

**DECENTRALIZATION OF POWER AT THE PANCHAYAT LEVEL
IN KERALA AND THE GANDHIAN VISION OF GRAM SWARAJ
- A STUDY IN HISTORICAL PERSPECTIVE**

**A
THESIS SUBMITTED TO
MAHATMA GANDHI UNIVERSITY, KOTTAYAM
FOR THE AWARD OF THE DEGREE OF
DOCTOR OF PHILOSOPHY
UNDER THE FACULTY OF SOCIAL SCIENCE**

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**DEPARTMENT OF HISTORY
UNION CHRISTIAN COLLEGE, ALWAYE (KERALA)**

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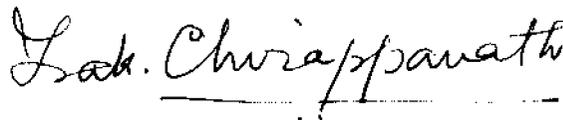
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This is to certify that, this thesis on **Decentralization of Power at the Panchayat Level in Kerala and the Gandhian Vision of Gram Swaraj - A Study in Historical Perspective**, submitted for the award of the Degree of Doctor of Philosophy under the Faculty of Social Science, is a record of bonafide research work carried out by P.D. Johny, Department of History, Union Christian College, Alwaye - 683 102, under my supervision. No part of the thesis has been submitted for any degree before.



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DECLARATION

I, **P. D. JOHNY**, hereby declare that this thesis has not been previously submitted in this University or any other University for the award of any degree, diploma, associateship, fellowship or other similar titles of recognition.



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*Aluva,
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Glossary

Ahimsa	- Non-violence
Block	- A term, indicating a group of villages
Desam/Desom	- A group of villages or a small sub-divisions of the country in Pre-British days.
Desavali/Desavazhi	- A ruler of the Desom.
Dewan/Diwan	- The chief executive minister of the Maharaja(King). The term was first used in Travancore, in the late 18th century.
Dewan Peshkkar/ Peishkkar/Peishkar	- An officer directly below the Dewan in rank. From the year 1854, designated as Divisional Officer.
Gramasabha/Gram Sabha	- Village body consisting of all male and female residents of an area.
Grama Sevak	- A male worker at the village level.
Grama Sevika	- A female worker at the village level.
Gramdan village	- Village in which the land has been given by its owners to common use in co-operative farming.
Harijan	- Child of God, Gandhi's description of a member of the lower castes.
Mahatma	- Title of respect, literally means Great Soul.
Malabar Era. (M.E.)	- The Kerala system of reckoning the years, which was began in 825 AD of the Christian Calandar.
Kara	- Traditionally the local organization of the Nayars in Travancore. It meant the same as 'tará' in northern Kerala. After the imposition of British rule, in Malabar and Travancore and Cochin, 'kara' came to be used interchangeably with 'tará' and 'desam', to mean a village.
Nadu/Nad/Natu	- The territory of a Nayar (Nair) Chief, which was made up of a number of desams, in pre-British Kerala.

Naduvali/Naduvazhi	- The ruler, commandant of the 'Nad' or country.
Nambudiri	- A caste of Malayali Brahmans concentrated in north Travancore, Cochin, and Malabar District in Kerala
Nyaya Panchayat	- Judicial 'Panchayat'
Pallisabha	- Equivalent of 'Gramsabha' in Orissa
Panch	- Member of the 'Panchayat'
Panchayat	- Village level body/rural local body, a council of village elders that functioned as a court
Panchayatdar	- Member of the 'Panchayat' Council .
Panchayat Samiti	- Second tier(local) committee of the 'Panchayat' at the block level.
Pramukh	- Chairman of the 'Zilla Parishad'
Pradhan	- Chairman of the 'Panchayat Samiti'
Pravarthikaran	- The chief official in a revenue village.
Pravarthi/ Pravratti	- One or more villages administered by a subordinate government officer called 'Pravarattikaran'.
Patwari	- Village accountant
Raj	- Rule
Raiyat/ ryot	- An Indian peasant
Satyagraha	- 'A force which is born of truth or non-violence', tenacious clinging to truth; civil or non-violent resistance etc.
Sarpanch	- Chairman of the 'Panchayat'
Sarvodaya	- A movement aimed at the welfare of all.
Sabha	- Assembly, association, or confernce.
Swadeshi	- Goods produced in one's own country.
Samiti	- Assembly/council

- Swaraj** - Self rule, the term originated from two words 'Swa' and 'raj'.
- Tara, tara** - The local organization of Nayar families in traditional times.
- Talathi** - Person responsible for maintaining village land records.
- Taluk** - Administrative sub-division of a district for land revenue purposes.
- Tehsil** - The revenue sub division of a district
- Tehasildar/Tahasildar/ Taluqdar** - An executive officer who presided^r or presides^{over} a Taluq.
- Vaidyasala** - An indigenous term for hospitals, clinics etc.
- Zilla Parishad** - A third tier local authority at the district level.
- Zamindar/ Zamandar** - Landlord or land holder, paying revenue direct to government

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CHAPTER 1

INTRODUCTION

1.1.0. Introduction to the thesis

One of the most crucial and recurring debates in the developing world in recent years has been on the degree of control that the central government can and should have over the administration at the national, state and sub-state levels and over the citizens. The debates have taken the direction of arguments for decentralization of power at different levels in various theoretical perceptions, mainly political and economic. Politically, decentralization has been seen as a way of reducing overload and congestion in administration and of ensuring better representation of the people, more efficiency and autonomy at the lower levels. Economically, it has been justified as a way of managing national economic development more effectively through decentralized planning at the lower levels. The arguments favouring decentralization, whether based on political, economic or other factors, have elicited keen interest among administrators, politicians, academicians and others in the developing world. In India too, the issue of decentralization of power has evoked wide interest, though not always for the right reasons and the best of motives. In recent times it has paved the way for several amendments to the Indian Constitution aimed at transferring more power to rural and urban bodies. Since Mahatma Gandhi's name is being invoked in most of the deliberations on decentralization at the national and state levels, his views on the subject, epitomized by the term *Gram Swaraj*¹, have been taken for a special analysis in this study.

1.1.1. The Concept of Decentralization

The term 'decentralization' literally means 'away from the centre'. It implies not only the devolution of powers, but also a process in which responsibilities and duties are transferred by a higher

1. The term **Gram Swaraj** is synonymous with the village republic. It is an indigenous expression which signifies village self-rule or village self-government. In this expression, the word 'Grama' signifies village and the phrase 'Swaraj' signifies self-rule. Again, the term 'Swaraj' itself is originated from the words- 'swa' and 'raj' which mean self-rule.

or central authority to the institutions or organizations at the lower levels, thereby providing to the latter adequate incentive for autonomous functioning.¹ Accordingly, the term indicates a situation wherein authority and powers are dispersed from one single centre to a number of centres²; or it denotes an act of giving greater powers to branches away from the centre.³ Decentralization has also been understood as a method of implementing ideas and organizing human operations enabling individuals to satisfy their wants as far as possible through personal action involving diffusion and distribution of power among people generally.⁴

Though the concept is mainly used in the context of Public Administration, decentralization has varied connotations— political, administrative, economic, geographical, and functional. The context determines the meaning and aspect of the term. Politically, decentralized policy involves representation or participation of people in administration through elected bodies. The administrative policy includes the delegation of authority and transfer of power to individual units. Economic decentralization envisages the granting of powers related to economic planning and implementation to lower units to ensure higher rate of growth and better distribution. Geographical (or territorial) decentralization concedes freedom of operation to the field units which are away from the headquarters, thereby enabling them to meet the needs of the population promptly. Functional decentralization implies entrustment of decision-making in technical or professional matters to the appropriate units of organization. The objectives of the measures of decentralized policy pursued may, thus, vary and include better efficiency, greater autonomy, area functioning, localized planning and the refinement of administrative machinery.

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1. For further definitions of the term 'decentralization', see, Roger Scruton, **A Dictionary of Political Thought**, 1986 rpt., London, pp.274-75; M.D. Chalmers, **Local Government : the English Citizen, His Rights and Responsibilities**, London, 1983, p.27; S.Bhatnagar, **Rural Local Government in India**, New Delhi, 1978, p.4. Citing Harold F. Alderfer, the author says that in deconcentration, administrative units are merely set-up, under which no major matters of policy are decided locally and no fundamental decisions are taken. In decentralization, local institutions exist in their own right. Also see, **The Encyclopedia Americana**, International Edn., Vol.8, Grolier Incorporated., 1984 rpt., Connecticut, p.587.
 2. M.L. Sharma, **Gandhi and Democratic Decentralization in India**, Unpublished Ph.D diss., New Delhi, 1987, pp.10-11.
 3. **The Advanced Learner's Dictionary of Current English**, 1968 rpt., London, p.254.
 4. Ralph Borsodi, 'Centralization and Decentralization,' in **Harijan**, Vol.XIII, No.13, May 29, 1954, Ahmedabad, p.106.

However, the degree of control over the units of administration and over the citizens, the extent of decentralization and the location of authority— all these have provoked debates among political philosophers and social scientists. The controversy received greater ardour with the advent of the anti-authoritarian school of thought with its exponents advocating extreme forms of decentralization. Henry David Thoreau, for example, conceived a government at the centre which governs the least. Count Nikolayevich Lev Tolstoy condemned a highly centralized state, while William Godwin visualised a central power structure fully circumscribed as a safeguard against tyranny. Thomas Hodgskin desired the absence of political authority, so that people can enjoy their natural rights. Pierre Joseph Proudhon upheld anarchism to ensure liberty and freedom. Josiah Warren held the view that the necessity for government arose only on account of evils in society. Mikhail Aleksandrovich Bakunin emphatically rejected all the institutions of political control. Mahatma Gandhi's condemnation of the state and his objection to centralized form of government approximate the spirit of Tolstoy's and Thoreau's writings.¹

1.1.2. Decentralization in two Perceptions; Western and Indian

The concept of decentralization has been generally used in Western countries in the context of an administrative policy of the central authority towards the lower level bodies. The administrative concept of decentralization treats the lower units of administration as 'limbs and hands' of the government. This upholds the principle of partnership in administration with the peripheral units functioning as agents of the central government.² Attempts at decentralization in India during the British rule echoed the spirit of the above concept which held sway in England and the West.

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1. For details see, Adi H. Doctor, 'Western Influence on Gandhian Thought', in Sibnarayan Ray, ed., **Gandhi, India and the World**, Bombay, 1970, p.56. For details on anarchist philosophers see, **Encyclopaedia Britannica**, Vols. I., pp.808-13, II. pp.607-608, XV. pp.130-31 & pp.537-38, XVIII. pp.482-87 & pp.350-52. The society envisioned by Gandhi bears resemblance to the picture of a society drawn by Fourier. For details of this statement see, Biman Bihari Majumdar, ed., **Gandhian Concept of State**, 1977 rpt., Calcutta, p.192.
 2. The Western notion may be called 'administrative decentralization' by which local bodies enjoy, statutorily defined autonomy. The local bodies are usually created through enactments or statutory regulations. For details on the two perceptions see, Douglas Esminger, 'Democratic Decentralization: A New Administrative Challenge', in **Indian Journal of Public Administration**, Vol. VII, No.2, New Delhi, 1961, pp.287-96; Marina Pinto, 'The Changing Face of Local Government in Britain', **Quarterly Journal of the All India Institute of Local Self-Government**, Bombay, Vol. LXIII, No.2, April-June 1991, pp.53-59. In India the local bodies termed as Village **Panchayats**, were fountains of participatory democracy'. For details on ancient Indian Village Panchayats see, K.P. Jayswal, **Hindu Polity**, Calcutta, 1924; R.C. Majumdar, **Ancient India**, Benares, 1952, p.79; A.S. Altekar, **State and Government in Ancient India**, 1984 rpt., Delhi, pp.225-45; H. D. Mallaviyya, **Village Panchayats in India**, Bombay, 1956, pp.42-91.

In India, however, the concept of decentralization has from very early times, implied more than an administrative system. The Indian view represented by the ancient *Panchayat* system connotes the functioning of the democratic institutions at the grass-root levels¹. The Village *Panchayats* in India have been the living centres of direct and real democracy from very early days.

The Indian rural society was composed mainly of a multitude of villages, each village enjoying an almost independent and self-sufficient existence. The village was administered by a *Panchayat* which means a council of five members composed of elected or customary representatives of various castes. The *Panchayat* was the link between the villages and higher authorities. It must, however, be stated that there is a view that the role of the *Panchayats* in catering to the requirements of the village was negligible. This, however, does not disprove the potentialities of the system. The *Panchayat* and the headmen maintained peace in the village, settled disputes among the villagers and looked after the sanitation and other matters of common concern. They played a pivotal role in the defence and development of the villages. Thus, from the stand point of administration, the village was autonomous. The *Panchayats* functioned as units of local self-government and contributed to social integration and cultural identity. It was this legacy of the Indian villages as the seats of real democracy, and autonomous administrative units that Mahatma Gandhi sought to revive through his vision of *Gram Swaraj*.

1.1.3. Local Bodies under the British Rule

A historical study of local bodies in India brings to light three specific streams of thought—the colonial concept of local government introduced during the British regime, the Gandhian concept of *Gram Swaraj* with its thrust on the ancient *Panchayat* system, and the concept of Community Development Programme of the post-independence period. One can find all the three streams of thought in greater or lesser degrees in the functioning of rural local government in the present Indian

1. The term 'grass-root' means originating or carried on by the common people at the local levels. For details see, Webster, *New Twentieth Century Dictionary of English Language*, Indian Edn., 1960, p. 795; Also see, Iqbal Narain, 'Democratic Decentralization: The Idea, the Image and the Reality', in R.B. Jain, ed., *Panchayati Raj*, New Delhi, 1981, pp. 10-34.

2. The term *Panchayat* means an assembly of five. This indigenous term originated from the two terms, - 'Panch' means five and 'yat' means an assembly. For a detailed presentation of the meanings of the term see, *The Oxford English Dictionary*, 2nd Edn., Vol. XI, p. 126.

states.

The roots of the colonial concept of local administration in India can be traced back to the imperial Government's initiatives as early as 1861, when Samuel Liang, a member of the Viceroy's Executive Council made a statement that local bodies should be entrusted with the task of local expenditure. Nine years later, Lord Mayo envisaged a series of devolutionary measures in financial management. The local bodies were made agents of the Government for raising resources for meeting local requirements¹. The village officials were made salaried servants of the state. As a result, the Roman system of justice replaced the traditional power of the *Panchayats* in respect of the more serious judicial cases. The new system of tax gathering and administration made such a violent impact that the corporate life of the village weakened and in most cases ceased to exist. The old time institution, thus received a death-blow at the hands of those who sought the advantage of a centralized uniform system and they applied it without regard to its effects upon the indigenous social structure.² In short, the Village *Panchayats* were linked with the upper tiers of administrative hierarchy by the British administration through a policy of political and economic decentralization.

Ripon's Resolution of May 18, 1882 envisaged the local bodies not merely as units of administration but as avenues for popular and political education.³ Ripon's promises, however, were implemented only slowly owing to resistance from most of the provincial bureaucrats. Moreover, his scheme involved the process of decentralization upto Municipal and Taluk levels only. The administration of Village Unions (lowest administrative unit) consisting of nominated members and headmen of villages was entrusted to the District Boards. Thus the rural local government became an officially ordered adjunct to the District Administration⁴.

The Decentralization Commission of 1907, no doubt, recommended the revival and strengthening of the Village *Panchayat* system and the revival of the village as the primary territorial unit of government organization. It favoured the constitution of the village as the first unit of administration

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1. For details see, Sumit Sarkar, *Modern India (1885-1947)*, 1985 rpt., Delhi, p.19; M. Shiviah and K.B.Srivastava, *Factors Affecting Development of the Panchayati Raj System*, Hyderabad, 1990, p.102.
 2. Henry Maddick, *Panchayati Raj: A Study of Rural Local Government in India*, London, 1970, p.17.
 3. *Report of the Indian Statutory Commission Vol.I.*, London, 1930, p.299; Also see, Henry Maddick, *Op.cit.*, p.17;
 4. Hugh Tinker, *The Foundations of Local Government in India, Pakistan, and Burma*, Bristol, 1954, p.55.

with the functionaries like the headman, the accountant and the village watchman forming a village government. As a result, the villages were transformed into units of imperial administration, with the village functionaries turned into government servants and their activities subjected to strict official control. The Commission's views on the revival of the Village *Panchayats* as popular bodies were, however, cast aside. The Government of India Act 1919, contained several measures towards decentralization of administration and provided for the transfer of the Department of Local Self-government into the hands of Indian ministers in the provinces. Shortage of funds, however, impeded any substantial development of local bodies in the provinces. The failure of the experiment figured prominently in the *Report of the Indian Statutory Commission, 1930*. The Commission conceded that the efforts of the Government at decentralization were, for the Indian masses, part of colonial policy of centralized administration and not genuine decentralization. The attempt to build a system of local administration on the British model was compared to the demolition of parts of an old, established and homogenous building and the erection in its place of a structure designed in an entirely different style of architecture.

Thus, the local government envisioned by the British administrators conformed mainly to the needs of a centralized administrative system. The colonial approach did not involve efforts for the development of popular bodies at the lower levels of administration.

1.1.4. Gandhian Concept of Democratic Decentralization, *Gram Swaraj* and the *Panchayat* System

The issue of democratization of local bodies, which had become part of the demands of Indian nationalists, became alive as the steps for decentralization on the part of the government began to falter. Resolutions were passed time and again urging the government to take urgent and speedy measures to increase the powers and resources of local bodies.¹

The scheme of administrative decentralization with the focus on ancient rural bodies or *Panchayats* owes its currency to the patronage extended by Mahatma Gandhi. A virulent critic of centralized power and a staunch advocate of decentralization, Gandhi had reservations about the official

1. M.Rama Chandra Rao, *The Development of Indian Polity*, New Delhi, 1978, p.296.

policy under the British rule relating to administrative decentralization in India. No doubt, Gandhi shared the views of many Western political thinkers who favoured decentralization as a countervailing measure against concentration of political power in the organs of the state. However, Gandhi's views were inspired by the ancient Indian system of Village *Panchayats*. The *Panchayats*, the inner administrative mechanism of the self-reliant autonomous village communities, presented to Gandhi a bulwark against authoritarian rule and exploitation. His vision of parallel layers of governmental systems which existed in 'ever widening, never ascending oceanic circle' stood in bold contrast to the colonial hierarchical system of administration, sustained by the numerically preponderant lower units which depended entirely on the goodwill and charity of the upper units.¹

The Gandhian concept of decentralization envisioned the village as the primary unit of self-government. The local bodies, contrary to the Western view, were conceived as self-sufficient and self-reliant units governed directly by the villagers themselves. Village republic or *Gram Swaraj* with the village as the real repository of power and its government directly controlled by the people, thus forms the central theme in Gandhi's view of decentralization. He believed that democracy implied freedom to manage one's own affairs and that it could be achieved only in small units. At the same time, Gandhi's scheme of *Gram Swaraj* echoed his holistic view of man and society which integrated the political, economic, social and spiritual development of the individual.

1.1.5. Decentralization during the Post-Independence Period.

The *Swaraj* of Gandhi's dream, which envisaged the creation and functioning of self-governing, autonomous village republics, was spurned in independent India by the leaders who were mostly western educated and committed to liberal democratic tradition thereby and also by the other relentless critics of Gandhian principles. The critics of Gandhi's views on decentralization, and the *Village Panchayat*, regarded the village as a sink of localism, a den of ignorance, and narrow mindedness and

1. For details see, J.D.Sethi, 'Mahatma Gandhi on Decentralization : A Model of parallel Politics,' ts., 1989, p.21; M.K. Gandhi on *Panchayati Raj*, comp., R.K. Prabhu, 1989 rpt., Ahmedabad, p.9; Also see, *Harijan* 28.7.1946; *Young India*, 27-10-1921, p.653.

the cause of the ruination of India.¹ They refused to accept Gandhi's belief that when Indian villages became fully developed they would not be dung heaps but tiny gardens of Eden, inhabited by intelligent folk capable of resisting exploitation and inroads into their freedom. What was more, the Indian psyche had come to be progressively captivated by the urge for material progress that required a centralised administrative system. As a result the Gandhian ideas received nothing more than lip service from the makers of the Indian Constitution.

One major impediment to the acceptance of the Gandhian concept of decentralisation was the precedence of the model of development over the process of policy formulation in independent India. The development strategy followed by Jawaharlal Nehru and the political elite of his time was based on a blind dependence on science and technology and large scale and heavy industrialization. This, in turn, implied the creation of an administrative structure with a centralised bureaucratic apparatus. Naturally, the social welfare schemes and the programmes of rural reconstruction were crippled by over-centralization. The Community Development Programme launched in 1952 is a typical elucidation of the point.

The launching of the Five Year Plans added a new dimension to the theme. No doubt, the First Five Year Plan was quite explicit about the need for people's participation. The second Five Year Plan, too, sought to articulate the administrative translation of the idea at the district level, while the third Plan referred to development along socialistic lines through widespread public participation. However, the *Panchayat* Raj System envisioned only administrative decentralization and that too only to a very limited extent. The emphasis was shifted from the village to the Block as the unit of the development and administration, with an increased role assigned to bureaucrats. This meant a negation of the Gandhian concept of *Gram Swaraj* which implied an eventual weakening of the state apparatus and its adjuncts like the bureaucracy, and the rejection of a model of development wedded primarily to material progress. The Gandhian ideal was ignored even in the process of rural reconstruction, under the influence of the industrial model of social organization. Thus, the post-1947 period evidently betrayed

1. Anirban Kashyap, *Panchayati Raj*, [Views of the Founding Fathers and Recommendations of Different Committees] New Delhi, 1989, pp. 30-32.
Also see, "Constituent Assembly Debates," Government of India Publication, 1966 rpt., Vol.VII, p.39
Dilip Kumar Chatterjee, "Gandhi and Constitution Making in India," New Delhi, 1984, pp.72-75.

the Gandhian model of democratic decentralization although expectations about this model were raised by the Asoka Mehta Committee in 1978 and the L.M. Singhvi Committee in 1986. The Sarkaria Commission of 1989 which was constituted to redefine the contours of powers and responsibilities between the Union and State also advocated the strengthening of *Panchayati Raj* Institutions by conferring on them more powers in order to realise the objectives of decentralized planning.

The passing of the Indian Constitution (Seventy Third) Amendment Act -1993 relating to *Panchayati Raj* Institutions has heralded a definite advance towards the Gandhian view of decentralization. The Amendment which came into effect on April 21, 1993, provides for a uniform system of *Panchayati Raj* for the entire country with the exception of some specific tribal and hilly regions. In essence, the Amendment seeks to constitutionalise *Panchayat* as a third stratum of Government at and below District level. The States are enjoined to reformulate the *Panchayati Raj* structure in accordance with the size and the population of *Panchayats*, ensuring a certain degree of uniformity in the design of self-government at the third level of decentralized administrative set-up. The Amendment, thus, furnishes constitutional backing to *Panchayati Raj* Institutions. It lays down a five year term for the *Panchayat* Councils and includes a Schedule containing specific powers and functions of *Panchayats*. The powers listed in the Schedule are to be structured and implemented at the *Grama Panchayat* level, i.e., the grass-root level, where people live and work. The vistas opened by the new constitutional amendment hold promises of taking the country closer to the Gandhian ideal of *Gram Swaraj* seeking the empowerment of the rural local society.

Efforts at administrative decentralization at the Central and State levels following the Indian Constitution (Seventy Third) Amendment Act form part of contemporary history.¹

1.1.6. Administrative Decentralization in Kerala

A study on the rural local bodies in India in their historical perspective reveals situations of ideological inconsistencies resulting in unclear and hesitant governmental initiatives and popular sentiment. The conflicting views on decentralization which characterise debates at the national level,

1. Hoshiar Singh, 'Decentralization 'thru' Constitution (73rd Amendment) Act', in *Kurukshetra Special*, Vol .XLI, No.8, May, 1993.

have percolated down to the provincial level. Small wonder that in the the state of Kerala, pattern of *Panchayati Raj* system functions largely on the models evolved at the national level. The system, though not dissimilar in fundamentals, can, however, claim important differences with regard to details.

The functioning of local bodies at the village level was a familiar feature in the erstwhile Princely States of Travancore and Cochin and the Malabar District of Madras Presidency, which were integrated in 1956 into the State of Kerala. Cochin was the first Princely State to enact a *Panchayat Act* by which statutory *Panchayat* bodies were formed as early as 1914. Travancore followed the example in 1925. The history of local government in the Malabar area is essentially the history of the government legislation enacted in Madras Presidency under the British rule. Statutory bodies at the sub-district level began to function in Malabar as early as in 1871 when the Local Fund Act of Madras was passed. Thus, Kerala State inherited models of local government introduced through the Residents and Administrators both in the native principalities and in the segment of British India.

In Kerala State, too, the history of decentralization during the post-independence period was characterised by alternating phases of progress and regress.

In 1960, a *Panchayat Act* was passed replacing all the earlier legislations which had prevailed over Travancore, Cochin and Malabar areas. It stated that the *Panchayat* should be the only organization at the village level between the government and the people, and that it should be the medium through which the villagers come into contact with the government. The legislation resulted in enlarging the functions and financial resources of the local bodies. The duties and powers assigned to them mainly relating to civic amenities and municipal undertakings, comprised two categories—mandatory and discretionary. The mandatory functions were those over which *Panchayats* would have full delegation of powers, while the discretionary functions were selective and regulatory. *Panchayats* were to perform duties assigned to them as agents of the government.

The association of the *Panchayati Raj* Institutions with developmental activities tended to retard their progress as autonomous local bodies. Thus, Village *Panchayats* came to be treated as agents of the government discharging executive and advisory functions, rather than as democratic bodies. Small wonder that the image of *Panchayati Raj* Institutions as units of *Gram Swaraj* drew a low profile.

1.1.7. Prospect of *Gram Swaraj* in Kerala

Although the general trends in administrative decentralization in Kerala present a bias towards the British model, the Gandhian vision of *Gram Swaraj* has been revived time and again by various statutory committees and commissions. The relevance of the Gandhian model of rural local administration was recognized even when administrators remained hesitant at the stage of implementation.

While the Balvantray Mehta Study Team was at work at the national level in 1957, the Government of Kerala constituted a committee under E.M.S. Namboodiripad, the then chief Minister of Kerala, to suggest measures and methods for decentralization of power at various levels with the avowed objective of effective participation of local bodies. The approach of the Committee, according to its own testimony, was aimed at realizing the Gandhian dream of *Gram Swaraj* in Kerala State. The views of the Committee reflected the general enthusiasm for a model of decentralization envisioned by Gandhi, which was echoed in the proceedings of the state legislature while introducing the *Panchayat* Bill in 1960. Opinion was almost unanimous that the *Panchayats* should form the basis of the decentralized popular government in the State, and that the villages should be made self-sufficient and autonomous as visualized by Gandhi, 'The *Panchayat* and *Gram Swaraj* envisioned in this Bill', it was stated, 'acknowledge the right of the people to govern themselves, the legislation is expected to be an inducement for great changes in the life of the people, as the *Panchayat* will have more voice in deciding how a citizen should manage his life from the cradle to the grave.'¹

The appointment of statutory commissions in 1957, 1959, 1965 and 1988 by the Government of Kerala represented efforts at decentralization with a view to ensuring greater participation of the people.

The efforts at decentralization in Kerala have been bolstered by the passing of the Indian Constitution (Seventy Third) Amendment Act of 1993. The general enthusiasm in the state is conspicuous by the measure of commitment to the principle implied in theory as well as in practice. Earnest efforts are already afoot towards setting up a three-tier *Panchayati Raj* system in the state. The

1. **Proceedings of the Kerala Legislative Assembly, 5th Nov 1960, Vol.X, No.36, Trivandrum, 1963, p.3758.**

initiatives already taken at all levels indicate that the state of Kerala is favourably disposed to a trial of the scheme of decentralization as envisaged by Mahatma Gandhi.

1.2.0. Chapter Divisions

This study contains nine chapters including the Introduction and Conclusion. The opening chapter includes an introduction to the thesis, chapter divisions, review of literature and a short account of the research problem. It presents the hypothesis, importance and scope of the study, objectives, study area, methodology and includes a note on the style of the dissertation.

Chapter 2 attempts a detailed analysis of , and an examination of the major approaches to administrative, political, geographical and functional decentralization. The focus, however, is on democratic decentralization which implies the transfer of the responsibilities of the central government to subordinate agencies or units managed by the people at the lower levels.

Chapter 3 traces the genesis of decentralized functionality of local bodies in India . The chapter also deals with the administration of Rural Local Bodies under the British rule and the transformation of the colonial system in independent India. Early British attempts to revive the ancient rural institutions with a view to making them units of imperial administration, the note of dissent sounded by Indian nationalist leaders, particularly Mahatma Gandhi, and the divergent views and perspectives involved in the debates have been examined in the chapter. The narration also inquires into the metamorphosis of the *Panchayat* system in India since 1947 and appraises the recommendations of the numerous study teams and statutory committees, constituted by the Government of India, to suggest measures and methods to strengthen the *Panchayat* system and the efforts at administrative decentralization, culminating in constitutional amendments in 1989 and 1993.

Chapter 4 has been devoted to a specific inquiry into Gandhi's views on decentralization and his vision of *Gram Swaraj*. Mahatma Gandhi's defence of the ancient Indian Village *Panchayats* which traces India's acquaintance with the self-governing system to the vedic times, and his idea of a commonwealth of autonomous and self-reliant village republics have been studied in the background of his views on individual freedom and on a non-violent and non-exploitative social order.

Chapter 5 presents the antecedents of local government in Kerala and therefore, includes a

history of rural local bodies in the region from the earliest days down to 1950. Kerala State was formed by integrating the Princely States of Travancore and Cochin and the Malabar District which was part of British India. Hence, the narration attempts a peep into the annals of local administration in the three units during the yester years and seeks to examine the nature of the agencies of rural administration and their functioning in Travancore, Cochin and Malabar.

Chapter 6 deals with the initial phases in the history of the local bodies in Kerala after the attainment of Indian independence, marked by great enthusiasm for administrative reforms and a positive bias for strengthening local government and extending the concept of decentralization to rural areas. The various attempts at functional and structural decentralization during the period from 1950 to 1970 and the development of *Panchayat* administration in the state form the main targets of study in this chapter.

Chapter 7 traces and analyses the strides made towards decentralization in Kerala following the introduction of the Kerala District Administration Act in 1971. The different measures suggested to strengthen *Panchayat* system in the state and the role of the District Councils vis-a-vis the functions of the *Panchayats* have been examined in this section. A comparative study of the *Panchayat* administration in Kerala and the models of *Panchayat* systems in the states of Karnataka, Andhra Pradesh, Gujarat and West Bengal has also been attempted in this chapter. The inquiry into the progress and regress of decentralized functionality of administration in Kerala is reinforced by a case study on the functioning of a *Panchayat* in Ernakulam revenue district.

Chapter 8 attempts a critical analysis of the efforts at the decentralization of power at the *Panchayat* level in Kerala and their proximity to the vision of Mahatma Gandhi embodied by the term *Gram Swaraj*. The focus is on the varied factors which have impeded progress in administrative decentralization and have impelled distortions in the concept resulting in deviations from the path delineated by the Mahatma, despite profession of allegiance and commitment to the Gandhian objective.

Chapter 9, the concluding part, converges on the prospects of a quantum leap towards democratic decentralization and on the favourable conditions in Kerala which facilitate progressive realization of the Gandhian ideal of *Gram Swaraj*. Measures for strengthening the rural local bodies,

capitalizing on the advancement made in essential prerequisites, have also been suggested.

1.3.0. Review of Literature

For the study of rural local government and the process of decentralization of power at the *Panchayat* level in India/Kerala the literature available is vast and comprehensive. These include official records, reports of statutory committees and commissions, books, journals, newspapers, academic studies and research papers, proceedings of legislative assemblies, of seminars and conferences etc. These studies cover a wide spectrum of the history of rural local government in India since the vedic times. The focus, however, is on the introduction of statutory *Panchayats*, their structural patterns and variations, the evolution of varying and divergent views on decentralization and the consequent alteration of the local bodies in independent India. Besides the above, studies on decentralization relevant to different contexts also form part of the sources consulted for the preparation of this dissertation.

This survey of literature does not include all the source materials used for this study, but refers only to those sources which are relevant to the broad classification given below. The literature relating to the study has been classified as follows:

- * Literature on Public Administration with specific reference to the concept of decentralization;
- * Studies on local government;
- * Literature on Gandhian thought with specific reference to decentralization, *Panchayati Raj* and *Gram Swaraj*;
- * Literature on *Panchayati Raj* system;
- * Literature on the village system in Travancore, Cochin and Malabar;
- * Studies on rural local government in Kerala.

1.3.1. Literature on Public Administration with specific reference to the Concept of Decentralization;

Studies on decentralization by Indian and foreign writers have been used for the exposition and analysis of the concept. They include S.K. Chatterjee, M.P.Sharma, Shriman Maheswari, S.L.Sikri, R.C.Aggarwala, P.R.Krishna Iyyer, Russel.W.Maddox and Robert F.Fuquay, Louis Schneider, et al.,

Rajni Kothari and others.¹ The book edited by Stewart Ranson, George Jones and Kieran Walsh, Edward P. Wolfers, et. al., L.S Sharpe and B.C. Smith deal with the concept of decentralization in the Western countries.² A major study conducted under the Indian Institute of Management, examines the concept of decentralization vis-a-vis local bodies in India.³ In this category can be included the works of M.A. Muttalib and Mohammed Akbar Alikhan, who jointly published a work on theories of local government.⁴ The study, split into eleven chapters, is in the nature of a preface that lays down conceptual analysis of the term 'local government' along with its ideological base, decentralization.

The study of these books helps one to distinguish between the ideological differences between the Gandhian vision of a non-exploitative society and the Western concept of political and administrative institutions created through the application of the principle of decentralization. The famous political analyst, G. Shabbir and his team have edited a work on decentralization policy in the 'Third World' countries.⁵

Reference should also be made of the studies made by Ravindradas, et al., Ms. Padma Ramachandran and M.A. Oommen. They present the agonies of social problems generated by the faulty centralized system of administration at the top, and suggest that the process of decentralization should go down to the grass-root levels. It seems that most of the writers come closer to the Gandhian concept.⁶ The team under Ravindradas also provides various facets of administrative thought related to

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1. S.K. Chatterjee, **Public Administration: Administrative Theory**, Delhi, 1988; M.P. Sharma, **Public Administration in Theory and Practice**, Allahabad, 1965; Shriman Maheswari, **Indian Administration**, Indian Institute of Public Administration, New Delhi, 1979; S.L. Sikri, **A Constitutional History of India**, 1964 rpt., Jullunder, 1964; R.C. Aggarwala, **The Indian Constitution and Administration: Comparative Study of the Modern Indian Constitution and Administration**, New Delhi, 1974; P.R. Krishna Aiyar, **Public Administration**, New Delhi, 1988; Russel W. Maddox and Robert F. Fuquay, **State and Local Government**, New Delhi, 1982; Louis Schneider, et al., **Human Responses to Social Problems**, Ontario, 1981; Rajni Kothari, ed., **State and Nation Building**, New Delhi, 1976.
 2. Stewart Ranson, George Jones and Kieron Walsh, ed., **Between Centre and Localities: The Politics of Public Policy**, Sydney, 1985; Edward P. Wolfers, et al., **Decentralization: Options and Issues, A Manual for Policy Makers**, London, 1982; L.S. Sharpe, ed., **Decentralist trend in Western Countries**, London, 1985; B.C. Smith, **Decentralization: The Territorial Dimensions of the State**, London, 1985.
 3. **Decentralization: Strategy and Structure**, Indian Institute of Management, Ahmedabad, 1968.
 4. M.A. Muttalib & Mohammad Akbar Alikhan, ed., **Theory of Local Government**, New Delhi, 1982.
 5. G. Shabbir, Cheema, Dennis A. Rondinelli, ed., **Decentralization and Development Policy Implementation in Developing Countries**, London, 1983.
 6. D. Ravindradas, et al., eds, **Administrative Thinkers**, New Delhi, 1982; Ms. Padma Ramachandran, ed., **Issues in Indian Public Administration: The Case of Kerala**, Thiruvananthapuram, 1988.

Kautilya, Wilson, Fayol, Taylor, Weber, Gulick, Urwick, Follet, Mayo, Barnard, Simon Mc.Gregor, Argyris, Lickert, Herberg, Riggs-Dron and Mark. Among them the name of Fayol is specially noted for a new theory of Public Administration. According to him the term 'Gangplank' refers to the need for level jumping in a hierarchical organisation.

