
HISTORICAL REVIEW OF PANCHAYAT RAJ INSTITUTIONS

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- A) Introduction
- B) Growth of local bodies
 - i) Pre-independence period
 - ii) Post-independence period
- C) The present structure of Panchayat
Raj Institutions in Maharashtra

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A) INTRODUCTION :

This chapter deals with a historical review of Panchayat Raj Institutions in India as well as in the Maharashtra State. An attempt also has been made to look into the recommendations of the important committees set up by the Government of India and Government of Maharashtra, from time to time to examine the working of local self government or decentralised institutions.

B) GROWTH OF LOCAL BODIES IN INDIA :

i) Pre-Independence period :

The urban local self government had established its sound base before 1850's while rural self organisation were organised on solid basis between 1850 and 1860.¹ One of the important proclamation of Queen Victorial made in 1858 gave certain assurances to Indian people to share in the administration. In view of this proclamation, immediately after two years 'District Committees' were constituted to meet the local problems of the people.

In Bombay province, 'District funds' were established in 1860 and they were controlled by officials only. These funds had power to levy a cess of one anna for every rupee of land revenue as financial source to come over the local problems. Similar funds were also set up in Sindh and lower Burma in 1865, and in Madras in 1865. They were authorised to levy education and road assess.

1 Hicks, U.K. : Development from Below, Oxford University Press, 1951, p.46.

Further, the Bombay province enacted the 'Bombay local fund committee act' in 1869 which had brought the principle of representation of rural life in the Bombay presidency. District and Tahsil fund committees were set up as advisory bodies, each consisted of six official sides. The six non-official representatives were Inamdars, Landlords. These committees were instituted for the convenience of the District Magistrate in that they would supply him information and help him to carry out the local duties. No other public service was rendered by the funds committee.²

Similarly, Bengal province had enacted 'The Bengal Chaukidar Act of 1870' which divided villages into unions comprising of ten or twelve square miles, and this was placed under 'Panchayat' which raised funds to pay for the villages. But this arrangement was useful only to Tahsildar, the official of the government and moreover there was no concrete plan for eliciting the co-operation of village for implementing the concept of local democracy.³

After, Lord Mayos resolution was passed in the year 1870 for broadening the idea of decentralisation, he wanted to have decentralisation in economic sphere of the government. To the effect of his resolution some government departments such as education, sanitation and health were transferred to certain provincial governments. Madras, Punjab and Bengal governments has passed the legislation as local self government. Moreover

2 Tinker, Hugh, The foundations of modern local govt., Lalvani Publishing House, Bombay, 1967, p.39.

3 Ibid, p.40.

in 1870, considerable attempt was made by Mayo's government to introduce provincial finance for local problems. An arrangement was also made to take the steps in the interest of local people for their education and sanitation.⁴

Later Mayo, Lord Ripon made some efforts in this direction which were more significant than the Mayo's resolutions. Lord Ripon had given prime importance to local government and declared his famous resolution on 18th May 1882. His concern was not primarily with an improvement in the administration. The resolution was chiefly designed as an instrument of political and popular education. He held that rural boards should be small sub-division, tahsil or taluka. They should be consisted of two-third majority of non-officials and election should be introduced gradually. According to him chairman should be from official side.⁵

As far as the implementation of Ripon's resolution is concerned certain provinces had established the District Boards with all funds and all functions of local government. But this was not applicable to Assam, Burma, Central province and Madras. Taluka boards were constituted in Bombay province, Punjab province and North Western province. In central province Tahsil boards were constituted and run effectively.⁶

The spirit of the Rippon's resolution was in conformity with the principle of local democracy, but unfortunately practice

4 Shukla, L.P. History of Village Panchayats in India, Yeshwant Printing Press, Nasik 1970, p.46.

5 Tinker, Hugh, Op.Cit., p.53.

6 Ibid, p.53.

was different. It was because the Zamindars and Landlords dominated the non-official side of the rural boards and they were disinterested to represent the feeling of common Indian folk. Tremendous amount of power was entrusted in District Officer which killed the spirit of the common people's participation in administration.

