



**CHAPTER I**

**HISTORY OF PANCHAYAT RAJ**

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CHAPTER - IHISTORY OF PANCHAYATI RAJMEANING OF PANCHAYATI RAJ:

Panchayati or Panchayat Raj may be paraphrased as Rural Local Self Government in India. The word Panchayat is a Sanskrit word and it can be understood to parts as ' Panch ' and ' Ayat ' in order to understand its literal meaning. The word ' Panchen ' in Sanskrit, which indicates number five. According to Indian mythology, number five is considered to be sacrosanct for one reason or the other, e.g. God created this world out of five elements so also by controlling one's five senses, and through this one can achieve ' MOKSHA ' the highest aim of life. Therefore, the villagers considered the Panchas as the five arbiters, or the representatives of God, and all that they speak they speak for God. 'Ayatan ' is the other Sanskrit word which means place or house. In this sense, Panchayat means an asode of Panchas. Thus literally Panchayat means an organisation for adjudication of disputes.

PANCHAYATS IN ANCIENT INDIA:

Before the emergence of the State, it was a world of kinship groups and tribes. Their pattern being as varied as the patterns of culture. Their territorial extent was relatively small and local. Thus the early Vedic Period

presents a picture of relatively simple tribal monarchy.

According to Premathanath Banrjee:

" In the early Vedic Times, the villagers themselves managed the simple affairs of the village, but the States being small, there was hardly any distinction between the Central and Local Government. In course of time, however, it was found necessary to have a separate organisation for the management of local affairs, as the States grew larger and larger in size and the distinction between the two kinds of Governmental activities became more and more marked <sup>1</sup>.

In this context also N.V.Ghoshal can be quoted in full, " The most remarkable feature of the early Vedic polity consisted is the institution of popular assemblies, of which two, namely, the Sabha and Samiti, deserve mention. Amid the obscurity of the texts and their inconclusive interpretation by different scholars, we may draw the following general conclusions about the constitution and functions of these bodies. The Samiti was the Vedic fold assembly par excellence, which at least in some cases

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1. Banerjee Pramathnath, Public Administration in Ancient India, - Indian Reprints Publishing Co., Delhi, First Indian Reprint, 1973, p.289.

enjoyed the right of the electing the king. While the Sabha exercised probably from the first some judicial functions. Both the Samiti and Sabha enjoyed the right of debate, a privilege unknown to the popular assemblies of other ancient peoples"<sup>2</sup>.

#### PANCHAYATS IN VEDIC PERIOD:

The village organisation thus functioned in ancient times as a centre of community life and used to discharge, even functions related to internal defence and security, quite independently of the State, which followed a policy of non-interference, so long as it received its share of land revenue. In those days, the means of communications were very poor and the importance of the village administration was naturally very great. " The villages were formed out of the conditions created by natural circumstances, so also the village institutions had their origin and growth out of these conditions of tribal life"<sup>3</sup>. The village administration was considered as an important unit. Perhaps under the present system, village administration compared to the Vedic and Ancient period was better than what it is today.

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2. Ghoshal, V.N., 'Political Organisation The Monarchical States', The Cultural Heritage of India, Vol. II.
  3. Samant (Dr.) S.V., 'Village Panchayats ', Bombay, p.11.

Normally speaking " there was only one headman for each village. His post was usually hereditary, the government having the right to nominate another scion of the family if the successor of the son was not approved. By caste, he was usually a non-Brahmanan. He was the leader of the village militia and therefore, he often belonged to the Kshatriya caste, sometimes, even Vaishyas too aspired for and obtained the post"<sup>4</sup>.

His powers and responsibilities in relation to the village were comparable to those of the king in relation to the State as a whole. Thus, the ' Gramani ' was responsible for the defense of the village, the collection of land revenue and other taxes, maintenance of internal peace, ( to discharge these functions he was endowed with necessary judicial powers ) and welfare activities in general. Therefore, the ' Gramani ' was the keyst-one of the village structure and was looked upon as ' father and mother '<sup>5</sup>. Since early times, the ' Gramani ' or village headmen, being a nominee of the king was a key figure in the administration of the village, to whom the advice of an informal body of elders ' gramavriddas ' was available.