1.3.2. Studies on Local Government

There are many books which deal with the historical background of the Village *Panchayats* and the evolution of the village communities in ancient India. B.H.Baden Powell, Sir Henry Maine and Charles Metcalfe are the great pioneers who gave comprehensive accounts of India's grass-root level bodies. K.P.Jayswal, A.S.Altekar, R.K. Mookerji, S.K.Dey, D.D. Kosambi, S. Bhatnagar, Beni Prasad, D.R. Bhandarkar, A.K. Sen have praised the self-governing nature of the ancient *Panchayats* in their historical background. H.D. Mallaviyya (appointed by the All India Congress Committee) has presented chronologically how the issue of Village *Panchayat* became a part of the nationalist movement in India. He also refers to the role of Mahatma Gandhi and the other stalwarts of the freedom movement in keeping alive the question of the revival of the *Panchayat* system. John Mathai has portrayed well the role of *Panchayat* as the most efficient, self-governing and popular administrative unit competent to adjudicate upon questions, for effecting major settlements at the lower levels.¹

a. *Panchayats* and Rural Development

Books that examine *Panchayat* bodies and rural development in their historical perspective are many. G.R. Madan makes a comprehensive survey of rural development in its sociological background. Another book co-authored by him throws light on the impact of the rural bodies on the

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1. Baden Powell, *The Indian Village Community*, Delhi; 1977; Henry Sumner Maine, *Village Communities in the East and West*, 1986 rpt., (John Murry), Alhomarle; K.P. Jayswal, *Hindu Polity*, Calcutta, 1924; A.S. Altekar, *State and Government in Ancient India*, 1984 rpt., New Delhi; _____, *Village Communities in Western India*, Bombay, 1926; R.K. Mookerji, *Local Government in Ancient India*, 1958 rpt., Delhi, 1958; S.K. Dey, *Panchayati Raj : A Synthesis*, Bombay, 1981; D.D. Kosambi, *The Culture and Civilization of Ancient India in Historical Outline*, New Delhi, 1986; S. Bhatnagar, *Rural Local Government in India*, New Delhi, 1978; H.D. Mallaviyya, *Village Panchayats in India*, New Delhi, 1956; John Mathai, *Village Government in British India*, London, 1915; Beni Prasad, *The Political Theory in Ancient India*, Allahabad, 1927; _____, *The State in Ancient India*, Allahabad, 1928; D.R. Bhandarkar, *Some Aspects of Ancient Indian Polity*, Benares, 1929; A.K. Sen, *Studies in Ancient Indian Political Thought*, Calcutta, 1926.

life of villagers. A.R. Desai's book, also written in the social background of India, portrays the rural local bodies of India. In this category can be included works by G.L. Gomme, S. C. Dube, R. V. Jathar, D.C. Sarcar, N.Srenivasan, Ganesh Prasad Surha and R.C. Raychaudhary. R.S. Sharma's work on Indian feudalism gives an insight into the political, economic and social conditions of India in the rural areas, Michael Edwards also has appraised the historical background of Village *Panchayats* and the Gandhian thrust upon the traditional *Panchayat* system.¹

b. British Policy towards the rural local bodies

A few documents which include legislative enactments, statements, statutory reports etc., mentioned below describe the policy of the British Government towards the rural local bodies in India.² In the year 1861, the British Government in India launched some measures to revive the traditional village government with a view to collect^{ing} the revenue dues from the villagers. The details of the measures taken by the Government are available in the report on Indian constitutional reforms. An Annual edited by Rush Brook Williams gives a pen picture of rural India in the 1920's. Another work prepared by J. Coatman presents a vivid picture of the progress of self-government in the 1930's. He also advocates the need for expanding the electoral capacity of the poorest and the humblest of Indian people. *The Report of the Statutory Commission* (1928), reveals the steps taken by the British Government towards creating responsible self-government and also explains the contrast between the local self-government in England and that in India.

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1. G.R. Madan, *India's Developing Villages*, Lucknow, 1983; G.R. Madan and Tara Madan, *Village Development in India: A Sociological Approach*, New Delhi, 1983; A.R. Desai, *Rural Sociology in India*, Bombay, 1984; —, *Rural India in Transition*, 2nd Edn., Bombay, 1979; G.L. Gomme, *The Village Community*, London, 1890; S.C. Dube, ed., *Tribal Heritage of India, Ethnicity, Identity and Interaction*, New Delhi, 1977; R.V. Jathar, *Evolution of Panchayat Raj in India*, Dharwar, 1964; D.C. Sarcar, *Studies in Political and Administrative System in Ancient and Medieval India*, Delhi, 1974; N. Srenivasan, *Democratic Government in India*, Calcutta, 1954; Ganesh Prasad Surha, *Post-Gupta Polity A.D. 500 - 700; A Study of the Growth of Feudal Elements and Rural Administration*, Calcutta, 1972; R.S. Sharma, *Indian Feudalism*, 2nd Edn., 1980, New Delhi; Michael Edwards, *The Myth of the Mahatma Gandhi, The British and the Raj*, New Delhi, 1986; R.C. Raychaudhary, *Social and Economic History of India in Ancient Times*, Delhi, 1978.
 2. For details see, *Report of the Indian Constitutional Reforms, 1918*, (Montague-Chelmsford Reforms); *India in 1922-23*, 1928 rpt., Calcutta; Rush Brook Williams, ed., *India in 1922-23*, Calcutta, 1923; J. Coatman, ed., *India in 1926-27*, Calcutta, 1928; *Report of the Indian Statutory Commission - Volume I*, London, 1930; *The Government of India Act- 1935*, New Delhi, 1937.

c. Decline of the Indigenous System

There are also some books on Modern Indian History that give an account of the impact of British colonial policy that led to the decline of local government in India.¹ For example, the works of Percival Spear, A.M & S.G. Zaid, and Hugh Tinker reveal the depressing impact of British measures on rural local bodies.

d. Features of the British System

A few books by British writers on the English local government system were also consulted in order to understand the features of the British system. This helped to make a comparative study of the concepts of British pyramidal tier system and the concept of 'oceanic circles' in a sort of grid, which Mahatma Gandhi envisaged for India. These include the works of R.M. Jackson, J.A.R. Marriott, M.D. Chalmers, Rt. Hon. C.F.G. Masterman, G.M. Trevelyan, Murphy James and G.D.H. Cole. In fact, G.D.H. Cole raises doubts about the role of rural local bodies as the guarantor of individuals' freedom of the people of England.²

1.3.3. Literature relating to Gandhi's views on *Gram Swaraj*, *Panchayat* system, Decentralization etc.

Broadly classified, Gandhian literature falls into two groups. (a) Works by Gandhi and (b) Works on Gandhi. The writings of Gandhi mainly include three books— the *Hind Swaraj or Indian Home Rule*, *An Autobiography or The Story of My Experiments with Truth*, *Sathyagraha in South Africa*. However, Gandhi's views evolved and developed in the course of six long decades have been conveyed through innumerable articles, speeches, letters and reports of interviews most of which have been published through the columns of journals and periodicals like the *Indian Opinion*, *Young India*,

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1. For details see, Percival Spear, *The Oxford History of Modern India, 1740-1975*, A.M. & S.G. Zaid, ed., *The Encyclopaedia of the Indian National Congress, Vol.VII (1916-20): Emergence of Gandhi*, New Delhi, 1979; Hugh Tinker, *The Foundations of Local Government in India, Pakistan and Burma*, Bristol, 1954.
 2. R.M. Jackson, *The Machinery of Local Government*, 1959 rpt., London; J.A.R. Marriott, *England Since Waterloo; History of England, Vol.II*, 1965 rpt., N.York; M.D. Chalmers, *Local Government: The English Citizen, His Rights and Responsibilities*, London, 1883; Rt.Hon. C.F.G. Masterman, *How England is Governed?*, 1928 rpt., Selwy and Blount, London; G.M. Trevelyan, *Illustrated English Social History, Vol.III*, 1964 rpt., England; Murphy James, ed., *A New English Dictionary of Historical Principles, Vol.II*, 1883, Oxford; G.D.H Cole, *Local and Regional Government*, London, 1947.

Navajivan and the *Harijan*, which were edited by Gandhi himself. Most of his speeches and writings have been compiled as the *Collected Works of Mahatma Gandhi* in 95 volumes by the Ministry of Information and Broadcasting, New Delhi, which form a veritable treasure house of knowledge on Gandhian ideas. These primary sources on Gandhian works have been consulted for preparing this dissertation.

Studies on Gandhi far exceed the quantum of works by the Mahatma. These include volumes, numbering thousands by Indian and foreign authors, admirers, and critics. The present study being confined to Gandhi's views on *Gram Swaraj*, *Panchayat* system, and decentralization, the use of literature on Gandhi has been selective.

Gandhian concepts of Democratic Decentralization and *Gram Swaraj* (the keynote of which is that power must belong to the people) and the *Panchayat* system, its administrative model, have been presented in detail by eminent Gandhians like Vinoba Bhave, Jayaprakash Narayan, J.B. Kripalini, D.G. Tendulkar, Pyarelal, J.C. Kumarappa, J.D. Sethi, and B.R. Nanda.¹

Notable contributions to the theme have been made by a host of eminent scholars like S.N. Agarwal, R.C. Aggarwala, Dilipkumar Chatterjee, Nirmal Kumar Bose, Adhi H. Doctor, S.H. Patil, K.P. Karunakaran, S.C. Gangal, S.L. Verma, Bhikhu Parekh, S.C. Biswas, Budha Deva Bhattacharya, V.T. Patil, Gopinath Dawan, Ram Rattan, Raghavan Iyer, B.B. Majumdar, P.K. Jose, Chandran Devanesan, Amirban Kashyap, Richard, B. Gregg, Louis Fischer, Joan V. Bondurant, K.G. Mashruwala,

1. Vinoba Bhave, *Swarajshastra*, Rajghat, Varanasi, 1958; Jayaprakash Narayan, *A Picture of Sarvodaya Social Order*, Tanjore, 1961; —, *Swaraj for the People*, Rajghat, Varanasi, 1961; —, *A Plea for Reconstruction of Indian Polity*, Rajghat, n.d.; J.B. Kripalini, *Gandhi, His Life and Thought*, New Delhi, 1970; —, *Gandhian Thought*, New Delhi, 1961; —, *Gandhi the Statesman*, N. Delhi, 1951; —, *Non-Violent Revolution*, Bombay, 1938; D.G. Tendulkar, *Mahatma, Life of Mohandas Karam Chand Gandhi* in 8 vols., Bombay, 1954; Pyarelal, *New Horizon*, Ahmedabad, 1978; —, *Mahatma Gandhi, The Last Phase* in 2 vols., Ahmedabad, 1958; J.C. Kumarappa, *Economy of Permanence*, Rajghat, Varanasi, 1984; J.D. Sethi, ed., *Trusteeship, the Gandhian Alternative*, New Delhi, 1986; —, *Mahatma Gandhi on Decentralization: A model of Parallel Politics*, ts., 1989; B.R. Nanda, *Mahatma Gandhi; A Biography*, London, 1965.

C.F. Andrews, A.K. Vakil, V.V. Ramanamurthy, Ramashray Roy and many others.¹

Articles on Gandhi's writings have been compiled by well-known scholars like S. Radhakrishnan, G. Ramachandran and T.K. Mahadevan². Most of the writers have focussed on Gandhi's opposition to the pyramidal organizations of society and polity and his option for concentric circles. His vision of *Gram Swaraj* and *Panchayat* system has also been examined.

Gandhi's views on appropriate technology and small scale production has found a powerful exponent in the German thinker (economist), Schumacher who fully subscribes to the view that the poor

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1. S.N. Agarwal, *Gandhian Constitution for Free India*, Allahabad, 1946; ---, 'Village Panchayats in the Indian Constitution', *Modern Review*, Vol. 89, 1981; R.C. Aggarwala, *Comparative Study of the Modern Indian Constitution and Administration*, 1974 rpt., New Delhi; ---, *The Indian Constitution and Administration*, New Delhi, 1976; Dilip Kumar Chatterjee, *Gandhi and Constitution Making in India*, New Delhi, 1984. According to D.K. Chatterjee the Directive Principles which intend to give shape to Gandhian ideals are - (a) the State shall take steps to organise Village Panchayats and make them powerful enough to work as units of self-government. (b) the State shall take steps to promote cottage industries (c) the State shall work for the uplift of the Scheduled Castes and Scheduled Tribes by educating them and protecting their economic interests. However, the author says that the severest charge against the Directive Principles is that they are in the nature of holy wishes having no legal sanction behind them. Also see, Nirmal Kumar Bose, *Selections from Gandhi*, Ahmedbad, 1948; S.H. Patil, *Gandhi and Swaraj*, New Delhi, 1983; K.P. Karunakaran, *Gandhi Interpretation*, New Delhi, 1983; S.C. Gangal, *Gandhian Thought and Techniques in Modern World*, New Delhi, 1988; S.L. Verma, ed., *Panchayati Raj, Gram Swaraj and Federal Polity*, Jaipur, 1990; Bhikhu Parekh, *Gandhi's Political Philosophy: A Critical Examination*, Hongkong, 1989; ---, *Colonialism, Tradition and Reform: An analysis of Gandhis' Political Discourse*, N. Delhi, 1989; S.C. Biswas, ed., *Gandhi, Theory and Practice: Social Impact and Contemporary Relevance*, 1990 rpt., Simla; Budhadeva Bhattacharya, *Evolution of the Political Philosophy of Gandhi*, 1989; V.T. Patil, ed., *New Dimensions and Perspectives in Gandhism*, New Delhi, 1989; Gopinath Dhawan, *The Political Philosophy of Mahatma Gandhi*, New Delhi, 1990; Ram Rattan, *Gandhi's Concept of Political Obligation*, Calcutta, 1972; Raghavan Iyer, *The Essential Writings of Mahatma Gandhi*, Delhi, 1991; B.B. Majumdar, ed., *Mahatma Gandhi's Concept of State*, Calcutta, 1957; P.K. Jose, *Foundations of Gandhian Thought*, Calicut, 1985; Chandran Devanesan, *The Making of the Mahatma*, New Delhi, 1969; Amirban Kashyap, *Panchayati Raj: Views of Founding Fathers and Recommendations of Different Committees*, New Delhi, 1989; Richard B. Gregg, *Gandhism vs. Socialism*, New York, 1932; Louis Fischer, *Gandhi: His Life and Message, for the World*, London, 1954; ---, *The Life of Mahatma Gandhi*, Bombay, 1965 rpt.; Joan V. Bondurant, *Conquest of Violence: The Gandhian Method of Conflict*, New Jersey, 1958; C.F. Andrews, *Mahatma Gandhi's Ideas*, London, 1930; A.K. Vakil, *Gandhi-Ambedkar Dispute: An Analytical Study*, New Delhi, 1991; V.V. Ramana Murthy, ed., *Gandhi: Essential Writings*, New Delhi, 1970; Ramashray Ray ed., *Contemporary Crisis and Gandhi*, New Delhi, 1986; Devendra Thakur, et al., ed., *District Planning and Panchayati Raj*, New Delhi, 1991; Nageshwar Prasad, 'Decentralization in Historical Perspective', ts., Rajghat, Varnasi, 1984.
 2. S. Radhakrishnan, ed., *Mahatma Gandhi, Essays and Reflections on His Life and Work*, 1985 rpt., Bombay; ---, ed., *Mahatma Gandhi, 100 Years*, N. Delhi, 1968; G. Ramachandran, *The Man Gandhi*, Madras, 1947; G. Ramachandran and T.K. Mahadevan, eds., *Gandhi: His Relevance for our Time*, Bombay, 1964.

of the world be helped not by mass production, but by production by the masses.¹ The Gandhian views, no doubt, have their critics as well.² While the imperialist writers have tried to belittle his contributions, the Marxist school has been reluctant till recent times to assign to Gandhian ideas a place of importance or relevance.

A review of these studies has helped in making a proper appraisal of Gandhi's views on decentralization.

1.3.4. Literature on *Panchayati Raj*

The rich literature on *Panchayat* system in the post-British period includes national and regional studies, case studies, reports, research projects at micro and macro levels etc. Some of them are of a general nature while the others are of topical relevance.

The general studies on *Panchayati Raj* provide a textual treatment of the subject. These studies cover almost all aspects of *Panchayati Raj* Institutions and examine some of the 'consequences' of *Panchayati Raj* in the social, political and administrative spheres of rural India. They also examine the case for democratic decentralization, the process of local government administration and the problems of grass-root level planning as well as the pattern of emerging leadership. They analyse some of the significant questions concerning the conceptual frame-work and the institutional set up.

The various literatures on *Panchayati Raj* under the category deal with the local institution at the macro level. They refer to matters like the democratic politics in India, the tendency on the part of the central and the state governments to retain maximum possible control over the local institution through the bureaucrats and the leaders belonging to ruling parties.

Carl H. Taylor has stated that in the post-independence period the *Panchayat* system stands eclipsed by the multiple programmes under the 'Community Development Programme' causing a

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1. E.F. Schumacher, **Small is Beautiful: A Study of Economics as if People Mattered**, 1983 (2nd ed.), New Delhi, 1983.
 2. For details see, Subrata Mukherjee, **Gandhian Thought, Marxist Interpretation**, New Delhi, 1991; E.M.S.Namboodiripad, **The Mahatma and the Ism**, New Delhi, 1958; Michael Edwards, **The Myth of the Mahatma**, New Delhi, 1986.

deviation from the Gandhian emphasis on '*Gram Swaraj*'.¹ This view has been shared by many writers. They include G.S. Halappa, Rajeshwar Dayal, G. Ram Reddy, M. Shiviah, et al., T.N. Chaturvedi, Douglas Esminger and Iqbal Narain.² The series of documents on *Panchayati Raj* published by the National Institute of Rural Development (Hyderabad) give a glimpse into the functioning of *Panchayati Raj* at the national level, various committees set up at the national/regional levels, major reports etc.³

The case studies conducted by reputed scholars like B.S. Bhargava in Rajasthan, Mario D. Zamora in Uttar Pradesh, Ralph H. Retzalff, V.G. Nandekar and N.R. Inamdar in Maharashtra, S.P. Jain in Assam, B.N. Sahay in Nagaland, present faithful chronicles of cross currents at the grass-root level which nourished the top roots of the decentralized democratic institution in India.⁴

Decentralized planning at the *Panchayat* level has become a major area of specialization recently. Many writers have brought out the importance of decentralized planning for the healthy growth of *Panchayat* system in India which can assure, citizen's participation. They observe that

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1. Carl H. Taylor, **A Critical Analysis of India's Community Development Programme**, Calcutta, 1956;
 2. G.S. Halappa, ed., **Dilemmas of Democratic Politics in India**, Bombay, 1966; Rajeshwar Dayal, **Panchayati Raj in India**, Delhi, 1970; G. Ram Reddy, **Patterns of Panchayati Raj in India**, Madras, 1977; M. Shiviah, et al., **Panchayati Raj: An Analytical Study**, Hyderabad, 1976; T.N. Chaturvedi, ed., **Panchayati Raj**, Indian Institute of Public Administration, New Delhi, 1981 (See the articles by Douglas Esminger, Iqbal Narain and M. Shiviah).
 3. For details see, **Documentation on Panchayati Raj**, National Institute of Rural Development, (Hyderabad) n.d., Hyderabad.
 - a) **Summaries of Major Reports** (P.R. DOC 001)
 - b) **Salient Features of Panchayati Raj Acts** (P.R. DOC 002).
 - c) **Structural Patterns** (P.R. DOC 003).
 - d) **Decentralization and Development Administration.** (P.R. DOC 021)
 - e) **Panchayati Raj and Programme Implementation** (P.R. DOC 023)
 - f) **Woman and Panchayati Raj** (P.R. DOC.024).
 - g) **Direct Vs. Indirect Election to PR Bodies** (P.R. DOC 025)
 - h) **The Idea of Mandal Panchayat** (P.R. DOC 026)
 - i) **Panchayat Raj Leadership** (PR. DOC 27)
 - j) **Interface between Officials and Non-Officials** (P.R. DOC 28)
 - k) **Panchayati Raj and Political parties** (P.R. DOC 29)

Also see: M. Shiviah, **Panchayati Raj: A Policy Perspective**, Hyderabad, 1986.
 4. B.S. Bhargava, **Panchayati Raj System and Political Parties**, New Delhi, 1979; Mario D. Zamora, **The Panchayat Tradition, A North Indian Village Council in Transition, 1942-62**, New Delhi, 1990; Ralph H. Retzalff, **Village Government in India: A Case study**, Bombay, 1962; V.G. Nandekar, **Local Government: Its Role in Development Administration**, Delhi, 1979; N.R. Inamdar, **Functioning of Village Panchayats**, Bombay, 1970; S.P. Jain, **Panchayati Raj in Assam**, Hyderabad, 1976; B.N. Sahay, 'Decentralization: The Nagaland way', in Devendra Thakur and Shivesh Nandan Singh, ed., **District Planning and Panchayati Raj**, New Delhi, 1991.

decentralized planning is the means of promoting people's participation and co-operation. To them there exists a close nexus between democracy and district planning, between development and district planning, and between decentralization and district planning. They also view that mass participation is the channel through which people ensure their effective influence on the decision-making process at all levels of social activity and social institution. Participation is more broadbased than going to polls. Here the writers come closer to Gandhian thought on decentralization and village uplift.

B.P.S. Bhadouria has edited a book which contains a series of essays on decentralized planning and the *Panchayat* system in India.¹ C. Harichandran examines the role of *Panchayati Raj* Institutions as the units of planning in rural sector in Tamil Nadu.² C.K. Renukaya, Vasant Desai, Ms. Snehalatha Pandia and others have brought out the need for decentralized planning at the *Panchayat* level on the Gandhian model.³ Henry Maddick clearly brings out the difference between the Nehruvian approach in planning and the Gandhian vision of *Gram Swaraj*. He views that, by a meaningful decentralized planning at the village level, the rural local bodies can play a vital role in promoting social change, economic development and intelligent administration. S.K. Dey, too, portrays an evolving pattern of Indian democracy from the Gram Sabha to the Lok Sabha. To him democracy, which has no roots in the people, is at best short lived, if not totally illusory. He is deeply committed to the Gandhian concept of democratic decentralization in its decentralized perspective.

Pondy Papers in Social Sciences, published from the Institut Français de Pondicherry, on decentralization deals with the multi-level planning in South India.⁴

The success of democratic institution at the village level in Karnataka, West Bengal and Jammu and Kashmir has been highlighted by George Mathew.⁵ His views, with the focus on the devolution of authority on *Panchayati Raj* Institutions, assume special significance against the background of the

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1. B.P.S. Bhadouria, ed., **Decentralized Planning for Development in India**, Delhi, 1988.
 2. C. Harichandran, **Panchayati Raj and Rural Development: A Study of Tamil Nadu**, New Delhi, 1983.
 3. C.K. Renukaya, in Ramayan Prasad, ed., **Decentralized Planning**, New Delhi, 1991; Vasant Desai, **Panchayati Raj, Power to the People**, Bombay, 1990; Henry Maddick, **Panchayat Raj: A Study of Rural Local Government in India**, London, 1970; S.K. Dey, **Panchayati Raj: A Synthesis**, Bombay, 1961; —, **Power to the People: A Chronicle of India, 1947-67**, Bombay, 1969.
 4. *Pondy Papers in Social Sciences*, **About Decentralization: The Studies on Multi-level Planning in South India**, Institut Francais de Pondicherry, Pondicherry, 1989.
 5. George Mathew, ed., **Panchayati Raj in Karnataka Today- Its National Dimensions**, New Delhi, 1986; —, ed., **Panchayati Raj in Jammu & Kashmir**, New Delhi, 1990.

recent efforts by several state governments to radicalize the working of the *Panchayati Raj* Institutions, while frequently invoking the Gandhian concept of decentralization.

This study has also utilised the following journals, in analysing the concepts of decentralization, *Panchayat* system, and the Gandhian views on development and planning at the lower levels.

- * *Development and Change* ,
- * *Yojana* ,
- * *Economic and Political Weekly* ,
- * *Alternatives* ,
- * *Break Through* ,
- * *Main Stream* ,
- * *Journal of Rural Development* ,
- * *Quarterly journal of the All India Institute of Local Self – Government* ,
- * *Gandhi Marg* ,
- * *Man & Development* ,
- * *Kuru-khetra* ,
- * *Indian Journal of Public Administration*.,
- * *International Social Science Journal* ,
- * *The Indian Historical Review* .

1.3.5. Literature on the Village System in Kerala, (Travancore, Cochin and Malabar).

The available literature on the subject can be classified into Primary (official records) and the Secondary Sources (other materials). The study depends more on official records that include Archival records, Acts, Rules, Proclamations, Assembly Proceedings, Statistics, Year Books, Census Report, Administration Reports, Study Team Reports, series of Gazetteers (Kerala State) and the Manuals. A large number of secondary sources like History text books, both on Kerala and South India, doctoral dissertations, articles, journals and newspapers, also were consulted.

Historical writings on Kerala and South India are valuable sources of information to this study, which immensely helped the researcher to prepare an account of the historical background of local

bodies in the erstwhile Travancore, Cochin and Malabar regions of Kerala. The Books on South India were consulted because, Kerala, during this period, formed part of the larger unit of 'Thamizhakam' (Tamil Land).

During the Sangom Age, the people of a village who could not be in any sense effectively governed by the King all the time, governed themselves through the rich^{ly} experienced, influential and sufficiently wise men of the locality. According to scholars, these are the rudiments of village autonomy and rural local self-government in *Tamizhakam*. One gets a detailed account of the lower level body — Mahasabha, which had functioned at Utteramellur in Cingalepet District (Tamil Nadu), and also a vivid picture of the self-governing institutions under the Pallava rulers. The main works include that of N. Subramaniyan, Rao Bahadur S. Krishna Swamy Aiyangar, R. Gopalan and Krishna Swamy Aiyangar, C. Minakshi, T.V. Mahalingam and T.K. Ravindran, *et al.*¹

Some of the literary works in the later period like those of Nobouru Karashima and his associates, Y. Subbarayalu, S. Saraswathy and others have reinforced the view that the South Indian Villages were little republics where social reproduction was maintained by the combination of agriculture and manufacture². However, their mutual dependence on one another induces one to think that villages were not primary units where social reproduction of the people was maintained and to which villager's social activities were confined. The Administration Report of Madras Presidency, related to local government, provides useful information on the functioning of Village *Panchayats* in Malabar.

The literary sources which deal with the history, features and the functioning of local bodies in early Kerala are plenty. Burton Stein and George Woodcock state that early rural

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1. N. Subrahmanian, **Sangam Polity: The Administrative and Social Life of the Sangam Tamils**, Bombay, 1966; Rao Bahadur, S. Krishna Swamy Aiyangar, **Evolution of Hindu Administrative Institutions in South India**, Madras, 1931; R. Gopalan and Krishna Swamy Aiyangar, **History of the Pallavas of Kanchi**, Madras, 1928; C. Minakshi, 'Adminstration and Social Life under the Pallavas' in K.A. Neelakantasastry, ed., **Madras University Historical Series**, Madras, 1938; T.V. Mahalingam, 'Village Communities in South India,' in S.P. Gupta, ed., **Readings in South Indian History**, New Delhi; T.K. Ravindran, et al., **History of South India, Vol. II; Medieval Period**, New Delhi, 1979.
 2. Nobouru Karashima, **South Indian History and Society: Studies from Inscriptions, A.D. 880-1800**, Bombay, 1984; S. Saraswathy, **The Madras Panchayat System, Vol. I, A Historical Survey**, New Delhi, 1973.

settlements in Kerala were only residential clusters formed around large rice fields, and were not similar to the North Indian cluster of houses, assembled or accumulated in one particular area¹. The sources also give details of Brahmin settlers from the north, split up into 64 *Grammams* (villages) and how the semi-tribal society under them was gradually developed into the typical Hindu mould with innumerable castes and sub-castes existing in a complex village economy. They also give details of grass-root level institutions like *Taras*, *Cheris*, *Ur* or *Sabhai*, *Paratai* and other community gatherings, which have functioned as units of social life. While some scholars like L.K. Ananthakrishna Iyer² and Kesavan Veluthat view that the early form of the 'Panchayat bodies' were in the nature of caste councils and temple centered village bodies, others, including earlier scholars like Elamkulam Kunjan Pillai and T.V. Mahalingom, William Logan, M/s. Ward and Conners, T.M. Satchit, K.M. Panikkar, P. Sangoonny Menon, S. Ramanathan Iyyer, K. P. Padmanabha Menon, K.V.Krishna Iyyer and the later scholars like A. Sreedhara Menon, and the editors of Kerala Gazetteers, Adoor Ramachandran Nair and C.K.Kareem, have represented these councils to be democratic (popular) and secular assemblies².

With the launching of statutory census system residential village known as *Kara* or *Muri* was adopted as the territorial unit in rural area and the *Panchayats* were relegated. Rao Sahib. N. Kunjan Pillai, who was the census commissioner of Travancore looks upon villages, as revenue divisions rather

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1. Burton Stein, ed., *Essays on South India*, New Delhi, 1976; George Woodcock, *Kerala, A Portrait of the Malabar Coast*, London, 1967.
 2. L.K. Ananthakrishna Iyer, *The Cochin Tribes and Castes*, Vol.II, London, 1912; Kesavan Veluthat, *Brahmin Settlements in Kerala; Historical Studies*, Calicut, 1978; Elamkulam Kunjan Pillai, *Studies in Kerala History*, Kottayam (Kerala), 1970; T.V. Mahalingom, 'Village Communities in South India' in S.P. Sen, ed., *Readings in South Indian History*, New Delhi, 1968; William Logan, *Malabar Manual in 2 vols.*, Vol. I, 1981 rpt., Trivandrum, 1981; M/s. Ward and Conners, *Selections from the Records of the Madras Government, Geographical and Statistical Memoir of the Survey of Travancore and Cochin State From July 1810 To the End of the Year 1821*, Vol. IV, comp. from the original documents of th survey forwarded to the Surveyor General of India, 25th Aug 1821; T.M. Satchit ed., *The Madras State Directory*, 1935 rpt., Cochin; K.M. Panikkar, *Survey of Indian History*, BOMBAY, 1947; P. Sangoonny Menon, *A History of Travancore from the Earliest Times*, Higgin Bothams & Company, Madras, 1878; K.P. Padmanabha Menon, *A History of Kerala*, Palghat (Kerala), 1965; S. Ramanathan Ayyer, *Progressive Travancore - The Indian State series*, Trivandrum, 1923; A Sreedhara Menon, *Survey of Kerala History*, Kottayam, 1967;---, comp. and ed., *Kerala District Gazetteers - Cannanore*, Trivandrum, 1972; Adoor K.K. Ramachandran Nair, *Kerala Gazetteer in 3 vols*, Trivandrum 1986; C.K. Kareem, comp., *Kerala District Gazetteer; Palghat, Trivandrum*, 1976.

than as units of democratic bodies. He says that there is no village in Travancore in the strict sense of the term, 'village' i.e., a cluster of houses.

The present study relies also on Census Reports of the years 1891-1991, the details from which have been cited in the appropriate context.

The Acts, Regulations and Proclamations by the sovereigns, the Proceedings of the Diwans of Cochin and Travancore States and the Legislative Proceedings from the Cochin and Travancore were consulted in order to reconstruct the historical continuity of Kerala *Panchayats* in the pre-independence period.¹ 'Memorandum on the Revision of Village Establishments with the Diwan's Orders of 1909' gives a detailed account of villages.

As given above, a wide body of literature on post-independent Kerala *Panchayats* have been used for this study. Among them, there are only a very few macro or micro level or analytical studies on Kerala *Panchayat* system by academicians, activists, researchers or specialists. The present study therefore, relies much on official literatures, like the Annual Administration Reports of the Panchayat Department, 'Panchayat Manuals', Administrative Reforms Committee Reports 1957, 1965 and 1988 and various literatures published from the Public Relations Department, Government of Kerala, Sastra Sahitya Parishad, the State Planning Board, Thiruvananthapuram, and a few working papers available at the Centre for Development studies, Thiruvananthapuram.² The Kerala Legislative Council

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1. Among many Regulations issued by the Sovereigns of Cochin and Travancore, those of 1914 and 1925 deserve special mention because they were the very base of subsequent regulations. **The Cochin Village Panchayat Act** was the first Act ever enacted in the Princely State of India. **The Act of 1925 (Travancore)** was also a pioneering venture in Travancore State.
 2. For details see, **Administration Report of the Public Health and Panchayat Department for the year 1943-44 and 1944-45 (Cochin state) 1953-54, 1955-56 (Travancore Cochin State) 1973-74, 1974-75, 1975-76, 1976-77, 1982-83, 1986-87, 1987-88, 1988-89**, all published in successive years by the Government of Kerala, Trivandrum: **The Kerala Panchayat Manual** in 2 vols. (amended) 1991. Also see, **Hand Book of Important Enactments and Orders Issued from 1-4-1987, to 30-9-1989**, Local Administration Department, Government of Kerala; **Report of the Administrative Reforms Committee-1958**, in 2 vols., 1958, Thiruvananthapuram; **Report of the Commission for Delimitation of Panchayat Areas (1959)** in 2 vols. Trivandrum, 196; **Report of the Administrative Re-organisation and Economy Committee 1965-1967** Trivandrum, 1967; **Report on the Measures to be Taken for Democratic Decentralization at the District and Lower Levels** in 2 vols., Trivandrum, 198; Vinayakumar ed., **Panchayat Raj: Prayogavum Sidhanthavum (Malayalam)**, Trichur, 1989; Also see, T.P. Kunjikannan, ed., **Adhikaram Janagalkku: Panchayathukalum, Vikendreekaranavum (Malayalam)**, 1989 rpt., Trichur, 1989; **Towards an Approach to Kerala's Eighth Five Year Plan**, State Planning Board, Trivandrum, 1989; **Keralathinte Zilla Panchavalsara Padhathi Roopeekaranam - 1990-95: Chila Margarekhalalum Nirdesangalum (Malayalam) 1990-95**, State Planning Board, Trivandrum, 1989; Thomas Issac, et al., **Some Notes on Possibilities of Decentralized development in Kerala** Trivandrum, 1980.

Proceedings, available in many volumes at the Kerala Legislature Library, Thiruvananthapuram, also deal with the process of decentralization till date which form a major part of the source materials for its study.

1.3.6. Studies on Rural Local Bodies in Kerala.

Among the special studies on Kerala *Panchayat* administration, Ms. Visalakshy's post-doctoral thesis¹ can well be called a pioneering work. K. Thulaseedharan's study on Kerala gives insight into rural society and the role of *Panchayats*. K. Sukumaran Nair's elaborate work on rural politics is very informative. He concludes that the *Panchayat* President in Kerala is more like a quasi-chief executive in England. Ms. Radha's doctoral thesis gives an account of the evolution of Local Government in Travancore. N.K. Bhaskaran, in his doctoral dissertation, has also analysed the democratic movement in Travancore.²

G. Karunakaran Pillai took up a study on financial standing of Kerala *Panchayats*, their sources of income, and other matters. Recently Ms. Padma Ramachandran and M.A. Oommen jointly edited a book on issues of development administration, V. Ramachandran, in one of the articles, says that people's participation is essential for successful administration.

Neelamperoor Ramakrishnan Nair has edited a book on Kerala *Panchayat* which is mainly a historical narration³. It deals with the early history of local bodies like *sabhas* and *variyams* which he calls as the very beginning of the modern *Panchayat* system. He says that fundamental principles in the administration of a *Panchayat* are democratization and devolution. C.K. Varghese also describes

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1. N.R. Visalakshy, **Administration of Village Panchayats in Kerala**, Post. doctoral diss. Trivandrum, 1967.
 2. K. Thulaseedharan, **Studies in Traditional Kerala Society**, Trivandrum, 1982; K. Sukumaran Nair, **Rural Politics and Government in Kerala**, Trivandrum, 1976; A. Radha, **Local Government in Travancore 1894-1947**, Unpublished Ph. D. diss., University of Kerala, Trivandrum, 1987; N.K. Bhaskaran, **Democratic Movement in Travancore**, Unpublished Ph.D. diss., University of Kerala, Trivandrum, 1989; G. Karunakaran Pillai, **Local Finance in a Developing Economy: A Study of Panchayats Finance**, Delhi, 1986; Ms. Padma Ramachandran and M.A. Oommen, eds., **Some Issues in Development Administration**, Trivandrum, 1987; V. Ramachandran, 'Development Administration: The Kerala Experience' in Ms. Padma Ramachandran and M.A. Oommen, eds., **Some Issues in Development Administration**, Trivandrum, 1982.
 3. Neelamperoor Ramakrishnan Nair, ed., **Kerala Panchayat Guide (Malayalam)**, Trivandrum, 1980.

the Kerala *Panchayat* system in its historical setting.¹

The book edited by N. Jose Chander is a collection of six articles. The work seeks to bring out the major dynamic forces at play in the politics of Kerala State.² The rural structure in Kerala is unique, having no nucleated village. This settlement pattern according to him, is peculiar because of the property relations in Kerala.

