
UNIT 4 HISTORICAL BACKGROUND OF LOCAL GOVERNMENTS IN INDIA

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4.1 INTRODUCTION

It is analysed that “Human institutions evolve over a period of time and in the process get adapted to the traditions and temper of the people” (Report of the Committee on democratic decentralization, Government of Maharashtra, 1969). It is therefore pertinent to understand the functioning of local self-governance institutions within the specific historical context. With the understanding gained by such study of the historical evolution of local self-governing institutions and their functioning in different time periods in history, one is in a better position to understand their present working and likewise, suggest alterations, for further improvement. It is the functioning of the local institutions henceforth, that have been set up following the 73rd and the 74th constitutional amendments, that needs to be observed and studied for the purpose of real democracy, for democracy inheres in processes; in the way things are actually done. The historical factor in attitudes and proclivities that developed over time, that characterize a particular culture cannot be denied. Democratic Decentralisation holds the promise of affecting real democracy by involving people in policy choices and other vital matters of administration that concern them, at the grass roots, which is where the actual implementation of policies take place and results are achieved, and where, the real success or otherwise of schemes and projects can be gauged. In this Unit we will study the evolution of local governance (which is also known as local-self) in India in the pre- and post-independence periods. Texts tell us that neither democracy nor democratic decentralisation is/are an alien concept(s) in India. There was an interregnum when local autonomy in governance was lost to centralised administrations. However, after successive attempts in the post-independence period, the desired three-tier arrangement for local governance has been put in place.

4.2 LEARNING OUTCOMES

After studying this Unit, you should be able to:

- Understand the origin of local governance in India;
- Explain the evolution of Panchayati Raj Institutions;
- Learn about the post- independence developments related to governance.

4.3 HISTORICAL OVERVIEW

Panchayats as an institution of local self-government at the village level had its origin in Ancient India. A sort of village council or an association of the residents of the village consisting of the village elders, Panchayats or Gram Sangha performed administrative and judicial functions. Sometimes, the Gram Sanghas or Panchayats were from among the villagers who regulated their own lives through these bodies. We find reference to Gram Sanghas in the Manusmriti, Kautilya's Arthashastra (400 B.C.) and the Mahabharata. The Shanti Parva of Mahabharata refers to a Sabha named 'Sansad' also. This consisted of the common people and was, therefore, called the 'Jan Sansad'. Valmiki's Ramayana speaks of the Ganapada, which was a sort of federation of village republics. Only those persons could become the members who had the general welfare of the people in their hearts (Kashyap, 2003). Local self-governing institutions were disrupted following invasions from the north-west. Not much effort was made during the medieval period to re-establish the same. Mughal governance was highly centralised. Villages were penetrated only for purposes of collection of revenue, never that much for administrative purposes. While the emperor had ultimate control, his team of jagirdars, zamindars, who formed the aristocracy of the Mughals interacted with the peasantry, but for exploitative purposes. This complicated agrarian relations in the countryside. The pre-British Mughal system of administration had a highly bureaucratised hierarchy of officials. The British made full use of this apparatus of administration while bringing about necessary changes as per their own requirements. Administrative and political reform during the time of the British was largely guided by commercial considerations. Expanding commerce and private property needed rule of law and an official machinery to enforce the contractual obligations. Therefore, political and administrative reforms were carried out from time to time, including establishment of local self-governing institutions on lines of British theory and practice. They lacked the local tinge; nevertheless, were there. The 'feudalisation' of India is attributed mainly to the Gupta era, when centralised authority of the preceding Mauryan age gave way to a decentralised system where the aristocracy attained land rights and subsequently power over subjects. The oligarchy exerted considerable influence on the monarch who depended on them for military supplies and cooperation during combat. The trend continued during the reign of Harsha, and worsened later. At the eve of the twelfth century, India had ceased to be a cohesive polity and presented a variegated picture of numerous tribes and ceaseless battles for 'paramourty'. Paramourty

