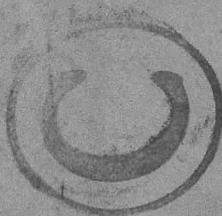




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# PANCHAYAT RAJ



ISSUED BY  
DIRECTOR OF INFORMATION AND PUBLICITY  
GOVERNMENT OF MADRAS

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**Maternity and Child Welfare :** *Here is a typical Child Welfare Centre run by a Panchayat Board.*



*Panchayats are also interested in Anti-Malarial Operations*

# PANCHAYAT RAJ

*What is the best Government  
—that which teaches us to govern ourselves*

*—Goethe.*

Village Panchayats are very ancient institutions. Their origin dates back to the beginnings of recorded history. At the time of Alexander's invasion, it is reported, village panchayats flourished in many parts of the country. Kautilya refers to them in his Arthashastra. Megasthenes, the Greek Ambassador also makes mention of them. Scholars are agreed that these Panchayats functioned more efficiently in the south than in some other parts of India. Dr. John Mathai in his book on Village Administration has instanced village panchayats in Chingleput district. These panchayats filled a vital role in the rural life of the country in days of old. There was hardly any aspect of village welfare which failed to receive their attention. They built irrigation works, constructed tanks, maintained resthouses and supervised temples and schools. They ran grain stores and *nidhis*, maintained roads and attended to sanitation. In some parts of the country they were entrusted with the collection of taxes of both the Central and Provincial Governments. As a rule the panchayats functioned through a number of sub-committees. For example there were Irrigation Committees, Land Committees, Committees for justice, etc. These helped the prompt disposal of business, for, the sub-committees in virtue of their compactness were able to take quick decisions and act quickly too. It is common ground that these panchayats enabled the country to run on an even keel despite a succession of foreign invasions and political unsettlement.

2. The stabilizing force provided by the panchayats is traceable to a variety of causes. In the first place, in the villages of old there were no communal bickerings, no factions or party politics. There was a general sense of solidarity. Constructive leadership was also

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available in the village, there being no migration of talent from village towns. Public opinion was vigilant and operated as a corrective.

### THE BRITISH PERIOD

3. Despite their usefulness and key position, panchayats received a crippling blow during the British period. Centralization of authority was the key-note of the British policy. The story of the decline and fall of the Moghul empire was a writing on the wall for them in that it illustrated the dangers of decentralization. So the Britishers sought to deal directly with the masses without allowing intermediaries who might create difficulties. The Village Panchayats, therefore, practically disappeared from the face of the country until the early part of this century. Although British Administrators as a class were sponsors of the centralization policy, now and then statesmen of vision appeared on the scene who delved into India's past and realized what a fundamental role local institutions could play in the lives of the people. They contended that it was not sound policy to keep the people eternally dependent on the Government and that there should be possibilities for the development of indigenous initiative and enterprise. The Local Boards Act, 1920, associated with the name of Lord Ripon, was the outcome of this feeling. This Act was designed to provide in a limited measure opportunities for the people to handle their own affairs.

4. But even under the Act, the panchayats had no untrammelled existence. They were left with little or no initiative and lack of funds imposed a severe handicap. The District Board and its President as well as the Inspector of Local Boards had powers to interfere even in the day-to-day administration of village panchayats, not to speak of the ease with which they could interfere in more important matters. Their budgets and administration reports, for example, had to be submitted to the District Boards. The President of the District Board was also empowered to take action

against Presidents of Panchayats. All proposals of taxation made by panchayats had to be approved by the District Boards. The Inspector of Local Boards also had similar authority and this dual control practically smothered village panchayats.

### A LANDMARK

5. A landmark in the history of the panchayats was registered with the advent of independence. When the popular representatives assumed office, it was decided to rejuvenate village panchayats in order to convert them into self-governing units of local administration invested with more or less independent powers in all matters affecting village life and village economy and reducing external control to a minimum. The intention was to develop these village panchayats into little village Republics. The Madras Village Panchayats Act of 1950, was therefore placed on the Statute book. In many respects, this Act is an eminently democratic measure and aims at restoring village panchayats to their original key-position. The Act came into force with effect from 1st April 1951.

### THE MADRAS VILLAGE PANCHAYATS ACT, 1950.

6. A few noteworthy features of the new Act may perhaps be interesting in this context. To start with, a large number of new panchayats will come into being under this Act. Till recently village panchayats had been constituted usually for each revenue village and in some cases for two or more villages or portions of such villages at the option of the local inhabitants. There were 8,516 such village panchayats at the end of December 1950. Under the new Act, on the other hand, every village or hamlet with a population of 500 and above will have panchayats. Villages with a population of less than 500 will be included within the jurisdiction of an adjoining panchayat or grouped with neighbouring villages as local conditions permit. Another point is that the formation of panchayats will be compulsory under the Act, there being no room for local option. There are at