4. Altekar, A.S., ' State & Government in Ancient India', 3rd Edn., 1950, Delhi, p.226.

5. Purwar, V.L., " Panchayats in Uttar Pradesh, Lucknow, ' p.1.

Prof. Macdonal points " the Gramania post may have been sometimes hereditary and sometimes nominated or elective; there is no decisive evidence available"<sup>6</sup>. The king was directly responsible for the administration, protection and management of the village communities in the State. On the basis of various ancient sources, we find that " each occupational group had its own separate Panchayat whose Chairman was known as the " Shreshthe "<sup>7</sup>. Prof. Altekar an authority points, " the village Councils appear to have evolved into regular bodies in the Gupta period at least in some part of India". He further observed " Village Council's were known as Panchamandalis in Central India and Gram Tanapadas in Bihar"<sup>8</sup>. Panchamandalis, a Council of Board of five was apparently the ' Village Council ' comprising of five persons and the Panchayat had the village headman.

Both in theory and practice, the village headman was normally considered as the pivot of village administration. In so far as the village headman was a part of his village community, and was regarded as its representative, head, there was an element of ' Self Government ' in the village.

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6. Atharva Veda: 1-9-3: Shatpath Brahmana, 13-7-1-1.
7. Atharva Veda: 1-9-3: Shatpath Brahmana, 13-7-1-1.
8. Altekar, A.S. ' State & Government in Ancient India, 3rd Edn., Delhi, 1950, 0.229.

The village, Panchayat, being in a sense a projection of the caste Panchayat at the level of the village, commanded considerable moral authority and provided a wider base to the ' Self Government ' mentioned above. But the functions which the Panchayat as such exercised, were of a kind which could not normally be confused with the basic functions of Government. The Moghals also introduced a more elaborate administrative machinery particularly in the field of revenue " with a highly bureaucratised hierarchy of officials called Manusbadars"<sup>9</sup>. Further the creation of Jagir system, Zamindari or feudal system of Moghals to collect land revenue through malguzars or contractors performed the important functions of village panchayats viz. collection and payment of village land revenue to the Government by Panchayat. Gradually the village Panchayats came under the spell of these feudal lords or intermediaries, and hence they became the headman of the village. Not only this the title of village headman became hereditary and Panchayat became obligarchic body.

#### LOCAL SELF GOVERNMENT DURING BRITISH PERIOD:

Rise of British Rule, and the Administrative policies of the British Rulers had adversely affected the very

9. Misra, B.B., ' The Administrative History of India ', 1834-1947, p.630.

existence of Panchayat in India. The British Rulers in the initial stages of East India Company Rule, were mainly interested in the expansion, consolidation and strengthening of their political power in India. Therefore, they brought in the system of centralised administration. They also imposed a new system of land revenue, under which land revenue was collected from each farmer rather than from the village as a whole. Not only this, they also collected land revenue in cash instead of food grains. They did not want to bear the loss of revenue even at the time of famines. Further the development of rapid means of transport and communication which ultimately brought about the end of political Institutions and economic self sufficiency of our villages. The British Administrators soon realised the importance and necessity of local institutions as they wanted to be relieved of the heavy burden of the highly centralised functions of the Government, Urban Local Government attracted the attention of the British Rulers long before the Rural Local Government.

The great revolt in 1857, and the financial administrative and social factors paved the way for the growth of Local Self Governing Bodies. The British Crown by this time realised the inadequacy of highly centralised system of Government and the need to channelise the energies of the more articulate sections. The most pressing problem, was



the relief of imperial finance which was in bad shape, on account of great rebellion from the year 1857 to 1861. The British Government had a deficit, amounting to 36 millions. The British thought desirable to decentralise authority, and pave the way for better collection. It was in this context, the Taxation Enquiry Committee 1953-54<sup>1</sup> rightly pointed out the need for the association of Indians with administration by which taxes could be more easily imposed and collected, this prompted the early British Indian Administration to embark on the introduction of Local Self Governing institutions in this country. The resolution of Lord Mayo (1870) on financial decentralization also visualised as the development of Local Government institutions, but this was subordinate to the need for tapping local sources of revenue and affecting economy by decentralised administration<sup>10</sup>. The real development of villages, in the modern sense, started after the report of the Royal Army Sanitary Commission in 1863, and village on the basis of report village sanitation Acts were passed in many provinces<sup>11</sup>.

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10. Report of the Taxation Enquiry Committee (1953-54, Vol. III, Government of India, p. 21).
11. Quoted from Quarterly Journal of Local Self-Government Institute, Vol. II, pp. 449-450.