The present study also relies on a few journals, published by the Public Relations Department and the Panchayat Department of the Government of Kerala³ and all the 'Background Papers' presented at the 'Seminar on Panchayati Raj/Nagara Palika Bill and its Implications for Local Self- Government and Decentralized Developments in Kerala' held on October 2 & 3, 1993 at the Centre for Development Studies, Thiruvananthapuram.⁴

In spite of the fact that there is an array of literature on Kerala state, there are also sufficient reasons to believe that the study on rural local bodies has not become popular in Kerala. The general survey on literature pertaining to Kerala *Panchayats* brings to light the following points:

- 1) Very few historical or statistical or other studies have been made on Kerala *Panchayats* ;
- 2) The available literature, specially some studies on Panchayat's structure and functioning are not systematically arranged or updated;
- 3) The literature directly related to the process of decentralization are very few, and even the few literature that refer to democratic decentralization at the state level do not say much about the Gandhian concept;
- 4) Among the academicians in Kerala, the theme has not become very popular, though in other states a vast number of researchers are engaged in *Panchayat* studies. Therefore, the state is lacking in areas like Case Studies, Team Reports, Evaluation Reports etc.

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1. C.K. Varghese, **Panchayati Raj**, (Malayalam), Alappuzha, Kerala, 1973.
 2. Jose Chander, ed., **Dynamics of State Politics in Kerala**, New Delhi, 1986.
 3. **Janapatham**(Malayalam), Kerala Public Relations Department, Trivandrum; **Kerala Calling**,(Malayalam) Public Relations Department, Trivandrum; **Panchayati Raj** (Malayalam) Kerala Panchayat Department, Trivandrum.
 4. **The Background Papers, 1-25 Presented at the Seminar on Panchayat Raj/Nagar Palika Bill and their Implications for Local Self-Government and Decentralized Development in Kerala, Oct. 2 & 3, 1993;** Centre for Development studies, Thiruvananthapuram.

1.4.0. Research Problem and Hypothesis:

The problem analysed in this study is related to the nature and functioning of rural local bodies in India, in general and the state of Kerala, in particular. The inquiry converges on the predicament engendered by confused and conflicting views on administrative decentralization, with the focus on conditions distinctive to the state of Kerala.

The concept of decentralization which was developed under British rule in India envisioned the local bodies as agents of the central government. Hence, reforms relating to local self-government did not conceive of autonomy at the grass-root level, notwithstanding the legacy of self-governing ancient Indian Village *Panchayats*. Despite the forceful advocacy of a model of decentralization in tune with the traditions of India, ensuring self rule and freedom in the real sense, by Mahatma Gandhi, the fortunes of local bodies in India did not change even after the attainment of independence. The preference for a model of material progress and development involving greater assistance for science and technology and heavy industrialization, necessitating a highly centralized administrative system, and conceptions of villages as dens of ignorance and backwardness unfit for self-government, created setbacks to the concept of decentralization advanced by Mahatma Gandhi, which visualized a commonwealth of self-reliant and autonomous village republics in free India. The Gandhian ideals embodied in the concept of *Gram Swaraj* envisioned Village *Panchayats* primarily as bulwarks against inroads into the freedom of the ordinary citizens. With the rejection of the Gandhian view in toto, Swaraj or self-government in its true sense, remains an unrealized ideal. Of late, however, there has been a rethinking on the relative merits of the model of development which has held sway over the Indian national scene, as in most other developed countries. The adverse effects of the unbridled use of the avenues opened by science and technology, unfolding vistas of material progress, have provoked campaigns for restraint. Happily, the ideals of Mahatma Gandhi have been invoked time and again in this process of rethinking, which has assumed a universal character. The drift away from concepts favouring heavy industries, large scale technology and administrative centralization should facilitate a rethinking on concepts of decentralization and individual freedom. The problem analysed in this study claims relevance in the context of a general rethinking on subjects, relating to the area which has begun to gain acceptance among large sections of intellectuals the world over.

Although steps in administrative decentralization in Kerala during the post-independence period, as noted earlier, were generally in line with the trends set at the national level, popular views in the state have been conspicuous by the recognition of the relevance of the Gandhian model of rural administration. Small wonder that, the statutory committee constituted by the Government of Kerala in 1957 to propose measures and methods for decentralization in the state set for itself the objective of realising the Gandhian dream of *Gram Swaraj* in the state of Kerala. The Proceedings of the state Legislature following the introduction of the *Panchayat Bill* in 1960 reflected the general enthusiasm for the model of decentralization as envisioned by the Mahatma.

Even though the administrators have been hesitant to translate the ideal into reality and to take earnest efforts to strengthen the agencies of local government, the Gandhian ideal has remained unchallenged at the conceptual level and remains to be invoked by intellectuals and politicians even to this day. In this context, special mention may be made of the recent announcement of the Government of Kerala of a scheme of securing *Swashraya Gramas* or self-reliant and self-sufficient villages in the state providing for the planning and implementation of all developmental schemes at the village level itself.

The main argument against Gandhian vision was that the Indian villages were backward and the villagers illiterate. However, Kerala state is an exception to this general estimation of Indian villages. There is a congenial environment for the introduction and promotion of the concept of decentralization in Kerala in its true sense as envisaged by Mahatma Gandhi because of the following factors:

- * The state presents a highly literate and politically conscious and responsive population inhabiting the numerous villages;
- * The state has the advantage of having large village *Panchayats* in terms of territory and population, different from the isolated clusters of houses representing villages in most other parts of the country;
- * The rural-urban continuum of Kerala, highlighted in most of the Census Reports, presents a situation of advanced infrastructural facilities in most of the rural areas of the state.
- * In Kerala, the scope of the Village *Panchayats* has been increasing year after year with the

advent of more and more schemes. They have taken up very ambitious projects like the One Lakh Housing Scheme and also have won many laurels in the yesteryears;

* The *Panchayats* in Kerala are known for their efficient collection of taxes and proper accounting of the same;

* The state is perhaps the earliest one to enact land reforms and to eliminate the blemish of landlordism; absence of such enactments are usually said to be the reason for imbalances in the society;

The existence of Commercial Banks, Primary Credit Societies, Housing societies, Transportation facilities and the availability of highly trained agricultural and medical personnel even in the rural areas of Kerala is unparalleled in the other rural parts of India.

Kerala has followed a path of development different from the rest of the country. The state has the highest general rate of literacy and education in India. The social consumption of people of all levels of income is high. The physical quality of life of the people is the highest in Kerala compared to that in other states in the country. The state is highly placed in several respects. This congenial environment, for an overture and elevation of the concept of decentralization in its true sense as a model of development, envisaged by Mahatma Gandhi, has been selected for a special study with a view to analysing the viability of autonomous functioning of Village *Panchayats*.

1.5.0. Objectives

The objectives may be listed as follows:

(a) An examination of the extent to which the *Panchayat* administration in India is influenced in its policies and decisions by Mahatma Gandhi's concept of *Gram Swaraj* and also the mandate of the Article 40 of the Indian Constitution. (b) The extent to which the Government of India is responsive to the vision of Mahatma Gandhi on decentralization of power at the *Panchayat* level and the consequent need to convert the local bodies, as the effective mechanisms guaranteeing peoples' participation rather than as units of administration. (c) The process of decentralization of power at the *Panchayat* level in Kerala vis-a-vis the Gandhian concept. (d) How far the state of Kerala presents a picture, favourable to imbibe Gandhian philosophy. (e) The extent to which the aims and objectives of grass-roots democracy are fulfilled in practice, the

that
gaps still exist and how these can be bridged.

The question of decentralization of power at the sub-state levels has been a live issue since 1957. This has become recently a very live issue among the political parties, both ruling and opposition, and also among the administrators, but surprisingly not among the academicians in the state. So it is appropriate to analyse the very concept as visualized by the Father of the Nation and examine what the state actually follows in the matter of rural local administration.

1.6.0. Importance of the Study

In the context of Kerala State, the field has so far remained somewhat unexplored in the sense that no one seems to have worked on the process of decentralization of power at the *Panchayat* level, vis-a-vis the Gandhian vision of *Gram Swaraj*. Also, it seems that most of the concepts which were set afloat by Mahatma Gandhi like decentralization, grass-root level democracy, *Gram Swaraj*, people's participation in decision-making and the like have not been properly comprehended by the decision-makers at the upper levels or the villagers at the lower levels. As such, a good deal of confusion prevails at all levels regarding their exact meaning or connotations. As mentioned above, it seems that barring some legislators, few have worked on the viability of Gandhian vision of *Gram Swaraj* in the peculiar politico-economic and social background of Kerala state. The lofty vision of Gandhi has not found a proper place in the latest report (1988) on measures to be taken for decentralization in Kerala state at the *Panchayat* level. The concepts of Mahatma Gandhi in the context of the process of decentralization efforts in Kerala state need clarification. Very recently, the Government of Kerala, after invoking the vision of Mahatma Gandhi, also announced a scheme of self-reliant, self-sufficient villages in Kerala where all developmental schemes including planning would be done at the village level itself. These situations necessitated this study and herein lies its importance.

1.7.0. Study Area

It is impossible to ignore the past and take up a theoretical analysis on the present day functioning of any institution. One has to delve deep into history to understand the details on development in yester years. The study is being conducted in the wider context of the perspective of a historical analysis of

the functioning of rural local bodies at the national and state levels which is followed by the study on Kerala State. It includes a study on the three main streams of thought in India --- the colonial, the Gandhian and the trans-1947 period in relation to the concept of decentralization of power, which has percolated down to the state level.

This study does not attempt a dialectical treatment of the conceptual parameters of decentralization, different approaches, issues or compulsions. On the other hand it deals with the concept and idea in its generic forms and specific connotations in the context of decentralized functionality of local bodies in India in general, and in the state of Kerala in particular. It is restricted to Gandhian ideology pertaining to *Gram Swaraj*, *Panchayat* system, decentralization and democratic decentralization and the concept of power vis-a-vis functioning of rural local bodies. The study is intended to analyse and assess the gap between the lofty vision of Mahatma Gandhi and the actuality, with particular reference to Kerala. It is required to extend the study at the national level, in order to analyse the policy perspectives on decentralization and their impact on Kerala state. As such the study is extended to local self-government in India and the process of decentralization effected during the pre-British, British and post-independence periods.

The study on Kerala includes a sub-section on the historicity of the local bodies in Kerala, decentralization of power at the *Panchayat* level in two phases, 1950-1971, and 1971-1992. The study then narrows down to the Karumalloor *Panchayat* level (Ernakulam District). The last part of the study deals with a review of the Gandhian vision of *Gram Swaraj* vis-a-vis the Kerala *Panchayats* and the various Committees, Reports etc.

1.3.0. Methodology and Style of Format

The study is largely historical. A case study is also employed to support the main conclusion reached in the thesis. The style is mainly descriptive with occasional comments where the ideas have to be placed in a theoretical perspective. It relies very much on primary data and wherever necessary, secondary data has been used to supplement the former. Abundant primary sources are available on Gandhian thought. These include writings by Gandhi and writings on Gandhi. The Acts and proclamations issued by the Maharajas of Travancore and Cochin are available in the Kerala state

Archives, and the Regional Archives, Thiruvananthapuram and Cochin. Malabar became a district directly under the British in 1792 (treaty of Srirangapatnam with Tippu Sultan). Some of the acts enacted by the British Government are available in the Regional Archives, Kozhikkode. The reports of the various commissions, committees and study teams conducted by the Union and State Governments were of help in obtaining first hand information about the structural and functional aspects of the *Panchayat* Institutions. The census data, and survey reports have been used to understand the general characteristics of the Village *Panchayats*, population, rural-urban ratio etc.

A case study, which analyses the functioning of a *Panchayat* is one of the most satisfactory methods of assessing the strengths and weaknesses of the *Panchayat* Institutions in a state. Studies based on this method would provide an opportunity to a researcher to understand an institution at close quarters, and help the investigator to get an insight into the actual working of the system. In the present study the Case Study Method has been used in one *Panchayat* for an assessment of democratic functioning at the micro level. This has helped to highlight the problems affecting the *Panchayats*, under the present mode of decentralized administration. The Karumalloor *Panchayat* in Ernakulam revenue district has been selected as the area for a case study because of the researcher's familiarity with the *Panchayat* and the district.

Interviews were conducted with the administrators, officials, non-officials, scholars, social scientists and Gandhian activists. They were contacted several times to discuss the relevant problems. Administrators include the Minister^S of Local Administration, Kerala and the West Bengal States, civil servants, both retired and in service. The Director of *Panchayats*, Kerala state was consulted to discuss certain problems. Some renowned historians were interviewed to clarify some problems related to the historicity of village assemblies. Discussions with the specialists who had their research studies on *Panchayat* functioning in different states, helped the researcher to obtain information on the structural and functional aspects of the *Panchayati Raj* in the states like Maharashtra, Karnataka and Rajasthan. Discussions with the Gandhian activists helped the researcher to clarify some ideas. Newspaper reports and view-points expressed by different writers and political leaders have been used in drawing suggestions and conclusions.

The secondary data used for the present study have been collected mainly from the libraries.

They include the National Institute of Rural Development (NIRD) Library at Hyderabad; the Centre for Development Studies, the Kerala University Library, the Kerala Legislature Library, the Public Library at Thiruvananthapuram; Mahatma Gandhi University Library at Kottayam; the Kerala History Association Library, the Public Library at Ernakulam; the Union Christian College Library at Alwaye; the Kerala Institute of Local Administration Library (KILA) at Trichur; the Pustak Bhandar (Gandhi Library) at Wardha, Nagpur.

The format of the thesis is mainly based on the widely used 'MLA documentation style' and the mechanics of writing recommended by the Modern Language Association of America for the writing of Research Papers.¹ The chapters are divided into numbered sections and sub-sections for easy readability. Foot notes are given on the relevant pages for ready reference.

Conclusion:

This study is focussed mainly on the process of decentralization of power in the state of Kerala since its formation in 1956. However, a proper study or analysis of the advancement achieved in decentralization and the hesitancy in accelerating the process of democratization of the rural local bodies compel its presentation in the wider context of a national vision of administrative decentralization. The preference to treat local bodies as agents of a centralized administrative system, as opposed to the Gandhian vision of parallel layers of autonomous and self-reliant Village *Panchayats*, has been traced to its roots with a view to unfold the confusion and contradiction which characterize the views of policy-makers on decentralization. An area where a process of serious rethinking can be initiated is the state of Kerala where, despite apparent hesitation, a congenial situation presents itself. This work represents an attempt to bring to focus the issues of conflict on administrative decentralization and to present the state of Kerala as a field for their possible resolution.

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1. Joseph Gibaldi and Walter S. Achtert, ed., **MLA Handbook for Writers of Research Papers**, 1991 rpt., New Delhi, 1991.

CHAPTER 2

DECENTRALIZATION, DEMOCRATIC DECENTRALIZATION AND THE ANCIENT INDIAN PANCHAYATS

2.1.0. Introduction to the Concept

Decentralization is a process whereby centralization is reversed so that power is shifted from central political and administrative bodies answerable to a single executive, to a multitude of quasi-autonomous bodies.¹ The concept embraces a variety of meanings according to the context in which the term is used, depending on the person who uses it and the place where it is used. It has often been put forward as a remedy against the concentration of power and as a means of ensuring that the needs and expectations of the common citizen are respected. Decentralization also aims at removing congestion at the centre, thereby facilitating speedier decision-making and also more effective action with reference to urgent or peculiar local problems.² The ultimate purpose of decentralization is maximization of human autonomy and creativity that ought to be achieved in the relation of each individual citizen to his community and of one particular community to the totality of communities.

2.1.1. Power, its Location and Sharing

Generally stated, the concept of decentralization is related to the question of power, its location and sharing. Political theory has always been concerned with the problem of power and its location. While the Magna Carta of the 13th century did result in some curbs on the absolutist character of monarchy, it was the later contributions of political thinkers like John Locke and Jean Jacques Rousseau which provided the basis for the nascent idea of democracy and popular sovereignty. Montesquieu condemned the practice of concentrating legislative, executive and judicial powers in the hands of a single body or person lest it should lead to the infringement of the liberty of the citizens. The pioneers of the American Constitution also had to struggle with the issue of power and its location. They had

1. Roger Scruton, *A Dictionary of Political Thought*, 1986 rpt., London, pp.113-14.

2. B.P.S. Bhadouria, ed., *Decentralized Planning for Development in India*, New Delhi, 1988, p.5.

to create unity among the thirteen colonies which were not prepared to transfer power to the new centre. The modern notion of federalism, another form of decentralization, is therefore, an essentially American contribution, a strategy aimed at real devolution of power to the regional governments, a strategy which seeks to reconcile regional differences with national unity. A federation is a free creation of parts and the condition of the parts is, therefore, self determined.

Analogously, the concept of decentralization has emerged against the tendency of centrally controlled power systems. The idea of rationality that dominated Western culture and social life since the seventeenth century involved a belief in big, or, in other words, a highly centralized system.¹ It has received indirect support from its emanation, since the time of Descartes, Spinoza, Leibnitz and Newton, of science and philosophy involving the systematization of all knowledge and its exact derivation from a number of central principles. The ideal of political organization exemplified in absolute monarchies, philosophically expressed in Hobbes and Hegel, and revived in new forms after dramatic twentieth century upheavals (the great depression in the West and incomplete socialist revolutions in the East), implied an excessively centralized state in the name of security reason, justice, management, etc. It favoured a steady trend towards more centralization in Western countries.

Against the tendency towards greater centralism many thinkers, belonging to the political tradition of anarchism, and also some contemporary ecologists, advocated some sort of extreme decentralization assuming that all big systems are intrinsically bad. Leo Tolstoy, an anarchist political philosopher (1828-1910) condemned a highly centralized state, while Henry David Thoreau (1817-1862) another anarchist, envisaged a government at the centre which governs the least. William Godwin (1756-1836) visualized a central government fully circumscribed as a safeguard against tyranny. Thomas Hodgskin (1787-1869) desired the absence of political authority, so that people can enjoy their natural rights. Pierre Joseph Proudhon (1809-1865) upheld anarchism to ensure liberty and freedom. To Josiah Warren (1799-1874) the necessity for government arises only from evils in society. Mikhail Aleksandrovich Bakunin (1814-1876) emphatically rejected all the institutions of political control. Also, Kropotkin, Benjamin Tucker and others equated the betterment of the lot of the people

1. Mihailo Markovic, 'Decentralization: A Pre - Condition for More Rational Societies', in William Page, ed., **The Future of Politics**, London, 1983, p.112.

with an extreme form of decentralization.

Decentralization, whether in moderate or in its extreme form, has become one of the crucial issues in the Third World countries in connection with political or economic restructuring of nations, although it is often used in the context of Public Administration¹. The problems of providing public services and infra-structure in developing countries have brought increasing calls for decentralization and many governments are now decentralizing responsibilities at the lower levels. However, issues involving the desirable extent of decentralization of services and finances, the choice of the most feasible and effective organizational arrangements, the admissible measure of authority over the citizens etc., remain inconclusive and hotly debated.²

2.1.2. Decentralization and Decision-Making

In its general sense the term 'decentralization' also means vesting of the power of decision-making with the sub-centers. Decision-making is admittedly the essence of administration. Decisions are taken on administrative matters, policy issues, and also on the implementation of the decisions taken. The question is who is to make the decision and at what level? The right to decide can be vested with the bodies democratically elected or nominated or with a body of officials called civil servants, government staff or even non-officials. However, in recent years, in the Third World countries, the demand for some degree of participation of the people in decision-making has been widely recognized due to the emergence of concepts like welfare state, participatory democracy etc.

An organization is said to be centralized in the extreme sense if the power of decision-making

1. For the norms of Public Administration see, P.R. Krishna Iyer, **Public Administration with Special Reference to India**, New Delhi, 1988, pp.72-84.

Various theories have been advanced to explain the concept of Public Administration depending on its approach, i.e., whether 'Mechanistic' or 'Humanistic.' 'The Mechanistic Theory' views Public Administration as a mechanism, or, formal structure built up to a clear plan, or a systematic integration of interdependent parts to form a unified whole. The 'Humanistic Theory' (also known as Behavioural Theory) is related to human behaviour that influences the nature of administration. Henry Fayol, (1841-1925) divides all activities into various classes like 'Technical,' 'Commercial,' 'Financial,' 'Accounting' and 'Administrative'. He also propounds the principles of organization like division of work, authority, discipline etc., According to him, centralization /decentralization is one of the principles. Max Weber developed the 'Bureaucratic Theory' and highlighted the bureaucracy as a means of realizing the goals of administration.

2. Dennis A. Rondinelli, et al., 'Analysing Decentralization Policies in Developing Countries: A Political - Economy Framework', **Development and Change**, Vol.20, No.1, Jan. 1989, Hague, 1989, pp.58-59.

is vested with the authority at the top levels that the lower ones have to refer most of the problems to the head of the organization or his immediate subordinates for decision. A decentralized organization on the other hand is one in which the lower levels are allowed the discretion to decide most of the matters which come up, reserving comparatively a few bigger and more important problems only for higher echelons. The fewer the subordinate centers of decision-making an organization has, the more centralized it is, and larger the number of such centers, the more decentralization there would be¹. Vesting of much authority with the elective local bodies makes the administrative system more decentralized, while vesting much authority with the officials of the central government makes it centralized. Also one can say that transfer of authority from the lower level to the higher is centralization, while the reverse is decentralization.

The approach of different categories of power groups to the question of sharing power varies. Bureaucratic approach more or less leans on the side of least possible delegation in the name of uniformity, standardization etc., while the non-bureaucratic approach argues for more decentralization and dispersal of authority for better efficiency, greater autonomy, area functioning and idealization of administrative systems.²

2.1.3. Centralization vs. Decentralization

'Centralization' and 'decentralization' pull in opposite directions. Centralization is the concentration of authority at or near the top, while decentralization is the dispersal of authority among a number of local units or persons. Centralization implies the transfer of authority from a lower to a higher level of government; the converse of this process is decentralization. Centralization means the pooling of decision-making at one point while decentralization means the dispersal of decision-making among numerous points. Decision-making in the former is mono-central and in the latter multi-central or decision-making in the former coheres in the centre or the head and in the latter, it is diffused over the periphery where decisions are processed in the field. Centralization caters to the national urge

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1. M.P. Sharma, **Public Administration in Theory and Practice**, Allahabad, 1965, p.126.
 2. **Background Materials for the Discussion on the Kerala Panchayati Raj Bill**, Kerala Legislative Assembly, Trivandrum, 1969, p.1.

of the centre for complete control of the organization while decentralization is a concession to local sentiment. Decentralization is not merely the negation of centralization, but it is a positive process.¹

2.1.4. Forms of Decentralization

'Centralization' and 'decentralization' are not universally valid principles, they have only a situational relevance. The decision in favour of one or the other depends on responsibility factor, the administrative factor, the functional factor, and the external factor. However, the general forms of decentralization are administrative, economic, political, geographical (territorial) and functional. These forms may also be called aspects of decentralization.

a) Administrative

As an administrative form, decentralization can be used for a wide range of purposes for good or evil which depends on the motives and intentions of the persons at the helm of affairs.² Administrative aspect includes delegation of authority and transfer of power to individual units. The delegation of authority is held in such a way that large areas of discretions are entrusted with subordinate officers and comparatively few questions are referred to the chief at the apex. The other administrative aspect, called transfer of powers, is usually done by granting power to individual component parts of the organization retaining only certain essential powers of control in the head office. Dennis Rondinelli *et al.*, define decentralization from an administrative perspective, as the transfer of responsibility for planning, management and the raising and allocation of resources from the central government and its agencies to field units of government agencies, subordinate units or levels of government, semi - autonomous public authorities or corporation, area -wise regional or functional authorities or non-governmental private or voluntary organizations³.

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1. Ralph Borsodi, 'Centralization and Decentralization,' in *Harijan*, Vol.XVIII, No.13, Ahmedabad, May 29, 1954, p.106.
 2. Dennis A. Rondinelli, 'Decentralization: Territorial Power and the State, A Critical Response,' in *Development and Change*, Vol.21, No.3, Jul.1990, Hague, p.493.
For varied perceptions and meanings of the term 'decentralization,' 'delegation,' 'devolution' and 'deconcentration,' in terms of their ideological significances, variations etc., see, *The Oxford English Dictionary*, 2 Edn., Vol.IV, Oxford, 1989, p.411, p.327, p.345 & p.577.
Also see, *Webster's Third New International Dictionary*, Unabridged, Chicago, 1986, p.584, p.620, p.587, and p.596.
 3. Dennis A. Rondinelli, et al., 'Analysing Decentralization Policies in Developing Countries: A Political-Economy Frame -Work,' in *Development and Change*, Vol.20, No.1, Jan. 1989, Hague, pp.72.73.

b) Economic

From an economic point of view, decentralization can be called a process of restructuring the economy for a high rate of economic growth and better distribution. Economically, it articulates the rolling back of the economic functions of the central government on a liaison with the local community organization. Management in financial responsibility is at the core of economic decentralization. Two major approaches to economic decentralization policies in developing countries are neo-classical approach or economic theories of 'Public Choice' and the other, purely a 'Financial' approach. The former approach relies heavily on deductive hypothesis about the nature of goods and services, while the latter relies on empirical observations about the characteristics of organizational structure and financial instruments. However, neither approach offers a comprehensive theoretical or methodological solution to determine how decentralization should be carried out, but both can contribute important concepts for designing and implementing policies.¹ Decentralization also can be defined as a situation in which public goods and services are provided primarily through the revealed preferences of individuals by market mechanism.²

c) Political

The political aspect of decentralization means considerable popular participation in administration through the elected bodies at the state and at the sub-state level. This can be effected through the representation of people in the bodies at the lower levels.

d) Geographical

Geographically, decentralization is applied by conceding freedom to the field units of agencies which are away from head quarters. This is also known as territorial decentralization which arises, when the units at the sub-state level are allowed to decide most of the problems on the spot, enabling them to exercise large powers to cater to the needs of their population.

e) Functional

Functional decentralization means leaving power of decision - making in respect of technical

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1. Dennis A. Rondinelli, et al., 'Analysing Decentralization Policies in Developing Countries: A Political - Economy Framework,' in **Development and Change**, Vol.20, No.1, Jan 1989, Hague, p.58.
 2. David Slater, 'Territorial Power and the Peripheral State: The Issue of Decentralization,' in **Development and Change**, Vol.20, No.3, Jul. 1989, Hague, 1989, pp.501-524.

or professional matters largely to the appropriate units of administration. Functional decentralization is thus, an issue of the relationship between persons and the units as well. It gives functional autonomy in respect of several functions to units or departments.

Thus, the word decentralization embraces a variety of aspects or forms and its feasibility must be carefully analysed in any particular country before pursuing decentralization policies. Administrative, political, economic, geographical and functional approaches, too, vary in many countries. In recent times, as given above, there emerged 'theories' like 'Public Choice theory' 'Public Distribution' 'Finance' etc¹. In short, the concept is largely related to a comprehensive strategy of policy pursued by both developing and developed nations. The overall visions are participation of the people in administration and the dispersal of political and administrative authority.

2.1.5. Objectives and Merits of Decentralization

Decentralization policy has been followed by developed and developing nations on the ground of many objectives. Dennis Rondinelli, et al., have recently undertaken eight studies relating to decentralization, each set in a different Asian country. They have found that there are different objectives behind the measures of decentralized policies pursued by these countries. To them, the objectives include, (a) greater participation of the people in the process of national development, (b) realization of genuine democracy by taking it nearer to the people, (c) to solve the problems caused by over-concentration of power, (d) better political and administrative 'penetration' of national government policies into areas remote from the national capital, (e) greater representation of various political, religious, ethnic and tribal groups in development and decision-making that could lead to greater equity in the allocation of government resources and investment, (f) greater administrative capability among local government and opportunity to develop their managerial and technical skills, (g) to provide a decentralized governmental structure needed to institutionalize participation of citizens

1 For details of Public Choice Theory, see, Joel Samoff, 'The Politics of Interventionism,' in **Development and Change**, Vol.21, No.3, Jul. 1990, Hague, pp.526-27.

This form of decentralization policy is used in analysing the benefits of decentralizing some public services and in evolving new strategies for economic development through a fair system of distribution. In the political-economy framework, this model of decentralization is meaningfully applied in some developing countries. This group of theorists generally prefer macro-economic issues based on 'equilibrium models.'

in development, planning and management, (h) a more flexible innovative and creative administration-regional, provincial or district administrative units which may have greater opportunities to test innovations and to experiment with new policies and programmes in selected areas without having to justify them for the whole country.¹

However, general objectives of decentralization include local autonomy, efficiency in administration, social and economic development, local level planning, freedom to 'field units' i.e., units away from the centre, and democratic government at the local levels. The overall objective is participation of the people in administration through a process of dispersal of political and administrative authority.

(a) Freedom, Responsibility and Protection to Individuals

Decentralization has been widely advocated in resistance to the ubiquitous pressures in favour of larger organization units. It can protect the individual against the threat from large, remote and impersonal bureaucracies as well as provide a foundation for healthy democratic society. It assures the greatest possible freedom to the individuals. It encourages independence and discourages both subordination and domination. Decentralization recognizes no right to the 'authoritarian method' except when no alternative method of dealing with a problem can be found.²

(b) Assures Participation

Much of the recent writings on decentralization reflect a 'liberal interventionist' perspective. The orientation is liberal (progressive) in that, authors foresee not only improved government but also an improved standard of living for the populace at large. To many, decentralization promises increased citizen participation through the grass-root level bodies. In other words, decentralization institutionalizes participation of people in development planning.³ Decentralization is meaningful only

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1. Cited in, **Development Administration : Decentralization and Responsiveness**, comp., National Institute of Rural Development - Paper Series, u.d., Hyderabad.
Also see, B.S. Bhargava, **Panchayati Raj System and Political Parties**, New Delhi, 1979, p.123.
 2. Ralph Borsodi, 'Centralization and Decentralization,' in **Harijan**, Vol.XVIII-1954, No.3, May 29, 1954, Ahmedabad,p.106. The author says that if the basic methods (among which mankind chooses in dealing with its operational problems) are arranged in the order in which they reflect decentralization, then "the 'Education Method' which relies upon persuasion for its efficiency would rank first, the 'Fraternal Method,' which relies upon competition for its efficiency second, the 'Co-ordial Method,' which relies upon federation third, and the 'Functional Method,' which relies upon co-operation then the fourth...."
 3. Rajni Kothari, **Politics and the People: In Search of A Humane India**, Vol.1, New Delhi, p.210.3.

in the context of such a sense of overall unity of purpose in which all individuals join various levels of the socio-political system, or, to borrow Gandhi's integral phraseology, through a series of concentric circles that are "ever widening and never ascending."¹ It unfolds administrative capacity for development, enables better information flow and facilitates political stability and national unity.

Decentralization facilitates the process of social mobilization or a process of subverting attitudes, structures, and institutions that are an antidote to the goals of improvement and conditioning of the masses, attitudinally and behaviourally, and also positively towards planning process as well as guaranteeing human rights and equitable distribution of political power.² These objectives can be fulfilled only when there is horizontal decentralization as well. In other words, vertical decentralization must be accompanied by horizontal (symmetric) integration.³ This is apparently the Gandhian position.

c) Reduction of overload and congestion

Decentralization has been seen by some political leaders as a way of minimizing overload and congestion in administrative and communication channels. In some countries it was viewed as a way of more effectively mobilizing support for national development policies by making them better known at the local level. In other countries it was seen as a way of increasing the ability of central government officials to obtain better information about regional conditions, and to plan local programmes more responsively.⁴ Some countries view it as an ideological principle that has been pursued as a desirable political objective in itself. It is also possible that decentralized administrative mechanisms could be used by authoritarian and one party regimes to gain access to remote regions through penetration and control without permitting democracy at the local level.

d) The role of Voluntary Organizations

Private Voluntary Organizations, formed by decentralization can play a crucial role in expanding access to services and infra-structure. Voluntary Organizations in Sri Lanka, for example, have come to play a vital role in delivering services to meet basic human needs. They run day-care

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- 1 Rajni Kothari, 'Perspective on Decentralization,' in **Journal of Rural Development**, Vol.10, No.5, Sept. 1991, Hyderabad, p.502.
 2. B.P.S. Bhadouria, ed., **Decentralized Planning for Development in India**, New Delhi, 1988, p.88.
 3. J.D. Sethi, 'Mahatma Gandhi on Decentralization: A Model of Parallel Politics,' ts. 1988, p.15.
 4. Dennis A. Rondinelli & John R. Nellis, 'Assessing Decentralization Policies in Developing Countries: The Case for Cautious Optimism,' in **Development Policy Review**, Vol.4, No.1, 1986, pp.3-21.

centers, nursery schools, health clinics, homes for destitute children, old age homes and provide vocational training, conduct non-formal education etc. They operate rural development projects and community self help programmes.¹

e) Micro-level Planning

Micro-level planning, another merit of decentralization may be looked upon ^{as} a strategy for planning from ^{below}. It aims at total development of the area or communities living in a particular area. By bringing planning to the grass-root levels the inadequacies of national and regional planning processes are sought to be blunted, if not completely removed. It is also a corrective strategy to remove distortions generated by 'technocratic' and 'bureaucratic' central planning process at the national and regional levels.² This strategy is also used to mobilize local resources, to ensure popular participation and to forge a strong link between governmental and non-governmental organizations engaged in development initiatives, planning and management and also ^{as} a linkage of the local plan to both horizontal and vertical axes of the governmental politico-administrative hierarchy.³

f) Small Community and Human Wholeness

Also, there is a vital connection between institutional smallness and human wholeness. Therefore, the hope of mankind lies in the creative society of the small community formed by a process of decentralization and not in the mechanistic society of the giant state⁴. Modern Sociology also upholds the principle that man is most happy when living in small communities and it recommends the building up of small, balanced communities in the open country.⁵ When the individual feels involvement in

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1. Dennis A. Rondinelli, et al., 'Analysing Decentralization Policies in Developing Countries: A Political-Economy Frame-Work,' in **Development and Change**, Vol.20, No.1, Jan. 1989, Hague, pp.72-73.
 2. R.P. Misra, 'Local Planning for Educational Development,' in **Journal of Rural Development**, Vol.10, No.5, Hyderabad, 1991, p.544.
 3. **Ibid.**, pp.543-44.
 4. Wilfred Wellock, 'The Values of the Small Community,' in **Harijan**, Vol.XVII, No.17, Ahmedabad, 1953, pp.130- 31.
 5. Cited in, Kshitish Roy, ed., **Gandhiji Memorial Peace**, No.2, Oct. 1949, (The Visva Bharati Quarterly) Santiniketan, pp.179-181

The author writes that it would be absolutely wrong to think even for a moment that Gandhiji's ideas on decentralization or democracy are medieval and that **Panchayats** were the relics of tribalism. The ancient Indian ideal of **Grama Sabhas** is in tune with the latest modern political thought in the Western countries...If democracy is to survive, therefore, it must go the way of decentralization on the model of ancient rural republics in India. **ibid.**, pp. 178-180

Also see, Rajni Kothari, **Politics and the People: In Search of A Humane India**, Vol.1, New Delhi, p.210.

small communities, he feels that his will matters in them. Therefore, the state must be cut up and its functions distributed. Scholars, advocates and activists of grass-root level social movements tend to support the idea of a decentralized polity in which local initiative and freedom are ensured along with the community participation. History proves abundantly that it is in small, largely, self-governing, agro-industrial communities that workmanship reaches its highest quality and citizenship, its peak of culture and grandeur.

2.1.6. Criteria Used to Assess the Merits of Decentralization

A variety of criteria can be used to assess the merits of decentralization in a country. They are related to the degree to which decentralization contributes to (a) achieving broad political objectives, (b) increased administrative effectiveness, (c) economic and managerial efficiency, (d) increased government responsiveness to diverse needs and demands, (e) greater self-reliance among the local groups, (f) appropriate means of designing and implementing local development programmes and projects,¹ and (g) providing an opportunity to the poor and weaker sections in the society to direct expression through democratic bodies at the lower levels (in countries like India).