however, was attained, long after, by the British. They consolidated the 'nation state', however obviously for personal gain, as above stated, and introduced modern systems of governance. The British rulers for the first thought of reversing the trend of centralisation only in 1882 when the Government of Rippon issued a resolution proposing steps in the direction of local self-government. The resolution called upon the provincial governments to establish a network of Local Boards charged with definite funds throughout the country. Accordingly, the present idea of democratic decentralization (rural local government) is the result of Lord Mayo's Resolution (1870) and Lord Rippon's Resolution (1882). The Report of the Royal Commission on Decentralisation (1909), and the Government of India Acts of 1919 and 1935 have further contributed in this direction (Malik, 2002). The British Government, with a view to preserve and stabilise its political control, took various measures and recognised village panchayats. A special Commission was appointed in 1909 on local self-government, which suggested the need for revitalising the village Panchayats for handling local affairs. The Decentralization Commission, which reported in 1909 made some far-reaching suggestions to remove some of the defects in the working of the Local Boards. In 1915 a government resolution endorsed the Commission proposals. But again, the provincial governments took no steps in the matter. Following the Montague Declaration of 1917 regarding the introduction of responsible government in gradual beginning with the local bodies a Resolution was issued by the Government of India in 1918 and, under the scheme of provincial dyarchy, by 1919; rural self-government was put under the charge of the Indian ministries. Some progress was made. Besides Municipal and Local Boards Acts, laws were passed in almost all the provinces to introduce Panchayats in villages (Henry, 1970). Subsequently, a number of Acts were passed like the Bengal village self-government Act of 1919; Madras, Bombay and United Provinces Village Panchayats Acts of 1920, Bihar and Orissa Village Administration Act, Assam Rural Self-Government Act of 1926, Punjab Village Panchayats Act of 1935 etc. to look after the village affairs and certain matters relating to their development. Under the Government of India Act, 1935 provincial autonomy started functioning in the provinces from April 1937. Congress Governments took office in eight of the eleven provinces. Considerable progress in the direction of Panchayati Raj was made during the period of the Congress rule. According to the January 1948 Plan of Gandhiji, each village Panchayat would constitute a working party with an elected leader. Above the village Panchayat came the hierarchy of indirectly elected bodies— taluka and district panchayats—each of which comprised the sarpanchs of the next lower panchayats. Members from the district and municipal panchayats would make up the provincial Panchayat. The national Panchayat would be responsible for defence, currency, customs, running of key industries of national importance and the coordination of provincial economic development plans (Raj, 1948). But the Panchayats formed under these acts were not democratic bodies as the government mostly nominated their members. The powers given to them were meagre and their financial resources were also limited. Commenting on the status of Panchayats during the British period, Maddick observed, "The British administration, with its

Roman sense of justice replacing the traditional powers of Panchayats in the more serious judicial cases, its system of tax gathering and of administration made such a violent impact that the corporate life of the villages was weakened and, in most cases, 'died'. The end of the Second World War brought in its wake the downfall of colonialism and the subject countries were granted independence by the ruler countries one after another. Invariably these countries were underdeveloped and backward because science and technology were not applied to the welfare of the masses of these countries. The gap between rich and poor countries begins widening instead of narrowing down, because in the newly emerged nations there was human power but not wealth. This enormous disparity among the people of the world is a problem not only for the poor nations but also for the rich parts of the world. Prosperity, like peace is indivisible. The end of the war also brought on the world stage two super powers having different approaches for the economic progress and welfare of their masses. These approaches are poles apart from each other. The first is the democratic approach and second is the revolutionary approach. Thus, a great burden fell on the shoulders of our leaders and they were called upon to share the responsibilities, which were to them a dream. Under such circumstances history came to their rescue and they cleared their policy in clear terms: Planning— Democratic, with a view to get the benefits of both the approaches—Democratic and Revolutionary. In every committee, conferences and meeting be it national, international or regional, there was only one topic under discussion and it is how to achieve speedy development in underdeveloped and undeveloped countries. A great number of programmes are assisted by the United Nations, its specialised agencies, inter-governmental organisations, regional commissions, bilateral agreements and many semi-public and private agencies, with a view to improving the economic conditions of the people in different parts of the world.

4.4 POST- INDEPENDENCE DEVELOPMENTS

The plea for greater autonomy to the rural bodies received conceptual strength with the advent of Mahatma Gandhi on the national scene and his advocacy of the doctrine of the national development through autonomous rural organisations, which he strived to model on the lines of Panchayat system as it prevailed in Ancient India. He envisaged five-tier system of Panchayats, Taluka Panchayats, District Panchayats, Provincial Panchayats and All-India Panchayats. The administrative system envisaged by him was that of a pyramid whose broad base would comprise numerous village communities of the country. Mahatma Gandhi, in 1946 had rightly remarked that the Indian independence must begin at the bottom and every village ought to be a Republic of Panchayat having powers. It is a welcome phenomenon that several economists have started discovering a new virtue in the concept of political decentralisation to ensure people's participation at the grassroots level so as to allow the gains of development to reach them. It was therefore only natural that demands were made in the Constituent Assembly for the revival of the Panchayat system of government at the local level. Soon after the independence some of the provinces had passed Panchyati Raj Acts