Rural areas received some attention through 'District Funds Committee' set up during the sixties in a few States. These "officially controlled bodies were empowered to levy a cess on land revenue and education and road cesses. The Local Fund Acts of Bombay and similar Acts in Madras, Bengal etc., provided for 'Advisory District Committees' under the Presidentship of the District Magistrate and comprising officials and nominated landlords, they had no power, and the funds available were so minute that no proper public services were possible"<sup>12</sup>.

#### LORD MAYO'S RESOLUTION 1870 AND THE LOCAL GOVERNMENT:

It was Lord Mayo's Resolution of 1870 which provided a significant impetus to the development of Local Government, both by rural and urban. This seems to be the first attempt to develop local self government in rural areas in a systematic ways. But beyond all this, there is greater and wider object in view. Local interest, supervision and care are necessary for the success in the management of funds devoted to education, sanitation, medical relief and local public works. The operation of this resolution in its full meaning and integrity will afford opportunities for the development of self government.

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12. Tinkar Hugh, "Local Self Government in India, Pakistan and Burma", Lalvani Publishing House, Bombay, First Indian Edition, 1967, p.39.

With this object in view, the Government of India transferred to provincial governments certain departments of administration, of which education, medical services and roads deserve a special mention. The Provincial Governments were given grants smaller than the actual expenditure on these departments and were required to meet the balance by local taxation. In 1871, Acts were passed in respect of Local Self Government for rural areas in the Provinces of Bombay, Punjab and the North Western Province ( Uttar Pradesh ) as a result of Lord Mayo's resolution.

A similar legislation ( Act of 1896 ) was already in operation in the Province of Bombay. Though the primary object was to enlarge the powers and responsibilities of the governments of presidencies and provinces in respect of the public expenditure, in some of the Civil Departments<sup>13</sup>. ( Like Road, Education, Medical services, Civil Buildings, Police etc). It spoke of the " greater and wider object in view; to harness local interest, supervision and care for the management of funds devoted to education, sanitation, medical charity and local public works"<sup>14</sup>.

13. M.Venkatarangaiya, and M.Pattabhiram, " Local Government in India", Calcutta, 1969, p.103.

14. Ibid., p.103.

These committees were dominated by officials and there was no provision for elections. The private members could have, only inadequate knowledge and little interest in affairs of a larger area like the district.

#### RIPON'S RESOLUTION OF 1882:

Since the passing of Lord Mayo's Resolution of 1870, considerable progress was made both in the number of usefulness of local institutions. However, Mayo's Resolution of 1870 could not satisfy the interests of Indian people as they were almost wholly dominated by non-Indians. The Local Government hence it was felt that it was neither " local " no self government. Lord Ripon who succeeding Lord Mayo Resolved in 1882 to make Local Government an self governing institution. He was rightly credited with a new philosophy of Local Government. To him Local Government was predominantly an instrument of political and popular education, which he tried to introduce. The resolution embodying this doctrine has been hailed as the 'Magna charta' and 'Lord Ripon' it's author as the father of Local Self Government in India; which no student of Local Self Government in India can ignore.

We may now outline the salient features of the scheme of Local Self Government proposed in the resolution, which is quoted here in length.

" The Local Boards both urban and rural, must everywhere have a large preponderance of non-official members. The number of official members should not exceed one third of the whole. Members should be elected wherever possible, the principle of election to be extended progressively from the more advanced units to the less advanced ones. Provincial governments could decide about the system of election in their provinces simple or cumulative votes, election by wards or castes or occupation etc. After consulting the ' Leading Natives ' control should be exercised from without rather than within. Wherever practicable the Chairman of the Local Boards should be non-official persons and the jurisdiction of local boards should be small enough to ensure local knowledge and local interest. e.g. the sub-division, the Tehsil, the Taluka etc., and the district boards being a co-ordinating and supervising body <sup>15</sup>.

Ripon's Resolution gave a definite lead to the advancement of Local Self Government and gave a concrete and practical form, to the hopes and aspirations of the

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15. M.Ventatarangaiya & M.Pattabhiram (Ed.) Local Government in India, Calcutta, 1969, pp.112-18.

Indian people. Thinker Hugh draws our attention to an interesting feature, " The most remarkable innovation proposed by Lord Ripon in 1882 was the establishment of a network of Rural Local Bodies"<sup>16</sup>. It created a two tire system with district boards and sub-district boards based either upon the sub-division for the Tehsil. The sub-division, Taluka or Tehsil was ordinarily to be the maximum area placed under a local board. The district boards was envisaged as a supervising or co-ordinating authority. The district was adopted as the unit of rural local government. This innovation was of far feaching consequences for the future. The ancient foundation of the village system had been neglected and a super structure of the rural local govern-ment was imposed from the above. The villages did not feel the impact of the new system.