present 15,830 villages in this State and it is expected that panchayats will be formed for these within a period of three or four years from the date of commencement of the operation of the Act. The classification of panchayats will also be different. At present they are classified as major and minor panchayats for purposes of audit, while under the new Act, panchayats with a population of not less than 5,000 and with an estimated annual income of not less than Rs. 10,000 will be class I panchayats and the rest class II panchayats. The strength of a panchayat will range from 5 to 15 members according to a graduated scale based upon population and the members will be elected on the basis of the Legislative Assembly rolls. The mode of election will also be different. At present elections to major panchayats are held on secret ballot and those to smaller ones, by show of hands. Under the new Act, elections to all the panchayats will be only by secret ballot. The President will be elected not from the members as hitherto, but directly by the whole electorate and he will be an ex-officio member. Village headmen as well, as any other Government servant or servants of local bodies are debarred from becoming members. The Vice-President will be elected from among the members as here-to-fore. There will be reservation of seats only for the members of the scheduled castes and even that only for a period of 10 years from the commencement of the Act. The seats reserved for Muslims and Indian Christians under the Madras Local Boards Act will be treated as general seats under the new Act and the members already elected for these seats will continue to hold office under the new Act.

#### ADMINISTRATION

7. Under ordinary circumstances, the President has to carry out the resolutions passed by the panchayat. But when he differs, the executive authority shall refer the matter to the Government and their decision will be final. It is open to the President to delegate any of his functions to the Vice-President. During his

absence from the village for not exceeding 15 days, the President's power will automatically be exercised by the Vice-President. Members of the panchayats are competent to move resolutions, table interpellations on matters connected with the administration and to call the attention of the executive authority to any neglect in panchayat work or waste or misapplication of panchayat funds.

8. The Inspector of Municipal Councils and Local Boards is competent to remove a President, Vice-President or member from office for misconduct or dereliction of duty. The Presidents, Vice-Presidents or members who have been removed from office as a punitive measure cannot stand for election for a period of one year. In case of conviction by a court of law for an offence involving moral turpitude, the period of exclusion will be five years. The Inspector will continue to exercise his powers to dissolve or supersede a panchayat on grounds of incompetence. In the event of such dissolution or supersession all the members will go out of office and the President will carry on the administration of the panchayat instead of a special officer until the panchayat has been reconstituted. A Special Officer will, however, be appointed, if the office of the President is vacant.

9. The system of appointment of executive officers will be continued, in the case of big panchayats, the presidents of which obviously will not be able to devote adequate attention to run the administration. The appointment of an executive officer will, however, be subject to the financial resources of the panchayat. The executive officer will be under the disciplinary control of the Inspector of Municipal Councils and Local Boards.

#### DUTIES OF THE PANCHAYATS

10. Under the new Act, the panchayats have both obligatory as well as discretionary functions within the limits of their funds. The obligatory functions include the construction, repair and maintenance of public roads, lighting of streets and public places, construction of drains, cleansing of streets, removal of rubbish,

provision of latrines, cleansing of latrines whether public or private, provision of protected water-supply, sinking and repairing of wells, ponds and tanks, initiation of preventive and remedial public health measures, etc. Certain additional powers have also been assigned to panchayats in the new set up and these include administration of civil and criminal justice, registration of documents, execution of kudimaramath, management of unreserved forests, grazing grounds, threshing floors, topes and other communal porambokes in the village. Communal rights enjoyed by the village community as a whole will also be transferred to panchayats.

11. The discretionary powers are : planting and preservation of trees on road margins, opening and maintenance of elementary schools, reading rooms, etc., public-markets, cart-stands, slaughter-houses, dispensaries, maternity and child-welfare centres, control of fairs and festivals and improvement of agriculture.

#### PANCHAYAT FINANCE

12. It will thus be clear that the panchayats under the new Act have a variety of duties to perform. All these mean money. The question of finances however did not present any serious difficulty in the case of village panchayats of old. They easily raised local contributions to defray the cost of welfare measures. Conditions have changed since and the Government have taken precautions to see that the panchayats are kept in possession of sufficient funds for their varied activities. At present the income of most of the panchayats is very small. The only revenue common to all panchayats is that derived from their share of land-cess realized in the village and the duty levied on transfers of property. There has been no attempt on the part of panchayats in the past to supplement their meagre resources by resorting to newer forms of taxation. Taxes are generally unpopular irrespective of their purpose. But in a welfare State there need be no legitimate dread for taxes because they go back to the people in the shape of public good. Under the new Act, a tax on houses (huts exempted),