Accordingly, the positive results of decentralization are the following:

Firstly, access of people living in neglected rural regions and local communities to central resources and institutions will become feasible. Secondly, decentralization will increase the chances of increased participation of the people, provided the local bodies are not captured by local powerful groups, vested interest groups, etc. leading to greater oppression of the weaker sections. Thirdly, the administrative and technical capacity of regional and local organizations will become better. Fourthly, new organizations will be established at the regional and local levels to plan and manage development. The statement according to Dennis Rondinelli and John R Nellis is rich in evocative detail :

Decentralization could lead to the development of greater administrative capability among local governments and private institutions in the regions and provinces, thus expanding their capacities to take over functions that are not usually performed well by central ministers, such

1. Dennis A. Rondinelli and John R. Nellis, 'Assessing Decentralization Policies in Developing Countries: the Case for Cautious Optimism,' in *Development and Change*, Vol.4, No.1, 1986, Hague, pp.3-21.

as the maintenance of roads and infrastructure investments in areas remote from the national capital.... a decentralized, governmental structure is needed to institutionalise participation of citizens in development planning and management.... decentralization can lead to more flexible innovative and creative administration.¹

These objectives and results can be 'centralized' in a better way under the system of democratic decentralization, i.e., by a process of diverting powers to the units of local bodies run by the people themselves. (For details on democratic decentralization, see subsequent pages) . Thus, democratic decentralization means, a principle -a principle of extension of people's right to manage their own affairs by themselves in a local area.

The policy analysts in recent times focus on 'micro-analytical' issues and base their analysis in a broader context and take into effect political, behavioural, administrative and other factors that affect policy implementation. This is also applied in identifying the sources of local government revenues, examining the dependence of local governments on central government etc.

2.1.7. Decentralization; Scheme of Distribution of Power

The process of decentralization can be called in other words a scheme of distribution of power. This can be done in vertical/horizontal lines, or territorial direction or functional manner. By whatever manner this may be done, as already referred to, decentralization means devolution/distribution of power to decentralized and autonomous institutions.² Some treat it as a technique for managing the assignment of authority. Generally viewed, decentralization is a set of formal rules for decision-

1. Cited in, **Development Administration, Decentralization and Responsiveness**, comp., National Institute of Rural Development, Hyderabad, u.d., pp.14-15.
2. J.D. Sethi, 'A Problem of Power Imbalances,' in **Man and Development**, Vol.X, No.4, Dec. 1988, Chandigarh, 1988, p.82.

Both vertically and horizontally power can be distributed, even though enough power remains with the central government. The concept of the welfare state, spread of education, the centralization of power of the functional groups etc., all required some degree of continuous participation of the people in decision-making. The curious phenomena, according to him, is that soon after independence, India started the two phases together. On one hand, India got a strong bureaucratic Planning Commission, while the other is the vast Voluntary Sector and Public Co-operatives. No one seems to have asked why the latter institutions were smothered first. A part of the crisis of Centre-State relations results from preventing these two processes to run parallel to each other, notwithstanding the constitutional constraints.

making. It necessarily aims at empowering people to have a say in the decision-making.

2.2.0. Decentralization, Delegation, Devolution and Deconcentration

The term 'decentralization' is often substituted with terms like 'delegation' (assignment of specific decision-making authority), devolution (transfer of responsibility for governing) and 'deconcentration' (spatial relocation of decision-making).¹ They convey the same idea, although their literal meanings vary from one another.

The word 'delegation', used for decentralization, is an act whereby a political authority possessing certain powers turns over the exercise of those powers full or in part, to another authority. In other words, it means transfer of authorized power to a subordinate person, or body which acts not merely as the channel for that power, but as its agent, making decisions in its name. Accordingly, the powers of the delegant are precisely those that belong to the delegant and actions performed in virtue of the delegation, have the same judicial nature as if they were performed by the delegant himself. It does not mean merely permission or authorization. The delegant may hinge the transfer of his power with certain condition regarding the nature of the exercise of the delegated powers.² A delegate is authorized to act only in accordance with specific instructions or a specific ideology. Delegation, therefore, differs from representation in that the former confers power through the directions of an original, whereas the latter confers power in addition to those conferred by the original, which belong to the institutional structure through which representation is effected.³

Delegation and decentralization also differ in meaning. Delegation does not divest the government of the ultimate responsibility for the actions of the authority to whom power is delegated. This authority is under the control of the government. On the other hand, decentralization is a process whereby the government divests itself completely of its certain duties and responsibilities and devolve them into some other authority.⁴ In delegation, authority remains strongly limited to those few matters

1. For all the meanings given in the square brackets, see, Joel Samoff, 'Decentralization: The Politics of Interventionism,' in **Development and Change**, Vol.21, No.3, Jul.1990, Hague, p.515.
2. James W. Fester, 'Centralization and Decentralization,' in **International Encyclopaedia of the Social Sciences**, Vol.II, No.12, 1989, p.372.
3. Roger Scruton, **A Dictionary of Political Thought**, 1986 rpt., London, pp.114-15.
4. Cited in, Virendrakumar, comp., **Committees and Commissions in India (1947-73)** in 11 vols., Vol.II, New Delhi, 1988, pp.115-119.

in regard to which the transfer has been specifically made¹.

Delegation also can be defined as shifting responsibility for producing goods and supplying services that were previously offered by the central government to para-statal or public corporation or to publicly regulated private enterprise and local government institutions. The organizations to which such functions or responsibilities are transferred or delegated have only limited independent authority.

The word 'devolution' means the dispersal of authority, a process wherein power is transferred from one organ of government to another by means of an act of legislation. Devolution of authority may be effected either constitutionally or statutorily; in the case of federation, the former course is adopted, while to all other forms, the latter method is used. Authority may be devolved by the centre to the subordinate units by means of parliamentary statutes. This, transfer of authority can be both territorial and functional in character. In the context of local bodies, devolution requires that local governments be given autonomy and independence, and be clearly perceived of, as a separate level over which central authorities exercise little or no direct control. Devolution is an arrangement in which there are reciprocal, mutually benefiting and co-ordinate relationships between central and local government i.e., the local government has the ability to interact reciprocally with other units in the system of government of which, it is a part.²

Devolution also means the transfer of legal and political powers to some subordinate institution, while retaining in theory complete political control over their exercise. The subordinate institution has a territorial significance, and is designed to correspond to an existing or emergent sense of social identity. It usually has both executive and legislative powers, and thus the result of devolution is to create a subordinate political identity, usually in order to cater^{to} the feeling of local allegiance^s which are too strong to suffer direct government and too feeble to express themselves in concerted irredentism. Therefore, the process of devolution is designed as a compromise. It may also sometimes present an impression of contradiction; the powers of subordinate assemblies, formed by means of a policy of devolution, would be neither merely delegated, nor truly autonomous.³

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1. For details on delegation of authority see, S.K. Chatterjee, **Public Administration: Administrative Theory**, New Delhi, 1988, p.71.
 2. Cited in, Dennis A. Rondinelli, et al., 'Analysing Decentralization Policies in Developing Countries: A Political-Economy Framework,' in **Development and Change**, Vol.20, No.1, Jan. 1989, Hague, p.75.
 3. Roger Scruton, **A Dictionary of Political Thought**, 1986 rpt., London, p.124.
Also see, Geoffrey Roberts and Alistair Edwards, **A New Dictionary of Political Analysis**, Great Britain, 1991, p.38.

2.2.1. Decentralization and Deconcentration

The term 'decentralization' means away from the centre. It may be called, as given above, a method of operation in which the control is dispersed, and power diffused, and distributed multilaterally among people. This can be either administrative deconcentration or democratic decentralization. Administrative deconcentration is one of the methods to create the local government. It is generally associated with administrative and executive functioning of government. Under this system of administration, discretion as well as responsibility remains intact with the centre, whereas only the authority of the administration of power is transferred.¹ In the system of administrative deconcentration 'field officials' enjoy a few limited and specially delegated powers and do not have any authority with them. The local bodies, so created, can modify their powers at their will, while they remain dependent upon the centre. They are creations of an administrative action and do not possess an independent entity of their own.² Democratic decentralization is however a principle, a principle of extension of people's right to manage their own affairs by themselves in a local area without any undue interference by the external authorities. In democratic decentralization both authority and autonomy are transferred to the people at the lower levels.

In modern times most of the states adopt a system of deconcentrated policy, which is different from the meaning of the term, decentralization. It is the least extensive form of decentralization, but an important step usually adopted in highly centralized countries. Also this is only a weak form of decentralization which merely involves the shifting of workload from central government ministry headquarters to staff, located in offices, outside the national capital.

In a deconcentrated system, administrative units are set up singly, or in a hierarchy. No major policy is decided locally. Local officials simply carry out orders. It allows agencies to learn, eventually, to be more responsive and to be able to lead to greater decentralization. Analysing the system of decentralization in India, "The Report of the Indian Statutory Commission, 1930" says:

Systems of local government fall into one or other of two well defined types which we may call the British and the Continental. In the former,

1. Encyclopaedia Britannica - Vol.XIV, p.261.

2. S.Bhatnagar, Rural Local Government in India, New Delhi, 1978, p.3.

government is decentralized; local governments with wills of their own exist. They initiate and plan their policies and carry out them subject to certain powers, direction, and control by the Central Government. They appoint their own staff and raise in the main their own revenue. They are not in the status of subordinate bodies but act as the very part of the governmental machine. Under the Continental system ... government is deconcentrated. The principal local official is not the servant of the elected representative of the locality but is essentially an official of the Central Government sent down to a particular locality to carry out part of the work of the Central Government. He may or may not be assisted by an advisory Council to which a few powers have been conceded.... but the will that operates in the sphere of local administration is that of the Central Govt., not that of the people of the locality. Prior to the reforms (of 1930), local government in India, belonged essentially to the second, a deconcentrated type: it resembled the French rather than the British system. The District Officer in India, like the French Prefect of a Department, was an officer of the Central Government operating in a particular district.... He was just as much the eyes, ears and arms of the Provincial Government as when functioning as revenue officer or District Magistrate. Local self government was just one of his many activities. He regarded his staff as available to assist him in all branches of his work.¹

The term 'deconcentration' and 'delegation', however, mean, one and the same in some respects. This view has been expressed by Leonard D. White in these words: "it is a term generally used to denote more delegation to a subordinate officer of capacity, of acting in the name of the superior without a transfer of authority from him."²

Thus, decentralization has been variously defined as devolution, delegation, deconcentration etc., each specification reflecting a sense of what is to be achieved, a vision of what is possible, and how the rulers and the ruled should be related. Hence, the use of similar terms for sharply different meanings has produced a distorted and discordant discourse and has rendered effective dialogue nearly

1. Report of Indian Statutory Commission, Vol.I, London, 1930, p.301.

2. Leonard D. White, Encyclopaedia of Social Science, Vol.V, New York, 1954, p.43.

impossible.¹

A decentralized government structure is needed to institutionalize participation of citizens in the administration. It is only through participation that a more flexible, innovative and creative administration could be effected. This vision could be materialized in a better way under the system of democratic decentralization i.e., a process of divesting powers to the units of local bodies run by the people themselves. Thus, democratic decentralization means a principle - a principle of extension of people's right to manage their own affairs by themselves in a local area.

2.3.0. Democratic Decentralization

In ^{the} political sense, especially ^{with} reference to the Indian government system at the sub-state level, the concept of decentralization is generally taken to mean 'democratic decentralization'. In countries like India, it implies creation of a third level of popular government at the local level. In other words, the concept is related to the creation of representative, subordinate agencies at the lower levels.

The term 'democratic decentralization' means the transfer of the responsibilities of central government to subordinate agencies, elected by geographic or functional constituencies, and which acquire some of their powers not by delegation from higher administrative authority but by legislative and perhaps constitutional provisions.² It implies people's right to initiate their own projects for local well-being and the power to execute and operate them in an autonomous manner which lays stress on people's participation.

Decentralization signifies the quest for participative and community approach and the epithet 'democratic' goes to reinforce what decentralization stands for. It determines the democratic values, purposes and approach. The term 'democracy' literally means the rule or power of the people; it is essentially a form of government based upon the fundamental assumption of equality of all individuals and of their right to life, liberty and the pursuit of happiness.³ It is also a way of life which promotes

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1. Joel Samoff, 'Decentralization: the Politics of Interventionism,' in **Development and Change**, Vol.21, No.3, Hague, Jul. 1990, p.515.
 2. Cited in, B.S. Bhargava, **Panchayati Raj System and Political Parties**, New Delhi, 1979, p.2.
The author says that a semantic problem has been introduced by the widespread currency of the term 'democratic decentralization' which in fact is often used with reference to programmes and tendencies which are neither democratic nor decentralized except in form.
 3. **Encyclopaedia Britannica** - Vol.VII, 1950, p.182.

tolerance, freedom and discussion and which involves a large number of people in decision-making process. It bases political authority on the will of the individuals.

2.3.1. An extension of the democratic principle

Democratic decentralization is just an extension of the democratic principle, extension of people's right to manage their own affairs in the local area without any undue interference from regional or national authorities. To distinguish between democratic decentralization and delegation, the former embodies a right, while the latter is at best a concession. Democratic decentralization is a matter of principle and it stands for enjoyment of original power by the people, while administrative delegation or decentralization is the outcome of administrative expediency and is the exercise of derived power by a subordinate authority.¹

2.3.2. Egalitarian Society

Democratic decentralization is a means to an end and not an end in itself. It will ensure a greater equality - equality before law. The sovereignty of law implies a notion of equality before law and this is possible only if there is certain equality, and the only way to an egalitarian society is democratic decentralization. Theoretically the people are sovereign and all governments have drawn their sanction from the electorate. However, the elitist leadership in some countries play fast and loose with the people by cynically manipulating the constitution to serve the elitist interest.² Democratic decentralization is expected to serve as an antidote to such elitist manipulations.

2.3.3. Widens the area of democracy

Democratic decentralization is intended to be a people's programme, and the legislation must build an assurance that they will be masters of their own destiny. The legislation must assure the village people of their right and duty to give leadership in the formulation of village, block and district programme and to come to the fore in suggesting the things which they themselves can do to solve their

1. Iqbal Narain, 'Democratic Decentralization: the Idea, the Image and the Reality,' in T.N. Chaturvedi, ed., **Panchayati Raj**, New Delhi, 1981, p.13.

2. D.C. Verma, **The Unfinished Revolution**, New Delhi, 1981, p.203.

own problems. In this way the measure of democratic decentralization, will help to widen the area of democracy by granting (generally through the instrumentality of legislative measures) both authority and autonomy to the people at the grass-root levels, so to say, an attempt to create units of democracies within democracy.¹ It seeks to vest in the institution of local government more powers to act or serve as the tiny fountain heads of democracy. Grass root democracy stands for a political structure in which democracy is not merely confined to the national/regional but is extended to local levels in a real and large measure.²

The very emphasis on democratic decentralization indicates the need for further steps and new governmental structures to introduce greater popular participation in community development with the weaker sections.

2.3.4. Participation in Development Programmes

One argument in favour of democratic decentralization is that, at the local levels direct contact could be established by the ruled and the rulers. It would provide an opportunity for the poor for direct expression and would institutionalise participation in development and planning.³ Democratic decentralization is indispensable to ensure people's participation in development programmes. It is an essential means to generate in the people the feeling that they have a right for participation in the government.⁴ The barrier to direct expression by the weaker section has always ^{been} oppressive leadership and smaller the area, the closer the people come to the direct oppressor, thereby weakening the forces of oppression. Political analysts say that a certain diffusion of interest takes place in larger areas and here (smaller units) the oppressors are not always so united or determined. Laws in science say that, it is easier to split clusters of molecules than a single molecule and easier to split a molecule than an atom.⁵ The *Gram Swaraj* as visualized by Gandhi is a real democratic political apparatus which

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1. M.L.Sharma, **Gandhi and Democratic Decentralization in India**, Unpublished Ph.D diss., New Delhi, 1987, p.11.
 2. The term 'grass-root' is used here to mean originating from, or carried on by the common people. For further details of its meaning see, **Webster's New Twentieth Century Dictionary of English Language**, 1960 rpt., p.795.
 3. B.P.S. Bhadouria, 'Decentralized Planning for Development in India: Issues and Implications,' in B.P.S. Bhadouria, ed., **Decentralized Planning for Development in India**, New Delhi, 1988, p.88.
 4. C. Achutha Menon, 'Issues in Public Administration and Suggested Reforms in Kerala,' in Ms. Padma Ramachandran, ed., **Issues in Public Administration: The Case of Kerala**, New Delhi, 1988, p.6.
 5. Lalit Niyal, 'A Critique of Democratic Decentralization,' in **Man and Development**, Vol. XI, No.2, June 1989, Chandigarh, 1989, p.5.

will bring the masses into active political participation and establish a genuine political control on any oppressive leadership.¹ This is what is meant by democratic decentralization in principle and it was an ideal in the Indian context.

2.3.5. Democracy nearer to the people

However, the main argument in favour of democratic decentralization is that it results in diffusion of any congestion of business at the higher levels of ^{the} administrative ladder ^{and} avoids bottlenecks and delays in the making of decisions and carrying them into effect. It enables the local authorities to be nearer to the people, to avail adequate knowledge of local conditions and problems which vary from place to place. Further, democratic decentralization increases the opportunities for the popular initiative and participation in the administration and thus tends to strengthen democracy. Finally, it is argued that democratic decentralization is necessary for economy and efficiency.

Democratic decentralization would be materialised if there is proper demarcation between the centre and local bodies. It would be proper to demarcate initially the maximum functions which could be retained by the state for specific reasons, such as requirement of higher technical skill for effective discharge of certain basic responsibilities and need for co-ordinated long range or broad based planning and the other activities that have a direct bearing on the people. The entire field of such activities, including administrative and regulatory functions that can be well managed at the lower levels, may be entrusted to the local bodies. The local bodies have to be invested with adequate authority to discharge such extensive responsibilities ^{and} adequate freedom to exercise initiative both in policy-making and its implementation. The people can evoke greater local initiative ^{and} participation and can mobilize local resources to the maximum so as to undertake a balanced development programme throughout the area with particular emphasis on weaker sections of the community.

2.3.6. Constitutional Responsibility

Indeed, democratic decentralization does not mean merely the division of the functions of state government and local bodies, each discharging its functions independently of the other. It means

1. A.R. Desai, ed., **Rural Sociology in India**, Bombay, 1984, pp.533-'80.

functioning of local bodies below the state level, discharging their functions and duties subject to the constitutional responsibility of the state, in respect of law and order and development. Of course, with respect to the functions devolved to the local bodies, they would have full freedom to decide the various activities and the suitability of the areas in which they could be undertaken. The fundamental purpose of such decentralization would be to train the local leadership (with maximum flexibility) so as to meet their growing needs within the resources at their disposal giving priority wherever it is legitimately due.¹

2.4.0. Democratic Decentralization in India - the *Panchayats*

The indigenous term for the scheme of democratic decentralization in India is *Panchayati Raj*. The term means a process of governance, and it refers to a system from the Village *Panchayat* at the lower level to the District bodies at the upper level. This term has become popular in the post-independence period in connection with the scheme of Community Development Programme, launched with the First Five Year Plan. In this scheme, *Panchayat* forms the lowest unit. Above the *Panchayat*, there are bodies like *Panchayat Samitis*, *Taluq Councils (Samitis)* *Mandal Panchayats*, District Councils/*Zilla Parishads* etc., linked in a sort of grid. As the scheme is based on a tier system in a hierarchical manner with the *Panchayat* forming the base, many use the terms, mistakenly in connection with the *Panchayat* administration at the lower level. The term *Panchayat* means an administrative unit, *Panchayat Raj* means the *Panchayat* rule, i.e., rule of *Panchayat* bodies, while the term *Panchayati Raj* means a scheme of administration upto the district level in a hierarchical system with the *Panchayats* forming the base.² Village *Panchayat* was a small body of persons that constituted an administrative unit for each and every village.

1. Iltija H. Khan, **Government in Rural India**, Bombay, 1969, p.24.

2. The term **Panchayati Raj** coined by Jawaharlal Nehru, the late Prime Minister of India, is distinct from **Panchayat Raj**, which connotes government of a local body limited to a geographical area as well as the tier system of local bodies at the sub-state level.

There are occasions when the term **Panchayat Raj** is used for the expression **Panchayati Raj**, and vice-versa. Generally one comes across three terms - **Panchayat**, **Panchayat Raj** and **Panchayati Raj** in the context of rural local bodies, in India.

2.4.1. Antecedents of Panchayats

Panchayats have been amongst the oldest political institutions of India¹. There was the village government i.e., grass-root level authority, even before people could visualize the existence of a remote authority like state or central government. An expression of the grass-root level democracy in India has been the *Panchayats*.² Indigenous in nature as well as in its origin, they had existed in India from very early times. Historically speaking, they provided 'like the shell of a tortoise, a haven of peace where the national culture could draw in for its own safety when political storms burst over the Indian land'³.

The term *Panchayat* meant, an assembly of five wise and respected elders chosen and accepted by the village community. They were considered the incarnation of God (Panch-parameshwar). The word possibly indicates that, the number of those who originally constituted this 'council' was five. The writer of the 'Punjab State Census Report' points out that the number five occurs frequently in Indian sacred literature.⁴ But there are no historical evidences⁵ to suggest that this number was adhered to with any regularity. The term has almost completely lost its numerical connotation and means only an association of people for doing administrative or judicial work. The *Panchayat* was also sometimes seen as one of the resultants of the creation of joint - villages. A council of the heads of houses took the place of a single hereditary head as the agency for managing village affairs in such cases.⁵

The *Panchayats*, in earlier times assembled as a jury, and 'court of arbitrators' at the lower level to decide upon matters affecting village communities.⁶ They dealt with both civil and criminal suits and rendered to the people many services. Rev. Herman Gundert defined the *Panchayats* as courts of enquiry to settle the issues by arbitration that existed in India from very early times. Though the trial by *Panchayat* was in many respects like the trial by jury, the *Panchayat* was not exactly like the modern jury. In *Panchayat*, it was trial by peers who got some reward from the parties if the case was

1. Ameshwar Avasthi & Sriram Maheshwari, *Public Administration*, **Agro**, 1984, pp.166-'73.

2. Roshan Mascarenhas, 'Panchayat Raj in India,' in *The Economic Times*, 2 Oct. 1982, p.5.

3. K.G.K. Nambiar, 'Panchayati Raj in India,' in the *The Economic Times*, Oct. 2, 1982, pp. 5-7.

4. B.H. Baden-Powell, *The Indian Village Community*, New Delhi, 1977, p.441.

5. Harikrishnan Kaul, ed., *Punjab Census*, 1911.

6. A.H. James Murray, ed., *A new English Dictionary on Historical Principles*, Vol. VII, Part I, United England, 1905, p. 415.

a protracted one. An appeal against the decision of the *Panchayat* could be made only on the plea of corruption, but if the appellant failed to substantiate his charge, he had to pay a fine¹ (in some parts of India). There existed intimate connection between the village community and the king. In south India, the village headman himself was appointed by the King. It seems from the available records that the villages under the headman were full-fledged administrative units at the lower levels and had a wide spectrum of activities covering executive, administrative, judicial and developmental affairs. The functions performed were many and thereby, a variety of terms have been used in relation to these institutions and the type of functions.²

2.4.2. Functions and Features of *Panchayats* in Ancient times

Regarding their nature, some investigators are of the opinion that *Panchayats* were mainly councils of elders of different castes, a body of co-sharing proprietors which administered justice and punished offences against village customs and practices.³ However, the *Panchayat* in the past organized defence of villages, appointed watchman, elected or nominated a headman and provided public and social amenities. In short, they breathed life into the rural society.

Conclusively it can be said that *Panchayat* was a nebulous thing which appeared in the minds of the villagers to drift between the idea of a meeting of the whole community and the idea of a more or less select council.⁴

2.4.3. Each village, a self sufficient unit

The village was the basic unit of communal living, often styled the brotherhood. The expression

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1. Surendranath Sen, *Administrative Systems of the Marathas*, Calcutta, 1923, p. 318. In Maratha villages a fine called 'Gunhagari' was imposed on those appellants who failed to submit evidence, to prove their ignorance.
 2. R.K. Mookerjee, *Local Government in Ancient India*, 1958 rpt., Delhi, p.3. Some of the terms used in the historical writings as well as the sanskrit literatures are **Kula, Gana, Jati, Puga, Vrate, Sreni, Sangha, Samudaya, Samuha, Sambhuja or Naigana, Camuttana, Parisat, and Carana.**
 3. B.S. Bhargava, *Panchayati Raj System and Political Parties*, New Delhi, 1979, p.17. Frederick C. Bailey in his book, *Tribe, Caste and Nation*, proposes that Indian village was a community ruled by one dominant caste and that usually the leaders of the local dominant castes were elected to the **Panchayats.**
 4. John Mathai, *Village Government in British India*, London, 1915, p.21

indicates that this body originally constituted an aggregate of individuals supposed to be related to each other by descent from a common ancestor (the village here refers to the area comprising the residential as well as the cultivated parts, the pasture and the waste lands). Each village was the basic unit of communal living and self-reliant and its members constituted a primary group.¹ Each village was isolated, often separated from neighboring hamlets by scrub, jungle, or wasteland. Village life was a little world of its own; village society made its own laws and its own decisions.² There were the occasional threats of the tyrannical land lords, robbers or even the invaders. Often these dangers served as a further stimulus to village organization and unity among themselves.

The community was mostly agricultural. The members were ordinarily grouped into divisions and sub divisions, each in possession of separate shares of cultivated area. For its every day needs, it included a permanent hereditary staff of village artisans, such as blacksmith, carpenter, barber, shoemaker, potter and washerman, each of whom was paid annually an allowance in grain share at the time of harvest, by each cultivator.³

2.4.4. General Functions

Referring to the functions of these bodies, it seems that they exercised most of the functions on matters related to the life of villagers. These functions may be called executive and judicial (adjudication) functions which included public welfare, defence, watch and ward, agency functions for the government and the like. They dealt with the administrative matters, social and customary affairs, including civic, educational, industrial and commercial aspects or religious matters. It is significant that ~~that~~ village had its own court of Justice. It bore the name of *Pratishtha* according to

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1. V.B.Singh, *The Economic History of India (1857-1956)*, Bombay, 1965, p.88
Also see, A.B. Shash & C.R. Rao, ed., *Tradition and Modernity in India*, Bombay, 1965, pp.68-'69;
B.H. Baden-Powell, *The Indian Village Community*, Delhi, 1977 rpt., p.3. A primary group is the universal of all forms of associations in which a small number of persons meet face to face for companionship, mutual aid, the discussion of common questions and find out some common policy. It is the primary cell of the social structure, in other words, the underlying concept of **Panchayati Raj**. Some writers have made use of such terms as 'rural communes' or 'village corporations.'
 2. Hugh Tinker, *The Foundations of Local Self Government in India, Pakistan and Burma*, Bristol, 1954, p.18.
 3. G.R. Madan, *India's Developing Villages*, Lucknow, 1983, p.3

Brihaspate, who indicates the village autonomy in this matter.¹

2.4.5. *Sabha* and *Samiti*, as Democratic Bodies

In administrative affairs, the usual practice was that all the village matters were transacted through the *Panchayat*. It was either a general meeting of the inhabitants or a select committee chosen from among them. It performed both executive and judicial functions. The village *sabha*, *Samiti* and the 'councils' under the captaincy of an elder: called *Gramani* also performed administrative functions. In some cases the *Sabha* and *Samiti* also acted as the judicial and executive bodies. Many believe that these were popular assemblies. There is also an opinion that the *Sabha* was a house of elders, while the *Samiti* was an assembly of the whole people of a village.² Some scholars view that, general meetings of all the villagers were held in less developed communities, like those of the aboriginal tribes. Anyhow, in course of time the *Sabha* and *Samiti* lost their influence and their place was taken by the bodies known as *Paura* and *Janapada*. The former was a body consisting of the representatives of urban areas while the latter consisted of the representatives of the rural regions.³

2.4.6. Hereditary Functionaries and Commercial Combinations

There were also some hereditary functionaries and commercial combinations in the community leading to the formation of specialized institutions like the *Guilds*.⁴ The local *Panchayat*, the hereditary functionaries, the *Guilds*, *Grama Sabha* (village council) and the like, looked after the affairs of the village communities. The *Panchayat* carried out public works, looked after the construction and repair of public buildings and wells, supervised tanks, education and sanitation. The hereditary functionaries, usually the elders known as village headman, performed some other important functions,⁵ while the commercial combinations were entrusted with the economic life of the age with its many folded development. All those functionaries together gave to the village community a solid

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1. Ganesh Prasad Sinha, *Post-Gupta Polity (AD 500 - 700)*, Ph.D. diss., Calcutta, 1972, p.172.
 2. S.C. Ray Chaudhary, *Social, Cultural and Economic History of India*, Delhi, 1978, pp. 144-148. Though the exact connections of these terms are still debated, it is admitted by most of the scholars that they exercised a powerful check on the royal absolutism.
 3. *Ibid.*, p.144.
 4. R.K. Mookerjee, *Local Government in Ancient India*, Delhi, 1958 rpt., p.39.
 5. Pyarelal, *Mahatma Gandhi - The Last Phase*, in 2 vols., Ahmedabad, 1958, Vol. II, pp.597-'98.

basis of common life and purpose.¹ Every village was bound to be heterogeneous composition, but governed by a homogeneous body². However, the soul of this system was the village council called, the *Panchayat*. From time immemorial, *Panchayats* have enjoyed the confidence of the people. The system survived in spite of turmoils and changes because the village folk were fully confident of their own capabilities of sound thinking and right approach to problems.

2.4.7. Self -Government

There was no voting or majority rule in village council called *Panchayat*. The people gathered together and talked and agreed as in a family until a general opinion emerged. Justice was done speedily and efficiently. All disputes were settled out of court, by agreement among the parties themselves, which is the foundation and acid test of non-violent democracy. It fostered the habit of speaking the truth among the people.³ But the most significant factor about the ancient village system was the spirit of self-government that gave vitality to the system. Historical evidences show that such self-governing and autonomous institutions had functioned both in northern and southern parts of India.

2.4.8. Economic Self-sufficiency

The village community had developed its own system of production and this points to the direction of the level of self-sufficiency. By analysing the nature of Indian village system, Karl Marx has given a picturesque description of the process of simple reproduction that went on in the Indian village community.⁴ The land was tilled in common and the produce divided among the members depending on their need and requirement. All were engaged in some occupation or other. There were

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1. For details of the functions rendered by village headman, see Vasant Desai, **Panchayati Raj - Power to the People**, Bombay, 1990, p.50-60.
 2. R.K. Mookerjee, Op. cit., p.309.
 3. For details see, Pyarelal, **Mahatma - The Last Phase**, in 2 vols., Ahmedabad, Vol. II, 1958, pp. 588-791. Pyarelal writes thus: Sir William Sleeman the British Resident at Lucknow put on record his witness that, whereas evidence in British courts was fantastically unreliable it was easy to get at the truth in a **Panchayat**. There are no people in the world, he testified, from whom it is more easy to get truth in their village communities, than from elsewhere, where they state it before their relatives, elders and neighbours whose esteem is necessary for their happiness and prosperity, which can be obtained only by an adherence to the truth.
 4. Cited in, V.B. Singh, **The Economic History of India (1857-1956)**, Bombay, 1981, p.90.

'village officials' like judges to prosecute the criminals, and police to protect the villagers. There was the tax gatherer to collect the share of the government and the village, the book keeper in charge of the accounts and registers, the boundaryman who guarded the boundaries against the neighbouring communities, the waterman who distributed water from the common village tanks, the Brahmin who conducted the religious services, the school master who taught the children on sand, astrologer who predicted the lucky or unlucky days for seed time and harvest and for every other kind of agricultural work, a smith and a carpenter who made and repaired all the agricultural implements, the potter who made all the pottery of the village. The barber, the washerman and silver-smiths, all performed their respective duties. The whole system discloses a systematic division of labour, a self-reliant, self-sufficient autonomous level of Indian villages. The structure of the economic elements of society remains untouched by the storm clouds of the political sky. The villagers were indifferent to what power is transferred or to what sovereign devolved, ^{provided} its internal economy remained unchanged.¹ Highlighting this feature, Radhkumud Mookerjee says:

The fact is that India presents the rare and remarkable phenomenon of the state and society, co-existing apart from and in some degree of independence of each other as distinct and separate units or entities as independent centers of national popular collective life and activity. Both of them were independent and a policy of non-interference was recognized as the ideal policy of the state, the functions of which were ordinarily restricted to the irreducible minimum.²

Thus, there was a definite delimitation of the respective boundaries of the political and social organization in the state, and the villages have been the axle of administration from ancient times.

2.4.9. Communitarian Democracy

The weight of literary and other accounts given by both Indian and foreign writers point to the direction that ancient India had one of the best systems of village government. What Karl Marx and Friedrich Engels had described as the 'Asiatic mode of production' really referred to the relatively,

1. A.B. Shah & C.R. Rao, 'Tradition and Modernity in India', Proceedings of the Seminar, Bombay, 1956, pp.8-9
2. R.K. Mookerjee, **Local Government in Ancient India**, 1958 rpt., Delhi, p.3.

Indian self-governing villages, still retaining much of their tribal character with little division between agriculture and manufacturing units, since the remotest times and developed "a social system of particular feature-the so called village system which gave to each of these small unions their independent organization and distinct life".¹ Land was tilled in common and the produce divided among themselves. The families carried on subsidiary industries also. The state's duty consisted of defence, public works and irrigation. These features have similarities with the model envisaged by the ancient Greece, what is known as communitarian democracy.²

The fundamental characteristic feature of the village of the past, as referred to above was its self sufficiency. All its economic needs were supplied by the efforts of its own cultivators and artisans. It was only for a few things that it depended on the outside world. The *Panchayat* was the administrative counterpart of this self sufficiency. It owed all its power and influence not to any legislation enacted by government at the higher level but to custom and tradition which for ages have been the sanctions behind the whole fabric of Indian society.³

Village *Panchayats* also played a pivotal role in the defence and development of villages in ancient India. They enjoyed vast powers and made effective use of them, with skill and innovations. They protected the people and exercised wide judicial powers.⁴ In short, the *Panchayats* in India have well sustained the autonomy of villages or the villages ^{have} parented the *Panchayats*.

Conclusion

An analysis of the village functioning in India, in yester years shows that the idea of decentralization was evolved out of the socio-politic and geo-economic situations that prevailed in the rural segment of India. A study on decentralization at the rural local levels in India will be helpful to understand how deep-rooted was this concept in the body politic of India and how the system continued to exist under various regimes.

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1. Cited in, E.K. Santha, **Local Self-Government in Malabar**, Institute of Social Science- Occasional Paper Series, New Delhi, 1993, p.2.

Marx also wrote that 'the Hindoo (he meant the people of Hindustan) on the one hand, leaving like all oriental peoples to the Central Government the case of the great public works, the prime condition of his agriculture and commerce, dispersed, on the otherhand, over the surface of the country, and agglomerated in small centres by the domestic union of agricultural and manufacturing ^{pursuits}. These two circumstances had brought about, since the remotest times a social systems of particular feature; The so called village system, which gave to each of these small unions their independent organization and distinct life.'

2. Sheokumar Lal, ed., **Gandhi and Village**, New Delhi, 1981, p.49.

3. Verinder Grover, ed., **Political System in India-** Vol.1, New Delhi, p.442.

4. Vasant Desai, **Panchayati Raj-Power to the people**, Bombay, 1990, p.58.

DECENTRALIZATION IN INDIA : HISTORICAL FOUNDATIONS, CONTINUITY, CHANGE AND RECENT EFFORTS

3.1.0. Village Autonomy

Indian villages have been regarded as seats of local government since very early times. Each village formed a separate unit in itself and each one was more or less autonomous, governed by a *Panchayat*. Thus, the concept of *Panchayat* has an ancient flavour and tradition.

The emergence of village autonomy was due to many reasons. Firstly, the economic life was primarily built around land, the principal means of subsistence. Since land was generally owned by the village community a communal spirit developed in all the economic activities. This, in turn permeated other spheres of life as well. Such a communal social life provided an atmosphere congenial to their autonomous functioning.¹

Secondly, physical remoteness imposed a check on the intrusion of the central authority in the life of the villages. The lack of transport and communication rendered it rather difficult for any authority to exercise that degree of control which made it impossible for the village to act as an independent unit. Thus, despite a central focus of power, authority in ancient India tended to be diffused and divided between different layers of the social frame-work. Under every regime, suzerain or feudal, the village remained the ultimate unit of society in India.