It may, however, be noted that even this resolution did not contemplate the revival of the old village institution. The resolution in clear terms, " called upon the provincial governments to extend throughout the country a network of local bodies charged with definite duties and entrusted with definite funds and emphasised on the necessity

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16. Tinkar Hugh, Local Self Government in India, Pakistan and Burma, London, 1954, p.52.

of having the area of the local unit so limited as to ensure both local knowledge and local interest on the part of each of the members"<sup>17</sup>.

In Bengal, an effort was made to give full affect to these recommendations. But the Secretary of State for India, vetoed the bill. As a result, the above recommendations, the laws enacted between 1883 and 1885 in various provinces had one common feature. They created " a two tire " system with district boards and sub district boards based either upon the sub-division or the Taluka (Tehsil). Most of the provinces entrusted the district boards with all the funds and almost all the functions of Local Self Government and provided for the delegation of money and power to the sub-districts boards"<sup>18</sup>. However, it may be noted that these district boards continued to be dominated by officialdom with Collector as the Chairman, inspite of the recommendations to the contrary made in Ripon's resolution.

Since Lord Ripon's Resolution of 1882, not much work was done in the field of a Local Self Government. The scoring discontent among the Indian masses with the British Rule led the appointment of a Decentralisation Commission in 1907. The Commission under the Chairmanship of Sir Charles Hobhour was assigned the function of studying the causes

17. Samant (Dr.) S.V., 'Village Panchayat', Bombay, p.27.

18. Ibid., p.27.

of the growing discontent in India and suggesting remedial measures. The Commission worked for two years and submitted its report in 1909. It observed that the development of genuine Local Self Government even after Lord Ripon's Magnacharta, was inadequate and unsatisfactory.

Another significant stage in the history of development of Local Self Government was the outbreak of the first great world war in 1914. The great war of 1914-1918 made the British Government to feel it necessary to gain the support and co-operation from the people in India. Therefore, the war of 1914-1918 necessitated the reconsideration of the recommendations of the Decentralisation Commission of 1909 and the Government Resolution of 1915. The Montagu Chelmsford ( Popularly known as Montford report), represented the recommendation of the Decentralisation Commission with greater force. The British Government came out with a historic declaration in 1917 that " the policy of His Majesty's Government, is that of the increasing association of Indians in every branch of the administration and the gradual development of the Self Governing institutions with a view to the progressive realisation of responsible government in India, as an integral part of the British Empire"<sup>19</sup>. The Government at the same time made it clear

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19. Announcement made by ' The Secretary of State for India in British Parliament' on 20th Aug, 1917.



that the broadening of the base of Local Self Government bodies was one of the substantial steps to be taken in that direction. Local Self-Government was thus invested with a great significance attached for the political advancement of the country and Indianise the administration in India. In pursuance of this policy, the Government of India on 16th May, 1918 issued a comprehensive resolution which came very close to that of Lord Ripon's Resolution of 1882, in its character of contents and embodied certain basic principles with a view of establishing complete popular control over local bodies. For this purpose, the resolution made the following recommendations:

- 1) That there should be substantial elected majority in all the local bodies whether they were Municipal Committees or Rural Boards. Nomination was permitted to be retained for securing due representation of minorities, but the strength of nominated members was not to exceed one fourth of the total strength.
- 2) That elected non-official presidents should replace the official Chairman of the Local bodies. Where heavy work of administration existed in large District Boards, special executive officers should be appointed.

- 3) The franchise should be liberalised to such an extent that the constituencies become really the representatives of the tax payers.
- 4) The Boards should be authorised fully to impose and collect taxes within the limit as laid down by law.
- 5) The Board should have free hand in the case of budgets but they must have surplus balances.
- 6) The Government should determine the conditions of service of local body's permanent employees, Secretary, Executive Officer etc.
- 7) The Resolution emphasized and supported the establishment of village Panchayat throughout the country and stressed the advisability of developing corporate life of the villages.

The only immediate action taken on this Resolution was that the District Officers were relieved of their duties as the Chairman of the District Boards in all the provinces, except in Punjab. Beyond this, nothing substantial was done and the educative principle continued to be subordinated to the desired efficiency and immediate results.

