

A Study on Panchayat Raj Institutions in Karnataka: Issues and Challenges

Loksha.M.K.

Assistant Professor

Department of Political Science,
Government First Grade College,
K.R.Puram, Bangalore

Abstract:

The Panchayati raj system has been a part of India since ancient times. Its major objective is the development of rural areas. Except states like Nagaland, Meghalaya and Mizoram and union territories like Delhi, the Panchayati raj is established in most parts of India. In the recent history of local government institutions in India is the enactment of the 73rd and 74th Constitutional amendments. In the main these Acts conferred upon Panchayat Raj Institutions/PRI's and Urban Local Bodies/ULBs constitutional status. Panchayats are recognised as "institutions of local self-government" Rajasthan was the first state to establish Panchayat Raj in 1959 and was followed by Andhra Pradesh, Karnataka was the first state in the country to enact the Karnataka Panchayat Raj Act, on May 10, 1993 within a few days of the 73rd Constitution Amendment being adopted. This research paper studies on issues and challenges of Panchayath raj institutions based on secondary data method by using survey method, government records and historical statistical documents and suggestions are based on the theoretical perspective.

Keywords: Objectives of Panchayat Raj Institutions, Panchayat Raj in Karnataka, Issues and Challenges.

Introduction:

Panchayat Raj Commissionerate has been established under the Rural Development and Panchayat Raj Department to oversee the on-going process of decentralisation and local governance through Panchayat Raj Institutions in all districts, taluks and villages (Gramas) of Karnataka.

With the passage of 73rd Amendment to the Constitution of India in 1993 and introduction of three-tier system of the Panchayat Raj Institutions, the Zilla Panchayats at the district level, Taluk Panchayat at the taluk level and Gram Panchayat, the administration of the respective Panchayat Raj Institutions operating on the concept of funds, functions and functionaries is in place.

Panchayat Raj Commissionerate in co-ordination with allied agencies and departments under the RD & PR Department is responsible for implementing the provisions of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 and amendments to achieve democratic decentralisation. Karnataka Panchayat Raj Commissionerate (KPRC), coordinates the process of the establishment of Panchayat Raj Institutions (PRI's) under the above legislation and monitors their functioning in order to ensure that Panchayat Raj Institutions in the State function as viable and vibrant institutions of Local Self Government.

The department owns and manages Panchatantra 2.0, a Digital Platform for Governance in Panchayat Raj Institutions. It is envisioned as a comprehensive holistic platform to strengthen the administration of Gram Panchayats and ensure transparency.

Objectives of Panchayat Raj Institutions (PRIs)

- To empower PRIs to become efficient, accountable, and responsive
- To improve capacity building for the elected representatives and executives of the Panchayath Raj Institutions
- To improve the quality of service-delivery of the Grama Panchayats as one of the priorities in the local areas and effective management of public resources with inclusion special groups.
- To develop vibrant village communities with an in depth and sustainable knowledge of integrated rural development.
- To ensure time bound goal setting and planning for a period of 5 years as per the needs of the rural people through a concept called “Perspective Planning”.
- To remove barriers in development of basic amenities.
- To ensure transparency in administration.
- Strengthening decentralization through advocacy, capacity building, providing professional and technical support and promote cross learning among PRIs within and outside the state.
- Facilitate local planning for economic and social justice through participatory planning and other appropriate tool kits.
- Facilitate convergence of efforts at Grama Panchayats as focal point for ensuring optimum use and management of resources allocated under 27 departments in the state and Government of India for various programs for the development of rural areas.
- Coordinate and collaborate with all line departments handling 29 different areas which devolve to rural local bodies as per 11th schedule incorporated by the 73rd amendment in 1992 for ensuring effective service delivery through convergence.
- To develop partnerships with network of professionals, institutions, civil society organizations and enterprises to further accelerate the transformation of rural areas.
- To facilitate inclusion and convergence of ‘Self Help Groups’ with women participation in PRIs is mooted for women empowerment.
- Effective redressal of public grievances.
- Improving financial health of GPs through effective utilization of allocated funds and enhancing own sources of revenue through the GPs.
- To ensure maximum property tax collection through Panchatantra 2.0 minimising human intervention.
- Establishment of Libraries in all Gram Panchayats to cater to the needs of students and public.
- To establish “Beacon Libraries” in Gram Panchayats with braille scripts and audio books for visually challenged, hearing impaired and differently abled population.

- To reach out to youth and students in particular and rural populace at large to enable informal skilling and learning process through “Grama Digi Vikasana”.

History of Panchayat Raj

The move to establish local governments was strengthened only with the realisation that Grama Swaraj can be achieved only with the establishment of Grama Panchayats. In our country's system of sharing of powers between the Center and the State, the responsibility of setting up Grama Panchayats and implementing Panchayat related structures and mechanisms is the sole responsibility of the State. The Central governments does not have any role to play in any law making at the State level.