There were many associations also in the villages — economic, social and religious - which urged a fair degree of autonomy and sovereignty. Among all such various units of power, however, villages were the axis round which other centres of power revolved. The 'Rig Veda' bears testimony to the role played by the Village Council in Ancient India thus:

Assemble, speak together; let your minds be all of one accord:

The place is common; common the assembly, common the mind so be
- their thought united;

1. Nageshwar Prasad, 'Decentralization in Historical Perspective,' ts., Varanasi, 1984, p.13.

The one and the same be your resolve and be your minds of one accord,
United by the thought of all that may happily agree...¹

3.1.1. Antecedents of *Panchayats*

A survey of the nature and scope of the activities of the Mauryan State (in ancient India) will show that it was largely a welfare State.² The Mauryas paid full attention to all the matters like public hygiene, measures against adulteration of food etc., through various committees at the village level. Hence, attempts were made under the Mauryan rule to revive and encourage the old village institutions in order to have better and uniform administration for the first time in the history of India. But, on account of the limited time, these village councils could not be revived to the extent desired. Nevertheless, they managed their various affairs through an elected council of villagers.³

Under the Imperial Guptas, the village administration was in the charge of a headman designated as a *Grameyaka* or *Gramadhyaksha*. The headman was assisted in his work by a non-official council. The members of this body were known as *Mahattars* under the Vakatakas and the Pallavas and probably had the same designation under the Guptas too. The village council as the lowest unit of administration looked after the village defence, settled disputes and acted as a trustee for minors and collected the government revenues and paid them into the central treasury.⁴ The villagers were prosperous and well advanced in art, literature, folklore, and folk-culture.

The Muslims and more particularly, the Mughals did not interfere much with the existing arrangements, although the system of administration which the Mughals developed was not entirely indigenous in character.⁵ It presented a blend of Indian and extra-Indian elements, or more correctly it was a 'Perso - Arabic' system in Indian setting. But, despite its alien characteristics, the changes in the government were effected at the top levels only, at the bottom, the lowest unit, i.e., the village, autonomy continued. The Muslim rulers respected the then existing Indian practice and "the vast mass of Indian customary laws, so far as they did not run counter to the root principles of all

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1. Cited in, V.M.Apte, *History and Culture of Indian People : the Vedic Age*, Bombay, 1960, p.354.
 2. Vasant Desai, *Panchayati Raj - Power to the People*, Bombay, 1990, p.55.
 3. A.S. Altekar, *A History of Village Communities in Western India*, Delhi, 1927, pp.17-18.
 4. R.C Majumdar and A.S.Altekar, *A New History of the Indian People*, Delhi, Vol.VI,1957, p.288.
 5. Nageshwar Prasad, 'Decentralization in Historical Perspective,' ts., Varanasi, 1984, p.18.

Islamic governments and 'in all non-essential matters' lower rung of the official ladder, the Indian was allowed to prevail."¹(emphasis added)

The Muslim rulers respected village autonomy and the village *Panchayats* continued to keep a vigilant eye on breaches of time-honoured custom, to secure order and mutual co-operation to settle petty disputes.² The village *Panchayat* was so much held in respect that an appeal preferred against its judgment only tended to confirm its judgment. In other words, it was the highest authority and the king respected the decision of the *Panchayat*. Together with the functions like settlement of disputes, which the village councils undertook for the welfare of the community it had also an elaborate system of functionaries.³

However, under the later Mughals, the structure and functioning of village communities showed unmistakable signs of decadence. The quest for large finances for the state and their feudalistic bend of mind forced the Mughal rulers to centralize the administration.⁴ They worked out a new land policy whereunder all the lands situated in the length and breadth of their domain, the provinces, districts and villages, were put under the charge of the centrally appointed *Subedars Amualguzars, Muqaddams and Patwari*.

Moreover, in the villages which were completely under the Muslim suzerainty, due to the oppression of its officers and the greed for revenue, farmers and the other villagers practically lost their power and the village councils became an obsolete body hardly possessing any major influence. The peasant population in the rural area fell a prey to the rapacity of the *Jagirdars* who tried to extort from the peasant as much as they could. The *Jagirdars* are reported to have said thus: "Let us draw from the soil all the money we can, though the peasant should starve or abscond and we should leave it, when commanded to quit, a dreary wilderness." Exactions, beating and whipping of the peasantry fleeing the land, all became general features of the agrarian condition in India during this period.

1. Jadunath Sarkar, *Mughal Administration*, Calcutta, 1924, p.6.

2. Beni Prasad, *History of Jahangir*, Allahabad, 1922, p.91.

3. John Mathai, *Village Government in British India*, London, 1915, p.15.

4. S.Bhatnagar, *Rural Local Government in India*, New Delhi, 1978, p.21.

Also see, H.D. Mallaviyya, *Village Panchayats in India*, New Delhi, 1956, p.44 ; Irfan Habib, *The Agrarian System of Mughal India*, Lucknow, 1963, p.319.

3.1.2. Decline under the British Rule

The British policy towards the local bodies was linked with their overall strategy of political and economic centralization; This has been linked with the superior administration. It was necessary to make village officials the salaried servants of the state in order to realize the above objective of a highly centralized administration. And this was the policy of those who saw the advantage of a centralized uniform system and applied it without regard to its effect upon the indigenous social structure in the vast area.¹

Also, an overall evaluation of local bodies under the British rule brings to light the fact that their administration with its Roman system of justice replacing the traditional powers of the *Panchayat* in the more serious judicial cases, its system of tax gathering and a centralized administration had made so violent an impact that the corporate life of the villages was weakened, and in most cases died. Under the new administrative arrangement, the village headman increasingly came to be identified as a representative of the government and the villages were not impressed by the popular character of the institution. A British historian commented thus: "The desired effect could not be brought down as the British hymn of praise to the traditional *Panchayats* turned out to be a funeral dirge. Efficiency triumphed at the expense of local autonomy and organic village life."²

On the eve of the British conquest, the Indian rural society was composed of a multitude of villages, and each village lived almost an independent, atomistic, self sufficient social and economic existence.³ The bullock cart and village huts seen in Bharhut sculptures of about 150 B.C. or the plough and ploughman in Kushana reliefs of A.D. 200 would reveal that there were

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1. Sahadev B. Chaudhary, 'Reflections on **Panchayati Raj**,' in T.L. Sankar, ed., **Journal of Rural Development**, Vol.10, No.5, Sept. 1991, Hyderabad, p. 613.
 2. Percival Spear, **The Oxford History of Modern India (1740-1975)**, 1984 rpt., Delhi, p.191
The author says that the net result was the gradual transfer of authority (within the village) from the village elders to the agents of government. The same process occurred in judicial and in other matters like setting-up of a new police force. As police forces were organized in the districts they took cognizance of crimes which had formerly been largely left to the discretion of village councils .For details see, pp.190-192.
 3. A.R.Desai, **Rural Sociology in India**, Bombay, 1984, pp.3-7.

tremendous advances in the means of production¹. It does remain true that the Indian village was nearly self contained. The village administration was carried on by the Village *Panchayat*, composed of elected or customary representatives of various castes, generally elders of the castes or village headmen with the *Panchayat* as the consultative body. The Village *Panchayat* was the link between the village population and the higher authority. The *Panchayat* and the headman maintained peace in the village, settled disputes among the villages, looked after the sanitation and other matters of common concern of the village population. Thus, from the stand point of administration the village was autonomous, till the state's interference under the British rule. The autonomy of these villages disappeared largely due to the establishment of local, civil and criminal courts, revenue and police organizations, increase in communications, growth of individualism and the operation of the ryotwari system².

3.1.3. Lord Mayo's Resolution

Lord Mayo's Resolution had provided for a measure of decentralization from the centre to the provinces and emphasized the ideal of the increased association of Indians in the administration, but limited to municipal levels only. In rural areas, the village officials were made the salaried servants of the government.

3.1.4. Lord Ripon's Resolution

It was into this scene of a decaying traditional village system that Lord Ripon introduced his Resolution on Local Self Government in 1882. Lord Ripon, while advocating a wide extension of local self government, insisted also on minimum government interference, in inducing the people themselves to undertake the management of their own affairs. Ripon's Resolution of 1882 is a document worth quoting:

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1. D.D.Kosambi, **The Culture and Civilization of Ancient India in Historical Perspectives**, New Delhi, 1986, p.16.
 2. S.S. Meenakshi Sundaram, **Panchayati Raj in India- the Strength and Weakness in the Changing Environment**, Paper presented at the National Seminar on Democratic Decentralization, Nov. 27-30, 1991, Hyderabad, p.1.

In advocating the extension of local self government and the adoption of this principle on the management of many branches of local affairs, the Governor General-in-Council does not suppose that the work will be in the first instance better done than if it remained in the sole hands of the Government District officers. It is not primarily with a view to improvement in administration that this measure is put forward and supported. It is chiefly desirable as an instrument of political and popular education...¹

3.1.5. 'Popular and Political Education'

Thus, Ripon's Resolution on Local Self Government was not merely a means of devolution of authority in administration, or decentralization of financial resources only, but was a means of popular and political education and under the successors ^{Panchayats} were meant to be the units of imperial administration at the lower levels. It is to be noted that his scheme did not cover the grass-root level bodies but ^{was} limited upto the *Taluq* level only. Anyhow the noble intentions of the Viceroy were defeated by the officials themselves. In Central Provinces the principle of election was implemented to a great extent and the chairman of Local Boards became non-official. In other Provinces the old system continued which resulted in greater chaos. The government exercised strict control over the activities of urban and local bodies and imposed rigorous action at its discretion.

However, the later Report submitted by the Statutory Commission pointed out that the intentions of Lord Ripon could not be fulfilled due to many factors. They include customs of the country, force of habit, apathy and lack of desire to assume responsibilities among the elected members, reluctance of officials, all combined to prevent real and substantial progress being made in political and popular education in the art of self government. Therefore, no real attempt was made to inaugurate a separate system amenable to the will of the local inhabitants. Hugh Tinker comments thus: "Despite the clear directive given to official policy by Lord Ripon, and periodically re-affirmed thereafter, neither the central government nor its officers in the districts, gave a sustained impetus to the development of the ideal of local responsibility in the period ending with the first

1. Cited in, **Report of the Indian Statutory Commission**, Vol.I, London, 1930, p.299.

World War.”¹

3.1.6. British system Incorporated

The most remarkable fact is that the Resolution of 1882 was the maiden attempt to introduce the British model of local government in India. It reported that there existed in India, nothing similar to the Local Self Government of the British type, before the era of Ripon's reforms.² All the subsequent enactments under the colonial administration in one way or other followed the Ripon's pattern and this was subsequently incorporated into the Indian psyche. In 1896 and again in 1897, the Government of India adopted resolutions on local government, but they were limited upto *Taluq* level only. And also their content and spirit were more or less similar to the earlier resolution.

3.1.7. Royal Commission on Decentralization, 1907

All the enactments pertaining to urban and local bodies under Lord Curzon were directed to curtail the ^{if} democratic nature. However, the 'Royal Commission on Decentralization', appointed by Edward VII in 1907, which consisted of five Englishmen and one Indian, Ramesh Chandra Dutt examined the whole question of local self government in India. The commission recommended the government to strengthen Village *Panchayat* system and recognized that throughout the greater part of India the village constituted the primary territorial unit of government organization and from the villages are built up larger administrative entities.³

3.1.8. Village as the Unit of Imperial Administration

Therefore, the Decentralization Commission favoured the village as the first unit of administration, with all the functionaries like the headman, the accountant and the village watchman forming a village government. All of them became hereafter government servants. In effect the *Panchayats* with greater antiquity were replaced by administrative creations such as *tahasils*, and the

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1. Hugh Tinker, *Foundations of Local self-Government in India, Pakistan and Burma*, 1967 rpt., Bombay, p.335.
 2. For details see, *Indian Statutory Commission*, Vol.I, London, 1930, pp.298-315. Also see, Rushbrook Williams, ed., *India in 1922-'23*, Calcutta, 1923, pp.56-65.
 3. *Report of the Royal Commission on Decentralization in India*, Vol.I, London, 1909, p.236.

local bodies were considered as the units of imperial administration. Matters pertaining to revenue, agricultural loans, or the distribution of irrigation water, the Commission felt, should not always remain outside the scope of ^{the} Panchayat's duties. In fact the resolutions pointed to the direction of village as the starting point of public life.¹

3.1.9. Pleas for Effective Decentralization

In spite of all the efforts, functioning of Village *Panchayats* was far from satisfactory. The efforts at the government level towards democratising the local bodies did not produce any headway and therefore, the stalwarts of Indian freedom struggle, using the public forums, pleaded for genuine decentralization and empowerment of rural local bodies. This issue became ^{an} unvaried part of the proceedings of Indian National Congress since its 24th session held at Lahore. The members hoped that the rural local bodies would be endowed with real power and alleged that the Imperial Government had more mind in the affairs of Municipal and District Boards than the *Panchayat* system. At the Karachi session of Indian National Congress (1913) a resolution was adopted "urging to take early steps to increase the powers and resources of local bodies."²

3.1.10 Mrs. Annie Besant's Plea

Mrs. Annie Besant, at the 32nd session of Indian National Congress held in Calcutta (1917) complained against the tyranny of petty officials, state's interference, and administrative deterioration at the lower levels. The manner in which, the British attempt^d to organize Village *Panchayats* (the village officials were made dependent upon the higher officials) was alleged by Mrs. Besant as the killing of the old village system. According to her the British officials became village tyrants and not the village servants. She also criticised the inefficient bureaucracy for its failure to do whatever little was suggested in 1907. She visualized that the village would become articulate through its *Panchayat* and be brought into touch with the ^{larger} life. Surendra Nath Banarjee, a prominent early nationalist in India, also demanded self government for India at the Calcutta session of Indian National Congress (1917).

1. See, H.D.Mallaviyya, *Village Panchayats in India*, New Delhi, 1956, pp.216-20.

2. M. Rama Chandra Rao, *The Development of Indian Polity*, New Delhi, 1978, p.296.

3.1.11. Montague - Chelmsford Reforms

The British policy thereby, evoked violent protests in India. Therefore, the Montague-Chelmsford Reforms (1918) suggested to the government that the radius of official control, (which was opposed by the early nationalists) should be strictly circumscribed. The Reforms Commission laid great stress on the advisability of fostering village government. It also laid fresh emphasis on the advisability of developing the corporate life of the village as a step in the growth of self governing institutions by taking advantage of the existing bonds of common civic interests and common traditions.¹

3.1.12. Introduction of Rural Local Board

The Montague-Chelmsford Reforms did not recommend a complete scheme of local government with wide distribution of powers down to the lower levels. The reforms included those features of British system of local government and also the native one. The British system was represented by the Rural Local Boards, while the native one was the *Panchayat* system. The Commission rightly observed that it is not possible to create a system in India entirely alien to the native one. The Reforms of 1918 commented: "It is impossible to ignore India's past, and at once to create a perfect system out of the present uneven materials (local government)."²

3.1.13. The Government of India Act, 1919

'The Montague-Chelmsford Report' formed the basis of the Government of India Act of 1919, which contained several measures towards decentralized functions of local bodies. Under the 'Dyarchical System' of administration, introduced in India, the Department of Local Self Government was transferred into the hands of an Indian minister and each Province was now allowed to develop local governments according to Provincial needs and requirements. It was but natural that the Indian minister should do all that he could, for the growth of local self government; however, he was handicapped by shortage of funds. As the finance portfolio was under the charge of an executive councillor, who was unsympathetic to the local

1. **The Report of the Indian Statutory Commission, Vol. I**, London, 1930, pp.302-08.

2. **The Report on Indian Constitutional Reforms (1918)**, Calcutta, 1928 rpt., p.128.

bodies, very little work could be done in the provinces as well as at the sub-province levels.

3.2.0. Mahatma Gandhi's Plea for an Indigenous System

It was in this background that Mahatma Gandhi projected villageism as a national goal, and presented a scheme of revival of traditional *Village Panchayats* as a means for securing democratic decentralization. Soon, Gandhi's idea of *Village Panchayats* evolved as a fighting slogan against the alien regime. At the Calcutta Session of Indian National Congress (1920) a resolution to the effect of gradual boycott of British courts and the establishment of private arbitration courts, was accepted. This, in effect was a call for the revival of *Village Panchayats* to settle village disputes and prevent wasteful litigation. Sri. Viraraghaviyyar, at the 35th session of Indian National Congress (1920) highlighted the supreme importance of *Village Panchayats* in ancient times and their place as quasi-republics and self contained units. Thus, the construction programme under the guidance of Indian National Congress laid down in 1922, provisions to revive the *Village Panchayats*. However, Statutory bodies under the British rule were not a substitute for the old the *Panchayat* system. Therefore, strong demands came from the nationalists for strengthening the Indian system. C. Rajagopalachari said that the leadership had been working too much at the top, they must go down to the base. Every village had its *sabha*,¹ which was working for the welfare of the masses. He said thus: "...No mass movement is possible unless we have a net work of such organizations which by their previous non-political functions have enlisted the co-operation of the majority of the inhabitants of every village. This is the real objective of the constructive programme."²

C.R. Dass, another nationalist, advocated at the Gaya session of Indian National Congress (1922) a scheme of government in which the main emphasis was on powerful local centres. To him, autonomy of local bodies and the organization of village life were more important than either provincial autonomy or central responsibility. He also believed that real *swaraj* can be attained by

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1. R.S. Sharma, *Aspects of Political Ideas and Institutions in Ancient India*, 3 Edn., Delhi, 1991, pp.105-17.
 2. *Young India*, 16 Nov. 1922; Also see, H.D.Mallaviyya, *Village Panchayats in India*, New Delhi, 1956, p.230.

vesting the power of government in the local centres.

3.3.0 Statutory Commission, 1930

However, the 'Report of the Indian Statutory Commission, 1930,' had given out a graphic picture of the functioning of local self government to appease the cry of Indians for indigenous institutions. The Report says that in all Provinces, except Assam, the most important unit of self-government was the District Board, the jurisdiction of which is co-terminus with the district. It may be compared in composition and powers with the English County Councils though the area and population for which it is responsible are, as a rule, far larger than those of an English administrative County. The majority of the members were elected on a franchise, which, though greatly extended since the advent of the reforms, give the right to vote to little more than 3.2 per cent of the population.¹ The report also says that, inspite of great efforts on the part of the government to establish village authorities in Provinces, it has not proved possible to progress rapidly though^a little headway could be made in the Provinces of Madras, United Province, and Bengal. Outside these three Provinces, the movement was in its infancy. This also shows that the new experiments made by the British Government did not create any impact on the Indian masses for whom all these were part of colonial policy of centralized administration and not genuine decentralization. The statement from the United Provinces also revealed apathy of the villages to the British model of local government.

3.3.1. Efforts in^{the} Thirties

The policy proposed by the Statutory Commission in 1930 on the *Panchayat* system was in favour of developing it. But it viewed that the prospect of successfully developing *Panchayats* must depend very largely on local conditions and that the functions and powers allotted to them^{must} vary accordingly. But where the system proves a success, it is contemplated that they must be endowed with civil and criminal jurisdiction in petty cases. The Commission, therefore, suggested that wherever possible an effective beginning^{should} be made.

'The Act of 1935' had endorsed the directives issued by the earlier Acts and the Department

1. Report of the Indian Statutory Commission, Vol.I, London, 1930, pp.305-306.

of Local Government came under the control of minister.¹

3.4.0. Controversy and Compromise

The Draft Constitution set up by the Constituent Assembly was released with no reference to Village *Panchayats*. There was many a criticism from different centres against the fact that no part of the Draft Constitution had referred to ancient Village *Panchayats*. Justifying the position of Draft Constitution makers, Ambedkar argued that *Village Panchayats* have not shaped the political destiny of India in the past. He said thus: "What is in a village, but a sink of localism and a den of ignorance, narrow mindedness and communalism?"

Ambedkar also pointed out that a passage by Charles Metcalfe describes the role of the villages as a passive one. He cited Metcalfe who said thus:

Dynasty after dynasty tumbles down , revolution succeeds revolution, Hindu, Pathan, Moghal, Maratha, Sikh, English all are masters in turn, but the village communities remain the same. In times of trouble they arm and fortify themselves. A hostile army passes through the country. The village communities collect their cattle within their walls and let the enemy pass unprovoked.²

Ambedkar's reference to the village was very much regretted.³ When the Constituent Assembly debated the Draft Constitution, many expressed disapproval of Ambedkar's remarks and recalled that Mahatma Gandhi's dream of the future constitution of India was very broadbased. Its base was the villages of India.

Arun Chandra from West Bengal criticised Ambedkar's remark and replied:

I admit that we require a strong Centre but that does not mean that its limbs should be weak. If we can build the whole structure on the Village *Panchayats*, on the willing co-operation of the people, then, I feel the

1. For Details of the provisions see, **Government of India Act, 1935**, Delhi, 1937.

2. Cited in, H.D.Mallaviyya, **Village Panchayats in India**, New Delhi, 1956, pp.257-58.

3. **Ibid.**, p.258.

Centre would automatically become strong. The village should be the real basis of the machinery.¹

3.4.1. Reactions to Ambedkar's Observations

Mahavir Thyagi from Uttar Pradesh was very unhappy that Ambedkar had referred to Indian Village *Panchayat* as a den of communalism and a sink of localism. He added that it is these sinks of slavery that faced all sorts of repression in the freedom struggle, 'the villagers being charred, burnt and tortured in chimoor'. He even challenged the claims of Greece as the earliest democratic state and said that democracy flourished in India much earlier than in Greece. It existed in India even during the time of Buddha. He added that the historian of Alexander has praised very much the city states of Northern India which were governed on democratic lines as republics. They were arrested at times on account of invasions from outside. Yet one finds that the same democracy continued to function in Indian villages under the name of village republics.

T. Prakasam, K. Santhanam, Muniswamy Pillai, Ananthasayanam Ayyangar, N.G. Ranga and some others from ^{the} Madras Presidency strongly urged that the Constitution must be so amended as to make it useful for the millions of villagers for whose sake freedom had been won. They wanted some statutory provision leading to the recognition of village *Panchayats* and reminded that, inspite of revolutions and changes, the villages have preserved the Indian life. They cautioned that too much of centralism would result in totalitarianism. Ranga asked thus:

Do we want centralization or decentralization....Indeed all the world is today, in favour of decentralization....without the foundation stone of village *Panchayats* in the country how would it be possible for our masses to play their rightful part in our democracy....I submit that villagers should be given their due share in the governance of the country. If they are not given their due share, I submit that, they are bound to react to this.²

1. For details see, 'Debates in the Constituent Assembly, Nov. 6-9, 1948,' cited in, Anirban Kashyap, **Panchayati Raj: Views of Founding Fathers and Recommendations of Different Committees**, New Delhi, 1989, p.33.

2. *Ibid.*, pp.58-62.

It seems that a sizable section of the members wanted to place greater emphasis on village institutions and the principles central to Indian practice, particularly those glorified by Gandhi's teachings. The majority of the amendments were directed towards the development of village life and economy and the *Panchayat* system of village organization. Therefore, some amendments were brought forward which had a direct bearing on *Panchayat* Raj. The amendment that stood in the name of K.T. Shah is as follows:

.....the Union of India shall be organized on a uniform basis of groups of Village *Panchayats* co-operatively organized inter se and functioning as democratic units within the Union.... in the long run this Union must consist of locally autonomous units equal inter se which will be the strength as well as the salvation of this country....¹

3.4.2. Directive Principles of State Policy & the *Panchayats*

The Constituent Assembly did not approve of Ambedkar's summary dismissal of the village institutions in Indian history and polity and put forward strongly its opinion that Village *Panchayats* must find a place in the Constitution.² Public opinion in the country also expressed itself through a

1. For details see, Anirban Kashyap, **Panchayati Raj: Views of Founding Fathers and Recommendations of Different Committees**, New Delhi, 1989, p.36.

M/s. Alladi Krishna Swamy Ayyar and K.G.Krishna Swamy Bharati spoke in favour of giving constitutional status to the village republics. Shibban Lal Saxena said that the Village **Panchayats** would become the most potent forces for holding the country together if all the light and knowledge which the country and the world gathered were open to them. (Debate on 6-11-1948). R.K. Sidhwa, Kishari Mohan Tripathi, H.V. Kamath and others, wanted to strengthen the old village and Urban Self Government with stability and order. Lokenath Mishra was disappointed to see that the new Constitution did not give ^{any} thing to the villages, nothing to the Provinces and Ambedkar has taken everything to the Centre. Man Mohan Das and Suresh Chandra Majumdar said that the Draft Constitution of India borrowed many things from the Constitutions of other countries of the world and has taken nothing from the indigenous soil, from the Indian cultural heritage.

2. For details on the structural foundations of Indian Constitution and debate over the frame-work see, Dilip Kumar Chatterjee, **Gandhi and Constitution Making in India**, New Delhi, 1984, pp.69-85; S.N.Agarwal, 'Village **Panchayats** in the Indian Constitution,' in **Modern Review**, Vol.89, 1951 ; **Selected Works of Mahatma Gandhi**, Vol.V, Ahmedabad, pp.331 ; **Constituent Assembly Debates**, Vol.VII, 1966 rpt., New Delhi, p.39; B.R. Ambedkar, **What Congress and Gandhi have done to the Untouchables**, Bombay, 1945, p.198.

number of editorials and write-ups in leading dailies in support of *Gram Swaraj*.¹ The country-wide repercussions to Ambedkar's remarks on Indian village life and the *Panchayats* resulted in the inclusion of a new article in the Constitution of India, declaring that the State should organize Village *Panchayats* and endow them with such powers as might be necessary to enable them to function as units of self government. The incorporation of the *panchayat* idea in the Indian Constitution, however, was an event of profound importance,² but for the narrow scope of Article 40 and the amplitude of Gandhian ideology regarding rural local self- government.³

The Directive Principles on *Panchayati Raj* was welcomed by all who pleaded for inclusion of *panchayats* in the Constitution of India. The Gandhian activists shortly suggested to the government to appoint a commission to report on a systematic planning of *Panchayat* organization throughout the country. The commission, according to them, should carefully study the working of Village *Panchayats* as they existed then, in different parts of the country and recommend a suitable scheme for adoption by the State Government.⁴ Their argument was based on the conviction that in

1 Also see, Anirban Kashyap, **Panchayati Raj ; Views of Founding Fathers and Recommendations of Different Committees**, New Delhi, 1989, pp.34-36.

National Herald, a Daily, emphatically wrote in its editorial of 6 Nov. 1948, that they disagree with Ambedkar on the inhibited view he has taken of ancient polity in the light of a quotation from Metcalfe. **Amrit Bazar Patrika** on Nov. 10, 1948 quoted the late Sardar Patel from a speech given at Sevagram, where he said that real India was in the villages...crores live in India and their interest must command our attention. If the village is, and is allowed to remain a sink of localism and a den of ignorance, narrow mindedness and communalism, what chance is there of India ever achieving greatness and prosperity? For without doubt, the real India lives in villages. Gandhi built his struggle on four walls; the four walls being untouchability, self sufficiency Hindu-Muslim unity and national education. All these walls were intended to rid the village communities of the chronic ills they were heir to, to pour life and vigour into them and to save them from exploitation. The swaraj that we have won through Mahatma Gandhi's austerities will be worth little, if it leaves the villages where they are immersed in poverty, ignorance and indebtedness. And if, new constitution fails to bring the fruits of swaraj to the villages it will not be worth the paper written on. Indeed, congress men will judge the Constitution by its criterion.

2. H.D.Mallaviyya, **Village Panchayats in India**, New Delhi, 1956, p.26.

3. P.C. Mathur, 'Local Self-Government in India: Ideological Nuances from Ripon to Jayaprakash Narayan, 1882-1964,' in T.L. Sankar, ed., **Journal of Rural Development**, Vol. 10, No.5, Sept. 1991, Hyderabad, p.483.

4. For details of S.N. Aggarwal's observations see, **Harijan**, Vol. XIV, No.42, 16 Dec. 1950, Ahmedabad, p.367.

Why the Village **Panchayats** under the existing condition have not been able to achieve good results? One of the reasons, according to Aggarwal is that the ancient **Grama Panchayats** were founded on the principle of composite democracy whereas, the modern parliamentary government is based on democracy along party lines...the majority of the **Grama Panchayats** in ancient India represented the elders of various castes. They were, thus, in the nature of coalition governments for the village communities. In the absence of such composite village cabinets, it is impossible to expect the modern **Panchayats** to fulfil the important functions that they are supposed to perform. The organisation of political parties for the Union Parliament and the State Assemblies cuts at the very root of the Panchayat system and results in a host of undesirable consequences.

a democratic setup, unless the *Panchayati Raj* Institutions become widely accepted and understood, new social momentum, or changes at the grass root level, could hardly be brought about.¹ According to Nehru, "democracy is not merely the parliament at the top or on the states, but it is something that excites every person and something that trains everyone to take one's proper place."²

3.4.3. Experiments with the Local Bodies in Independent India

In the wake of the constitutional mandate in favour of Village *panchayats* as units of self-government, and followed by the suggestion to constitute a commission, the Government of India appointed 'The Local Finance Enquiry Committee' in 1949 (Wattal Committee) to study the local finance.³ The Committee headed by Wattal recommended that in the new set-up local bodies would be used more and more as instruments of national policy and there must be a steady enlargement of their functions. It also recommended power of *Panchayats* over some items of revenue and suggested that local bodies should have a free hand in determining the rates of taxes. The committee also suggested to every *Panchayat* to levy some taxes according to their needs and local conditions.

3.4.4. Twist Towards the Community Development Programme

Many states have started through legislation to review the old concept of *Grama Panchayat* and *Grama Sabha* so that people's involvement in the affairs at the grass root level can be started. They visualize civic and economic activities for a village community as one of the functions of *Panchayats*. This concept was added on by the Community Development Programme started in 1952. Shortly, the Project of National Extension Service followed the Community Development Programme 'as the vehicle through which the idea of community development will be worked. As the experience of this new approach grew, a feeling also developed that public involvement was not representative enough, and not very effective.

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1. B.P.S. Bhadouria, ed., **Decentralized Planning for Development in India, Issues & Implications**, New Delhi, 1988, p.19.
 2. *Ibid.*, p.19.
 3. Virendra kumar, comp., **Committees and Commissions in India**, Vol.I, New Delhi, 1988, p.5. The Committee consisted of the following persons, P.K. Wittal (Chairman), Lalbhu Raman Mehra (Secretary) replaced by D.P. Gupta, and later replaced by Dayaldas Sobhraj Parwani.

3.4.5. Studies by the Congress Working Committee

It was in this background that the Congress Working Committee reviewed the working of *Panchayats* and adopted a resolution in 1954, to the effect that the *Panchayats* should have both administrative and judicial functions. In view of the importance of the subject, All India Congress Committee appointed a special team to study the working of the *Panchayats* in various states.¹

The Committee examined the problems of day to day functioning of Village *Panchayats* related to administrative, judicial and economic functions, sources of revenue and training of workers.² The Report published on 19 July 1954, stimulated thinking on the *Panchayat* all over India and influenced state legislations. Shortly, a conference of ministers was held at Simla.³ It made a powerful plea for decentralization of power at the local level. It also approved most of the recommendations of the 1955 Congress Committee. Apart from the functions earmarked, the Conference also favoured entrusting with the *Panchayats* other functions, like management of waste lands, maintenance of village records etc.

3.4.6. Twist Towards the Blocks

Meanwhile, the Community Development Programme was started and the Block (a territorial area consisting of many villages) came to be recognized as a unit of development administration. It was followed by the 'National Extension Service' to tackle the problem of growth and development at the local level and to build up an administrative system. The public participation at the block level was mainly through the nominated representatives. It was observed that the public involvement was not effective and the development of a democratic structure of administration from the district downwards was felt necessary for meaningful popular participation.

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1. The Committee consisted of Kailasnath Katju, Jagjivan Ram, Gulzarilal Nanda, Giani Gurumukh Singh, Musafir, Keshava Deva Malaviyya and Shriman Narayan.
 2. H.D.Malaviyya, **Village Panchayats in India**, New Delhi, 1956, pp.272-73.
 3. The first meeting of the local self-government ministers took place in 1948, to discuss ways of implementing Article 40 of the Indian Constitution. It did not meet again until 1954 when a Conference of state ministers was held particularly to pool ideas and review the position in the country as a whole regarding the **Village Panchayats**. The Conference of 1954 was the second one which gave guidelines to consider and to recommend broad lines of policy with regard to matters concerning local self-government in all its aspects.

3.5.0. Balvantray G. Mehta Study Team (1958)

The twist and turn towards the Block first began with the introduction of Block level planning (1952) which was endorsed later by the 'Team for the Study of Community Project and National Extension Service, 1956.'¹ The team was appointed for the study of Community Projects and National Extension Service, with a view to economy and efficiency and with specific reference to the extent to which the movement had succeeded in utilizing local initiatives and in creating institutions to ensure continuity in the process of improving economic and social conditions in rural areas.

The Balvantray Mehta Team offered two broad directional thrusts; firstly, it argued that there should be administrative decentralization for the effective implementation of the development programme and secondly, the decentralized administrative system should be under the control of elected bodies. The Report suggested that development cannot progress without responsibility and power.

3.5.1. Block as the Basic Unit of Democratic Decentralization

With this objective, the Study Team recommended the establishment of statutory (selective) local bodies and devolution to them of the necessary resources, i.e., power and authority. This was, according to the Report the meaning of the term 'democratic decentralization' in operational terms. The basic unit of democratic decentralization should be located at the Block level. A purely advisory role was envisaged for the district tier, where an elected self-governing institution should be set up with its jurisdiction co-extensive with a Development Block.

3.5.2. Inception of Multi-tier System

The *Panchayat* should act as an agent of state government in executing special schemes of

1 **The Report of the Team for the Study of Community Projects and National Extension Service, 1957**, New Delhi, 1958.

The team consisted of Balvantray Mehta (Chairman), Shankar Dayal Sharma, B.G. Rao, Phool Singh and G. Ramachandran (members)

Also see, **Documentation on Panchayati Raj: Summaries of Major Reports**, PR DOC.001, comp., Centre for **Panchayati Raj**, Hyderabad, 1991, pp.1-39.

development entrusted to it. The sources of income of the *Panchayat* were defined, duties both obligatory and compulsory were specified and the powers of judicial *Panchayat* were stated. All these recommendations were made in accordance with the main objective contained in the Report of the Study Team that:

The government should divest itself completely of certain duties and responsibilities and devolve them to a body which will have the entire charge of all development work within its jurisdiction reserving to itself only the functions of guidance, supervision and higher planning .¹

The three tier system recommended by the Balwantray Mehta Team was adopted but the functions of *Panchayats* were recommended to be revised in the light of observations made by the Study Team constituted in the year 1959 by the Ministry of Community Development and Co-operation, Government of India². The team, which was instructed to study the salient features of local government in Yugoslavia, recommended for India a pattern of various councils discharging executive-cum-administrative functions at the lower levels.

3.5.3. Jayaprakash Narayan Committee

Shortly, the Government of India appointed another 'Study Group on the Welfare of the Weaker Sections of the Village Community' in 1960 to go through the existing welfare schemes for the weaker sections and also the areas where they could be better represented.³ The Committee suggested a major role to *Panchayats* in the implementation of welfare schemes for the weaker sections of the community. The *Panchayats* should provide the minimum essential social services needed by the village community. The organizational set up as visualized by the Committee was a vertical one, from the central government to the village. The main recommendation reads thus: "The existing organization at the Centre in the Ministry of Community Development and the

1. Virendra Kumar, comp., **Committees and Commissions in India, 1947-1973**, Vol.II , New Delhi, 1988, pp.115- 19.

2. **Ibid**,pp.263-64.

3. **Ibid**,pp.214-20.

The committee consisted of the following persons;

Jayaprakash Narayan, (Chairman) Ann Saheb Sahasrabodha, Ms. Sucheta Kripalani, M.R. Krishnan, B.R. Singh, B. Sivaraman, L.M. Shrikant, R. Jagannathan.

Development Commissioners set up in the States should be responsible for promoting the welfare of the weaker sections of the village community."¹

3.5.4. Diwakar Committee & the *Grama Sabha*

For the first time a study was made on the viability of *Grama Sabha* in *Panchayat Raj* movement of the Country.² The committee headed by R.R. Diwakar was instructed to examine the objectives of *Panchayati Raj* as an effective body to establish a participative democracy so that at the village level the *Grama Sabha*, consisting of all adult residents of the village, should not only deliberate but also participate with its executive, namely the varied programmes of *Grama Panchayat*. The study team recommended that *Grama Sabha* should be a statutorily recognized body in each state and its meeting should be held more frequently. To the *Grama Sabha* was assigned the following functions pertaining to a village.

- * Preparation of the Plan and Budget of the *Panchayat*.
- * Supervision of progress of the village production plan and its implementation.

The Committee viewed that in order to strengthen the *Grama Sabha* it is necessary to strengthen the *Panchayat* itself to enable the two to work out a proper relationship between them.

3.5.5. K.Santhanam Committee

(a) Finance

The tempo of opinion in favour of *Grama Sabha* and *Panchayat Raj*, created by the recommendations of the R.R. Diwakar Committee, led to the appointment of a committee to study on *Panchayat Raj Finances* (1962).¹

1. Virendra Kumar, comp., **Committees and Commissions in India 1947-73**, Vol. IV, New Delhi, 1988, p.220.

2. For details see, **The Report of the Study Team on the Position of Grama Sabha in Panchayati Raj Movement 1962**, Government of India, New Delhi, 1962.