**PROGRESS UNDER DYARCHY:**

Under the dyarchical system of Government set-up by the Government of India Act, 1919, the Department of Local Self Government was transferred to the hands of Indian Minister, who was responsible to the provincial legislature for the same. It was expected that rapid progress would be made in the development of Local Self Government since power was in the hands of Indian Ministers, Unfortunately not much could be done on account of paucity of funds. The finance was a Reserved Subject, and under the control of an Executive Counciller, who was an Englishman and who could naturally have no sympathetic considerations towards nation building activities in India. In spite of this, Acts were passed affecting the constitution powers and functions of Self Governing institutions in various provinces. Practically, all the Acts aimed at, lowering the franchise, increasing the elected element to the extent of making it the immediate arbiter of policy in local affairs and at passing executive direction in the official hands. Autonomy in 1937, under the Government of India Act, 1935, gave further impetus to the development of Local Government in India, when Local Government was classified as a provincial subject.

During this period, the provinces launched investigation into local governing bodies, with a view to making

them apt institutions for conducting local affairs. Under this Act, the Department of Local Self Government remained in the hands of the Ministers, who were accountable to the popularly elected legislature. Moreover, the finance which proved a bottleneck under the Act of 1919, remained too longer a reserved, subject. Naturally, efforts were made to democratise local bodies and improve their structure and working. The element of nomination was almost done away with and the local bodies finances improved naturally.

However, it is important to note that much headway could not be made on account of the paucity of funds. The Congress Ministry which had come to power in 1937, had to resign on account of differences with the British Government on the outbreak of the Second World War. As the time given to them was not long, it could not make rapid progress. According to Prof. M. P. Sharma, " but all such legislation was only of an interim and piecemeal character pending a through overhaul which was to come latter, no where the problem of reorganisation was tackled in a comprehensive manner. During the years of the constitutional deadlock (1939-40), no progress in local government reform could be expected although the discussion of the problem continued"<sup>20</sup>.

20. Sharma, M. P. 'The Local Self Government in India', p. 40.

Needless to mention that it was wrong to suppose that the system of provincial autonomy was intended to establish responsible government in India. The Simon Commission rightly pointed out that:

" the self government in India was neither an unqualified success nor an unmitigated failure ".

This shows how the evolution of Local Self Government has taken place.

#### PANCHAYAT IN THE POST INDEPENDENCE PERIOD:

Since the Congress assumed office in the provinces in 1946, nearly after a lapse of seven years, the prospects for Panchayat became brighter. In some bigger provinces like Central Provinces of Berar, United Provinces, even before the dawn of independence i.e. on 15th August, 1947, a bill in respect of Panchayat Raj was introduced in United Provinces to review the institution of Panchayat Raj; which was introduced in the further enactments. United Provinces was the first State to give a lead in this matter. The first comprehensive village Panchayat Act was passed in 1947; which became a model for other States. This was followed by other States, and by 1959, almost all the States had created separate department for the administration of Panchayat Raj Act, to arrange for the organisation of Panchayats through their field staff



and to supervise their work. The broad features of the Panchayat Act enacted by various provinces after Independence were:

- a) Strengthening the edifice of village Panchayats,
- b) Developmental objectives.

As regards the first objective, we can state that the Panchayat was fairly rapid. By the end of First Plan, there were 1,23,670 village Panchayats covering more than half the total number of villages in the country. As far as the second objective of rural development is considered, it can be said that the independence of the country provided the opportunity for rapid rural development.

The Planning Commission on the first plan rightly observed that:

" Although there are exceptions, the Panchayat as an institution had not yet become the instrument of village community yet. In practice, few Panchayats discharged all the functions entrusted to them and the activities of many of them suffered from local functions, lack of resources and want of guidance"<sup>21</sup>.

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21. Planning Commission, Government of India, New Delhi, 1951, p.133.

The Planning Commission further added, " unless a village agency can assume responsibility and initiative for developing the resources of the villages, it will be difficult to make a marked impression on rural life. As the village agencies of the State Government cannot easily approach each individual villager separately, progress depends largely on the existence of an active organisation in the village, which can bring the people in to common programmes to be carried with the assistance of the administration"<sup>22</sup>.

An important development during this period was the association of Panchayats with the Rural Community Development Programme. The involvement of the Panchayats was secured and the Panchayats were represented on the Block Development Committee ( formerly Block Advisory Committee). They were also made the agency for executing local development works costing up to Rs.30,00. A Panchayat Extension Officer, was added to the block staff to educate and advice the Panchas regarding their duties and opportunities with regard to the community development programme. The Panchayats were visualised as the base agencies for carrying out social and economic transformation.

