchayat and Up-Pradhan in his absence. The Pradhan and Up-Pradhan would receive a monthly allowance of Rs. 300/- and Rs. 150/- respectively. The term of office of the Mandal as well as the Pradhan and Up-Pradhan is 5 years.

Section 47 of the Act provides the procedure to remove the Pradhan or Up-Pradhan from the post. If the vote of no-confidence is passed by 2/3rd majority vote, then they must resign from their posts. Later a new Pradhan or Up-Pradhan would be elected by the members of the Mandal Panchayat.

Functions :

To secure the all round development of the villages, the Mandal Panchayat performs many functions. Chapter IV of the Act covers the functions of the Mandal. The general functions of the Mandal are as follows:

a) Sanitation and Health :

- 1) Construction, repairs and maintenance of public wells, ponds and tanks, and supply of water for domestic use.

- 2) Sanitation and conservancy and prevention and abatement of nuisance.
- 3) It should construct and maintain the public latrines.
- 4) Disposal of unclaimed corpses and cattle.
- 5) Preventive and remedial measures against epidemics.
- 6) Regulation of sale and preservation of meat, fish and other perishable articles of food.
- 7) Construct the slaughter houses.
- 8) Regulation of buildings, shops and entertainment houses.
- 9) Relief for the destitute.
- 10) Destruction of rats, stray and public dogs.

b) Public works and amenities :

- 1) Construction, repair and maintenance of roads, including cart tracks and bridges in the Mandal Panchayat.
- 2) Removing of obstructions and projections in public streets.
- 3) Maintenance of Govt. buildings.
- 4) Maintenance of tanks and wells meant for drinking purposes.
- 5) Lighting of the villages.
- 6) Regulation of fairs including cattle fairs.

- 7) Planning and preservation of trees.
- 8) Construction and maintenance of Dharmashalas, markets, warehouses, shops and purchasing centres etc.

c) Agriculture and Animal Husbandry :

- 1) Formulation and preparation of agricultural production plans.
- 2) To provide grass lands for the cattle.
- 3) To improve agriculture and distribution of improvement seeds.
- 4) Establishment of nurseries and stores of improved seeds.
- 5) The establishment and maintenance of cattle sheds.
- 6) Provision and maintenance of compost pits.
- 7) Development of fishery, poultry and piggery in the mandal.

d) Welfare of Scheduled Castes and Scheduled Tribes and Backward Classes :

- 1) Promotion of education, economic, social, cultural and other interests of the SCs and STs and Backward Classes.
- 2) Protection of SCs and STs from social injustice and all forms of exploitations.
- 3) Provision of houses, sites for SCs and STs.

e) Other matters :

- 1) Preparation of plans for the development of the area within the Mandal.
- 2) Establishment and maintenance of village libraries and reading rooms.
- 3) Assistance to the residents of the villages when any natural calamity occurs.
- 4) Management and control of washing and bathing ghats.
- 5) Promotion, improvement and encouragement of cottage industries.
- 6) Management of minor religious institutions.
- 7) Development of Mandal forests and farm forestry.
- 8) Promotion and development of co-operative societies.
- 9) Establishment and maintenance of cattle ponds.
- 10) Promotion and welfare of women and children.
- 11) Implementation of schemes for adult literacy.
- 12) Training to rural youth in sports, games and other cultural activities.¹³

The Mandal Panchayats also performed the functions which are transferred by the Government and Zilla Parishad.

The Mandal Panchayat has power to make bye-laws relating to purification and protection from pollution of all sources of water used for drinking purposes, like stream, tank, well, for the regulation of dangerous trade, for the disposal of corpses by burning or burial, for the removal of noxious vegetation, for the removal of ruinous buildings, for the control of fairs and bazars and the regulation of markets, slaughter houses and cart stands, for general regulation of sanitation, for the management and maintenance of cattle pounds etc.¹⁴

Standing Committees :

The Mandal Panchayat should constitute three committees to perform above functions. The standing committees of the Mandal are -

a) Production Committee :

The main aim of this committee is to increase the production and development of agriculture, rural industries, cattle breeding, poultry farming etc.

b) Social Justice Committee :

This committee is established to secure social justice for all rural people particularly those of SCs and other Backward communities. This committee also works for the welfare of women and children.

c) Amenities Committee :

This committee is in respect of education, public health and public works and creates every type of convenience for the rural people.¹⁵

Source of Income :

To perform the above functions the Mandal Panchayat needs huge funds. Therefore, the Act creates a " Mandal Panchayat Fund "¹⁶ to each Mandal. The following shall be paid in to the Mandal Panchayat Fund.