After the unsuccessful implementation of Rippons Resolution, in Bombay province, an act was enacted known as 'Bombay Local Board Act' in 1884. By this Act District and Taluka Boards were constituted. These boards had half the members from official side and other half from non-official side. The District Collector or Tahsildar, as the case may be, would be the Chairman of the respective bodies. The franchise was very narrow. The voting was given to those who were paying fourty eight ruppees as land revenue and owned the property worth Rs.5,000/-. They could contest and participate in the election of the local bodies.⁷

Similarly, the Taluka and District Boards were established in Hyderabad in 1885 by the 'Berar Rural Boards Law'. In both the boards, members, were partly elected and partly nominated and some of them were appointed by the divisional Commissioner.⁸

In the same way in Hyderabad State District and Taluka Boards were constituted by enacting the "Dastoor-ul-amal Regulation" in 1889. These Boards were performing function

7 Report of the committee on Decentralisation, printed in Govt. of Maharashtra Central Press, Bombay, 1971, p.11.

8 Venkatrangaia,M. and Pattabhiran,M. : Local Govt. in India, Allied Publishers, London, New York, 1969, p.158.

related to public works, education, medical relief. They were also allowed to collect local cess of one anna per rupee on land revenue.⁹

In 1909, British-Indian Government established a Royal Commission on Decentralisation to study the development of rural self government. The main objective of this commission was to reconstruct the village panchayat. The commission recommended a devolution of more power to Taluka or Sub-District Boards.¹⁰ The commission on Decentralisation was all in favour of the elected majority on local Taluka and District Boards. The commission also recommended the nomination of minorities on the Boards. The Panchayats should be reconstituted on the Model of Panchayats in ancient India.

Panchayat system in the past was simple. Panchayat means assembly of five. Village panchayat was the court of five old, experienced and respected persons in the village who would act as a court of enquiry, as judiciary court, as reference committee and also as executive committee, depending upon the need of the time. The members and the number changed according to the nature of work. The committee system was flexible and was modified to suit the local needs. Elections were simple. The system discouraged the formation of political parties and political elite in the village and left no scope for partisan electoneering.¹¹

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- 9 Report of the Committee on Decentralisation, Op.Cit.,p.13.
 - 10 Venkatranga,M. and Pattabhiran,M., Op.Cit.,p.158.
 - 11 Community development and panchayat Raj in India. S.C.Jain, Allied Pub.,New Delhi, 1967. p.88.

In 1919, Mont Ford reforms were introduced the reforms towards local self government recommended that by and large membership of these bodies be constituted by election. However to give due representation to minorities, nominations should be made which would not be more than one fourth of the total membership.¹²

Later, on the basis of the Chemesford recommendation, Bombay province enacted a 'Bombay Local Board Act of 1923'. According to this Act 'District Boards' were established. The members of Board were directly elected and franchise also became broadened although some property qualifications remained intact. By this Act primary education in Western Maharashtra was handed over to local boards, and for its administration district school boards were constituted. This body was empowered to sanction budget, to supervise the school and recommend the text-books for syllabus.¹³

Further evolution of the local self government can be seen during the period of 1935, when the National Congress under leadership of Pandit Nehru passed a resolution in the Karachi Congress conference demanding the introduction of local self government and responsible government without delay. This resolution was considered by the British government and provisions pertaining to local government incorporated in provincial subject list under the Government of India Act 1935. The implementation of local government was done when popular ministers were sworn in various provinces in 1937.