Also see, Op.cit., pp 47-52.

The Committee consisted of the following members; Chairman: R.R. Diwakar, R. K. Patil, S. N. Dwivedy, Smt. Sarojini Mahishi, Raghubir Sahai, J. N. Pahadia, S. M. Joshi, G.P. Jain, B. S. Mehta, G. Venkatachalapathi, Bhagawant Singh, S. Das Gupta (members).

The terms of reference also included the extent to which the **Grama Panchayat** is influenced in its policies and decisions by the views and mandate of Mahatma Gandhi.

--Panchayat Raj Finances (1962).¹

The committee was constituted by the Government of India under K.Santhanam in the wake of growing financial dependence of local bodies on the state government. It was felt that political independence, apart from economic freedom has no meaning. Hence specific recommendations were made on matters related to revenue sources of *Panchayats*. The *Panchayats* were authorized as per the recommendations to collect house tax, profession tax, vehicle tax etc.

After *Panchayati Raj* bodies have functioned for some years in accordance with the new economic measures, there should be enquiries at the state level on a uniform basis, by agreement among state governments to review their resources and finances. This should be followed by enquiry, for the whole country.

(b) *Panchayat* Elections

A committee was appointed by the Government of India in 1964, which studied the details related to elections to *Panchayati Raj* Bodies.² The important recommendations included the norms for grading the Village *Panchayats*, the structure of *Panchayat Samiti*, *Zilla Parishads*,

1. **Report of the Study Team on Panchayati Raj Finances, 1962**, New Delhi, pp.52-57; Cited in, Virendra Kumar comp., **Committees and Comissions in India, 1947-73**, Vol.V, NewDelhi, 1988, pp. 52-57.

The Team consisted of the following members. K. Santhanam, (chairman) Shree Narayan Dass, M. Y. Ghorpade, M. V. Mathur, C. Narasimhan, and R. Saran {members}

The Study Team was instructed to examine the resources and finances of **Panchayat Raj** Institutions in different states and to recommend with due regard to functions transferred, sources of revenue including land revenue which should be handed over in full or in part to **Panchayati Raj** Institutions, grants by state government, mutual financial relations between the **Panchayati Raj** Institutions, steps to develop the existing resources and to build up revenue yielding assets for **Panchayati Raj** Institutions and steps to attract gifts and donations and mobilize voluntary contributions by the people.

2. **Report of the Committee on the Methods of Election to Panchayati Raj Bodies (1964)**. The Committee consisted of the following members: K. Santhanam (Chairman), P.Govinda Menon, T.H. Sonavane, Rajishwar Patel, V.B. Raju, Ms. Maya Banerjee, J.N. Khosla, Shiromani Sharma (members). The Committee was asked to go into the details of the following matters. (1) The method of election to the **panchayati Raj** bodies at the village, block and district levels so as to ensure the democratic and efficient functioning of these bodies. (2) The need for co-option^{and} the categories to which co-option should be applied, (3) The measures for ensuring adequate and effective representation to the weaker sections. (4) The method of election of office bearers. (5) The association of the members of parliament and state legislatures with the **Panchayati Raj** bodies. (6) The terms of membership and the periodicity of election. (7) The extent to which^{political parties} should participate in **Panchayati Raj** elections. (8) The measures required to ensure free and fair elections and (9) The desirability of setting up a state level commission for the purpose.

representation for special groups, conduct of elections to *Panchayati Raj* Institutions, the role of political parties, and supervision and control of *Panchayats*. The committee was more eager to convert *Panchayats* ^{into} statutory bodies retaining the hold of government on them. *Panchayati Raj* was under implementation at least in 10 states. In Bihar, Madya Pradesh and West Bengal necessary legislations have been enacted for the establishment of the higher-tier institution. The Committee was expected to suggest a uniform pattern of election to rural local bodies, and ^{of} reservation of seats for women, the scheduled castes and the schedule ^d tribes.

3.5.6. Ramanathan Committee

In 1967 ^{the} Government of India appointed a Study Team to go into the details of involvement of *Panchayats* in the implementation of basic land reform measures.¹ The intention was to associate *Panchayati Raj* bodies with the implementation of various land reform measures. The Study Team observed that, *Panchayats* with their intimate contact with people can play a useful role. Between government and the public, the role of *Panchayat* as disseminator and procurer of information ^{would} be of immense advantage and therefore, suggested an association of *Panchayati Raj* Institutions and Community Development.²

3.5.7. Asoka Mehta Committee, 1978

The Government of India appointed a committee in 1978 under Asoka Mehta to enquire into the working of the *Panchayati Raj* Institutions in India and to suggest measures to strengthen them so as to enable a decentralized system of planning and development. The resolution as referred to above highlighted the objective thus: "The Government considers that the maximum degree of decentralization both in planning and implementation for rural development in an objective and

1. **The Report of the Study Team on Involvement of Community Development Agency and Panchayati Raj Institutions in the Implementation of Basic Land Reform Measures (1967)**, Government of India, New Delhi, 1969.

The Committee consisted of the following members: V.Ramanathan(Chairman), G.V.K. Rao, M.D. Rajpal, A.K. Dutt, V. Nataranjan G.Thirumal, Saran Singh and N.A. Agha (Secretary).

2. *Ibid.*, p.288.

optimal manner is necessary for the attainment of rural development".¹

Based on the suggestions of the earlier committees, many states have initiated steps to strengthen the *Panchayati Raj* Institutions in subsequent years. However, the initial enthusiasm soon died and in some states the momentum was struck by lethargy. Thus, the Asoka Mehta Committee reported that the story of *Panchayati Raj* has been one of ups and downs. It seems to have passed through three stages — ascendancy (1959-64), stagnation (1965-69) and decline (1969-77).²

The will for strengthening the local bodies was weakened with the move of departmental programmes being kept out of its orbit. The structural inadequacy of *Panchayati Raj* Institution was pointed out (by the Commission) to be the reason behind such a move. The bureaucracy had also its own role in dissociating the local bodies from the development process. The lukewarm attitude of the political elite at the higher levels towards ^{the} strengthening of the democratic bodies at the grass-roots level was generally the crux of the matter.³ Ultimately all this led to the weakening of political support to *Panchayati Raj* Institutions and of the administrative will to work through them.

(a) Main Suggestions

The Committee suggested that both from the political and socio-developmental angles, it is

1. **Report of the Committee on Panchayat Raj Institutions, 1978**, Government of India, New Delhi, August, 1978. The composition of the committee : Asok Mehta (Chairman), Members: Karpoori Takur, (Chief Minister of Bihar), Prakash Singh Badal, (Chief Minister of Punjab), M.G. Ramachandran (Chief Minister of Tamil Nadu), B.Sivaraman, (Member, Planning Commission), Mangal Deo, Kunwar Mahamood Alikhan, Annasahab P. Shinde, E.M.S, Namboodiripad (Chief Minister of Kerala), S.K.Dey, (New Delhi), Shiddharaj Dhadha (Jaipur), Iqbal Narain, (Jaipur), Vallabhai Patel, (Rajkot), and S. K. Ram (secretary).

The Committee referred to the following points inter alia;

- (a) The existing situation regarding democratic decentralization in the States and the Union Territories and the working of the **Panchayati Raj** Institutions from the District to the village levels;
- (b) Mobilization of resources;
- (c) The methods of constituting the **Panchayati Raj** Institutions including the system of election and to assess their effect on the performance of the **Panchayati Raj** system;
- (d) To suggest measures for reorganizing the **Panchayati Raj** system, and removing the shortcomings and defects with a view to enable these institutions to fulfil their future role etc.

2. **Ibid.**, p-4

3. **Ibid.**, p.6.

For further reviews on the Report see, A.S.Narang, **Indian Government and Politics**, New Delhi, 1991 rpt., pp.235-337; George Mathew ed., **Panchayati Raj in Karnataka Today: Its Dimensions**, New Delhi, 1986, pp.8-9; N.Subha Reddy, '**Panchayati Raj** Institutions: Saga of Deceptive Slogans and Broken Promises,' in **Mainstream**, Vol.XXVIII, No.26, April 21, 1990, pp.21-25.

imperative to decentralize power, planning process and developmental activities below the state down to the village level. The democratic process cannot just stop with the state level. The series of elections held for Parliament and State legislatures, District Councils and the *Panchayat* bodies have attuned the people to the democratic political processes and made them conscious of their power and rights as political sovereigns in the country. The establishment and working of democratic bodies at the grass root levels, in spite of their limitations, have only deepened their consciousness. Such a faith in democracy should naturally demand greater opportunities for direct involvement of the people in the management of local affairs. The urge for democratic control over administration at the local level, particularly ^{with} regard to management of rural development, the committee viewed, as an offshoot of the ongoing democratic process. If the edifice of democratic polity is to become secure in the country, the strengthening of democracy at the grass roots level is inevitable.

The committee felt that for effective functioning of the *Panchayati Raj* Institutions a proper climate of genuine decentralization at all levels is necessary. Once a tendency for concentration of power is there, the entire rationale of *Panchayati Raj* as an imperative is lost. Unless there is a commitment to the process of decentralization at all levels, the *Panchayati Raj* Institutions will not be able to fulfil the expectations that the people have.

(i) *Mandal Panchayats*

It was pointed out by the committee that the *Panchayat* would not be able to function effectively due to the poor size of the resource base. It is therefore argued that the government should transfer considerable resources to the *Panchayats*. It has also been brought out that the weakness of ineffective functioning is due to the small size of *Panchayats*. The smallness of the *Panchayat* is a handicap to the introduction of new dynamics of development technology and the group action required for many projects. Besides, people would want higher form of services and quality at lower levels. Health education, agriculture and allied sectors, ^{and} extension of agro-servicing units are examples for higher forms of services. In many states, therefore, the trend is towards large size villages or a cluster of villages. According to the Committee next to the District, *Mandal Panchayat* will have to be the hub of developmental activities.

There was an argument that the long list of functions and responsibilities assigned to the

Panchayats are beyond the capacity of villages or the cluster of villages. The Commission reported that many villages could effectively perform only a fraction of their statutorily defined responsibilities, hardly beyond the traditional, civic, and general administrative functions. Expecting them to do more, in effect, has spread the limited resources too thin with the result that neither the developmental nor the civic function could be attended to satisfactorily.¹

(ii) *Grama Sabha*

The Committee reported that the *Grama Sabha* has not been functioning satisfactorily because of two reasons (1) lack of political interest and (2) administrative indifference. They deserve genuine encouragement. The *Grama Sabha* has an important role in activating the democratic process at the grass-root level, in inculcating community spirit, in increasing political awareness, in strengthening developmental orientation, in educating the rural people in administrative and political processes and in enabling the weaker sections to progressively assert their point of view. The Committee also suggested that the proposed village committee members will meet the *Grama Sabha* at least twice to explain to them the work pertaining to the village and also carry the feed back. At least two meetings should be held by the village committee members.

In short, the Asoka Mehta Committee in 1978 took a close look at the *Panchayati Raj* Institutions with a view to reviving them in accordance with the Gandhian vision of democratic decentralization, i.e., by strengthening the local bodies at the lower levels. The decentralization has to begin with the major items, and gradually cover all the developmental items.² The co-operative structure, a self contained democratic organization, would give special attention to weaker sections. The *Panchayati Raj* Institutions can limit themselves to motivating and organizing the co-operative movement at this stage.

3.5.8. Dissenting Notes from E.M. Shankaran Namboodiripad and Sidharaja Dhadha

The recommendations of the Asoka Mehta Committee according to E.M.S Namboodiripad,

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1. **Report of the Committee on Panchayati Raj Institutions, 1978**, Government of India, New Delhi, 1978, p.44.
 2. *Ibid.*, p.59.

(a member of the Asoka Mehta Committee) would go a long way to transform democratic decentralization from a dream to a reality.¹ However, the idea implied was that while there is maximum possible decentralization of the developmental functions of administration, the regulatory functions were not decentralized. Also the structural rationalization envisaged by the Committee resembled more a deconcentrated model of local administration. Namboodiripad was opposed to this approach which he expressed in a dissenting note:

I am opposed to this whole approach... it was a centralized administration at its core that the *Panchayats* were envisaged in the Constitution of India and Balvantray Mehta Report. It is therefore not surprising that neither the bureaucrat nor the politician at the state level is prepared to decentralize whatever power has been on the state under the Constitution. The point is to make a radical change in the very concept of democracy and adopt what is called 'four pillar democracy' Central, State, District and *Panchayat* as the essential parts of an organic whole for the administration of the country.²

The contents of the note³ submitted by E.M.S. Namboodiripad point to the direction that he is in favour of combining both developmental and regulatory functions together and wholeheartedly supported the elected bodies at all levels of *Panchayati Raj*. As for combining judicial functions, any proposal for bringing the judiciary closer to the people could be considered only as a matter of reforming the judicial system and not as a part of democratic decentralization of administration, i.e., not to treat as a method of strengthening *Panchayati Raj* Institutions.

Sri Siddharaj Dhadra, another member of the Committee, in his dissenting note reminded that *panchayats* are the only democratic institution where the common people can effectively

1. E.M.S. Namboodiripad, 'Note on the report of the Committee on **Panchayati Raj** Institution,' in **Asoka Mehta Committee Report**, 1978 pp. 156-170. E.M.S. Namboodiripad was the former Chief Minister of Kerala and a member of the **Asoka Mehta Committee**.

He noted his differences in the approach to the problem of decentralization particularly in the Chapters I, II, VI and VII, and said that the report has omitted the crucial factor-lack of political will on the part of the former and the present ruling parties at the Centre with regard to decentralization of powers.

2. **Ibid.**, p. 16.

3. **Ibid.**, pp. 156-170

function, and the decentralised democratic process has no meaning when the opportunity is denied to them. He noted:

Mahatma Gandhi's concept of society as an oceanic structure comprising of concentric circles of live and vibrant communities of which the village, or the primary face to face community was to be the hub and the centre, is vital to democracy. I am strongly of the opinion that the village must be the base and the *Grama Sabha* an integral part of *Panchayati Raj*. Without this base not only *Panchayati Raj* or democratic decentralization would have no meaning and democracy itself would remain fragile.¹

3.5.9. G.V.K. Rao Committee, 1985 & Three-tier System

The G.V.K. Rao Committee Report 1985 on 'Administrative Arrangements for Rural Development and Poverty Alleviation Programme (CAARD 1985),' also suggested that *Panchayati Raj* Institutions have to be activated and given all the support needed so that they can become effective organizations for handling people's programmes. Elections to these bodies should be held regularly.¹ The Report is bound to become a major work of reference on the subject of administrative decentralization. The Committee very rightly makes suggestions on the activation of *Panchayati Raj* bodies. *Panchayati Raj* Institutions according to the Committee, have been allowed to languish without powers and resources, notwithstanding the lip service they have always received over the years². The local bodies should be assigned an important role in respect of planning, implementation and monitoring of rural decentralized planning.

3.5.10 L.M. Singhvi Committee 1986; Near to Gandhian Vision

The Committee under L.M. Singhvi, went deeper in studying the structure of *Panchayati Raj*

1. Siddharaj Dhadha, 'Note on the Report of the Asoka Mehta Committee dtd.17-8-78,' in *Asoka Mehta Committee Report, 1978*, Government of India, New Delhi, 1958, pp.173-74.
2. **Report of the Committee on Administrative Arrangements for Rural Development and Poverty Alleviation Programmes, (CAARD, 1985)**, Government of India, New Delhi, 1985; Also see, **Documentation on Panchayati Raj, Summaries of Major Reports**, PR DOC 001, comp., Centre for **Panchayati Raj**, NIRD, Hyderabad, pp.75-79.
Also see, Vasant Desai, **Panchayati Raj: Power to the people**, Bombay, 1990, pp.455-69; G.R.S. Rao, Dimensions of 'Democratic Decentralization: Emerging Context and Issues,' Key note paper presented at the National Seminar on Democratic Decentralization, No V.27-30, 1991, Hyderabad, p.7.

Institutions and believed that the inclusion of Article 40 as a Directive Principle of State policy did accommodate a Gandhian conceptual view point.¹ Article 40, does contain in it the seeds of a constitutional mandate and unequivocally projects the concept of Village *Panchayats* as units of self government and requires that they be endowed with all the necessary powers and authority to enable them to function as units of self government.

The Committee strongly demanded the reorganization of the villages in terms of its extent and area, in order to make them more viable village *Panchayats*, so that they should continue to be the primary and homogeneous units of self government with a measure of direct democracy. The Committee also cautioned the concept of large federal mandal units 'with numerous hinterland villages' as basic units of self government.²

The Committee made an attempt to conceptualize the framework of *Panchayati Raj* Institutions by taking the inspiration from Mahatma Gandhi who breathed into these concepts an inexorable impetus. At the village level, Gandhi visualized that the *Panchayat* would provide an opportunity to the people to participate in decision-making. The Committee therefore, viewed that it had been a fundamental error to regard *Panchayati Raj* Institutions primarily as convenient tools for administrative programme and development projects. This error had the effect in greater or lesser measures of devaluing and downgrading the role of *Panchayat* Institutions as units of government administration and relegating them to a secondary position, harming and hampering both democracy and development.

The L.M. Singhvi Committee largely recommended the Gandhian vision of *Grama Sabha* and other local bodies. But more than this recommendation, it created an atmosphere of promoting decentralized democracies at the grass root level. These factors paved the way for the 'Sarkaria Commission, 1989' to recommend devolution of powers to urban and rural local bodies.

3.5.11 The Sarkaria Commission, 1989

'The Sarkaria Commission 1989' was mainly concerned with the Centre-State relations.

1. Vasant. Desai, *Panchayati Raj: Power to the people*, Bombay, 1990, p.461.
2. *Ibid.*, pp.464-65.

They considered that in the political system, which is organically a whole, there are many peripheral matters which cast their shadow on Union-State relations. The Commission specially noted the importance of decentralization of power in the present situation. It observed :

The interests and aspirations of most people are concentrated in the localities in which they live and carry on their avocations of life. The objectives of decentralized planning cannot be achieved unless the *Panchayati Raj* and other local bodies are allowed full scope to play their role.... while there is considerable reluctance to decentralize powers to the districts, there has been even greater reluctance in most States to decentralize powers to the lower level like Municipalities, *Panchayat Samities* and Gram *Panchayats* inspite of explicit directive in Article 40 of the Constitution.¹

The committee therefore, reminded that the objectives of decentralized planning cannot be achieved unless the *Panchayati Raj* and other local bodies are allowed full scope to play their role.

3.5.12. The 64th Constitution Amendment

In the light of the recommendations of the 'Sarkaria Commission' and also the national scenario of *Panchayati Raj* Institutions in low profile, Rajiv Gandhi (the late Prime Minister of India) introduced in the Parliament the 64th Constitutional Amendment Bill on *Panchayati Raj* with a view to introducing genuine decentralized democracy in the country.² Its sudden materialization took everyone by surprise because the Government thought of it just on the eve of general elections. The Bill came forth with innumerable details which became very controversial as some provisions were alleged to encroach upon state autonomy. Therefore, the proposed Bill was summarily rejected by the upper house. The remaining part of the endeavours which are afloat, at the

1. Cited in, *Yojana*, Nov. 1-15, 1989, New Delhi, pp.35-36.

Also see, Vasant Desai, *Panchayati Raj: Power to the People*, Bombay, 1990, pp.470-'72.

Group Reports headed by K.N. Raj, et al., 'List of Committees and Working Groups on *Panchayati Raj* at the Central and State levels', seminar paper, Oct-27-3, 1993, Trivandrum.

Documentation on Panchayati Raj: Summaries of Major Reports, comp., Centre for *Panchayati Raj*, Hyderabad, 1991, pp.80-111.

2. For details see, George Mathew, *The Federal Issues, 1988-1990: Epilogue*, ts., pp.6-13.

Central and State levels, are part of contemporary history.

The above details pertaining to local government introduced in post-1947 India, however, present a wide chasm between Gandhi's ideological commitments and the official policies embodied in the Constitution of India, and later on elaborated by, and implemented by the government.¹

The bend towards the Community Development Programme as directed by the Planning Commission of India as also the Draft Scheme of the First Five Year Plan, caused a wide shift from the *Panchayat*-based programmes to the Block level planning and functions, under the newly launched Scheme of National Extension Service (NES Blocks). It resulted in a wide shift from the model of development envisioned by Mahatma Gandhi as well. The outcome of the new arrangement was disappointing in the sense that, development schemes became government projects run by the bureaucracy. The twist from the Gandhian vision of *Gram Swaraj* as the instruments of a model of development, had the effect of devaluing the role of rural local bodies. It was also a twist from the recommendations of the All India Congress Committee in 1956 and Vinobe Bhave's 'Five Fold Programme for *Panchayats*.'²

The Planning Commission for the Second Five Year Plan stressed the need of creating the district a well organized democratic structure of administration in which the Village *Panchayats* ^{would} be organically linked with popular organization at a higher level. The thrust of the Second Plan, thereby was to establish statutory *panchayats* in all the villages though, more as a vehicle of National Extension and Community Development Projects than as the units of self government.³ The Balvantray Mehta Study Team (1957) sought the fixing of development and planning at the Block level. It seems that the principal thrust of the Balvantray Mehta Report was towards decentralization of democratic institutions in an effort to shift the decision-centres closer to the

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1. Vijay Ranjan Dutta 'Decentralization and Political Development in India - A Gandhian perspective,' in S.L. Verma, ed., **Panchayati Raj, Gram Swaraj and Federal Polity**, Jaipur, 1990, pp.102-123.
 2. The five fold programme of Vinoba Bhave included the principles that (a) every **Panchayat** should organize a study circle which will acquaint the people of the village with new ideas and important developments (b) the **Panchayats** should undertake to bring about an increase in production as one of their responsibilities (c) the **Panchayats** should consider it their duty to see that no person within their area remains unemployed or goes hungry (d) the village land should be distributed to all (e) the real power of the **Panchayats** is the people's support. The **Panchayats** should therefore follow their will. They should not care whether the Government recognised them or not.
 3. Cited in, Vasant Desai, **Panchayat Raj : Power to the People**, Bombay, 1990, p.459.

people, to enable their participation and to put the bureaucracy under local control, thereby partially fulfilling the Gandhian vision of *Gram Swaraj*.¹ In the absence of any stipulations on a uniform pattern of *Panchayati Raj* for the entire country (that was also not favoured by the Balwanray Mehta Committee,) various structural patterns of *Panchayati Raj* evolved throughout India, in terms of organizational structures and frame-work.²

Evidently there were five models during the period which followed the recommendations of Balwanray Mehta Study Team. They were the models of Rajasthan, Andhra Pradesh, Tamil Nadu, Maharashtra and Gujarat. Notwithstanding the recommendations of the Study Team that, public participation in community work should be organized through statutory representative bodies gave a fillip to a feeling of democratic decentralization nationwide.³ Later the National Development Council affirmed the basic principles of democratic decentralization and left it to the States to work out the structures, suitable to each state.

Meanwhile, the Government introduced some structural changes in the pattern of the Ministry of Community Development which was replaced by a Rural Development Board. It marked the end of both the community and *Panchayat* as agents of change and development.⁴

Notwithstanding, *Panchayati Raj* Institutions had a quantum jump since 1958. However, the institutions have drawn a low profile since the mid sixties.

Between the two Mehta Committees and their recommendations lie two decades of the functioning of the village Institutions with special studies led by Jayaprakash Narayan (1960), R.R. Diwakar (1960), K. Santhanam (1962-1964), V.Ramanathan (1967) and T. Jain (1967). Each committee was instructed to study the functioning of the village *Panchayat* system.

The Asoka Mehta Committee Report of 1978, also recommended various measures to strengthen the *Panchayati Raj* system. Between the Asoka Mehta Committee and the recommendations of the 'Sarkaria Commission' lie the decade of the functioning of the *Panchayati Raj* Institutions with special studies led by G.V.K. Rao and L.M. Singhvi. Of these, the second

1. Anreshwar Avasthi and Shri Ram Maheswari, **Public Administration**, Agra, 1984, p.166.

2. B.S. Bhargava, **Panchayat System, and Political Parties**, New Delhi, 1979, p.129.

3. George Mathew, ed., **Panchayati Raj in Karnataka Today; Its Dimensions**, New Delhi, 1986, p.5.

4. L.C. Jain, et al., **Grass Without Roots**, New Delhi, 1985, p.40.

one, went deeper in studying the structure of *Panchayati Raj* Institutions of the Gandhian vision.

3.6.0. Indian Constitution (73rd Amendment) Act

The Indian Constitution (Seventy Third) Amendment Act relating to *Panchayati Raj* Institutions, has heralded a new era, in the history of *Panchayat* legislations in India. This Amendment Act has, in essence, constitutionalized *panchayats* as a third stratum of government, at and below the district level. The amended Constitution requires the states to constitute *Panchayats* as institutions of self-government not only for villages, but also at intermediate and district levels, the union, the state and the *Panchayats*. This enactment is certainly an attempt to revitalize *Panchayat* Raj Institutions for decentralization. In fact, it is the realization of the vision of Mahatma Gandhi to a great extent.¹

Conclusion

The roots of the *Panchayat* system in India lay deep in the Indian soil. It passed through many vicissitudes during the long span of time and showed alternate phases of change and continuity. Despite the changes at the seats of power, the *Panchayats* in India retained most of their independent character during the long periods of administration under the Mauryas, the Imperial Guptas and the Muslim rulers. It is no exaggeration to say that, in the welter of confusion and convulsion that overtook the country following the disintegration of the Mughal empire, the system still retained its element- a fact which could not fail to impress the new rulers, the British, who assumed the insignia of authority. The British administration introduced a different system replacing the traditional powers of the *Panchayats* by their model of local administration, and the timeless base of Indian economic life, the village, received the mortal shock of its life. There have

1 For further details on the implications of the Indian Constitution (73rd Amendment) Act, see, Nirmal Mukarji, 'The Third Stratum,' in **Economic and Political Weekly**, Vol.XXVII, No.18, May 1993, Bombay, pp.859-862 ; Hoshiar Singh, 'Decentralization Through Constitution (73rd Amendment) Act' in **Kurushetra**, Vol. XII, No.8, May 1993, New Delhi, pp.22-25; George Mathew, 'From Legislature To A Movement,' *ibid.*, pp.22-23; Palanithurai, 'Needing Social Action for effective functioning,' *ibid.*, pp. 24-27, Ramesh var Takur, 'Rajiv and **Panchayati Raj**,' *ibid.*, p.9, Amitaya Mukherjee, *ibid.*, pp.19-21. Also see, K.D. Gangrad, 'Grass-roots Democracy and Development: A Study in **Panchayati Raj**,' in **Gandhi Marg**, Vol.11, No.3, Octo-Dec. 1989, New Delhi, 1989, p.264.

been many attempts at changing them from the colonial model to indigenous after Indian independence. However, the functioning of *Panchayat* Raj Institutions resembles more a British model of local administration than a pro-Gandhian concept of participatory bodies. As such, the village *Panchayat* Institutions continue their existence more or less under the same laws and conditions as were in pre-independence days.¹ In recent times, there are some distortions, acceptance and rejections, of Gandhian ideas in respect of decentralization and *Gram Swaraj*. Therefore, an attempt is made in the following pages to analyse the features of the Gandhian vision of decentralization, *Gram Swaraj* and the *Panchayat* system.

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1. H.D. Mallaviyya, *Village Panchayat in India*, New Delhi, 1956, p.114.

CHAPTER 4

GANDHIAN CONCEPT OF DECENTRALIZATION, VISION OF GRAM SWARAJ AND THE PANCHAYAT SYSTEM.

The scheme of decentralization with the focus on ancient rural bodies in India is deeply indebted to Mahatma Gandhi. A virulent critic of centralized power and a staunch advocate of decentralization, he forcefully projected an indigenous system that truly represented his general philosophy of life based on truth and non-violence and which ensured the removal of all impediments to the freedom of the individual and his self-realization. *Panchayats*, the innermost administrative mechanism which he envisioned for his scheme of village republics represented a bulwark against authoritarianism and exploitation and a guarantee for the promotion of the freedom and progress of individual citizen.

4.1.0. Human Autonomy and Small Communities

The ultimate purpose of any form of decentralization is the maximization of human autonomy and creativity, in terms of both individual citizens and groups. Since Jean Jacques Rousseau, all emancipatory movements have been plagued by the confusion between '*volonte generale*' and '*volonte ditous*' (General Will and the Will of all individuals)¹. The former does not involve actual consent and participation of individuals; in contrast, the latter is constituted of common aims in actual wills of individuals.

Mahatma Gandhi too, shared most of the above mentioned concepts of Rousseau, particularly the idea of General Will, i.e., the Collective Will and the Individual Will. He insisted on protecting them at all levels, but believed that these would be better protected in small communities, where, each human individual is able to participate in political decision-making, at

1. Mihailo Markovic, 'Decentralization : A Pre-condition for More Rational Societies,' in William Page, ed., *The Future of Politics*, London, 1982, p.121.

least at the elementary levels of social organization. 'There is a vital connection between institutional smallness and human wholeness. In the small social unit every member is able to grasp all its functions, to know how they work and who is responsible for them.'¹

It might seem that an alternative to centralism is individualism, (not the individualism upheld by the Liberalists) based upon the fact that man is a unique being justified in pursuing his own private and freely chosen aims and interests. This would be possible in higher degrees in small units of a self-governing system. Therefore, Mahatma Gandhi stood for small units of the self-governing village system, as also a political activity of that kind which strengthens the tradition of Indian culture.

4.1.1. Democracy from Below

Mahatma Gandhi also developed a concept of democracy in relation to his vision of decentralization at the smaller units' level. He visualised a form of democracy as a means to protect and develop the weakest among the weaker sections. Gandhi wrote:

it is only a government that fully protects the weakest among its subjects and safeguard all his rights, which may be described as perfectly democratic. Such a government does not mean the rule of the majority but patriotism of the interests of even the smallest limb of the realm.²

He argued that true democracy could not be worked by some men sitting at the centre ; it had to be worked from below by the people of every village. Gandhi believed that, power, to be effective and genuine, from the standpoint of the masses, must lie with the people, which could be possible in small communities of villages. In small communities, the temptation to abuse power does not arise.³

In a conversation with Louis Fischer, the American journalist, Gandhi explained: "the centre of power now is in Delhi, or in Calcutta, and Bombay in the big cities. I would have it distributed

1. Wilfred Wellock, 'The Value of Small Community,' in **Harijan**, Vol.XVII, No.17, Ahmedbad, 1953. p.130.

2. **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.XVIII, New Delhi, 1965, pp. 466-67.

3. Krishna Kripalani, **Gandhi: A Life**, New Delhi, 1978, p.125.

Kripalani says, the larger the democracy grow, the less real become the rule of the people and smaller is the say of the individuals and localised groups in deciding their destinies.

among the seven hundred thousand villages in India.”¹

Gandhi revealed his vision of decentralization at the lower levels in the form of grass-root level democracy or what some call a ‘third alternative of parallel politics or parallel politics’ in which not only the choices are widened, but more democratised and decentralized.² Here, the management of public affairs does not function from the top but operates through a wide net work of people’s participating units in the local area.

4.1.2. Contrary to the West

Thus, the Gandhian concept of decentralization is fundamentally different from the British model of decentralization introduced in India under their rule. It is also different from all Western concepts of devolving authority from the centre to the subordinate units by means of parliamentary statute. Gandhi visualized the whole process in the reverse gear and wanted a system generated from below, where every individual’s dignity is well protected. In the West the concept was used as a process of administrative arrangement; Gandhi did not want to incorporate this model for India. In 1942, he told Louis Fischer “I do not think that a free India will function like the other countries of the world. We have our own forms to contribute.”³ He stated that India could be called an old laboratory of constitutional development. To manufacture for her a mixture of Western constitutions would be an insult to her tradition and culture.

4.2.0. Historiography of Gandhian Concepts

Traditionally, India built-up smaller units of authority in villages, i.e., in village *panchayats* where the people were well versed with the self-governing institutions. Gandhi’s concern for the traditional village communities on which Indian democratic system in the past have been built converted him to a votary of the *Panchayat* system. Gandhi unfolded his mind over self-governing institutions of India even during the days of his agitation in South Africa.

1. Cited in, D.G. Tendulkar, **Mahatma : The life of Mohandas Karamchand Gandhi** in 8 vols., Vol. VI, 1964 rpt., 1954, p.96.

2. J.D. Sethi, ‘Mahatma Gandhi on Decentralization, A model of Parallel Politics,’ ts., 1989, p.2.

3. Louis Fischer, **A Week With Gandhi**, London, 1947, p.45.

4.2.1. Gandhi's Views on India's Self-Governing Institutions in Africa

As early as 1894, Mahatma Gandhi pleaded for the enfranchisement of Indians in South Africa. His plea was based on India's tradition of the Village *Panchayat* system. Through a series of petitions addressed to the Natal Legislative Council, Gandhi refuted the charges of the South African Government that the Indians were unfamiliar with the democratic traditions and stated that Indians were well-acquainted with the self-governing institutions in the land they came from and that they were fit for them, because all the facts and history point the other way.¹

4.2.2. Remark of Indologists

Gandhi petitioned to the assembly that the Indian nation had the rich experience of self-governing institutions from very early times, even prior to the time when the Anglo-Saxon races first became acquainted with the principles of representation.² Defending his argument that India had long traditions of village self-governing institutions, Gandhi drew the attention of Natal Assembly to the approbative comments of Henry Sumner Maine.³ Sumner Maine, in his writings on Indian village communities, had pointed out that Indian races had been familiar with representative institutions almost from time immemorial. Maine also wrote that 'Teutonic Mark', an Anglo-Saxon local body, had hardly been so well organized or representative as an Indian village community, until the Anglo-Saxons absorbed the Roman system.

Gandhi also quoted Mr. ^{Ch}isolus Ansley, who addressed East India Association in London:

Local self- government in the widest acceptance of the term is as old as the East itself. No matter, what may be the religions of the people who inhabit, what we call the East, there is not a portion on the country from East to West from North to South, which is not swarming with municipalities, and not only so, but like to our municipalities of old, they are all bound together as in a species of net work, so that you have ready-

1. For details, See, **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.I (1884-89), 1969 rpt., New Delhi, pp.128-132.

2. *Ibid.*, pp.128-'32.

3. *Ibid.*, p.129.

Henry Sumner Maine (1822-'88) was an eminent jurist whose works include **Ancient Law and Early History of Institutions**. He was a member of the Indian Council from 1861-'69 and again in 1871.

made to your hand, the framework of the great system of representation.¹

4.2.3. *Panchayats*, the Proto-types of 'Witan'

Gandhi reminded the Natal Legislative Assembly of India's rich heritage by citing the very Englishmen who praised the Indian tradition of local government. He also said that every caste in every village or town had its own rules or regulations and elected or nominated representatives which furnish the exact prototype of the 'Saxon Witans' from which have sprung the present English parliamentary traditions. The term '*Panchayat*' was a household word throughout the length and breadth of India. Gandhi further explained to the assembly, that the *Panchayat* is a council of five, elected by the people to manage and control all the affairs of a particular village.

4.2.4. Example of Durham

Gandhi further cited examples of people's representative institutions in Durham, which was an Indian settlement in South Africa. The Indian trading community settled at Durham had their '*Panchayat*' or a council, and in matters of pressing importance their deliberations were controlled by the community at large, a visible example of direct democracy. Gandhi said that such deliberations were a proof of India's capabilities as regards representative institutions.

Gandhi argued that, further evidence of India's merit in the exercise of franchise and representation could be found in the passing of Indian Councils Act (1861) whereby a system of representation had been introduced even into the legislative councils of the various Presidencies of India. Thus, he emphatically clarified that the exercise of the franchise by the Indian subjects in S. Africa is no extension of a new privilege but the legitimate right of the Indians, and an apposition to it would be an unjust restriction which under similar circumstances would never be put on them in the land of their birth.

1. Cited in, **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.1, 1969 rpt., New Delhi, pp.129-30.
Chrisolus Angely (1816-1873) was an eminent jurist and politician. He was also a member of the British Parliament from 1847-57.

4.2.5. Thomas Monro's Testimony

Gandhi also quoted from Sir Thomas Monro, one of the Governors of Madras, to prove that Indians were familiar with local governing institutions.

Monro observed :

I do not know what is meant by civilizing the people of India. In the theory and practice of good government they may be deficient, but if a good system of agriculture, if unrivalled manufacture... if the establishment of schools for reading and writing, if the general practice of kindness and hospitality... are amongst the points that denote a civilized people, then they are not inferior in civilization to the people of Europe.¹ Representation in the truest sense of the term, the Indians have understood from the earliest stages. The *Panchayat*, the lowest level administrative unit, guides all the actions of an Indian. He considers himself a member of the *Panchayat* which really is the whole body civic to which he belongs for the time being. That power to do so, and that power to understand thoroughly the principles of popular government, has rendered ^{ye}_A him the most harmless and most docile man on earth. And even when nominally there is a monarchical government the *Panchayat* is the supreme body.²

Thus, Gandhi portrayed the village democracies and the people's democratic experiences with self-governing institutions to the Natal Legislative Council, and stated that during all the ups and downs of Indian history, caused by the Imperial powers, and also various structural changes the *panchayat* remained the supreme body, having survived the onslaughts, political, economic, cultural or religious.