- a) The amount which may be allotted to the Mandal Panchayat Fund by the Government.
- b) The proceed of any tax imposed by the Mandal Panchayat.
- c) All sums ordered by a court.
- d) Sums contributed by the Government or Zilla Parishad.
- e) All sums received by way of loans, contributions from the Government or person or by way of gifts.
- f) The income from or proceeds of any property vesting in the Mandal Panchayat.

The Government shall also make a grant at the rate of Rs. 10/- per person residing in the Mandal calculated on the basis of figures of last census available. Provided that 25 % of the amount so granted shall be paid by the Government to the Zilla Parishad.

Each Mandal Panchayat can collect taxes and fees at such rates as the Mandal Panchayat may levy all or any of the following taxes or fess.

- 1) a tax on entertainments other than cinematograph shows.
- 2) a tax on vehicles other than motor vehicles.
- 3) a tax on mineral rights.
- 4) a fee on bus stands.
- 5) a fee on markets.
- 6) a tax on water, if it is supplied by the Mandal Panchayat.

Mandal Panchayat may levy a duty on transfers of immovable property, such duty shall be levied in the form of surcharge on the duty imposed by the Karnataka Stamp Act, 1957, on instruments of sale, gift, mortgage, exchange and lease in perpetuity of immovable property situated within the limits of Mandal Panchayat at a rate not exceeding 3 %¹⁷.

Thus the Mandal Panchayat collects the funds for over all development of the villages.

3) TALUKA PANCHAYAT SAMITI :

As per the Act of 1983, each Taluka in Karnataka consists one Taluka Panchayat Samiti. This unit of Panchayat Raj is placed by the Act on the basis of Asoka Mehta Committee recommendations. The Taluka Panchayat Samiti is purely a nominated, advisory and supervisory body. The Taluka Panchayat Samiti which consists the following as its members.

- a) **M**embers of the State Legislative Assembly and Legislative Council representing a part or whole of the Taluka whose constituencies concern to the Taluka.

- b) **Members of the Zilla Parishad who represents the Taluka.**
- c) All Pradhans of the Mandal Panchayat in the Taluka.
- d) President of the Taluka Agriculture produces co-operative marketing society.
- e) President of Primary Land Development Bank.
- f) Five members belonging to Scheduled Castes, Scheduled Tribes, Backward Classes, women co-opted by resolution of the Taluka Panchayat Samiti and approved by the Zilla Parishad.

The Act provided that not less than 18 % of the members of the Taluka Panchayat Samiti shall belong to the Scheduled Castes and Scheduled Tribes. The member of the legislative Assembly representing the Taluka shall be the Chairman of the Panchayat Samiti. He will preside all the meetings of the Panchayat Samiti. If, no member is available, or if the member becomes a minister, the Taluka Panchayat Samiti shall elect the Chairman from among its members.

The Taluka Panchayat Samiti will meet once in a month to discuss and to think over the development works of the Taluka. The Block development officer of the Taluka, who is appointed by the Government is the executive officer of the Taluka Panchayat Samiti.

Functions :

The Taluka Panchayat Samiti is assigned to perform the following functions.

- 1) The Taluka Panchayat Samiti officers its advise to all the Mandal Panchayats coming in its area.
- 2) To supervise the work performed by all the Mandal Panchayats in the Taluka and give them necessary advise.
- 3) To help and guide the Mandal panchayats.
- 4) To co-ordnate the work of different Mandal Panchayats situated in the Taluka.
- 5) Enter and impact any immovable property in the Taluka occupied by the Zilla Parishad.
- 6) In relation to works and development schemes to be undertaken in the Taluka and excercise such powers as may be prescribed by the Zilla Parishad.
- 7) To perform such duties which are assigned by the Government and the Zilla Parishad.

Source of Income :

The Taluka Panchayat Samiti has no independent sources of income.



4) ZILLA PARISHAD :

Each district in Karnataka has one Zilla Parishad. There are 19 Zilla Parishads in Karnataka. The urban bangalore district is excluded from implementation of this Act. The Zilla Parishad is the second directly elected tier of the Panchayat Raj system in Karnataka. The Zilla Parishad is having jurisdiction over the entire district excluding city and town municipalities and Municipal Corporation areas, Zilla Parishad is the main body which organizes the rural development of the villages in the district which is the main aim of the Zilla Parishad. The Zilla Parishad has to supervise the functioning of the Mandal Panchayats under its jurisdiction.