12 Hicks, U.K. : Development from below, Oxford University Press, 1961, p.47.

13 Report of the committee on decentralisation, Op.Cit., pp.12-13.

In view of the implementation of the provisions under Government of India Act 1935, the Bombay provincial government had passed the Act regarding local self government in the year 1938. Under this Act Bombay provincial government wanted to make local bodies truly representative in character. So the nomination of the members of the bodies were abolished. District Local Board had comprising elected members. Some seats were also reserved on the basis of the population for Scheduled Castes and Tribes. These Boards were functioning through the standing committee and Health committee. Similarly, under the Central Provinces and Berar Local Self Government Amendment Act, 1939, four-fifth of the members of the District council were elected by the local boards, these in turn electing the remaining members from amongst residents of the district. Seats were also reserved for Muslim, members of the Scheduled Castes and one Woman.¹⁴

Similarly in Hyderabad province District Boards Act in regulation of 1941 provided for Boards which were to be mainly elected but no election could take place until after the reorganisation of the state. Thus, the Act of 1941 remained inoperative and nominated bodies continued to function as before.¹⁵

Immediately after the second world war was over and the Interim Government was formed the central provinces and Berar panchayats Act 1946 was passed and published in C.P. and Berar Gazette on 28th February 1947. This Act, for the first time in

14 Ibid. p.19

15 Ibid. pp-20-25.

the history of Gram Panchayats in this region kept it on the sound democratic footing making all the necessary provisions for giving it a firm financial base. Appointment of paid secretaries was provided for the Panchayats. They were assigned eleven compulsory duties such as village sanitation, drinking water provision, registration of births and deaths, prevention of child marriage, maintenance of panchayat property and so on and thirty six optional duties.¹⁶

Compulsory cess on the land revenue or assessment of survey number at the rate of 6 pies (3 paise of today) per rupee. Every Panchayat was compulsorily required to levy taxes on property, profession and trade within the area. Powers to levy other taxes at its option were also given to them.¹⁷

ii) Post-Independent period :

The nature and functioning of local self government institutions was changed after the independence. Because India has adopted the policy to attain socialistic pattern of society and to implement the concept of welfare state. It is the local self-government which makes people and provides an opportunity to actively participate and associate themselves with the development process. In 1947 the number of District Boards was 176 covering population of 20,452,250.¹⁸ Within a small period of one and half decades after independence the Panchayati Raj

16 Section 30 and 31 C.P. and Berar Panchayats Act, 1946.

17 Ibid. Section 41-42.

18 Report of Local Finance Enquiry Committee, 1951, Government of India, p.45.

received a big momentum so to engulf 99 percent of rural population in the country.

The growth of Panchayati Raj has been sub-divided into four parts by Dr.S.C.Jain.

- 1) Periods of debate and constitutional recognition (1947-49),
- 2) Legislative activity (1950-53),
- 3) Growth of development dimension (1954-58) and
- 4) Democratic decentralisation 1958 onwards.

This sub-division explains the nature of growth and expanse of the panchayat system in the country. It gives different stages of development of the supra-structure of Panchayati Raj. To this were added varied forces in the form of enquiry committees, commissions, conferences and study groups which provided a sound base in the form of recommendations. The plan provisions and especially Community Development Project provided the infra-structure of the Panchayati Raj of today.

The constitution was being framed when a conference of the provincial ministers for local self government was held in New Delhi on 6th and 7th August 1948 which recommended the appointment of local finance enquiry committee. The committee was set-up on 2nd April 1949 under the Chairmanship of Shri P.K. Wattal and it submitted its report on 23rd December 1950. The committee studied the historical development of the finances of the Local bodies and observed that¹⁹ - i) The local bodies were not utilising the existing resources fully; ii) It was

19 Ibid. pp.66-67.

necessary to improve the machinery for budgeting, accounting, assessment and collection of taxes, recruitment and control of personnel, to utilise power to tax and iii) It was necessary to give elastic sources of revenues to the local bodies, especially with regards to taxation. Also the committee recommended, twelve other taxes from the list :

- 1) land and building
- 2) mineral right
- 3) entry of goods into a local area for consumption use and resale
- 4) consumption or sale of electricity
- 5) non-news-paper advertisement
- 6) goods and passengers carried by road or on inland water-ways
- 7) vehicles
- 8) animals and boats
- 9) tolls
- 10) professions trades, callings and employments
- 11) entertainments including amusement and
- 12) capitation tax.