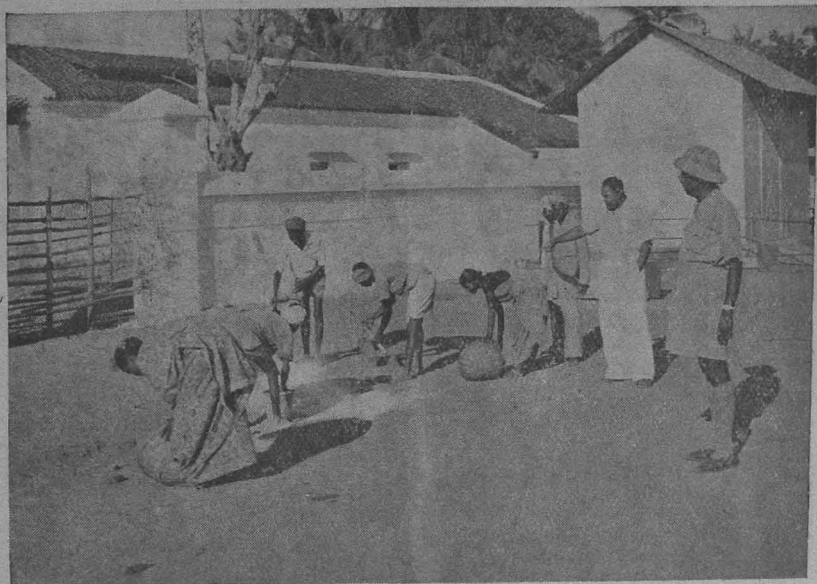
vehicle-tax and profession-tax will be levied compulsorily subject to maximum and minimum rates fixed by the Government.

13. The panchayats also will be empowered to levy at their discretion and subject to the sanction of the Inspector of Local Boards certain other specific taxes which can be done with advantage and without creating a sense of oppressiveness. Private markets except those the income of which is utilized for religious, charitable or educational purposes, will be abolished. The panchayats are competent to open new markets wherever necessary in order to augment their revenue. These resources will be further supplemented by the Government. In addition to the grants that are now being given to panchayats, an amount of not less than  $12\frac{1}{2}$  per cent of the land revenue of the State will be set apart for distribution to class II panchayats on the basis of population. Thus provided, panchayats under the new Act cannot naturally find it difficult to carry out their manifold responsibilities in the normal course of things. With the provision of funds, care has also been taken by the Government to ensure their proper utilization. The accounts of panchayats will be audited annually by persons unconnected with their supervision and administration, i.e., by the Local Fund audit staff working under the control of the Examiner of Local Funds. No fee will be charged for such audit.

14. While the panchayats are vested with comprehensive powers unfettered by outside control, precautions have also been taken to keep the panchayats to the track and to ensure a high standard of efficiency. They bid fair to develop into full blown autonomous bodies capable of promoting the general welfare of the Village Community in all possible ways. But it has to be remembered that much depends on the persons who work the panchayat. The effectiveness of such an instrument is in proportion to the public spirit of the persons who handle it. It is a historical fact that oftentimes good institutions started with noble intentions have lost their usefulness because of the lack of earnestness and public spirit on

the part of those who worked them. The panchayat is a potential instrument of public good and if it is worked properly, it is sure to prove a dynamic force capable of infusing new life into the villages. Mahatma Gandhi always stressed on the need to build up the State and society with the village as the nucleus. His concept of *Rama Rajya* was really one based on 'Grama Rajya.' The Panchayat Raj now sought to be built by the People's Government but fulfils in a manner Gandhiji's dream.

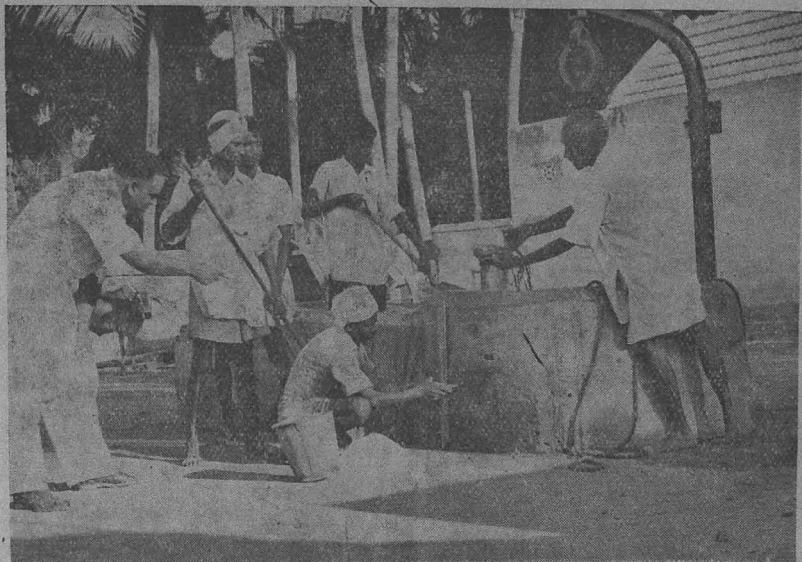




*Proper maintenance of roads is another business of Panchayats. Here a road is being repaired*



*Panchayats also take to the the preparation of compost manure.*



*Protected water-supply is also the concern of the Panchayat. A well is being repaired*



*Sanitation is a primary duty of the Panchayat. Street cleaning in progress*