The Zilla Parishad is composed by elected members and other members.

1) Elected Members :

These members are directly elected by the rural population on the basis of Adult Franchise. One representative is elected for every 28,000 rural population except the Kodugu district. Every 12,000 rural population of Kodugu district will elect one member to the Zilla Parishad. 25 % of the seats are reserved for women. Provided that out of the reserved, one seat shall be reserved for a women belonging to the Scheduled Castes or Scheduled Tribes.²⁰ Out of total elected seats, not less than 18 % seats are reserved for Scheduled Casts and Scheduled Tribes.

All citizens who have completed the age of 18 years are qualified to vote in the election of Zilla Parishad. A person above 25 years of age is qualified to contest the election of Zilla Parishad. The term of the members of the Zilla Parishad is of five years.

2) Other Members :

- i) The president of District Central Co-operative bank shall be an associate member without voting right.
- ii) Member of the State Legislative Assembly and State Legislative Council and also the members of the Parliament representing part or the whole of the district shall also be members with voting right. But they cannot hold the office of the Adhyaksha or Upadhyaksha.²¹

Adhyaksha or Upadhyaksha :

After elections to Zilla Parishad are over, the elected members of the Zilla Parishad shall elect from among themselves. One as Adhyaksha and one as Upadhyaksha. The Adhyaksha is the executive head of the Zilla Parishad. He has the rank of a Minister of State in the Government of Karnataka and the status of Upadhyaksha would be equal to the status of the Deputy Minister.

The Zilla Parishad shall meet at least once in a month. The Adhyaksha will preside over the meeting and the Upadhyaksha in his absence. Apart from the general sessions of the Zilla parishad, special

sessions may also be called to meet. The quorum for the meeting of the Zilla Parishad would be 1/3rd of its total members. The officers of the different Governmental departments can also attend the meeting. In the meeting of the Zilla Parishad any matter in its jurisdiction is discussed.

Functions :

The following are the chief functions of the Zilla Parishad.

1) Developmental Functions :

Achievement of the economic development of the whole district is the main function of the Zilla Parishad. It coordinates the various developmental programmes of the Mandal Panchayat submitted to it. The Zilla Parishad should prepare plans for the development of the district.

2) Agricultural :

- a) To increase the production in agriculture by adopting improved methods of cultivation.
- b) Establishment of agricultural seeds and farms.
- c) To open the agricultural schools.
- d) Construction and maintenance of godowns to stock the agricultural produce.
- e) To protect the crops.

3) Animal Husbandry :

- a) Establishment and maintenance of district, Taluka and village veterinary hospitals.

- b) To arrange first-aid centres and mobile veterinary hospitals to give treatment for the cattle.
 - c) Development of dairy.
 - d) To fight epidemics among the cattle.
- 4) Welfare of the Backward Community :
- a) To undertake educational, social, economic and cultural development plans.
 - b) To improve the conditions of the Backward Communities.
 - c) Protecting these communities from exploitation.
 - d) To open the hostels for scheduled castes and scheduled tribes and Backward Community people.
- 5) Building and Roads :
- Construction and maintenance of roads and building in the district and also the bridges of Zilla parishad area.
- 6) Public Health :
- Management of hospitals and dispensaries in different places of the district. To arrange the fairs and other celebrations in the rural areas.
- 7) Irrigation and ground water Resources :
- a) To construct, maintain the minor irrigation schemes in the district.
 - b) To develop underground water resources.

8) Industries :

The Zilla Parishad should develop the rural and cottage industries. The Parishad should set-up centres to train the village youth in the various village industries.

9) Development of Horticulture :

To develop horticulture in the district and cultivation of fruits and vegetables.

10) Development of Co-operation :

The Zilla Parishad should encourage co-operative societies in all fields of rural life.

11) Education and Social Service :

The Zilla Parishad should open primary and secondary schools. It should undertake social service in the district. Establishment of Youth clubs, Mahila Mandals and Rait Sangh etc., are also included. It must run hostels, Ashram Schools and Orphanages.

12) Fisharies :

The Zilla Parishad should develop fisheries, wherever it is possible to do so.

13) Rural Electarification :

It would electrify all the villages coming under its jurisdiction.