Due to new enactments or amendments to the existing Acts passed in various State Legislatures during this period (1948 to 1958), the number of Panchayats and their

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22. Ibid.,133.

elected members, no doubt, increased and the range of powers and functions also got widened. However, though the Panchayats were empowered to levy some more taxes, the exercise of taxation powers was subject to specific conditions. The imposition of taxes, the variation in the rates etc., required the approval of the State Governments.

The Panchayats, therefore, could not levy taxes except in accordance with the rules and orders of Government which in most of the cases were very elaborate and irritating. The result, was Panchayats were reluctant to levy taxes and as such were unable to perform even the obligatory duties for want of adequate funds, and the impressive list of discretionary duties for want of adequate funds, remained in the Act only. The overall picture of the rural institutions in India was gloomy. The District Boards were generally, inactive content with the routine matters. There was no system of institutional co-ordination within the district. The early attempts to seek the involvement of the people in the development programmes was met with disappointment. Five years experiences with the Community Development Programme revealed that there was something seriously wrong with the system and fundamental changes were perhaps essential.

The village Panchayat institutions, therefore, continued their existence more or less under the same



laws and conditions, as were in pre-independence days till the acceptance of ' Democratic Decentralisation ' proposed by the Balavantry Mehta Committee in 1957.

After Independence the State and Central Government had to grapple with the problems of poverty, illiteracy, unemployment and to provide for primary amenities and improve the living conditions of the people and set the country on the road, for rapid economic development in order to meet the wishes and aspirations of the masses. The Central and State Government had to undertake comprehensive development schemes and welfare programmes through successive ' Five Year Plans ' in order to provide the Indian masses with opportunities to lead a good free and full life. The community development programme initiated in the first plan was intended to develop the rural areas intensively with the co-operation of the people. It was later on decided to establish National Extension Service all over the country. An attempt was made to harness local initiative through the formation of ad-hoc bodies mostly with nominated and official personnel and invariably advisory in character.

The Second Five Year Plan emphasised the need for creating with the district a well-organised democratic structure of administration in which village Panchayats

would be organically linked with popular organisation at the higher level. In such structure, the functions of the popular body would include the entire general administration and development of the area, other than such other functions as law and order, administration of justice, and certain functions pertaining to the revenue administration. However, it soon became evident that the peoples indifference was proverbial and their participation remained unsatisfactory. The rural institution lacked the capacity to shoulder the responsibility of social and economic tasks before the community. In the words of Panchayati Raj Institution Committee ". The public involvement was not representative enough and as such not effective"<sup>23</sup>. This towards that as rural masses were not educated, they failed to realise the importance of local self government.

Regarding the local bodies the committee observed that " the ad-hoc advisory bodies associated with them, have so far given no indication of durable strength nor the leadership necessary to provide the motive force for

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23. Maharashtra Rural Development Department, Report of the Committee on Panchayat Raj (Chairman L.N. Bongirwar), Bombay, 1971, (Referred as Bongirwar Report).

continuing the improvement of economic and social conditions in rural areas"<sup>24</sup>. Regarding the district Board, the Mehta Committee pointed, they were created to educate our people in self-government, but they neither have the tradition nor resources to take up the work. As regards functions, the district boards were mainly concerned with education, medical, sanitation and public works. They generally maintained primary and middle schools.

The performance of the district boards, in general, was considered to be not 'encouraging'. The financial resources were becoming increasingly inadequate in relation to their expanding activities. The Boards have somehow managed to keep going mainly through increased financial assistance by the State Government in the form of larger grants and loans. In a view states, primary education has been transferred to an independent ad-hoc body, the District School Board are vested in the District Superintendent of Education, who is appointed by the State Government.

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24. Balwantray G.Mehta, et.al Report of the Team for the Study of Community Projects and National Extension Service, (New Delhi,1957).

## HISTORY OF PANCHAYAT RAJ IN MAHARASHTRA:

### District And Taluka Local Fund Committees:

The commencement of Local Self Government in the Bombay State started with establishment of District Local Funds Committee under Bombay Act, III of 1869. Under this Act, local fund consisting of local cess of an 'anna' in a rupee of land revenue, toll and ferry charges not specifically excluded, and surplus cattle pound receipts. One third of the cess receipts were required to be used for expenditure on education and the balance for local works. The District Local Funds Committee was a nominated body, the members were nominated by Government Taluka Committee were also set up according to the rules framed under the above Act.