In short, the Enquiry Committee made exhaustive recommendations with regards to allocation of resources to the local bodies, the government grants, budgeting, accounts, audit, finance of village panchayats, financial responsibilities with regards to education and communication and such other things.

Community Development Project :

The Community Development Project provided the launching pad for the Panchayati Raj in India.

Community Development was regarded as a method and the National Extension Service as an agency through which the social and economic transformation of village life was to be brought about under the first five years plan.²⁰ In order to enable the

20 First Five Year Plan, Planning Commission, New Delhi, Government of India. p.223.

local communities build amenities on an added self help basis and an additional provision for staff was designed. On 2nd October 1952, the 52 projects community projects were started in the different part of the country.

The enthusiasm aroused by the first series of the projects was so tremendous that the very next year a decision was taken to set up National Extension Service Block with a provision of Rs.7.5 lakh per block for three years. The provision for a community development block was reduced to Rs.1.5 lakhs. By the end of the first five year plan, that is only three and a half year inception of the programme 1,114 blocks, covering approximately 163,000 villages with population of nearly 11 million, were started.²¹ The rapid expansion posed new problems to the administration which at that time consisted of an administrator and his staff. Because it was guided by a central committee with the Prime Minister as Chairman, and the Minister of Agriculture, Co-operation, etc. along with the members of the planning commission as members. It resulted that, the community development programme was heavily criticised for lack of co-ordination and with non-official organisation and slow progress. Hence the community development programme had not achieved the proposed goals of the development of rural masses.

Keeping in view the failure of the community development programme in the first five year plan, and the heavy allocation

21 Mishra, S.N. : Rural development and Panchayat Raj, Concept Publishing Company, New Delhi, 1981. p.33.

for the second five year plan, the National Development Council appointed a committee on the projects in 1957 under the chairmanship of Shri Balwantraai Mehta to study the working of community development and National Extension Service and to make suitable recommendation with regard to economy and efficiency. The Mehta Committee recommended the 'Phase of Democratic Decentralisation' a part of community development programme. The committee has recommended that :-

1. The priorities should be given to the aspect of economic development such as agriculture, drinking water supply, rural industries.
2. Committee recommended a three-tier system of local self institutions upon which all the development work within the jurisdiction should be developed.
 - i) The panchayat at village level should be formed on an elective basis with reservation for women and the members of the Scheduled Caste and Scheduled tribe.
 - ii) The panchayat samiti, at block level, should be set up on an elective basis.
 - iii) A Zilla parishad, at the district level, composed of the president of panchayat samiti and some district officers should be constituted with the collector as chairman.

The Report of the Mehta Committee was welcomed throughout the country since it had given broader scope for the elective bodies for the people's participation. The establishment of three-

tier system of local self government with full powers to assume responsibility for local development was the core of the Mehta Committee recommendation. As a result the Rajasthan introduced a legislation on 'Democratic Decentralisation' which came into force on 2nd October 1959. A number of other states including Punjab, Uttar Pradesh, Bihar, Gujarat, Madhya Pradesh, etc. followed to Rajasthan.

But in Maharashtra State a committee was set up to examine the questions of all aspects of Democratic Decentralisation under the Chairmanship of the Chief Minister Mr.V.P. Naik. The committee submitted its report on 15th March 1961. In its concluding paragraph the Naik Committee observed, "We cannot overemphasise the need for adopting healthy conventions in the working of the local bodies. It is not the letter of the law or rules or orders that ultimately ensures the successful working of human organisations wholly but it is the spirit in which these are followed from day to day that will really determine the success achieved in their allotted tasks. We are convinced that convention and traditions will always play a vital part in the functioning of our local bodies. These have to built on the acclaimed foundations of sincerity, spirit of service and sense of responsibility".²²

The Maharashtra Government accepted all major recommendations of the Naik Committee and immediately enacted the Maharashtra Zilla Parishad and Panchayat Samiti Act 1961.