and taken practical steps to organise village panchayats as units of rural self-government and endow them with certain powers and authority of administration. The Gandhian Constitution for free India drafted by S.N. Agarwal envisaged self-sufficient, self-governing village communities. Gandhiji was an ardent exponent and devotee of village swaraj (self-rule). For him, the term comprises village autonomy and self-sufficiency. Thus, Gandhiji wanted to see each village working as a small republic in which the people will not only solve their problems at their own but also formulate policy and programmes for development (On Gandhiji's insistence a clause regarding PRIs was inserted in Indian constitution in Article 40 under the chapter on Directive Principles of State Policy. Members of the village panchayats were to be elected by all the adults in the village). The village was to be the primary unit and the foundation of development planning. Later on, the Sarvodaya movement had also drawn on this philosophy of diffused democracy and decentralisation. As a result, "the movement for Panchayati Raj achieved both an intellectual respectability and sentimental appeal emphasizing that in such a state the best servants of the village should form the Panchayat, being elected unanimously, and from the village level there should be indirect election to sub-districts, provincial and central administration (Henry 1970). Jawaharlal Nehru also referred to the existence of democratic institutions at the village level in ancient India and said that India's strength really lay in 'her widespread system of village republics or self-governing Panchayats'. These Panchayats were 'elected by the village folk and thus there was a basis of democracy in this system.' Nehru was rather surprised to find that these Panchayats enjoyed both executive and judicial powers 'and their members were treated with greatest respect by the King's officers' (Nehru, 1962). On 16th March 1963, Nehru remarked that community development and Panchayati Raj were among the most helpful developments in the country, together constituting a revolutionary movement which, even if it had only yielded a fourth of the expected results, yet had proved' an amazing success, strengthening India at the very roots and preparing millions of men and women to shoulder responsibility and to be self-reliant. Still later, on 22 June 1963, Nehru said: "I have full confidence in its success because I have full confidence in Indian people." In March 1950, the Planning Commission came into existence and we began to plan for large-scale economic and social progress. As such the Planning Commission gave concentrated thought for a period of two years to the development of rural areas. The Planning Commission, therefore, thought of shaping the village development programmes, so as to attack the five giants of hunger, Poverty, Disease, and Ignorance through a self-help programme of Community Development. "Community Development is a movement designed to promote better living for the whole community with the active participation and on the initiative of the community". Thus, was defined the term at the Ashridge Conference of Social Development in 1954. The village Panchayats gained further impetus with the beginning of the First Five Year Plan in 1951. In 1952, several states launched community development and rural development plans with the help of local Five-Year Plan introduced in 1956. The Panchayat Raj Institutions (PRIs) in India have travelled a long way to acquire a constitutional status from a mere mentioning of it in the

constitution in the form of Directive Principles (Article 40). Article 40 of the Indian Constitution states: “The state shall take steps to organise Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.” The Article remained a dead letter for many years before finding a place of some importance in the form of the Balwantrai Mehta Study Team Report in 1959. The team had inter-alia envisaged directly elected Panchayats for a village or a group of villages, an executive body called Panchayat Samiti for a block with directly elected and co-opted members and an advisory body, Zilla Parishad, at the district level constituted indirectly with an ex-officio member from the lower tier and others with the Collector as the Chairman (Mishra, S.N, Kumar, Lokesh, Pal Chaitali, 1996).

Check Your Progress-1

1) Write in your own words on the history of local governance.

2) Write on post- independence developments related to governance.

4.5 BRIEF OVERVIEW OF INITIATIVES POST-INDEPENDENCE

Brief Overview of Initiatives Post-Independence The term ‘Panchayati Raj’ came into usage after the acceptance of the recommendations on Democratic Decentralisation of the Balwant Rai Mehta Study Team. Previously the terms used were ‘village panchayat’, ‘district board’ or ‘sub-district board’, which were the self-governing bodies at the village or regional levels. Panchayati Raj implies the creation of local government institutions at the village, block and district levels. The Institutionalisation of democratic decentralisation in the form of statutory Panchayati Raj thus opened a new chapter in the history and gave a new turn to the evolution of rural local self- government institutions in India (Maithali, 1995). Panchayati Raj involves a three-tier structure of democratic institutions at districts, block and village levels, namely Zila Parishad, Panchayat Samiti, and Village Panchayat respectively. These institutions are considered as training ground, or democracy and political education. Rural development plans and programmes are implemented at this level so that fruits of development at this level so that fruits of development can accrue to the community directly. These institutions were established in 1959 based on the philosophy of decentralization and Gram Swaraj. The philosophy of development that emerged in India after Independence emphasised the involvement of the