### DISTRICT LOCAL BOARDS:

As a result of the Ripon Resolution, the Bombay Local Boards Act was passed and the local boards were established. These boards consisted of elected and nominated members. An amendment in 1915 reduced the number of nominated members of the board. In 1923, the Bombay Local Board Act was passed under this act, the district local board became directly elected body and the qualifications for voters in its elections were the same as those for the Local Legislative Council. Under the Bombay Primary

Education Act of 1923, the entire control over primary education was transferred to a local body. The district school board was constituted for each district under the Bombay Village Panchayat Act of 1920, the Panchayat was constituted under an elected body with village ' patil ' as its ex-officio member. Supervision and control over village Panchayat was given to the District Local Boards. The Village Panchayats were entrusted with local functions of civic nature.

The Bombay Village Panchayats Act, 1933, empowered the village Panchayats to take up various activities, including, some socio-economic functions and to levy various taxes and duties to increase their income. There was however, not much progress particularly on account of formation of village upliftment associations which were sponsored and aided by Government for the purpose of rural development.

#### DEVELOPMENT AFTER 1935:

When the popular ministry assumed office in 1937, they under took legislation to make local bodies truly representative in the Bombay State. Therefore, in 1938 Bombay Act of XXIII was passed. This Act dispensed with nomination, and also abolished Taluka Boards as they were found to be useless in practice and by abolishing

them, the village Panchayats were strengthened. District Local Board functioned through a standing committee, Public Health Committee and other committees constituted as provided in the Act. The Act also empowered the Government to appoint a Taluka Committee for a specific area to exercise powers and perform duties and supervision and advice the District Local Board.

The experience of the working of District Local Board created under the Act of 1923, was not satisfactory. The Act of 1923 was amended for the first time in 1937 and again in 1947 to remove the drawbacks in the working old Act. The result was that the administrative offices of the District Local Board was given additional powers such as transfers of employees and disciplinary actions to be taken against the staff of School Board subject to the instructions issued by the Director of Education. The Government also formed district building committees for the construction of school buildings which became necessary in the wake of government decision to introduce universal primary education.

#### DISTRICT DEVELOPMENT BOARD:

As early as in 1937, the Government recognised the need for providing co-ordinated approach to the problems of rural development through popular efforts and with the advice and assistance of non officials and rural workers.

With this end in view during 1937 to 1939 specific Acts were passed e.g. Agricultural Relief Acts, Agricultural Produce Markets Act, Tenants Act etc. The Government had set up the Rural Development Department in 1939 with the object of strengthening co-operative movement in the rural area, improvement of agriculture and live stock reclamation of wast land, promotion of cottage industries etc.

In 1939, Rural Development Boards were set up in each district with the object of assisting and advising the officer in rural development department controlling and supervising the work of Taluka Development Association, preparing and organising, supervision, on rural development work to act as the centre for all rural development activities. The Government also formed various committees for different subjects e.g. distribution of controlled articles, committee for backward classes etc. In 1952, the Government set-up District Development Board. The main function of District Development Board was to advise and assist district officer in respect of agriculture and rural development, minor irrigation, distribution of controlled articles, marketing, health, co-operation, welfare of the backward classes, social education etc. Officers were expected to act according to the advise of the District Development Board.

**VILLAGE PANCHAYAT AFTER 1935:**

When popular ministry assumed office in 1936, it made number of enactments for improving the working of village Panchayats. Thus the village Panchayats (amendments) Act of 1939 made village Panchayats elected body. The Act also provided for the constitution of village bench to decide petty civil and criminal matters within the jurisdiction of the village Panchayat area. The act also provided for the levy of compulsory house tax etc. In 1947 the village Panchayat act was amended. The amendment empowered the government to acquire some of its village properties in the village Panchayat and to grant 15 % of land revenue to it. The amendment of 1956 entrusted additional functions to the village Panchayats and the village P anchyats were also authorised to levy a cess at the rate of two ' annas ' per rupee of land revenue.

After reorganisation of States in 1956, a unified village Panchayat legislation was passed in 1958 known as Bombay Village Panchayat Act. The act provided for:

- a) Constitution of Gram Sabha in a village.
- b) Establishment of District Local Mandal in every district for controlling and supervising village Panchayats.