With this background and with the intention of implementing Panchayat Raj systems all over the country, the Center has been setting up related Committees. The first that comes to mind, is the Balwant Rai Mehta Committee. This Committee made recommendations for different states. Several States, Karnataka included, set up numerous Committees to implement Panchayat Raj systems appropriate to local contexts and realities. Following the recommendations of these Committees, the Panchayati Raj system began getting set up in different States. In 1993, the 73rd and 74th Constitutional Amendment came into force. Until then, the creation and responsibility of local governments rested with the State governments alone, and local governments were dependent on administrative resolutions and obligations.

With that history in mind, for the first time in 1959, Karnataka passed the Grama Panchayat and local governments Act (Panchayat and Local Board Act) was adopted. Following that in 1960, laws were passed for Grama and Taluk Panchayats, and outlined membership in Zilla Panchayats. This situation was in force till 1983. During that time, elections were not held from time to time and administrators used to lead the Grama Panchayats.

At the national level, there are many examples of States – Gujarat, Maharashtra, or even West Bengal. In 1988 in West Bengal, the ruling party amended the existing Panchayat Raj Act and ushered in a new system with 3 tiers of government. An interesting point to note is that even without the Constitutional Amendment, West Bengal has been conducting elections to Panchayats every five years since 1978 without any interruption of even a single day. In Karnataka Panchayati Raj system was the dream child of D. Abdul Nazir Sab. The respected Ramakrishna Hegde believed in this vision, and gave strength to it, facilitating its adoption in 1983. However, to become official, it required the approval and

adoption by the Center and by the Prime Minister, therefore it was pronounced as law only in 1985. In 1987 for the first time elections were held for Zilla and Mandal Panchayats. The 1985 law detailed the role and functions of the Zilla Panchayats, the Taluk Panchayats and legal committees. However, the implementation of this law was brought to a conclusion soon after it was set in place, due to the discussions of several Committees set up related to the Constitutional Amendment, particularly the Ashok Mehta Committee. These committees made recommendations for the ushering in of Panchayat Raj institutions based on a Constitutional Amendment, and proposed that only through this way will the Panchayat system be impact-ful.

This Amendment gained the majority vote in the Lok Sabha, but it fell one vote short in the Rajya Sabha. Therefore, then PM, Hon. V.P Singh introduced a draft bill, but before it could be brought up for discussion, he had to relinquish power. Later, in 1991 the ruling party at the Centre under the Prime Minister-ship of Hon. P.V Narasimha Rao, introduced another draft bill pertaining to rural areas. In that Hon. Ram Nivas Mirza, the senior ex-Minister presented a detailed examination of the aspects relating to Grama Panchayats in this bill to the entire House. He organised a large convention with all political parties and submitted a documentation. It was on the basis of this submission that the 73rd and 74th Constitutional Amendment bills came into force. The 73rd exclusively dealt with the Gram Panchayat system. It mandated that whichever states have a population greater than 20 lakhs, they should introduce a three-tier system of Panchayat Raj. As a result of this mandate, the 2-tier system of Panchayati Raj existing in Karnataka could not be taken forward. The 74th Constitutional Amendment dealt exclusively with city local governments. The aspect that is common to both is captured in the 74th Amendment, and it was because of this that the concept of District Planning Committee (DPC) was included in the Constitution of India. The District Planning Committees are something that we greatly neglect. The 74th CAA spoke strongly of the necessity to realise the DPC. It mandated that within 1 year of the CAA coming into force, every single district in the country should implement this. If a Constitutional Amendment that is related to a State subject, then it needs to be passed by 2/3rd majority in both Houses of Parliament. Additionally, it needs to be passed by more than half vote in the State Legislative Assemblies. All the State Assemblies passed these Amendments unanimously and gave assent to it. This is important because it indicates that all political parties in all States are obligated to these Amendments. Following the Constitutional Amendments, the first state in the whole country to implement the three-tier Panchayati Raj system was Karnataka. The Karnataka Panchayati Raj Act is still in force today, despite several amendments, and elections to the Grama Panchayats under this Act occurred in December 1993.

There are several interpretations about the Constitutional Amendments. Just as conducting the elections to the State Assemblies and the Legislative Houses are the responsibility of the State Election Commissions (SEC), similarly the responsibility of elections to the Grama Panchayats also rests with the SEC. However, this is a Constitutional mechanism that should be similar at the Centre and in all States. One is not subordinate to the other. Another structure is the Finance Commission. There exists a Central Finance Commission which looks into how sharing of money and resources happens between the Centre and the States. Earlier, the Central Finance Commission recommendations did not cover issues of local governments, and this began getting covered only after the CAA. Importantly, whatever recommendations the CFC makes, both the Centre and the States are mandated to comply. However, although the State Finance Commissions are a part of the Constitution, their recommendations are not mandates for the States. In several cases, the States do not accept the recommendations made by State Finance Commissions. At the State level, the government says that the recommendations have been accepted. However, either in the annual plans or the Five-Year plans, we have not seen these recommendations being implemented. Karnataka is also in the same institution.