4.2.6. Testimony by others

Mahatma Gandhi recollected the words expressed by some British friends and other Indologists in honour of the local government system in ancient India. Henry Maine, Elphinstone,

1. Cited in, **The Collected Works of Mahatma Gandhi**, in 95 vols, Vol.1, 1985 rpt., New Delhi, p.129.

2. **Ibid.**, p.132.

Charles Metcalfe and Max Muller have left pen pictures of India's ancient system. Of all, the picture given by Charles Metcalfe, the British Governor in India, is worth recollecting:

"The village communities are little republics, having nearly everything they want within themselves and almost independent of foreign relations. They seem to last where nothing else lasts. Dynasty after dynasty tumbles down; revolution succeeds revolution... but the village communities remain the same... the union of village communities, each one forming a separate little state in itself...is in high degree, conducive to their happiness, and the enjoyment of a great portion of freedom and independence."¹

Henry Sumner Maine, observed that the Indian village community is at once an organized patriarchal society and an assembly of co-proprietors. He condemned the attempt of English functionaries as formidable miscarriages of Anglo-Indian administrators.²

Mahatma Gandhi argued for the Indians in South Africa, recalling the appreciation of the European authors. He also pointed out that during the long struggle for colonization, Indian society remained intact because of the rock-bottom provided by the village republics. In fact, Indian polity through the ages has accepted a concept of village autonomy and an Indian civilization that has remained dominantly rural. Both in South Africa and in India, Gandhi excited the inherent values of the Indian village system, non-violence, individual freedom and equality which provide a solid basis to the Gandhian concept of decentralization.

4.2.7. Gandhi's Sojourn in India

In India, Gandhi's first mission was to know more about the villages which were impoverished under the British rule. During his sojourn, Gandhi was struck by the plight of the peasants. At Champaran, an Indian village in Bihar, he found the dire poverty of the peasants. Gandhi educated them in the principles of *Sathyagraha* against the land lords. He explained to

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1. Metcalfe's Minutes of 7 Nov. 1830, cited in, Pyarelal, Mahatma Gandhi - the Last Phase in 2 vols., Vol.2, Ahmedabad, 1958, p.597.
 2. Henry Sumner Maine, **Ancient Law : Its Connection With the Early History of Society and Its Relation to Modern Ideas**, London, 1920, p.272.
Also see, _____, **Lectures on the Early History of Institutions**, London, 1914.

them that the plinth on which alone could freedom be raised was, freedom from fear¹. Gandhi organised volunteers to instruct the illiterate peasants in elementary hygiene and to run schools for their children. This was typical of the Gandhian strategy to maintain simultaneously two fronts, a front against injustice from without and a front against ignorance and helplessness within,-a beginning of his village reconstruction programme.² In a sense, Gandhian vision of '*Gram Swaraj*' emanated from Gandhi's village reconstruction programme. Gandhi had a vision of society at the micro-level which would provide for the essential needs of the poorest of the poor.

4.2.8. Decentralization, a National Issue during the Freedom Movement

Shortly, under Gandhi, the issue of the *Panchayat* system became part of the Indian freedom movement. It was Gandhi, who projected villagism as a national goal . He presented a scheme of reviving the traditional village *Panchayats* as units of popular bodies. In 1916, at Benares Hindu University, Gandhi explained his vision of a *Panchayat Raj* rule for independent India. Gandhi, also unfolded his mind before the Missionary Conference, held at Madras (Feb 14, 1916) when he said :

Following out the *Swadeshi* spirit I observe the indigenious institutions and the Village *Panchayats* hold me. India is generally a republican country and it is because of this it has survived every shock hitherto delivered by princes and potentates, whether they were Indian-born or foreigners, have hardly touched the vast mass except for collecting revenue. The latter in their turn seem to have rendered Caesar what was Caesar's and the rest have done much as they have liked...question of village sanitation etc. would have been solved long ago. The Village *Panchayat* would be now a living force in a special way and India would almost be enjoying self-government, suited to its requirements.³

Again, in 1931 Gandhi sketched his ideas with more clarity at the session of Round Table

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1. Krishna Kripalini, **Gandhi : A Life**, New Delhi, 1978, p.106.
 2. Village Reconstruction Programme : According to Gandhi, India's great curse was poverty and hunger. To combat these evils, Gandhi evolved a programme by which the minimum needs would be available to the people. The programme includes *Khadi* and Village industries, boycott of foreign goods, etc.
 3. D.G. Tendulkar, **Mahatma** in 8 vols., Vol.I, Ahmedabad, 1954, pp.237-38.

Conference.¹ He suggested a five-tier system of government for free India. To him, political power was just a means and not an end in itself. It is a means to regulate national life through national representation. Gandhi was clear about the goal i.e., *Swaraj* based on decentralization in the first stage, and in the second stage, the evolution to Village *Swaraj*.

4.2.9. On the Indian Slate

Gandhi strongly believed that if India is to attain true freedom sooner or later, people will have to live in villages and not in towns, in huts and not in palaces. He repeatedly told that India must develop a system according to her own genius and cultural tradition. He had faith in Indian villages as the embodiment of her glorious tradition. Gandhi wrote:

I want to write many things, but they must all be written on the Indian slate. I do not want my house to be walled in all sides and my windows to be stuffed. I want the cultures of all lands to be blown about my house as freely as possible. But I refuse to be blown off my feet, by any.²

Gandhi wanted an indigenous system of planning and development, too; at the same time he wanted to imbibe what other nations can give. The vastness of our country, the vastness of the population and the climate of the country have destined India for a rural civilization. Therefore, Gandhi, suggested the perpetuation of the rural civilization, indigenous in spirit and endeavour to be rid of 'defects' in Indian culture.

He said :

The Western world has descended into such a moral, and spiritual abyss due to the unbridled pursuit of materialism....the West has been brutalized, insensitized, thick skinned and de-humanised on such a scale that corruption, injustice, inequality, repression, coercion and violence have become quite natural things.³

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1. Round Table Conference: The Round Table Conference (17 Nov.24-Dec.1932) mentioned above, was held in the wake of 'failure' of the Simon Commission, 1928. Mahatma Gandhi attended the conference as the sole delegate of Indian National Congress.
 2. Cited in, Shri Man Narayan, **Towards the Gandhian Plan**, New Delhi, 1978, pp.44-100.
 3. Cited in, L.M. Bhole, 'Understanding Gandhi Through Romain Rolland's Writings,' in **Gandhi Marg**, Jan -Mar. 1990, Vol.II, No.4, p.408.

Mahatma Gandhi visualized that the new life in India ^{would} cut its own channels vis-a-vis, the present times. But the peculiar genius of the people lies in the villages. Each village has its own individual development as a self-contained unit and its own living bonds of connection with its next door neighbours. In 1928 C.F. Andrews wrote :

The system of village republics each with its own president and *Panchayat* carrying on its *Swaraj* is likely to be the national objective. From this fundamental village system, the new body politic of India, (when the British occupation is over) will come into being. It will have the character of ancient India, about it, and it will appeal to the peculiar instinct of those who have inhabited the Indian peninsula from time immemorial. No dynasty or empire either of the Mughals or the British has been able to destroy it though each invader who has come as a foreigner from outside has done something to shake it.¹

Thus, Gandhi's concepts were crystallized from the indigenous models. It is evident that Gandhi pleaded for a *Panchayat* system of administration in India in consonance with the Indian tradition of the village system, social heritage, and the rich experience of familiarity with self-governing institutions. It is also because of his faith in individual freedom, non-violent, non-exploitative society that Gandhi pleaded for a decentralized unit of administration from the bottom to the top levels.

4.3.0. Gandhian Vision of Decentralization

As given above Mahatma Gandhi built up a concept of decentralization in accordance with the Indian situation. He presented a new dynamic revolutionary and rational approach to existing socio-political and economic problems, which are deeply connected with the Indian tradition and culture, socio-political heritage and centered round the concept of villagism. His prescription of villagism was based on the dynamics of the common man. It is the question of power and how and by whom it is exercised. The more centralized it becomes the more violated the individual feels; the

1. C.F. Andrews, 'Poverty in Indian Villages,' in S.R. Bakshi, ed., **The Gandhian Thought, Social and Political Development**, Vol.III, New Delhi, 1990, pp.226-'27. For its original presentation see, C.F. Andrews 'India and the Simon Commission Report of 1930.'

more violated he feels, the more insecure he finds himself.¹

On one occasion, Gandhi said that real freedom would come not by the acquisition of authority by a few but by the acquisition of the capacity of all to resist authority when abused. In other words, freedom is to be attained by educating the people to a sense of their capacity to regulate and control authority. Gandhi had the vision to pronounce that unless power reached every home, unless everybody felt that he or she was co-responsible for the decisions made, society could never live in peace and prosperity. In fact, he shared the views of Leo Tolstoy and Kropotkin in emphasising the view that a national social order must be a life of genuine community and like them he sought an alternative paradigm in a dynamic re-interpretation of ancient communal tradition.² Moreover, Gandhian ideals on decentralization are akin to the views expressed by Aldous Huxley, Sorokin and Arnold J Toynbee.³ Thus, Gandhian prescription of villagism was based on the dynamics of decentralized system with the village as the viable unit, conducive to articulated, participatory and self-governing citizenship.

4.3.1. The Panorama of Human Problems

The Gandhian concept of decentralization does not stand in isolation, restricted to one area only; it has overall links with his creation of models. It is shaped by other concepts and ideas that would encompass a whole range of issues and problems in human affairs. He preached non-violence, stressed the moral aspects of life, fought for freedom, equality for the poor, opposed state control over the individual, pleaded for *Swaraj*, explained the concept of trusteeship for the welfare of all, opposed big industries to save cottage and village industries and preached *swadeshi* and *khadi*. All these concepts directly or indirectly flow from the theme of decentralization.⁴ In fact, Gandhi's

1. *Young India*, 29 Jan.1925.

2. H.M.Thompson, 'The Humanization of Community: A Historical Perspective,' in V.T. Patil, ed., *New Dimensions and Perspectives in Gandhism*, New Delhi, 1989, p.318.

3. Cited in, S.C. Gangal, *Gandhian Thought and Techniques in the Modern World*, New Delhi, 1988, pp.121-'22. According to Huxley, democratic principles cannot be effectively put into practice unless authority in a community has been decentralized to the maximum extent possible. Sorokin desired a limitation and decentralization of the power of the state. Arnold J. Toynbee also viewed that in production, a decentralized village economy has far greater spontaneous recuperative power than a more complicated one.

4. V.T. Patil, ed., *Studies on Gandhi*, New Delhi, 1983, p. 108.

concept did not stand by its own bootstraps, it may be even dangerous to attribute decentralization to Gandhi without linking it with his overall politico-economic, moral and spiritual models¹.

4.3.2. Importance to Non-Violence

Gandhi preached non-violence as a means and an end in itself in his ideal of decentralization. Non-violence is the basic tenet of political and economic decentralization. Exploitation is the essence of violence². It becomes a reality when power is concentrated in a single body like the State. Gandhi held the view that, the State represents an undiluted and organized form of violence. To eliminate violence concentration of power must be avoided through the process of decentralization of power. The non-violent character of a society can only be guaranteed by decentralized institutions and not by the centralization of political power. According to Gandhi, decentralized institutions become an end in themselves because they guarantee non-violent participation for self improvement. This is the basic principle of the non-violent state.

The central Gandhian paradigm is that the greater the degree of decentralization, the more will be the possibilities of establishing a non-violent society³. Gandhi believed that the human and social ends that he had set before himself could be achieved in a non-violent society in which there is a thorough decentralization of power and of production and control of wealth, and which is composed of comparatively small autonomous communities, willingly federated and co-operating together.⁴ According to Gandhi, today, man is cribbed and cabined by State and Society.⁵ He is put under oppressive forces of violence, since the centralized state is in essence violence in concentrated and organised form. If the State is rooted in violence, that would suppress the moral element in man.

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1. J.D.Sethi, 'Mahatma Gandhi on Decentralization, A Model of parallel Politics,' ts., 1989, p.107.
 2. Gandhian concept of deccentralization had an essentially spiritual dimension. The principle of **advaita** which upheld the presence of the Supreme Being in every individual ran through Gandhi's advocacy of the liberty and dignity of the individual. His scheme of a socio-political system is free from indignities and bondages.
 3. J.D.Sethi, Op.cit., pp.19-20.
 4. Jayaprakash Narayan, 'Gandhi and Politics of Decentralization,' in Sibnarayan Ray, ed., **Gandhi, India and the World**, Bombay, 1970, p.230.
 5. Biman Bihari Majumdar, ed., **Gandhian Concept of State**, Calcutta, 1957, p.27

4.3.3. Concept of Power and State

To Gandhi, political power of the State is not an end in itself but a means to enable the people to better their conditions in every department of life. His concept of power is horizontal in structure. What existed in India according to him was a vertical decentralization of power and so long as this is made the other way round, the objective will not be achieved. From the lower level, Village *Panchayat* represents the most important institution of participatory democracy and he desired to entrust it with functions of very wide character covering all aspects of social, economic and political life.¹

4.3.4. The Protection of the Individual's Dignity, Freedom and Rights

The concept of the individual's dignity, freedom, and rights has very much influenced the Gandhian concept of decentralization. Each individual is important and equally responsible for the welfare of society. Hence, the individual has the right to stand by his or her conviction and propagate what is good and resist impositions against his or her inherent freedom. Gandhi thought that, society is nothing but the sum total of individuals whose wills are sovereign and ultimately decisive. As suggested earlier, he subscribed to the Rousseauan concepts of popular sovereignty and the inherent rights of every individual.

He wrote :

We have long been accustomed to think that power comes only through legislative assemblies-I have regarded this belief as a grave error brought about by inertia or hypnotism. A superficial study of British history has made us think that all power percolates to the state from parliament. The truth is that power resides in the people and it is enlisted for the time being to those whom they may choose as their representative.²

Thus, Gandhi advocated decentralization in order to protect every individual's right, freedom and dignity. Gandhian vision also pre-supposes and demands the creation of a just order in

1. S.K. Dey, *Panchayati Raj: A Synthesis*, Bombay, 1961, p.50.

2. *Young India*, 26-3-1931.

which all human beings can fulfil their inherent rights, where their dignity is affirmed and supported, their access to truth recognized and their personal liberty guaranteed, an order in which man and woman are treated not as objects but rather as subjects of their own destiny, a system in which unjust inequalities cannot exist among people where peace and tranquillity exist. Individuals need to be protected against any structure above them, the state or the administrators, or whatever be its name.¹

As such Mahatma Gandhi valued freedom much. He shared with many Western thinkers the idea that the individual's freedom can only be protected in small, manageable, sound, coherent and self-contained primary units. According to Gandhi, decentralization of power will constitute a necessary basis for preserving individual freedom. It is the self actualization of the individual that should be the ultimate objective of the institution of civil society and to that end both state and civil institutions must act. Gandhi also held that, a democratic government ruled by the majority party would not be sufficient to safeguard fully the freedom of the individual and the self actualization of personality. The small units of power like the *Gram Swaraj* would provide an opportunity for the growth of the individual. In the final analysis, they would function as an agent of self actualization of individuals, that is the ultimate objective according to Gandhi, of any civil society and to that end, both the state and civil institutions must act.²

Mahatma Gandhi, who looked upon any increase in State's power with distrust and fear, was very categorical in his estimate of the relations between the individual and the State. His concept of the ultimate authority of the individual as sovereign, lighted the way for the emanation of the theory of non-violent, non-co operation with the State and the exploitative system that stand in the way of

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1. Adolfo Perez Esquirell, 'Human Rights to Justice and Peace,' in **Breakthrough**, Winter/Spring, 1989, p.8.
 2. For details see, Abraham Maslow's theory of self actualization. Self actualization is considered to be the highest need in the hierarchy of needs and as such it is directed towards searching the meaning and purposes in life. Even if all other needs are satisfied, a human being feels restless and tries to achieve excellence in fields dearer to him. The desire for self-fulfilment, actualization and living a meaningful life is reflected in this need. Self actualization is presumably the highest desire of any normal individual. A self actualized person possesses an unusual ability to detect the spurious, the fake, and the dishonest in the personality and in general to judge people correctly and efficiently. He will be problem-centred rather than ego-centred. As Maslow emphasized, he works, he tries, and he is ambitious eventhough in an unusual sense.

the all round development of the individual.¹ Thus, the emphasis on the moral authority of the individual over the State, is also important in Gandhian philosophy.

Gandhi also rejected the Hobbesian notion of the autonomous and isolated individual, politically translated into the rational and self-calculating individual voter. Gandhi inquires into a different model of sovereign individuals forming themselves into a communitarian democracy. In the Gandhian model, society must control politics and not the other way round. This approach implies that political power must be within society and formal political structures should not be functionally independent of society.² In other words, in the last analysis legitimate power is people's power and social power³.

4.3.5. Participatory Democracy

The Gandhian concept does not favour democracy in terms of largeness. The soul of democracy is not merely the mechanical rule of a numerical and temporary majority. It is the medium for transmitting a sense of participation of individuals in the process of the evolution of society. What is needed is a system of open and participatory democracy through small republics so that the people can play an effective role in the governance of the country.⁴

4.3.6. The Westminster Model, A Gandhian Critique

Gandhi severely criticised the British parliamentary practices and procedures because to him they did not provide scope for participative democracy. He spoke with the full conviction that the British system would not be an ideal one for India. His conviction was well supported by the observation of G.D.H Cole who once asked whether the common man in England was capable of maintaining effective democracy in any unit larger than a Parish or an Urban District Council. He

1. V.T. Patil, ed., **Studies on Gandhi**, New Delhi, 1983, p. 113.

2. For details see, J.S. Mathur, ed., **Non-violence and Social Change**, Ahmedabad, 1977, p.48.

3. Rajasekhariah, '**Reform of the Indian Political System -The Gandhian Alternative**, Dharwar, 1977, p.4.

4. Anil Agarwal and Sunita Narain, 'Power to the People: How and for What?' **Indian Express**, Cochin, 5-2-'91.

compared the “Mother of Parliament’ to a sterile woman who could do no good thing.”¹ Gandhi therefore said “If India copies England it is my firm conviction that she will be ruined”². Gandhi also referred to the contempt in which men like Carlyle held parliament when they called Westminster, the ‘talking shop’ of the world. He was aware of the oppression that would come from a centralized power structure based on heavy industries, armaments and advanced technology. Mahatma Gandhi’s faith in the decentralized power structure developed out of such convictions. Therefore, Gandhi was not in favour of adopting the English pattern of parliamentary system for India. He wrote :

It is very difficult to rid of our fondness for parliament...modern tyranny is a trap of temptation and therefore does greater mischief.³ One can withstand the atrocities committed by an individual as such, but it is difficult to cope with the tyranny perpetrated upon a people in the name of the people...The common man in India, at least believes that the parliament is a hoax.³ Not only English model but the whole Euro-American democracies were criticised by Gandhi because there was no participatory nature in them.

The participation of the community and the activation of local government are the necessary conditions both for a high rate of economic growth and fair distribution system. So the economic factors also determine the quality of decentralized system. Decentralization and community participation are essential for democratising, legitimizing, mobilizing and rationalising of support mechanisms⁴.

4.3.7. Political and Economic Decentralizations Combined

Mahatma Gandhi, who had unique responses to problems, would go to the very roots, while

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1. M.K.Gandhi, **Hind Swaraj or Indian Home Rule**, Ahmedabad, 1984 rpt., pp.31-34.
In ‘Hind Swaraj’ Gandhi challenged the very foundation of what he called the Western materialist modern civilization, characterized by a total lack of religious values and ethical orientations.
 2. **Ibid.**, p.34.
 3. **The Collected Works of Mahatma Gandhi in 95 vols.**, Vol.X, 1979 rpt., New Delhi, p.204.
 4. J.D. Sethi, ‘Mahatma Gandhi on Decentralization: A Model of Parallel Politics,’ *ts.*, 1989, p.8.

assessing their nature and impact. To him, political decentralization alone was not sufficient for achieving the goal of creating a *Gram Swaraj*. On the other hand, economic decentralization was equally important in determining the quality of decentralized system.

The concentration of economic power goes hand in hand with the concentration of political power leading to the development of a dictatorial system.¹ The concentration of wealth or factors of production would also cause the centralization of power in the hands of an oligarchy. Such concentration, Gandhi viewed, would provide a small coterie of men at the top with a great deal of privileges on the socio-political and economic milieu of the country, and would have its own paralysing effect on freedom and liberty, the 'sine qua non' of the development of man's inherent potentialities. It would destroy individuality which lies at the root of progress.²

Gandhian doctrines of economic decentralization also aim at securing many other objectives - a fair system of distribution, a decentralized production system, environmental awareness, 'distributional balance,' judicious use of science and technology and above all, the establishment of a non-violent, non-exploitative state.

Gandhian economic doctrines, other than production and distribution were aimed at securing the objectives like a balanced growth between economic development and moral progress, structural balance, i.e., a balance between the rural and urban sectors of the economy and a balance in the relationship between man and his environment.

The environmental crisis is the result of unrestricted, uncontrolled use of nature for the sake of economic progress. In all his writings, Gandhi showed remarkable environmental awareness. His vision of self-contained villages is anchored on the principles of a need-oriented drive and environmentally sound development. In this respect, Gandhi is a forerunner of a new theory of economic development, comparable to the ideas of C.F. Andrews, E.F. Schumacher,³ Mao tse

1. V.T.Patil, ed., **Studies on Gandhi**, New Delhi, 1963, p. 114.

2. N.K.Bose, ed., **Selection from Gandhi**, Ahmedabad, 1948, p.42.

3. E.F. Schumacher, **Small is Beautiful : A Study of Economics as if People Mattered**, 1983 rpt., London, p.123.

Tung¹ and Bertrand Russel²

Gandhi pleaded for decentralization in production and distribution. The conception of self-contained village units envisages both production and distribution, contained within the unit normally and in case of surplus, extending to the neighbouring units. The concept of self-contained village economy is indicative of a people whose philosophy of life is simple living and high thinking.³

4.3.8. Decentralization of Technology

Gandhi felt that the enormous power of technology would convert the state to a 'Leviathan'. Such a situation would constitute a great threat to human liberty and freedom. Therefore, Gandhi dreaded the increase in the power of the state in technology that would lead to indiscriminate multiplication of large-scale industries. The end product of such a system is the progressive curtailment of liberty to the people. Aldous Huxley commented :

The centralising of industrial capacity in big, mass producing factories has resulted in the centralization of a large part of population in cities and in the reduction of ever-increasing numbers of individuals to complete dependence upon a few private capitalists and their managers or upon the

1. Ignacy Sachas, 'Gandhi and Development - A European View,' in Rameshwar Roy, ed., **Contemporary Crisis and Gandhi**, New Delhi, 1986, p.197.

2. For details see, **Young India**, 23 Mar.1921.

'Go back to your village or keep yourself to the village' is a great philosophical creed with wide importance in the domain of economy, as it satisfies all the tests of economic reconstruction as propounded by Bertrand Russel. It consists of the maximum production, justice in distribution, a tolerable existence for producers and the greatest possible freedom and stimulus to vitality and progress. Gandhi said : 'What India needs is not concentration of capital in few hands, but its distribution, so as to be within easy reach of seven and a half lakh of villages'.

3. For details see, Nageshwar Prasad, 'Decentralization in Historical Perspective,' ts., Varanasi, 1984, p.62.

Modern technology has assumed the shape of large scale machinery with the result that its production requires large finances. Naturally, those who can undertake to finance the production of such a large scale technology control it. If the financier happens to be an individual the power of control and management of production and distribution tends to be concentrated in the hands of individual owners. Such concentration of economic power brings corresponding centralization of political power in a few hands.

See, Vijay Ranjan Dutta, 'Decentralization and Political Development in India - A Gandhian Perspective,' in S.L. Verma, ed., **Panchayati Raj, Gram Swaraj, and Federal Polity**, Jaipur, 1990, p.112.

public capitalists, the state represented by politicians and working through civil servants.¹

Mahatma Gandhi was also conscious of these trends in modern technology and its impact on the people, i.e., exploitation of the majority by a minority . Therefore, Gandhi visualised an alternative technological scenario suited to the true development of India.²

4.3.9. Judicious Use of Science and Technology

Gandhian vision was to make a judicious use of science and technology with a view to achieving enough production to meet the needs of the villager. The technology he visualized was a decentralized one affordable to every village by virtue of the diffusion of economic power. In Gandhi's concept the emphasis is on small scale technique of production, carried to every home and family in the village. A proper balance of agriculture and industry in the village will bring about a relationship in which the village will assume a great influence. He was conscious of the fact that the city with its satanic mills was riding on the back of the villagers. The villagers were crushed under their weight. Gandhi had no doubt that decentralization of technology and judicious use of science are a panacea for such ills.

4.3.10. Trusteeship system

The ideal of trusteeship, largely based on decentralization also is another significant feature of the Gandhian concept. Gandhi said that 'trusteeship' (a co-operative combination of landholders, producers etc.) would prevent the concentration of economic power both in the hands of the individuals and the state authority. He believed that 'trusteeship' could bring about a non-violent state and if the theory is put into effect, it could become a major instrument for decentralization of power for the greater welfare of the people in society.

Without any ambiguity Gandhi enunciated that ownership of private property was permitted by society to a limited extent for its own welfare. Under the Gandhian economic order, the

1. Aldous Huxley, **Science, Liberty and Peace**, London, 1950, p.14 & p.210.

2. P.L. Dhar, 'The Gandhian vision of Technology,' in **Gandhi Marg**, Vol.118, Jan. 1989, New Delhi, 1989, p.649.

character of production would be determined by social necessity and not by personal whims or greed.¹ It provides a better type of socialism and avoids considerable recrimination and bloodshed. It is a natural corollary to non-violence. To Gandhi, economic exploitation was the essence of violence in society and in future this could be eliminated only by following a bold policy of decentralization.

4.3.11. Resuscitation of Village Communities as Prelude to *Gram Swaraj*

To Gandhi, cities did not represent India and they were alien to India. To him, the cities were the brokers and commission agents for the big houses of Europe, America and Japan. The cities had joined hands with the aliens in the 'bleeding' process that had been going on for many years. In the Indian context there was a considerable difference between city life and village life in that the latter had no sanitation, education and medical facilities. Gandhi carried on the tradition of early 19th century Indian thinking, which began with Rajaram Mohan Roy,² the father of Indian nationalism. He also incorporated the celebrated 'Drain Theory' of Dadabhai Naoroji³ and Gopalakrishna Gokhale⁴. Still later, Jawaharlal Nehru, the first prime minister of independent India wrote that the system of village self-government was the foundation of Aryan polity.⁵ It was this tradition that gave to Indian polity strength and vitality, which ensured to everybody a home, an honest occupation and means of healthy subsistence. In spite of its shortcomings and defects, people were happy.

1. Shriman Narayan, **Towards the Gandhian Plan**, New Delhi, 1978, p.100.

2. Raja Ram Mohan Roy (1774-1833).

Raja Ram Mohan Roy, the founder of '**Brahma Samaj**', was the pioneer of Indian renaissance.

3. Dadabhai Naoroji (1825-1917).

Dadabhai Naoroji, respectfully remembered as the 'Grand Old Man of India,' was associated with the Indian National Congress right from its inception. He exposed the exploiting nature of British rule in India. He was the first Indian to draw the attention of the Indians as well as the British public to the drain of wealth from India and the resulting poverty of the Indians.

4. Gopalakrishna Gokhale (1866-1915)

A prominent leader of the Indian freedom struggle during the first phase. He was elected to the Bombay Legislative Council and later to the Imperial Legislative Council. He attacked vehemently the salt tax and the British commercial policies. He saw the reactionary role of the Anglo-Indian bureaucracy in defeating the object of the Act of 1892. Gandhi was inspired by Gokhale's liberal and moderate views. Also see, **Harijan**, 28-1-1939, 26-7-1942.

5. Jawaharlal Nehru, **Glimpses of World History**. Bombay, 1975, pp.434-'42.

It was Gandhi's firm conviction that the self-governing village communities about which Monro (the British administrator in India) and others wrote were not defunct. They were capable of being resuscitated by re-creation of their self-governing powers and regional self-sufficiency. In the outline picture of *Gram Swaraj* and the *Panchayat* rule, Gandhi, thus incorporated the ideas of self rule and autonomy in their historical background.

4.4.0. *Gram Swaraj* (Village Republic)

The *Gram Swaraj* is the central theme and nucleus round which revolves the whole Gandhian concept of decentralization. Unlike the Western concept of local bodies, the Gandhian concept of *Gram Swaraj* is not merely the units of administration as an agency to exercise only those powers delegated to them, but self-sufficient and self-contained units, ruled by the people of a village. Every village must be autonomous, self-reliant and self-contained in itself in all respects, but depend on such other units for what it lacks.

The idea of *Gram Swaraj* arose from Gandhi's dearest thought that the India of his dreams lay not in towns but in her 700000 villages. Gandhi was so clear about the crucial importance of villages that he declared "if the villages perish India will perish too!"¹ He felt that the Indian villages had been exploited by the cities. Gandhi wrote that, the villages have died in thousands so that city dwellers might live. The difference would be fundamental.²

To Gandhi, *Gram Swaraj* and its governing system, -the *Panchayats* are the real democratic, political apparatuses that can guarantee freedom and equality of each and every individual as well as promote certain values at the lower levels. As referred to above, they will become autonomous units at the micro levels. To him, village autonomy implied political, (self-government) economic (self-sufficiency) moral (non-violent, non-exploitative force) and social (egalitarian society) as well as many other factors. Gandhi gave great importance to its political connotations. He conceived village autonomy, as a two-tier democracy, with direct participation at the village level and representation at the national level.

1. *Harijan*, 29 Aug, 1926.

2. *The Collected Works of Mahatma Gandhi* in 95 vols., Vol. XXIII, 1979 rpt., New Delhi, p.454.
Also see, *Harijan*, 4-4-1936.

4.4.1. Swaraj, Terminological Meaning

The word '*swaraj*' is a vedic term which literally means self rule and its original connotation meant autonomy of the moral self, the strict exercise of moral control over the senses and self restraint. It was not freedom from all restraint which independence often means.¹ Gandhi employed the term '*Swaraj*' in its specific and generic senses. While he organized the Indian masses for *Swaraj* it was conceived as a constitutional democratic political order. Gandhi, at the same time stressed economic mass or organic content.² By *Swaraj* Gandhi meant the government by the consent of the Indian people as ascertained by the largest number of the adult population who have contributed by manual labour to the service of the state. In '*Hind Swaraj*' Gandhi enumerated his ideal of *Swaraj* as Indian Home Rule. According to him,

“Real Swaraj will come not by the acquisition of authority by a few but by the acquisition of the capacity by all who resist authority when it is abused. In other words, swaraj is to be obtained by educating the masses to a sense of their capacity to regulate and control authority.”³

Gandhi uses swaraj to mean 'positive freedom' i.e., participating in the process of politics in every way possible, “rather than seeing the state as a negative institution restricting its activities to the minimum....in other words *Swaraj* implied participative democracy.”⁴

4.4.2. Holistic Vision

Gandhi's approach was a 'holistic' one. All aspects of development-political, economic, social, moral or spiritual-were equal, and were given due place in his scheme of *Gram Swaraj*. Thus, the concept is a comprehensive one, consisting of all dimensions of development both in the

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1. Buddhadeva Bhattacharya, 'Gandhi's Concept of Freedom, Peoples Swaraj,' in S.C. Biswas, ed., **Gandhi, Theory and practice :Social Impact and Contemporary Relevance** in 2 vols., Vol.II, Simla, 1969, pp.277-'78.
 2. **Ibid.**, p.275.
 3. For details on the concept of swaraj see, M.K. Gandhi, **Hind Swaraj or Indian Home Rule**, Ahmedabad, 1984, pp.28-30.
 4. Subrata Mukherjee, **Gandhian Thought: Marxist Interpretation**, New Delhi, 1991, p.33.

life of individuals and society, restricted to each and every village.¹ It centered round Gandhi's commitment to the uplift of all villagers. It implies not merely change of the existing political domination, but a re-organization of the polity and the citizens on foundations where citizens consciously and voluntarily participate and govern the political process from below. Only a highly decentralized polity could provide for such direct participation for the citizens.

The *Swaraj* of Gandhi's dream was above any racial or religious distinction, nor was it to be the monopoly of the educated persons and the rich. *Swaraj* has to be for all. Under *Swaraj*, based on non-violence nobody is anybody's enemy, everybody contributes his or her due quota to the common goal, all can read and write and their knowledge keeps growing day to day. No one is a pauper and labour can always find employment. There is no place under such a government for gambling, drinking and immorality or for class hatred.²

4.4.3. Swaraj at National, State and Individual levels

Gandhi also used the term 'Swaraj' with reference to both the nation and the individual.³ At the national level he meant a republic i.e., rule by the people themselves, a state of complete independence of alien control. By personal *swaraj*, he meant rule over oneself, after securing control over lust. Man cannot rule over himself without conquering the lust within him. Rule over oneself implies that there should be minimum rule of the government and society. It means that the individual will rule over himself in such a way that he will not come in the way of others. He shall develop his personality in such a way that his activities will not be a hindrance to others and on the other hand he shall serve others to the best of his abilities. It is clear that Gandhi desired an ideal state at the national level and an ideal unit of administration at the village level guaranteeing to all individuals the maximum degree of self rule and self restraint guided by certain ideals and principles.

1. Sheo Kumar Lal, ed., **Gandhi and Village**, New Delhi, 1981, pp.2-4.

Also see, Vijay Ranjan Dutta, 'Decentralization and Political Development in India, A Gandhian Perspective,' in S.L.Verma, ed., **Panchayati Raj, Gram Swaraj and Federal Polity**, Jaipur, 1990, p.105; M.K. Gandhi, **Village Swaraj**, comp., H. M. Vyas, Ahmedabad, 1963, pp.3-4. Gandhi said: "Swaraj promotes individual autonomy for self realization and creativity. He also said: The Swaraj of my.....(our) dream recognizes no race or religious distinctions... Swaraj is to be for all, including the maimed, the blind, the starving and the toiling millions?"

2. **Harijan**, 18 Mar 1939.

3. S.H. Patil, **Gandhi and Swaraj**, New Delhi, 1983, p.39.

4.4.4. Aspects of Swaraj: Political, Economic, Social and Moral

Gandhi was particular that the concept of '*Swaraj*' should not be misconceived as partial freedom or independence. At the national level it is complete independence of alien (external) control and complete economic independence. At the *Panchayat* level, it is the establishment of village republics. Gandhi emphatically stressed four aspects of Swaraj - political, economic, moral and that of dharma. The last of these, approaches religious dimension. Gandhi wrote that : the square of a *swaraj* ' would be out of shape if any of its above angles' was untrue.¹

Politically, national *swaraj* means that the people of the country must be in complete control of all the political institutions. This condition can be realized only if the masses develop a capacity to resist authority when it is abused. Under such *swaraj* in the state, the ultimate power would be vested with the people. The political power is decentralized in such a way that even the smallest man can enjoy freedom without any social, political or economic disability, or domination either by individual or by a group. The same were the conditions for *swaraj* at the village level. The *swaraj* at the village level would be a miniature of *swaraj* at the national level. Economically, *Swaraj* means easy availability of locally produced food, clothing and shelter to all the people. Localization of production should make every village self-sufficient in these basic necessities. The villages should also preserve certain basic (Indian) industries which are vital to their economic existence. Men with capital or wealth will voluntarily share the fruits of their enterprise with their common workers under trusteeship system which ensures economic equality. Socially, *swaraj* means removal of social suppression of one community by another or, domination by one group over the other. Social evils like untouchability will be completely abolished.² Morally, *swaraj* means a state based on non-violence. A State which is based on the principle of violence can never achieve its full moral height.³ Gandhi firmly believed that under such non-violent state the weakest man can rise to his full moral height.

To Gandhi, *swaraj* of a people means the sum total of the *swaraj*, i.e., self rule of the

1. *Harijan*, 2-1-1937, p.374.

2. S.H. Patil, *Gandhi and Swaraj*, New Delhi, 1983, p.41.

3. M.K.Gandhi on *Non-violence in War and Peace*, vol.II, comp., Navajeevan Trust, Ahmedabad, 1949, p.88.

individuals¹ formed at the national, provincial or local level. The state of *swaraj* can be established through two stages, destructive and constructive²- the former indicates dismantling and the latter, creation. For dismantling the existing society the weapons (based on truth and nonviolence) are *sathyagraha* and non-cooperation. Constructive programmes like village industries, *Khadi*, giving up of untouchability, and maintenance of religious harmony, are to be taken up to build up the *swaraj* state. The features of the *swaraj* are new social order, new educational system, new economic order and a decentralized political system.