22 Report of the committee on decentralisation, Op.Cit.p.151.

High power committee under the Chairmanship of Ashok Mehta was set up by the Central Government in 1977 to suggest measures for strengthening those Panchayat Raj bodies.

- 1) The committee has suggested that district should be a key unit of development administration below the state level. Its recommendations are modelled on Maharashtra and Gujarat experiments.
- 2) Every Zilla Parishad should have a planning cell directly under the supervision of chief executive officer. It should prepare a comprehensive plan for the district such a cell should have economist, cartographer, agronomist, engineer, industries officer and credit planning officer as members.
- 3) The committee has also recommended that the Zilla Parishad should function through committees, committees of agriculture, education and small industries being important among them. The Chief executive officer should function as secretary of all these committees.
- 4) Mandal Panchayat should be a free organisation for execution of projects. These Mandal panchayats shall immediately be below panchayat samiti. Mandal panchayat should be organised covering population of 15,000 to 20,000. These panchayats should provide necessary institutional supervision, co-ordinate and implement the field level projects.
- 5) The Collector, apart from the regulatory functions of the collecting revenues has been assigned a greater role in the Panchayat Raj by this committee. The collector should conduct a social audit of these bodies as a representative of the Government.

- 6) As regards finance, the committee suggested the plans and projects with funds on a formula of giving weightage to backward areas. The committee recommended complete transfer of land revenue to these bodies in phased manner.
- 7) The importance of human resource is stressed by the committee. Human resources development must become a primary object of these bodies. The committee has much attention to training programme of officer and other functions of the Panchayat Raj Institutions.
- 8) The Zilla Parishad should be made a ministry government at district level. It should be given more power to raise its resources through taxation.²³

The Ashok Mehta committee also stated that "there should be administrative decentralisation for the effective implimentation of the development programme and that the decentralised administrative system should be under the control of elected bodies."²⁴

The Mehta committee provided a stimulus to policy maker democratic decentralisation meant the delegation of important powers and functions of the government to the lower bodies and agencies, which are democratically elected.

C) THE PRESENT STRUCTURE OF PANCHAYAT RAJ INSTITUTIONS
IN MAHARASHTRA :

The term Panchayati Raj refers to a three tier structure of rural local self government in each district. The panchayati

23 Sharan, P. : Modern public administration, p.493, Meenakshi Prakashan, Begum Bridge, Meerut, 1981.

24 Report of the Ashok Mehta Committee on Panchayat Raj Institution (1978) p.2.

raj came into existence in Maharashtra on 1st May 1962 by the Maharashtra Zilla Parishads and Panchayat Samitis Act 1961. This Act was entirely based on the recommendations of the committee on Democratic Decentralisation, popularly known as the Naik Committee.

The Zilla Parishad and Panchayat Samiti Act 1961 was adopted by the Government of Maharashtra "to provide for establishment in rural areas of Zilla Parishads and Panchayat samities, to assign to them local functions of certain works and development schemes of the states, five year plan to such bodies and to provide 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 in the said plans and local government affairs." 25

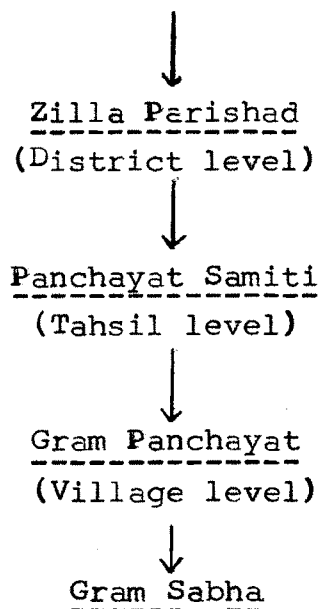
Principle of Panchayati Raj :

The Panchayati Raj is based on the following five principles :-

- 1) That there should be a three tiered structure of local self government bodies from village to district levels, with an organic link from lower to the higher ones.
- 2) There should be a genuine transfer of power and responsibility to these bodies.
- 3) Adequate financial resources should be transferred to these bodies to enable them to discharge these responsibilities.