14) Other Powers :

Contribution to association at all India, State and inter-state levels. It should arrange exhibitions, seminar and conferences related to the achievements of activities of Mandals and Zilla Parishad.²²

The Zilla Parishad also performed the functions transferred by the Government to it.

Source of Income :

Each Zilla Parishad has the ' Zilla Parishad Fund '. This Fund is collected by the following items.

- 1) The amount transferred to the Zilla Parishad Fund by appropriation from out of the consolidated fund of the State.
- 2) All grants, assignments, loans and contributions made by the Government.
- 3) All fees and penalties paid to or levied by the Zilla Parishad.
- 4) All rents from lands or other properties of Zilla Parishad.
- 5) All interests, profits and other money accumulated by gifts, grants from private individuals or institutions.
- 6) All sums received by or on behalf of the Zilla Parishad by virtue of this or any other act.²³



Officials of Parishad :

To carry the day to day work of the Zilla parishad, the Government appoints a few officials for the Parishad. An officer not below the rank of the Deputy Commissioner of the district shall be the Chief Secretary of the Zilla Parishad. He acts as the Secretary of the Zilla Parishad. The Deputy Secretary appointed by the Government would help the secretary in the day to day work of the Zilla Parishad. The Chief Accountant is responsible to maintain all the accounts of the Zilla Parishad.

Nyaya Panchayat :

For the speedy disposal of cases, Govt, may establish a Nyaya Panchayat for every Mandal on the recommendation of Zilla Parishad.²⁴ The composition, tenure, powers and functions of Nyaya Panchayat are mentioned from 11th to 14th chapter of the 1983, Act.

Accordingly a Nyaya Panchayat consisted of five members elected in accordance with the system of proportional representation by single transferable vote, by the Mandal Panchayat concerned. Among them one member shall be a woman and one shall belong to the Scheduled Caste or Scheduled Tribe, and one member shall belong to the Backward Class.²⁵ A person, who will contest for election to become a member of Nyaya Panchayat, must complete the age of 40 years and he must be resident of concern Mandal Panchayat.

This body of Nyaya Panchayat was not introduced by the Government of Karnataka. According to this Act, Elections are conducted only to the Mandal Panchayats and Zilla Parishads in 1987, but not to the Nyaya Panchayat. The Government declares that, Nyaya Panchayats are introduced only after five years of the commencement of Panchayat Raj system in Karnataka. Now, the Government of Karnataka has introduced new Act called " Karnataka Panchayat Raj Act, 1993 in place of 1983, Act, in which there is no place for Nyaya Panchayats." Therefore, we need not attempt an indepth inquiry regarding the Nyaya Panchayats in this research study.

THE KARNATAKA PANCHAYAT RAJ ACT - 1993 :

The Karnataka Panchayat Raj Act 1993 was passed by the Karnataka Legislature in the place of the Karnataka Zilla Parishads, Taluka Panchayat Samitis, Mandal Panchayats and Nyaya Panchayats Act, 1983. It is based on Seventy-second constitution (Amendment) Bill of 1991.

The Act provides a three tier Panchayat Raj system in Karnataka. The three-tier are -

- 1) Gram Panchayat at village level,
- 2) Taluka Panchayat at Taluka level,
- 3) Zilla Panchayat at District level.

All the three bodies of the Panchayat Raj system, are composed by the elected representatives of the rural people. This Act is

implemented, for greater participation of the people and more effective implementation of rural development programmes in the state.

The New Act 1993, provides reservation of seats for Scheduled Casts and Scheduled Tribes in proportion of their population in all the three bodies. In the same way one third of the total members at all levels are reserved for women representatives.

One of the great highlights of this Act is, reservation of seats of Chairperson office at all levels for the persons belonging to Backward classes citizens. It also provides reservation of offices of Chair persons at all levels in favour of Scheduled Caste, Scheduled Tribe and women.

The Act of 1993, gives the power to the Government to organize separate Election Commission to conduct the elections of Panchayat Raj bodies at all levels. It also provides to organise the Finance Commission and District Planning Committee.

First time in the history of Panchayat Raj system in Karnataka, the office of the Chair persons are reserved for Scheduled Caste, Scheduled Tribes Backward class people and for women.

This new Act of 1993, was introduced in Karnataka on 10th May, 1993 by the notification of the Government of Karnataka. The rural development and Panchayat Raj Minister has assured that, the elections of Panchayat Raj bodies will be conducted in the month of December 1993, for the first time after implementation of this Act. Accordingly the elections are to be held on 29th December 1993.

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