

## **Quadrant II – Transcript and Related Materials**

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### **Notes**

#### **VILLAGE PANCHAYATS/PANCHAYATI RAJ**

Panchayati Raj is the oldest system of local government in the Indian subcontinent. Panchayati Raj Institutions as units of local government have been in existence in India for a long time, in different permutations and combinations. However, it was only in 1992 that it was officially established by the Indian Constitution as the third level of India's federal democracy through the 73rd Amendment Act.

The Panchayati Raj Institution (PRI) consists of three levels:

Gram Panchayat at the village level

Block Panchayat or Panchayat Samiti at the intermediate level

Zilla Panchayat at the district level

The word "Panchayat" means assembly (ayat) of five (panch) and raj means "rule". Traditionally Panchayats consisted of elderly and wise people chosen by the local community, who used to settle disputes between individuals and villages. The leader of the panchayat used to be called as Mukhya or Sarpanch. Generally the elder-most or most senior person would be elected to this position. The Panchayati Raj system is also recognised as a form of direct democracy (i.e they exercise all powers of a government at a village level), as opposed to the popular notion that it is a type of representative democracy. As per January

2019, there are 630 Zilla Panchayats; 6614 Block Panchayats and 253163 Gram Panchayats in India. There are currently more than 3 million elected representatives (of which more than 1 million are women) for panchayats at all levels. In modern India, Mahatma Gandhi was one of the leading advocates of Gram Swaraj i.e village self-governance where the village would be responsible for its own affairs. The Panchayati Raj system of governance can be found all over South Asia in countries such as Pakistan, Bangladesh and Nepal, where it goes by the same name. Panchayat Institutions are the vehicles of political empowerment of people at the grass root level for shaping their own destiny. A vast majority of people are living at the grassroots level in the rural and remote areas without any touch of modern day. A large section of such deprived people belong to Scheduled castes, Scheduled tribes and other Backward casts as also women in general at the grass root level.

#### Key Features of Panchayat Raj System:

The Gram Sabha is a body consisting of all the people registered in the electoral rolls who belong to a village comprised within the area of the Panchayat at the village level. Gram Sabha is the smallest and the only permanent unit in the Panchayati Raj system. The powers and functions of Gram Sabha are fixed by state legislature according to the law on the subject.

Seats are reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs) and chairpersons of the Panchayats at all levels are reserved for SCs and STs in proportion to their population.

One-third of the total number of seats is to be reserved for women. One-third of the seats reserved for SCs and STs are also reserved for women. This policy extends to the office of the chairperson at all levels as well (Article 243D). The reserved seats may be allotted by rotation to different constituencies in the Panchayat.

There is a uniform policy with each term being five years. Fresh elections must be conducted before the expiry of the term. In the event of dissolution, elections compulsorily within six months (Article 243E).

Panchayats have the responsibility to prepare plans for economic development and social justice with respect to the subjects as per the law put in place, which also extends to the various levels of Panchayat including the subjects as illustrated in the Eleventh Schedule (Article 243G).

**Gram Panchayat:** Gram Panchayat consists of a village or a group of villages divided into smaller units called "Wards". Each ward selects or elects a representative who is known as the Panch or ward member. The members of the Gram Sabha elect the ward members through a direct election. The Sarpanch or the president of the Gram Panchayat is elected by the ward members as per the State Act. The Sarpanch and the Panch are elected for a period of five years. Gram Panchayat is governed by the elected body and administration. The secretary is normally in charge of the administrative duties of the Gram Panchayat.

**Block Panchayat:** Panchayat Samiti (also called Taluka Panchayats or Block Panchayats) is the intermediate level in Panchayati Raj Institutions. The Panchayat Samiti acts as the link between Gram Panchayat (Village) and District Panchayat (Zilla). These blocks do not hold elections for the Panchayat Samiti council seats. Rather, the block council consists of all of the Sarpanchas and the Upa Sarpanchas from each Gram Panchayat along with members of

the legislative assembly (MLA), members of parliament (MPs), associate members (like a representative from a cooperative society) and members from the Zilla Parishad who are a part of the block. The Gram Panchayat members nominate their Sarpanch and Upa Sarpanch amongst their ranks, which extend to the selection of the chairperson and vice-chairperson as well. The Executive Officer (EO) is the head of the administration section of the Panchayat Samiti.

**District Panchayat:** The District Panchayat also known as the District Council or Zilla Parishad is the third tier of the Panchayati Raj system. Like the Gram Panchayat, the District Panchayat is also an elected body. Chairpersons of Block Samitis also represent the District Panchayat. Like the Block Panchayat, the MP and MLA are also members of the district panchayat. The government appoints the Chief Executive Officer to carry out the administration of the district Panchayat along with the the Chief Accounts Officer, the Chief Planning Officer and one or more Deputy Secretaries who work directly under the Chief Executive Officer and assist him/her. The Zilla Parishad chairperson is the political head of the district panchayat.

The primary objective of establishing the third tier of the government is to increase democratic participation, better articulate local needs and priorities, and to ensure a more efficient use of local resources along with greater accountability and transparency. Accordingly, 29 functions have been proposed to be transferred to local governments in the rural area. These institutions have been playing an important role in several flagship programmes of the central and state governments, perhaps more role in implementation and monitoring.

Some of the important functions of a Village Panchayat are:

- a) Construction, repair and maintenance of all village roads.
- b) Extension of village sites and the regulation of buildings.
- c) Lighting of public roads and public places in built-up areas.
- d) Construction of drains.
- e) Cleaning of streets and improvement of the sanitary condition of the village.
- f) Construction and maintenance of public latrines.
- g) Sinking and repairing of wells, the excavation, repair and maintenance of ponds or tanks and the construction and maintenance of water-works for the supply of water.
- h) Maintenance of burial and burning grounds.
- i) Maintenance of parks and reading rooms,
- j) Implementation of schemes such as Indira Awaas Yojana (IAY) and National Rural Employment Guarantee Scheme (NREGS).
- k) Such other duties as the Government may, by notification, impose.

The Constitution (73rd Amendment) Act, 1992 has added a new part IX consisting of 16 Articles and the Eleventh Schedule to the Constitution. The 73th Amendment envisages the

Gram Sabha as the foundation of the Panchayat Raj System to perform functions and powers entrusted to it by the State Legislatures. The amendment provides for a three tier Panchayat Raj System at the village, intermediate and district levels. Article 243A provides that the Gram Sabha may exercise such power and perform such functions at the village level as the Legislature of a state may by law provide. The 73rd amendment thus envisages the Gram Sabha as the foundation of Panchayat Raj System. "Gram Sabha" means a body consisting of persons registered in the electoral rolls comprised within the area of Panchayat at the village level. In the Panchayat Raj System Gram Sabha is the only permanent unit. Duration of Panchayat i.e. Mukhiyas and other members of Panchayat continue for 5 years only from the date appointed for the first meeting, but the villagers do not change. Empowerment of Gram Sabha means strengthening of the Panchayat Raj Institution (PRIs). Success or failure of this system depends upon the strength of the Gram Sabha.