- 4) All development programmes at these levels should be channelled through these bodies.
- 5) The system evolved should be such as to facilitate further decentralisation of power and responsibility in future.

Panchayati Raj Structure



The Panchayati Raj Institutions are, from bottom to top :
 Gram Sabha, village panchayat, panchayat samiti and zilla parishad.
 The territorial units are : the village, the block (in Maharashtra it is identical with the tahsil) and the top level is district.

Zilla Parishad :

The Zilla Parishad is working at apex level in Panchayati Raj Institutions. The Zilla Parishad consist of :-

- a) Councillors chosen by direct election from electrol divisions in the district being not more than sixty in number and not less than fourty as may, be notification in official gazette, be determined by the government.

- b) If the elected councillors do not include a woman, two women are co-opted by the councillors elected under clause.
- c) The Chairman of all panchayat samitis in the district, ex-officio.
- d) The Chairman of such federal co-operative societies being societies which as far as practicable conduct business or activities in the division in relation to i) credit ii) land development iii) marketing iv) industrial co-operative training and education.²⁶

For the purpose of election of the members of the parishad district is divided into electoral division each electoral division consists 3,500 people. The members of the parishad are elected for five years. The Scheduled Castes and the Scheduled Tribes get representation on the basis of reservation according to the population norm.

The Office Bearers :

The President and Vice-president of the Zilla Parishads are elected from among the elected councillors and they office for the period of their term as councillors. Committee systems is one of the important component part of the Zilla Parishad administration. The affairs of the Zilla Parishad are managed through seven committees of the Parishad : 1) Standing Committee (The President of Z.P. the Chairman of the Standing Committee with seven elected members). 2) Finance Committee 3) Works

26 The Zilla Parishad and Panchayat Samiti Act 1961, p.5
Government of Maharashtra.

Committee 4) Agriculture Committee 5) Education Committee
6) Health Committee 7) Social Welfare Committee.

The Official Wing :

The Zilla parishad has four categories of the official staff : Class I Officers deputed by the State government from different department or from among the officers from All India service. Class II Officers of the state government are drafted from different departments. Class III category servants consisting of technical staff and other staff. Class IV servants selection is made by the selection committee formed under Section 249 and 250 of the Z.P. and P.S. Act 1961.²⁷ Every department in the Zilla Parishad has class I Officer as its head of the department and he is an ex-officio secretary of his concerned subject committee. The staff of the Z.P. is distributed among the Panchayat Samities as per the staffing pattern.

Panchayat Samiti :

Panchayat Samiti is one of the important organ of the Zilla Parishad which is comprised of 1, the councillors of the parishad elected from the block (including) jurisdiction of the block 2, coopted councillors if residing in the block 3, Chairman of the purchase sales union in the block (as associated members) 4, Chairman of the co-operative society 5, co-opted members of the scheduled caste and tribe if not already included 6. Two members being panch (member of the village panchayat) or Sarpanch, elected by Panchayat members.²⁸

27 The Act 1961, Ibid, Section 249 and 250, p.5

28 The Act 1961, Ibid, p.150.

A Panchayat Samiti in Maharashtra works as an area committee of the Zilla Parishad. It is a non-corporate body and cannot levy taxes. It, therefore, provides downward ex-officio membership for the elected representatives in the parishad from the constituencies in the block. There is a provision for co-option of scheduled castes/tribes representatives and co-option of a woman member on the lines similar with the parishad. Block development officer helps to carry out the functions of Panchayat Samiti.