people into a structure that would enable them to actively participate in the process of decision-making. In order to bring democracy to the grassroots level and involve people in decision-making, an experiment was made with the devolution of power to the elected representatives and allocation of responsibility and financial resources as it was felt that this would be a major institutional device for the development of rural areas. Introduction of Panchayati Raj was hailed as one of the most important political innovations in independent India. It was also considered as a revolutionary step. Panchayati Raj is a system of local self-government wherein the people take upon themselves the responsibility for development. It is also a system of institutional arrangement for achieving rural development through people's initiative and participation. Administration of development programmes aimed at social economic and cultural development, provision of community and welfare services etc. are entrusted to these local self-governing intuitions. Balwantrai Mehta himself, who said that a welfare state would never be achieved in reality so long as local self-government did not function at the District, Taluka and Village levels with elective elements, moved the Resolution on "Panchayati Raj". According to him, Panchayats and the cooperatives were the two institutions through which the people could be trained for the leadership. By the year 1962, Panchayati Raj had come to be accepted as national programme. It was felt necessary that Panchayati Raj got the widest support of the people and therefore the need for avoiding party politics in the election to village Panchayats was emphasised. It was hoped that the political parties would also avoid setting up candidates hoped that political parties would also avoid setting up candidates on party lines for Panchayat elections. Balwant Rai Mehta Committee was appointed to enquire into, among other things, the lack of initiative, apathy and indifference on the part of the rural population. According to the Committee there was to be a Panchayat Samiti at the Block level, which was to be indirectly elected by the village Panchayats. At the district level there was to be a coordinating body called the Zilla Parishad consisting of the Presidents of the Panchayat Samitis, Members of State Legislatures and Parliament and all district level officers of the development departments as members and, with the collector as the Chairman.

The sixty-fourth and sixty-fifth amendment bills, which later became the seventy-third and seventy-fourth amendments were the first major constitutional efforts with the stated objective of transferring power to the grassroots people. It was a great initiative by Rajiv Gandhi as Prime Minister. But unfortunately, the two bills were lost in the Rajya Sabha by three votes. The 73rd Constitutional Amendment sought to integrate the democratic process at all levels by formalizing a mechanism wherein people at all levels were to have an opportunity to participate openly in matters which concern their welfare and development. No doubt, a wide variety of functions have been assigned to the institutions of Gram Sabha but there is no uniformity in assigning the functions among the states and in most of the cases they are non-functional. The rural people are not fully involved in the decision – making process and financial management. They are kept aloof in the development process from planning to execution of rural development schemes and Programmes. The devolution of powers and functional

strengthening of the different tiers of the PR system is progressing at snail's pace in most of the states. Bureaucratic control over PRIs continues to be very strong. The financial devolution from centre to the states and the PRIs has not yet taken place. There is lack of proper maintenance of records and registers by the Panchayats. The elected representatives fail due to illiteracy and lack of awareness as compared to their better off counter parts. The bureaucrats are unwilling to empower the Panchayats. Politicisation has been the main in the smooth functioning of Panchayats (Singh, 2005).

4.6 LET US SUM UP

The year 1959 marked a revolutionary step in the development of the institutions of rural local self-government in the country. The year saw the inauguration of Panchayat Raj movement throughout the country. The Panchayats which had formerly been associated only in an executive and advisory capacity, under the community development programme were now to assume full responsibility for carrying it a head. The turning point came with the publication of the report of the Committee on Plan Projects in 1957, popularly known as the Balwant Rai Mehta Committee. The Committee was set up by Central government in 1957 to enquire into the questions of economy and efficiency and suggest other measures for the reorganization of community development programme. The Ashok Mehta Committee (1977), appointed by the Janata Party Government, was the major one, which suggested two- tier system of Panchayati Raj consisting of Zila Parishad and village Panchayats. However, these recommendations were not accepted by the government. C.H. Hanumantha Rao working Group (1983), G.V.K. Rao Committee (1985), L.M. Singhvi Committee (1986), Thungan Committee (1988) etc. were the other committees, which gave valuable suggestions for revamping the local bodies. The 64th and 74th Constitution Amendment Bills of 1989 and 1990 were the other abortive attempts made in this direction. (The Constitution (73rd Amendment) Act, 1992). In the next unit, you will learn about the Committees Constituted by Government of India.

4.7 UNIT END QUESTIONS

- 1) Write the historical significance of local government in India.
- 2) Evaluate the post- independence developments related to local governance in India.
- 3) Do you agree that local governance is the most efficient ways of functioning. Write your critique.

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- The unit adopted (some sections) from the course MPA-016. Modifications are done as per the requirement of the BGS-013