The District Planning Committee is very important. When we hear the word decentralisation, we mostly speak about administrative decentralisation. However, for true development to occur, what is required is decentralisation of planning. The government makes many announcements at several levels regarding the

programmes that should happen every year. Following this, local institutions should discuss it in the Grama Sabha, Grama Panchayat, Zilla Panchayat, etc, and make their recommendations and plans to table before the District Planning Committee. The Zilla Panchayat President is the President of the District Planning Committee. The recommendations from local institutions should be discussed in the District Planning Committee and once sent to the State Government, the State does not have the legal authority to make any changes to the plan. If there are any State or Central preferences for programmes, they should be brought to the attention of the District Planning Committee as suggestions and recommendations, and the Committee needs to avail of grants for these and bring them into implementation.

The Constitutional Amendment related to Panchayat Raj was made in 1993. Since that time, there have been many changes in the situation in our country and in the States. Now, there is a need to have an amendment to the Constitutional Amendment itself. There is a need for Karnataka to make a recommendation in this regard as well.

Structural Constitution of Karnataka Panchayat Raj

Panchayat Raj in Karnataka follows a three-tier structural constitution. It has elected bodies at each level. Panchayat Raj constitutes of:

- The Gram Panchayats at the village level
- The Taluk Panchayats at the sub-district (taluk) level
- The Zilla Panchayats at the district level

Karnataka has 30 Zilla Panchayats, 240 Taluk Panchayats, and 5,659 Grama Panchayats. All the three units of the Panchayat Raj have members directly elected by the people. The government does not have any provision to nominate representatives to any of these institutions.

Objectives of The Study:

1. To study the history of Panchayat Raj Institutions.
2. To understand the system of Panchayat Raj Institutions
3. To study the Issues and challenges of Panchayat Raj Institutions.

Research Methodology:

This present study focuses on the issues and challenges of Panchayath Raj institutions in Karnataka. The researcher has collected the required data and information from various official website of government department official websites and from annual reports of local government bodies. Completely based on Secondary data to extract needful data survey method, explorative methods of data collection technique were used. In addition to books, reports and published article has been reviewed thoroughly to meet the set objectives of the paper.

Major Issues of Panchayati Raj Institutions

Even after conferring constitutional status and protection through the 73rd Amendment Act (1992), the performance of the Panchayati Raj Institutions has not been satisfactory and not up to the expected level. Issues related to functionaries' concerns related to human resource at gram panchayat level:

1. **Non-accountability-** Even though the personnel at the Gram Panchayat level deliver crucial services like education, health, and livelihood generation, they are, in most cases, not accountable to the Gram Panchayat and the Gram Sabha.
2. **Lack of horizontal and vertical convergence of action** at the Gram Panchayat level is a problem of prime concern. Vertical integration is also not ensured because of different departments and schemes under which they are appointed with specific mandates.
3. **Poor Oversight-** There is poor oversight to check if the existing rules are being violated. Dependence on employees is high if elected functionaries in Panchayats lack administrative experience and it can lead to exploitation of the situation by the staff or collusion between elected functionaries and officials.
4. **Variation across states-** Wide variation across States in terms of engagement - qualification and mode of recruitment, duration, remuneration, travel allowances, and other conditions for similar cadres.
5. **Variation in Remuneration:** There are variations in remuneration under different schemes functioning at the rural level which leads to the migration of employees from one State to another; sometimes from one scheme to another.
6. No Standard Minimum Qualification for elected and non-elected members.
7. Lack of administrative skills
8. Communication barriers
9. Illiterates leaders
10. Wage differentiation

Challenges Panchayat Raj Institutions

1. Lack Leadership skills
2. Sarpanch Pati System
3. Poor women representation
4. Political party intervention
5. Political leaders intervention
6. Illiterate representation
7. Administration difficulty
8. Lack of managerial skills
9. No training for representatives
10. Poor adaptation of reservation

Conclusion:

The term Panchayat Raj in India indicates the system of rural local self-government along with development concept, based on decentralization governance. Panchayat maintains water sources, village wells, tanks and pumps, street lighting and drainage system in all the three levels in the state. It has been established in all the states of India by the Acts of the state legislatures to build and improve the self-governed democracy at the grass-root level.

In this Introduction to Panchayati raj institutions, we discussed the significance of Panchayati raj institutions. The Panchayati raj system in India has existed forever; It's not just a post-independence phenomenon. Panchayats of the villages have been the dominant political institutions for decades and even centuries in the rural areas.

References:

1. Bird, Richard and Gendron, Pierre-Pascal. 1998. "Dual VA Ts and Cross-Border Trade: Two Problems, One Solution?" University of Toronto, International Center for Tax Studies.
2. Breton, Albert. 1995. *Competitive Governments*, Cambridge University Press, Cambridge. Delivery. Urban Management Program Series 16. Washington, D.C.: World Bank.
3. Chauhan, K. (2013). E-governance through Panchayati Raj institutions in Karnataka: Issues and challenges. *Journal of Politics and Governance*, 2(1and2), 372-376.
4. <https://prcrdpr.karnataka.gov.in/new-page/About%20Us/en>