Village Panchayat/Gram Panchayat :

The nature of village panchayat is independent because it is governed by the Bombay Panchayat Act of 1958. Functionally panchayats are closely related to the Zilla Parishad in order to receive grant-in-aid from Zilla Parishad.

Village panchayat is directly elected body with membership between 7 and 15. Panchas are elected wardwise. There is a provision for co-option in case of woman representative and representatives from the Scheduled castes/Tribes on the lines similar with those of panchayat samiti. Now village panchayats form the basic unit of the local self government administration in the district.

The Sarpanch is high power in Village Panchayat who is elected from amongst the panchs. The secretary of the village panchayat is called 'Gram Sevak' who is appointed by the government.

The sources of income to Panchayat are, property tax, building tax, pilgrim tax and profession tax and grant received from Zilla Parishad.

Functions and Powers of Panchayat Raj Institutions in Maharashtra :

The function and powers are given to Zilla Parishad and Panchayat samiti according to the Maharashtra Zilla Parishad and Panchayat Samiti Act 1961. Village Panchayats are working according to the Bombay Village Panchayat Act 1958. The important functions of Panchayat Raj Institutions are given as follows.

i) Village Panchayat :

The village panchayats in Maharashtra are constitutionally independent of the Zilla Parishads, being governed by the Act of 1958. But, functionally, they have close contacts with the Zilla Parishad, because they receive grants from them for various development works and schemes.

The Sarpanch is the Chief executive of village panchayat, its secretary being a government official. The Secretary/Gram Sevek is keeping all records of village Panchayat according to the Bombay village Panchayat Act 1958. This Act provides the list of 85 functions for the village Panchayat under section 41 to 48. The village panchayat's functions are civic and developmental in various fields. It is made responsible for improvement of agriculture, village industry, communication, sanitation, spread of education, medical facilities in the village.

ii) Panchayat Samiti :

The working of P.S. is made according to the schedule two of the Maharashtra Zilla Parishad and Panchayat Samiti Act 1961. This schedule provides 74 functions including agriculture, animal husbandry, forests, social welfare, education, public works, health, industries, communication, rural housing and several other.

The Panchayat Samiti is the real machinery through which the Panchayat Raj system functions because various development schemes are executed through Panchayat Samiti. The Panchayat Samiti is entirely responsible for the Block Development Programme. Panchayat Samiti is the main agency of the Zilla Parishad. It has to work under direct instructions of the Zilla Parishad, and the state government as well. The works entrusted to the Panchayat Samiti can be executed either through contract or departmentally as the Zilla Parishad so decides in this behalf. It has supervise, inspect and instruct, accept or suggest panchayats an amendment to the Panchayat budget, provide expert advice and administrative assistance to the panchayats.

Panchayat Samiti is not empowered to tax. However, samiti can adopt its own budget like the Zilla Parishad.

iii) Zilla Parishad :

The functions of Zilla Parishad is made according to the Zilla Parishad and Panchayat Samiti Act 1961. This act has assigned a number of responsibilities on the Parishad.

"Section 100, (1) (a) It shall be the duty of Zilla Parishad so far as the district fund at its disposal will allow, to make reasonable provision within the district with respect to all or any of the subjects enumerated in the first schedule as amended from time to time under sub-section (2) (in this Act referred to as "the District list") and to execute or maintain works or development schemes in the District relating to any such subject." 29

The above section has assigned administrative powers and duties of Zilla Parishad. The district list has including 123 function with several sub-divisions. The Zilla Parishad has to execute all schemes transferred to them by government departments. All works and development schemes relating to agriculture, animal husbandary, social welfare, education, medical, public health, building and communication, publicity, community development programme has transferred to Zilla Parishad in 1963-64. It is the exclusive power of Zilla Parishad to give the following financial sanctions, for the items in the district list.