- c) **The Secretary of Panchayat was made, a paid government servant.**
- d) **Village Panchayats were authorised to collect land revenue and to maintain village record.**
- e) **Government was to pay 25 % to 30 % of land revenue collected by village Panchayats to the concerned village Panchayats.**
- f) **Naya Panchayats were constituted for a group of five or more villages, with judicial powers.**
- g) **The Act delegated wide functions and powers to the village Panchayat relating to public welfare and development.**

The Bombay Village Panchayats Act, in 1959 did away with the old distinction between the obligatory and discretionary functions of village Panchayats. The new act authorised village Panchayat to assume any activity in the spheres of sanitation, cattle breeding, public works, education, village defence, agriculture and village industries etc. The Government had defined the role of village Panchayat in the community development. According to the approach, village Panchayats were to be sole agencies for executing development works such as approach roads, foot bridges, drinking water, wells which were to be undertaken in the Community Development Programmes.

**DISTRICT VILLAGE PANCHAYAT MANDAL:**

Supervision of control over the village Panchayat was vested in District Local Boards before 1958. However, under the Bombay Village Panchayat Act in 1958, District Village Panchayat Mandals were constituted for the supervision and control of village Panchayats in place of old District Local Boards. The District Village Panchayat Mandal consisted of nominated members.

**STRUCTURE OF VILLAGE PANCHAYATS IN MAHARASHTRA****AFTER BALVANTRAY MEHTA COMMITTEE REPORT:**

The Gram Panchayats are functioning in Maharashtra under the Bombay Panchayat Act, 1958.

Gram Sabha, with authority is to discuss Panchayat budget, statement of accounts etc., is recognised.

A Gram Panchayat can have 7 to 15 members, elected by secret ballot for a period of 4 years. Seats for women and Scheduled Castes, Scheduled Tribes are reserved.

In Maharashtra, Zilla Parishads and Panchayat Samitis have started functioning since 15th August, 1962, under the Zilla Parishad and Panchayat Samiti's Act, 1961. The Panchayat Samiti consists of the directly elected and co-opted ( if any ) local members of the Zilla Parishad and Sarpanchas, elected by the Panchas - each

electoral division in a block being divided into two electoral colleges of Panchas, and each electoral college elects one Sarpanch from amongst the Sarpanchas of the Panchayats included in the college. The Chairman of such local agricultural societies, as Government may specify besides those of the Panchayat Samiti may co-opt, are also members of the Samiti. One women and one representative from Scheduled Caste, and Scheduled Tribe are co-opted if there is no such member otherwise.

The Zilla Parishad is a partly directly elected and partly indirectly elected body. The Chairman of Panchayat Samitis become ex-officio members. 40 to 60 members are directly elected from electoral divisions in the district, as far as possible one member for every 35,000 population. If elected members do not include a women, one women is co-opted by the Parishad, seats may be reserved for Scheduled Caste and Scheduled Tribe having regards to their population. Chairman of Federal Co-operative Societies, being societies dealing with credit for land development, marketing, industrial co-operatives and co-operative training or education as Government may specify, are made associate members.

The Block Development Officer functions as the Executive Officer of the Panchayat Samiti. A Chief

Executive Officer and a Deputy Chief Executive Officer are appointed by the Government for every Zilla Parishad.

**POWERS AND FUNCTIONS:**

The Gram Panchayat is made responsible for improvement of Agriculture, Village Industry, Communications, Sanitation, Spread of Education, Medical relief etc.

The main functions of the Panchayat Samitis are to prepare an over all plan of work and development schemes to be undertaken in the block, to sanction, execute, supervise and administer any works or schemes from the block grants, or the Zilla Parishad and to perform such functions of the Zilla Parishad as delegated to it.

The main functions of the Zilla Parishad are Planning and execution of all development programmes, establishment and maintenance of primary, and secondary schools, distribution of fertilizers, agricultural implements, improved seeds, improvement of livestock and veterinary aid, educational and economic development of backward classes, maintenance of dispensaries, hospitals, primary health centres, construction and maintenance of roads, parks etc., water supply, drainage rural housing, social education. Thus the Zilla Parishad is a strong unit with wide powers and responsibilities including powers of taxation.

In this chapter an effort is made to understand the purpose and scope of Local Self Government. Rural development economic, political or social largely depends upon the local units of administration. In Maharashtra the growth of Zilla Parishad is also assessed in this chapter. With this background, this study ~~is~~<sup>tries</sup> to understand the working of Zilla Parishad in Sholapur District. Sholapur District is in a way a backward area, and the most important aspect which the study desires to undertake is the development of Irrigation in Sholapur. Much of the development always depends on the economic development, of which irrigation development can be considered as the backbone of other development. Hence in the <sup>e</sup>preceeding chapters efforts would be made to study in this context.