- 1) In all cases where the estimated non-recurring expenditure on works and development schemes exceed Rs.1 lakh and recurring expenditure exceeds Rs.50,000/- per annum.
- 2) In respect of acceptance of tender or contract in respect of works and schemes costing more than 2 lakhs.
- 3) Acquisition of movable property the value of which exceeds Rs.50,000/- .

- 4) The sale or transfer of movable property exceeding the value of Rs.25,000/-.
- 5) The acquisition of immovable property above 1 lakh.
- 6) Sales and transfer of immovable property excepting trees and grass the power of which has been given to the standing committee.

The finance function of Zilla Parishad is that - The Zilla Parishad can charge profession tax, general tax on land (including those on which a cess is levied) or building and public market tax. In addition to this state government grants funds upto the 80 percent of the income of the Z.P. grants is the main financial source of the Z.P. It covers 11 items e.g. grants of 70% of land revenue, equalisation grant, purposive grant, incentive grant, establishment grant, etc.³⁰ for all purposes the Zilla Parishad in Maharashtra have been empowered with almost all the functions of the state government at district level except those relating to law and order, justice, national and state highways and University education.

The power and function of the Z.P. can be classified into two categories, (1) Executive and Administrative function (2) Supervision and co-ordination of activities of Panchayat Samities.

"Section 106, subject to the provisions of Maharashtra Zilla Parishad and Panchayat Samitis Act 1961 and the rules made there under by the State Government and Zilla Parishad may :-

30 Ibid. Section 180 to 189, pp.6833 to 6834A.

- 1) Do all things necessary for the proper discharge of the functions and duties imposed on it by or under the Act.
- 2) Sanction works or development schemes within the District.
- 3) At any time, call for any proceedings of the standing committee or any subject committee, or for any return, statement, account or report concerning or connected with any subjects allotted thereto.
- 4) Require any of its officers or servants to attend any meeting of the Z.P. and tender advice on any matter which concerns the department under which such officer or servant is working; and every such officer or servant shall comply with such requisition.
- 5) Exercise administrative control over officers and servants holding office under it and
- 6) Supervise generally the execution of all duties and functions under this Act.³¹

The section 106 has assigned the power and functions of Zilla Parishad. Now in Maharashtra State, all Zilla Parishads are working on the direction of this section of the Act 1961.

The power and functions of president, vice-president and other official and non-official authorities of the Zilla Parishad among others are detailed below.

a) President :

- i) The president shall convene, preside at and conduct meeting of the Zilla Parishad.

31 Ibid. Section 106, p.6809.

- ii) The president shall watch the financial and executive administration and submit to the Parishad all questions connected therewith which shall require its orders.
- iii) The president of Zilla Parishad receives an honorarium of Rs.500/- per month with rent free residential accommodation.

b) Vice-President :

- i) The Vice-President shall in the absence of the president, preside at the meetings of the Zilla Parishad.
- ii) The Vice-President who is the chairman of two subjects committees gets consolidated honorarium of Rs.300/- per month along with rent residential accommodation.

c) Chairman of Standing Committee or Subjects Committee :

Subject to the provision of the Act, and the rules made there under by the State Government, the Chairman of standing Committee or subjects committee shall convene, preside at and conduct meetings of the committee and the Chairman of any such committee may in relation to subjects allotted to the committee.

- i) Call for any information, return, statement, account or report from any officer employed by or holding office under the Zilla Parishad.

d) Chief Executive Officer :

- i) The chief executive officer shall lay down the duties of all the officers and servants of or holding office

under the Zilla Parishad in accordance with the rules made by the State Government.

- ii) The Chief Executive officer shall exercise supervision and control over the acts of officers and servants holding office under the Zilla Parishad in matters of executive administration and those relating to accounts and records of the Zilla Parishad.

e) Head of the Departments :

- i) Every head of the Department of Zilla Parishad may in respect of works and development schemes pertaining to his department, accord technical sanction thereto.
- ii) The head of the department specified in this behalf shall be the secretary, ex-officio, of such subjects committees as the Zilla Parishad may direct.