While explaining the constructive programme for creating *swaraj* rule, Gandhi wrote :

Parliaments have no power or even existence independently of the people. It has been my effort for the last 21 years to convince the people of this simple truth. Civil Disobedience is the store house of power. Imagine a whole people unwilling to conform to the laws of the legislature and prepared to suffer the consequences of non-compliance. They will bring the whole legislative and executive machinery to a standstill. The police and the military are of no use to coerce minorities (however powerful they may be). But no police or military coercion can bend the resolute will of a people who are out for suffering to the uttermost.³

In Gandhi's scheme villages are the real repositories of power. The government at higher levels will not interfere in matters related to the village. The government of the village will be by all the adult villagers.⁴ As to the sphere of state activity, Gandhi believes that true self-government means a continuous effort to free the people of government control.⁵

A journalist once asked Gandhi to give an outline of a village *swaraj*. Gandhi's reply is rich in evocative detail:

My idea of Village *Swaraj* is that it is a complete republic independent

1. R.K. Prabhu, comp., **M.K. Gandhi : The India of my Dreams**, Bombay, 1947, p.20.

2. S.H. Patil, **Gandhi and Swaraj**. New Delhi, 1983, p.42.

3. M.K.Gandhi, **Constructive Programme**, comp., Navajivan Trust, Ahmedabad. 1945, p.8.

4. S.C. Gangal, **Gandhian Thought and Techniques in the Modern World**, New Delhi, 1988. p.128.

5. *Ibid.*, p.128.

of its neighbours for its vital wants and yet interdependent for many others in which dependence is a necessity. The village's first concern will be to grow its own food crops, and cotton for its growth. It should have reserve for its cattle, recreation and playground for adults and children. Then if there is more land available, it will grow useful money crops excluding ganja, tobacco, opium, and the like. The village will maintain a village theatre, school and a public hall. It will have its own waterworks, ensuring water supply. This can be done through controlled wells and tanks. Education will be compulsory upto the final basic course. As far as possible every activity will be conducted on a co-operative basis. There will be no castes such as we have today, with their graded untouchability. Non-violence with its technique of Sathyagraha, and non-cooperation will be the sanction of the village community. There will be a compulsory service of village guards, who will be selected by rotation from the register maintained by the village....¹

The concept of Gram *swaraj* does not mean non-dependent village units. This does not exclude dependence on and willing help from neighbours or from the other states. It will be free and highly cultured and at the same time dependent on voluntary play of mutual force. Such a society is necessarily highly cultured in which every man and woman knows what he or she wants and what is more, knows that no one should want anything that others cannot have with equal labour.²

4.4.5. 'Poor Man's *swaraj*'

The *swaraj*, as visualized by Gandhi, is one in which the poorest shall feel that it is their country in whose making they have an effective voice. Therefore, Gandhi defined the *Swaraj* of his dreams as a poor man's *Swaraj*. He believed that whatever cannot be shared with the masses is taboo for him. The *Gram Swaraj* and the *Panchayat* system of administration would provide the poor man an opportunity to secure participation, power and authority. The *swaraj* Gandhi visualized was for all including "the maimed, the blind and the starving millions"³. The necessities

1. R.K.Prabhu, comp., *Mahatma Gandhi on Panchayati Raj*, 1989 rpt., Ahmedabad, p.13.
See also, *Young India*, 12 Jan. 1928.

2. *Ibid.*, P. 14.

3. *Young India*, May 1930, p.149.

of life should be enjoyed by all in common.¹ To Gandhi, *Grama Swaraj* is a fulfilment of one's commitment to the concept of equality.² He visualized an India in which there shall be no high class or low class people, an India in which all communities shall live in perfect harmony. He said thus "I have no doubt, the slightest doubt, that *swaraj* is not 'poorna swaraj' until these amenities are guaranteed..."³

4.4.6. Village *Swaraj*-a micro level Socialistic Pattern

The quintessence of Gandhian socialism is related to both political and economic decentralization at the village level.⁴ Here the plans of development are by and large framed and implemented at the village level for the people and by the people.⁵ It is to the village that the Indians have to turn to, if they have to be free from prejudices, superstitions, and narrow outlook. They can achieve this by staying amongst the villagers and sharing their joys and sorrows and spreading education and intelligent information among them. The villages have to be taught how to economise time, health and money.

Gandhi wrote thus: "Lionel Curtis described our villages as dump heaps. We have to turn them into model villages. Our village-folk do not get fresh food, but they are surrounded by the freshest food. I am talking like a missionary in the matter of food because my mission is to make villages a thing of beauty"⁶.

4.4.7. Vision of an Ideal Village

The village in Gandhi's dream is not a collection of unsanitary, dwellings constructed on

1. *Young India*, 26 Mar. 1931, pp.46-47.

2. *The Collected Works of Mahatma Gandhi* in 95 vols., Vol. XC (1947-48), 1984 rpt., New Delhi, p.118

3. *Young India*, 15 Nov. 1928, p.381.

4. Pyarelal, *Mahatma Gandhi : The Last Phase*, in 2 vols., Vol.II, Ahmedabad, 1958, p.591.

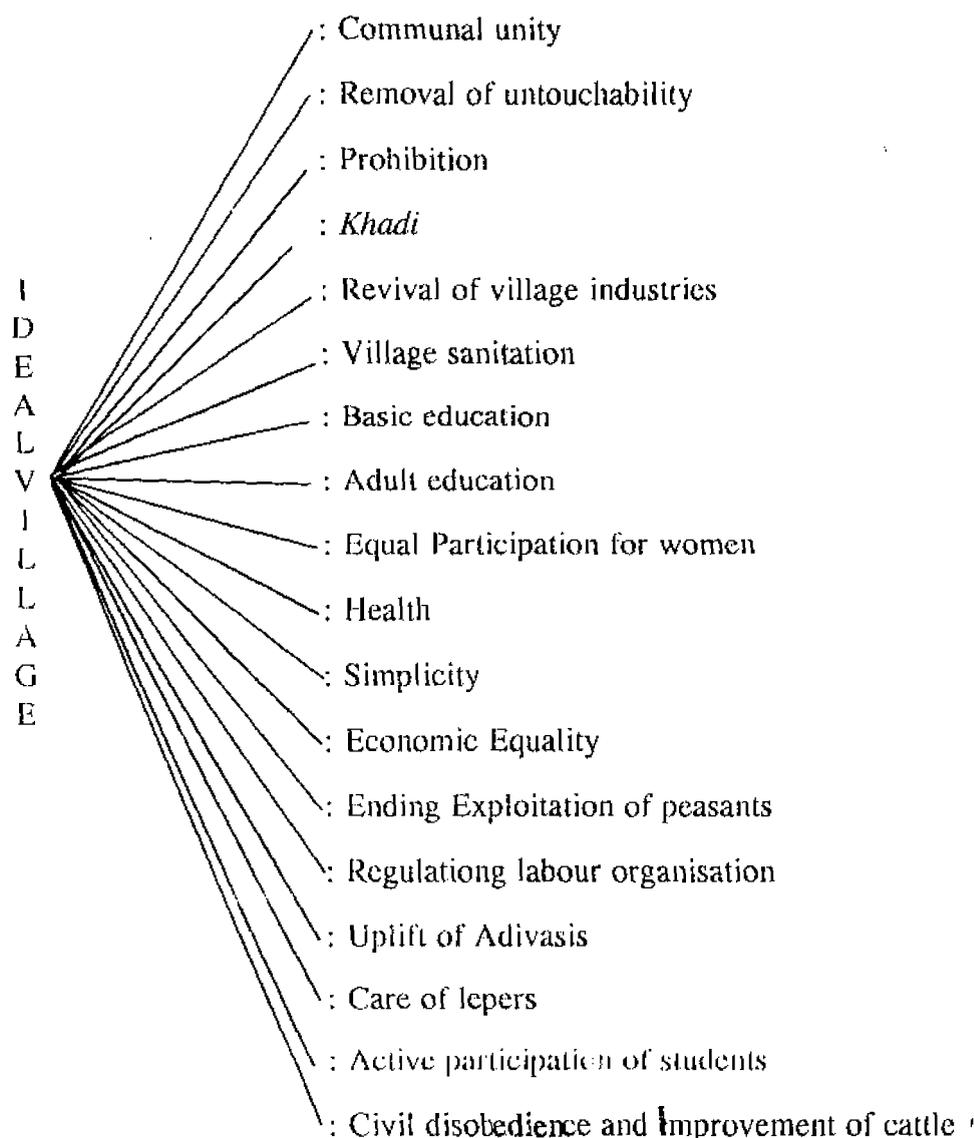
While replying to a question raised by some students, Gandhi said, "let us study the Eastern Institutions in a spirit of scientific enquiry and if so we shall evolve a truer socialism and a truer communism than the world has yet dreamt of. It is surely wrong to presume that Western socialism or communism is the last word on the question of mass poverty."

5. Shriman Narayan, *Towards the Gandhian Plan*, New Delhi, 1978, p.19.

6. *Harijan*, 29 Aug. 1936.

unhygienic surroundings. He prescribes certain conditions for an ideal village.¹ Gandhi conceived of an autonomous and self-contained village system, forming a unit of society, every village would avoid the risks arising under either absolute dictatorship of the state or absolute anarchy of statelessness. He also visualized a responsible agrarian population and the stable and level-headed people of small agricultural market towns dominating the internal social, and political life of the community. This, of course was not a plea for primitivism. It was a plea for a way of life that is instinctive to India, a way that provides a purpose, a faith and meaning.²

Sketch of an ideal village according to Mahatma Gandhi :



1. *Harijan*, 26 July 1942; Also see, R.K. Prabhu, comp., **Mahatma Gandhi : The India of My Dreams**, Bombay, 1947, p.20; D.G. Tendulkar, **Mahatma, Life of Mohandas Karamchand Gandhi** in 8 vols., Vol. VI, Bombay, 1952, p.71. ; Vasant Desai, **Panchayat Raj : Power to the People**, Bombay, 1991, pp.69-71.

2. B.K.Kerur, 'Social Dynamics of Mahatma and Gandhi,' in *Gandhi Marg*, Mar. 1988, Vol. VII, No.108, New Delhi, 1988, p.746.

Self reliance, an abstract scheme for small and independent unit, finds its fullest application at the level of Gandhian vision of *Grama Swaraj*. All modern development theories are anchored on the goal of fullest realization of the human personality for creating a new social order.¹ The ultimate object is the fullest realization of each and every man. Self reliance starts with the individual and finds its fullest application at the level of *village Swaraj*²

4.4.8. 'Gardens of Eden' instead of 'Dumpheaps'

It is evident that Gandhian vision of the village was not a static one. He believed that when Indian villages are fully developed, they will not be dump heaps but tiny 'gardens of Eden' where dwell intelligent folk whom no one can deceive or exploit. His vision of an ideal village through the '*swaraj*' did not prevent Gandhi from working for immediate targets, i.e., to promote the dignity of labour, a direct extension of the concept of self-reliance, providing the individual an opportunity to earn a decent livelihood. The village is the focus of the direct struggle against misery and the proper organizational level for direct democracy. The prime necessity is seen as equalizing the access to land, without which equality among the villagers cannot be realized. Gandhi clearly analysed the deplorable conditions of the peasants and he mentions repeatedly that to speak of equality among villagers without equalising their access to land is meaningless. Therefore, Gandhi wanted land reforms through a non-violent approach. Without these, villages may remain centres of organized violence. If India wants *swaraj* to be built on non-violence, she will have to give the villages their proper place.³ In this respect Gandhian ideas are very close to the United Nations' concept of the totality of community living.⁴ Gandhi strongly advocated that a non-violent society cannot be built on a factory civilization but it can be built on self-contained villages. Industrial societies have suffered from inherent contradictions because of centralization, exploitation and their class nature.

1. Ignacy Sachs, 'Gandhi and Development: A European view,' in Ramashray Roy, ed., **Contemporary Crisis and Gandhi**, Delhi, 1986, p.194.

2. **Ibid.**, p.194.

3. **Harijan**, 20-1-1940.

4. V.T.Patil, **Problems and Issues in Gandhism**, New Delhi, 1977 p.302.

Hence Gandhi advocated decentralization, a rural economy free from exploitation, ignorance and violence.¹

The rural set up providing the milieu for everyone to perform physical labour is a great social leveller. The village life promotes the *swadeshi* spirit which restricts one to use immediate surroundings to the exclusion of the more remote, be it in religion, polity or economy. It also means a state of perfect religious harmony among different religious groups. So the vision of Gandhi was freedom for all people and it is also in all senses a state of non-subjection to any force.

Gandhi said "I am not freeing India merely from the English yoke. I am bent upon freeing India from any yoke whatsoever, I have no desire to exchange 'King Log' for 'King Stork'. Hence, for me the movement of *swaraj* is also a movement of self purification".²

Gandhi also distinguished through a letter dated June 6, 1947, the concepts of self-government and good government and reminded that far greater sacrifice would be needed after the attainment of self-government to establish good government³. The word self-government also has the connotation 'independent government. Self-government means continuous effort to be independent of government control whether it is foreign or national. Gandhi said "*swaraj* government will be a sorry affair if people look up to it for the regulation of every detail of life".⁴ Gandhi's conception of self-government envisages a man governing his own being as the highest type of reformer. This concept is the basis of Gandhi's philosophy of economic, political, social and religious reforms which are but extensions of individual freedom.

One may find a striking similarity between Gandhi's concept of self-government and J.S. Mills' concept of "liberty". The central idea of Mill's essay 'On liberty' encourages and promotes a large variety of types of characters and modes of thinking in a significant way. Mill was in favour of permitting full freedom to human nature to expand and improve in all kinds of directions.⁵ Mill

1. *Harijan*, 29-6-1935.

2. **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.XXIV, 1979 rpt., New Delhi, p.226. Also see, *Young India*, 12-6-1924.

3. Cited in, Raghavan Iyer, ed., **The Essential Writings of Mahatma Gandhi**, Delhi, 1991, pp.360-61.

4. *Young India*, 6 Aug. 1925, p.276.

5. D.K. Chatterjee, **Gandhi and Constitution Making in India**, New Delhi, 1984, p.24.

also declared that the only part of the conduct of anyone for which he is amenable to society is that which concerns others. In the part which merely concerns himself, his independence is noteworthy. Over himself, over his own body, and mind the individual is sovereign.¹

4.4.9. Participation for all

It is the people's involvement in the day to day conduct of affairs that gives the strong base for the government to perform its activities effectively and successfully. It is rightly said by J.S. Mill that the only government which can fully satisfy all the exigencies of the social state is one in which all the people participate. It is observed that people participate in development either by taking advantage of the institutional means that society makes available to them, or by forming groups to alter or create a new institutional order itself...the nature and extent of people's participation in development will be largely determined by the nature of the institutional structure, the prevailing value system and the relationship between the elite group and the citizenship.²

4.5.0. Vision of *Panchayat Raj*

The political ingredient of Gandhi's vision of *Gram Sabha* at the lowest level is the *Panchayat* or the government of the village that will function within the frame work of *Gram Swaraj*.

This *Panchayat*, however, does not work in isolation but it is linked with the national central legislature.

The rationale that Mahatma Gandhi put forward in favour of Village *Panchayat* in a *Gram Sabha* has many dimensions. Needless to say that, it is all centred round his commitment to the uplift of all villagers. Gandhi visualised *Panchayat Raj* as a political structure, suitable to Indian genius and tradition because in it the lowest and the weakest in the society are equally treated as the highest and strongest in their land. The scheme has many other dimensions too, even though the draft scheme sketched by Mahatma Gandhi does not give a full picture. In fact, Gandhi, never

1. D.K. Chatterjee, **Gandhi and Constitution Making in India**, New Delhi, 1984, p.IX.

2. Cited in, N. Sivanna, **Panchayati Raj: Reform and Rural Development**, Allahabad, 1990, 'Introduction', p.4.

outlined the complete scheme which was in his mind.

4.5.1. Antecedents: Mrs. Mayo's carping criticism

Mahatma Gandhi opened his mind to illustrate the scheme of *Panchayat Raj* in 1930's in the context of many allegations against the revival of the Indian village system. The main criticism was weighed down against social evils like child marriage, caste, untouchability, ignorance, superstitions, and lack of a sense of corporate cleanliness. Such allegations were repeated by both the Indian and English friends who became both the admirers and critics of Mahatma Gandhi. The statement of Mrs. Mayo, is a case in point, to which C.F. Andrews gave an apt reply. Mrs. Mayo remarked that India's villages lay scattered miles apart across the open country that, each ^{was} just a handful of mud-walled huts chiseled beside the hole they took the mud from, now half full of stagnant water, in which they wash and bathe and quench their thirst. C.F. Andrews replied that village life in India as a whole is a clean life and normally free from the gross forms of violation of moral life. If the village life is rotten, then India must be rotten.¹

C.F. Andrews thus commented that the village people have a regular culture of their own, which reaches mystical heights of spiritual vision in the place where they settle. The genius of India, whether in art and music, or architecture, has continually had its origin in these villages. The village community is like a large family. Behind all, there is a religious observance which has placed

1. C.F. Andrews, 'Poverty in Indian Villages Under British Rule,' in S.R. Bakshi, ed., **The Gandhian Thought : Social and Political Development**, Vol. III, Delhi, 1990, pp. 124-25.

He wrote : "Where there are in all more than seven hundred thousand villages each with a character of its own, only a life long residence in India on the part of a foreigner can give him experience sufficient to say with confidence that the main facts are known to him at last. Indian life is so complex that most of those who stay longest in the country grow less confident as time goes on, about the things they believed to be true... the whole life is incredibly simple. This is all very far removed from indulgence in vicious practice. The industry of these patent villages is proverbial... There is a phrase in English literature which describes a major part of this village life — Wordsworth's "Plain living and high thinking"... it is necessary always to remember that there are millions of villagers called the depressed classes or untouchables who live on a lower scale of hard physical discomfort... In spite of physical difficulties, on the mental and spiritual side I have by no means overdrawn the picture. Yet facts like this seem to be convincingly to prove that the sex theory of Indian poverty is wrong. Also, C.F. Andrews quoted another report appeared in *Young India* dtd. 14 June, 1928, which clearly portrayed the pen picture of an Indian village life. The towns are a growth of modern times, artificial and exotic. The villages have nestled amid their tiers for centuries.

Also see, **Young India**, 7 June 1928.

greatest emphasis on self control. In another letter C.F.Andrews replied to Mrs. Mayo's formulation of a sex theory of Indian poverty in villages.¹

Answering Miss Mayo's allegation that India was traditionally backward, C.F.Andrews wrote that subjection to foreign rule has badly crippled the manufacture of cotton cloth and other indigenous industries. Villages were secure and self-contained in earlier years because in the hot and dry season of the year they could employ their time in cloth manufacture. Indeed they had become marvellous experts, and Indian cotton cloth, handsome, and hand woven was known all over the world. But the power of dictation having passed to Great Britain owing to conquest, the process rapidly set in, whereby the manufacturers of Lancashire supplanted the home made manufacturers of India. And it has been done deliberately to cripple the Indian villager.²

When the British took over, they incorporated the *Panchayat* as a part of the British system and put a cess on it and converted them as revenue units. This was contrary to the spirit of self-government. It lost its root when it derived its authority from the British laws instead of the will of the village community. The British conquest had a commercial, rather than a military concern. While in the new commercial centres, riches have accumulated, in the villages there has been evergrowing poverty over large areas. The actual pinch of poverty is now more keenly felt.³

1. C.F.Andrews, 'Poverty in Indian Villages Under British Rule,' in S.R.Bakshi,ed., **The Gandhian Thought : Social and Political Development**, Vol.III, Delhi, 1990, pp.123-124 & pp.131-133. Also see, *Young India*, 26 June 1928 & Aug.1928.

Andrews stated: "A strict ethical code of domestic relationship has been worked out in a manner consonant with the village life itself... behind all, there is a religious observance which has placed the greatest emphasis on self control. Hindu religious custom is a conservative force, of immense potency acting on the inner life and going back to countless centuries in its origin and conception. It has become a part of the whole system exacting a restraint scrupulously observed. Owing to its inhibitions with regard to eating, drinking and marriage relations the villagers are ordered and sex life has been disciplined..., I have wandered about all over India, very often entirely alone from village to village, sharing the life of the people as few Englishmen have done, and welcomed everywhere. It is true that there was an age of caress in the past coinciding with the massive temple building...the pendulum of human nature swings from one side always to the other...In India the Devadasis or temple prostitutes are a reality of that evil past"

2. *Ibid.*, pp.178-179 and p.183. Also see, **Young India**, 26 June 1928 & 2 Aug.1928.

C.F. Andrews wrote : Gandhi is right in the main in his grasp of the direct practical situation of India's poverty : the following incontestable facts are on his side. (a) The Indian villagers for the most part except in certain favoured districts are always on the very edge of guiding poverty because they are unemployed nearly half the year. (b) The only employment on a universal scale which would reach down to the remotest village is the cotton industry. (c) It is historically true that in the past cotton and agriculture went hand in hand together in the village economy of India. (d) The soil itself is becoming impoverished, because the village cultivators are much too poor to put anything back into it. (e) A chief reason for their present poverty is that they have to pay for their cotton cloth instead of making it themselves.

3. *Ibid.*, pp. 173-74.

4.5.2. Every Village, a Republic

It was this situation which compelled Gandhi to expound the vision of a *Panchayat Raj* from the village to the Centre in 'Oceanic Circles. This concept is also very much related to two features - decentralization of power at the grass-root level, and emphasis on sovereignty of people at all levels. Both of these would pave the way for the exercise of freedom and enjoyment of independence. To Gandhi, independence must begin at the bottom. Thus, every village will be a republic with a *Panchayat* system of administration. It follows, therefore that, every village has to be self sustained and capable of managing its affairs even to the extent of defending itself against any onslaught from without. Thus, ultimately, it is the individual who is the unit.¹

4.5.3. Features, Oceanic Circle instead of Pyramidal

Gandhi did not think of a pyramidal structure of Indian polity. He did not think of higher or lower layers of powers, crushing each other, or the village autonomy. The autonomous units of power at different levels which Gandhi calls 'Oceanic Circles' are organically linked together.² Their important features are (a) autonomy and self reliance at different levels, (b) perfect entity and separate existence of every village, (c) individual entities of rich and poor, (d) greater degree of decentralization in which one is not tied up to the other for its existence.

It is relevant to cite Gandhi's view of a self-contained village to be created by decentralisation and the position of *Panchayat Raj* in a village. In this description too, Gandhi's reply is rich in evocative detail. He said :

In this structure composed of innumerable villages, there will be ever widening, never ascending circles. Life will not be a pyramid with the apex sustained by the bottom. But it will be an oceanic circle, whose centre will be the individual, always ready to perish for the village... till at last the whole becomes one life composed of individuals never aggressive in their arrogance but ever humble, sharing the majority of the oceanic circle of which they are integral units. Therefore, the outer-

1. **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.LXXV, New Delhi, 1979, p.32 & p.147
2. M. K. Gandhi, **Village Swaraj**, Ahmedabad, p.37.

most circumference will not wield power to crush the inner circle but give strength to all within, and derive its own strength from the centre.¹

Gandhi's contribution was to alter fundamentally the base, the structure and shape of the power pyramid. This he advocated through the vision of 'Oceanic Circle' of power structure in ever widening and never ascending circle. In almost every nation of the world, in the pyramid-structure of the administrative system, all the power flows from the top to bottom rather than the other way round. Contrary to such pattern Gandhi envisaged the model of an inverted pyramid.

The Gandhian system of *Panchayat Raj* will function successfully on the basis of ^{the} mutual help of different circles of villages leading to the central power structure. Gandhi declared that the outermost circumference will not yield power to crush the inner circle but will give strength to all within and derive its own strength from it. There will be dependence on one another in those areas where one village republic is threatened with scarcity. Sociologically, it is an equalizing mechanism. Gandhi said: "I claim verity for my picture in which the last is equal to the first or in other words no one is to be the first and none the last. Under this arrangement every one knows what he or she wants."²

It is the function of the *Panchayat* to revive honesty and industry to teach the villagers to avoid disputes. This would ensure speedy justice without any expenditure. They would use neither the police nor the military. Then the *Panchayat* should work for cattle improvement. The *Panchayat* should also see to an increase in the quantity of the food stuff grown in the village. This was to be accomplished by properly manuring the soil. Then they must see to the cleanliness of their village and its inhabitants. They must be clean and healthy in body and mind.³ Everyone will know

1. R.K. Prabhu, comp., **Mahatma Gandhi on Panchayat Raj**, 1980 rpt., Ahmedabad, p.9.

2. **Harijan**, 28-7-1946.

3. D.G. Tendulkar, **Mahatma, Life of Mohandas Karamchand Gandhi** in 8 vols., Vol. VIII, Bombay, 1954, pp. 271-72. The author says that a prayer meeting was held at the Samnalka Village where a **Panchayat Ghar** had been built. Gandhi congratulated the villagers on having built a **Panchayat Ghar**(office). He said that distinguished travellers from the various parts of the world came to India in the days of yore, from China and other countries. They all came in quest of knowledge and they put up with great hardships in travelling It was the function of the **Panchayat** to teach the villagers to avoid disputes if they had to settle them. That would ensure speedy justice without any expenditure. They would need neither the police nor the military ... He hoped that they would also eradicate untouchability, if there was any trace of it still left in their village. The Hindus, the Muslims, the Sikhs, the Parsis, and the Christians should all live as brothers and sisters. If they achieved all, he had mentioned, they would come to see their model village, and take inspiration from it.

how to earn a living by the sweat of one's brow. There will be dignity of labour; the people will voluntarily turn themselves into "scavengers" or "capitalists". Everybody will use country made goods or *swadeshi* and finally they will be prepared to sacrifice their life for the village. These are the Gandhian contours of a model village administered by *Panchayat*.

Every religion will have an equal place in the village republic, and Gandhi wanted to build up perfect harmony among different religious groups, as all people are "leaves of a majestic tree whose trunk cannot be shaken off its roots which are deep down in the bowels of the earth. The mightiest wind cannot move it".¹

4.5.4. Scheme of *Panchayat Raj*

In 1931, while addressing the Round Table Conference in London, Gandhi gave his scheme of political structure which differs slightly from the one which he had given earlier. The scheme visualizes the future structure of the political system beginning with the village at the base to central legislative body at the upper level. Gandhi also suggested many points about the working of the *Panchayats*.²

However, the draft scheme sketched by Gandhi does not give a full picture. In fact he never outlined a complete plan. The scheme remained in his mind.

1. Cited in, S.H. Patil, *Gandhi and Swaraj*, New Delhi, 1983, p.114.

2. **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.XLVI, New Delhi, 1979,pp.239-240.

No **Panchayat** should be set up without the written sanction of Provincial Congress Committee.

A **Panchayat** should in the first instance, be elected by a public meeting called for the purpose by beat of drum; It should be recommended by the Tehsil Committee;

Such **Panchayat** should have no criminal jurisdiction;

It may try civil suits if the parties refer their disputes to the **Panchayat**;

No one should be compelled to refer any matter to the **Panchayat**;

No **Panchayat** should have any authority to impose fines, the only sanction behind its civil decrees being its moral authority, strict impartiality and the willing obedience of the parties concerned;

There should be no social or other boycott for the time being;

Every **Panchayat** will be expected to attend to - a) The education of boys and girls in its village, b) Its sanitation, c) Its medical needs, d) The upkeep and cleanliness of village wells or ponds e) The uplift of and the daily wants of the so called untouchables.

A **Panchayat** that fails without just cause to attend to the requirements within six months of its election or fails otherwise to retain the goodwill of the villagers or stands self condemned for any other cause appearing sufficient to the provincial congress committee, may be disbanded and another elected in its place.

† S. Bhatnagar, *Rural Local Government in India*, New Delhi, 1978, p.231.

4.5.5. Highlights of *Panchayat Raj*: Distribution of Powers and Links with the Centre

The *Panchayat* in Gandhian view does not work in isolation but it is linked with the national central legislature. Gandhi explained that in the *Panchayat Raj* Scheme the villages would elect their own little committees which in turn would elect the *Taluq* committees, (sub-district). These would again elect the District Councils which would constitute the electoral college for Provincial Councils. The Provincial Councils would send their members to the Central Legislature.

In the Gandhian scheme the people elect directly only the Village *Panchayat* Government. The elected members of the Village *Panchayat*, elect indirectly the representatives of the national system. In this model one finds a decreasing sense of political legitimacy as one proceeds from the village community. His model assigns the greatest political power to the village community and the least to the national political structure. About the functions, local matters are assigned to the local bodies and central matters to the central Legislature.

At the same time the *Panchayati Raj* implies that it is not an isolated system at the grass-root level but part of a wider national system. The system was expected to strengthen the national political system on the basis of genuine grass-root democracy. The *Panchayat* system of administration under the vision of *Gram Swaraj* is not only a scheme of choosing political representatives, but an arrangement in which the entire community finds itself involved in the political, social and economic affairs of the local community, the state and the nation, through its links with the national government. It is based on the assumption that the establishment of a chain of new democratic institutions at the grass-root level would open to the rural areas many more avenues for their participation in the political process of the country¹. In *Panchayat Raj*, the people of India govern themselves through their representative institutions from the Lok Sabha to *Gram Swaraj*. In other words, the Lok Sabha should be the cumulative reflection of *Gram Sabha*.² Here, two aspects would be at a higher plane-responsibility to the community at micro level, and concern for the state and the country at the macro level. It is clear that Gandhi looked upon the village as basic unit; it is also postulated as a link in the strong chain of the society. The unit ^{of} society means a manageable

1. S.K. Dey, *Panchayat Raj*, Bombay, 1961, p.88

2. S. Bhatnagar, *Rural Local Government in India*, New Delhi, 1978, p.231

small group of people who would ideally be self sufficient in the matter of their vital requirements and bound together in bonds of mutual co-operation and independence. Mahatma Gandhi established his micro level laboratory in India at **sevagram** (Maharashtra) where he experimented with the self sufficient, participative and co-operative village system.¹

A dynamic democracy, Gandhi believed, could grow only out of meaningful relationship and spontaneous organization that spring up among the people where they come together at the local level to solve their basic problems among themselves. In such a community, achievement of self sufficiency and security by mutual co-operation engenders a strong sense of local strength and solidarity. This also forms the message of the Gandhian vision of *Gram Swaraj*.

It is evident that Gandhi wanted the *Panchayat* to end exploitation and to carry out its functions and responsibilities with the co-operation of the villagers. Self reliance had become the keystone of the whole system. Its fundamental requirement is voluntary co-operation or participation of all the villagers. The relations of the village *Panchayat* to higher units of organization of ^{the} country should not be based on any element of permanent subordination. This follows from his concept of oceanic circles as already referred to. In short, for Gandhi, every village is to be a republic having full powers, self sustained, self reliant and self- contented.²

4.5.6. Relation to Modern Quality of Life

It may seem that Gandhi's concept is not anchored on the modern, urban, or industrial notion of development or on the 'post-modern' perspective of the quality of life. Gandhi ceaselessly insisted on a pattern of village life, wherein the quality was the crux, and he argued for village development, by accelerating all aspects of life in the village. India, to him, represents the rural as contrasted with the urban culture; the genius of the one differs from that of the other. Under these circumstances the only system suitable to India is decentralized autonomous bodies at the lower level.

1. S.K. Dey, **Panchayat-i-Raj**, Bombay, 1961, p.63.

2. For details see, **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.XII, 1979 rpt., New Delhi, 1979.

Also see, **Harijan**, 15-2-1948.

4.5.7. *Panchayats*, not relics of Tribalism

Gandhi advocated that if democracy is to survive, it must be based on decentralization and on the models of ancient 'rural republics' in India. This does not mean that the old *Panchayat* could be revived exactly in the old form that is neither possible nor desirable. Necessary changes will have to be effected to suit modern conditions. Gandhi held the view that an ideal constitution, whether for India or for other countries, must be based on the organization of well-knit and co-ordinated village communities with their positive and direct democracy, non-violent, cottage economy and human contacts. It is absolutely wrong to think that Gandhian ideas on decentralization of democracy are medieval and that *Panchayats* are relics of tribalism.¹

4.5.8. Legislative, Executive and judicial Combination at the Microlevel

The village *Panchayat* would have legislative, judicial and executive functions in the village. Therefore, it would pass laws, settle the disputes and act as the executive of the village government. Obviously therefore, it would have a list of subjects on which it could pass laws. Gandhi's statement about the extent to which a *Panchayat* should hold powers is a clear testimony of its efficiency and value. It is also a proof of his faith in the rural local bodies. He said that the greater the power to the *Panchayat*, the better for the people of India. Gandhi's commitment to the Village *Panchayat* was so great that he looked upon it as an extended family.

4.6.0. Distortions to Gandhi's Vision

Since Gandhi spoke a lot about villages and rural values it led many critics to call Gandhi a votary of agrarian primitivism. Fesler views that the scheme joins the list of doctrinal approach, that falls into the category of idealism only. "It intends to turn the clock back, and to restore traditional values...terrifying of ideological conflicts"². But Gandhi never stood with the older assumptions or stereotypes about *Panchayat Raj*. Gandhi made this point very clear:

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1. Kishtis Roy, ed., **Gandhi Memorial Peace Number**, The Viswa Bharathi Quarterly, 2 Oct. 1949, Santiniketan, 1949, pp. 179-80.
 2. Cited in, M.L. Sharma, **Gandhi and Democratic Decentralization in India**, Unpublished Ph.D. diss., New Delhi, 1987, p.66.

I have not pictured a poverty-stricken India containing ignorant millions. I have pictured to myself an India continually progressing along the lines best suited to her genius. I do not picture it as a third class or even a first class copy of the dying civilization of the West. If my dream is fulfilled and everyone of the seven lakhs of villages becomes a healthy republic, in which there are no illiterates, in which no one is idle for want of work, in which everyone has usually occupied dwellings and sufficient *Khadi* for covering the body and in which all the villagers know and observe the laws of hygiene and sanitation, such a state must have varied and increasing needs which it must supply unless it would stagnate.¹

The overall process, according to Gandhi was intended to wean the village people from their reliance on the traditions of the past and to create in them a full acceptance of science and technology in both their ways of living and of making a living.² It is often forgotten that Gandhi was not enamoured of the village as it exists today, his image of the village was an entirely transformed identity.³

4.6.1. Towards the Uplift of Villages

Gandhi made it clear that he was not in favour of putting back the hand of the clock of progress. He wanted to replace the mills by hand spinning and hand weaving as a duty to prevent the flow of millions from India, sent out of India for the sake of mill processing.⁴ Gandhi was often criticized for his abhorrence of machinery in the villages without a proper analysis of his thought. He wanted to distribute the money saved through hand spinning and hand weaving, instead of production of yarn and cloth, in the mills in the cottages. He identified with the villagers and asked others to love them. Gandhi said that any lover of true democracy and village life can take up a village, treat it as his world and work, and get excellent results. He begins by being the village

1. *Harijan*, 30-7-1938.

Also see, *The Collected Works of Mahatma Gandhi* in 95 vols., Vol.LXVII, New Delhi, 1976, pp.210-212.

2. Douglas Esminger, 'Democratic Decentralization: A New Administrative Challenge,' in T.N. Chaturvedi, ed., *Panchayat Raj*, New Delhi, 1981, p.2.

3. D.B. Mathur, *Prefacing Gandhi*, Jaipur, 1988, 'Introduction', p.IX

4. Cited in, Raghavan Iyer, ed., *The Essential Writings of Mahatma Gandhi*, Delhi, 1991, p.371.

scavenger, spinner, watchman, medicine man and school master all at once.

4.6.2. The Vision of a vast *Gram swaraj*

Another criticism is that Gandhi's local communities are federally united into a larger polity, and that their consciousness does not rise above the local level. There is no area of life in which they are collectively engaged in the pursuit of a common enterprise. They debate local and not national issues and do not take part in the elections to the National Assembly. Therefore, not only does it remain deeply fragmented and fragile, it is also difficult to see how its members can be morally concerned about their fellow citizens elsewhere with whom their contacts are minimum.¹

In fact, Gandhi never visualised a *Gram Swaraj* limited in scope. He had a vision of the 'Oceanic Circle' of power structure right upto the national level or beyond that; Gandhi, in fact, presents the highest ideal of internationalism. He wrote that just as the cult of patriotism teaches us that the individual has to die for the village, the village has to work for the district, the district for the province and the province for the country and if necessary for the benefit of the whole world.²

Gandhi in his writings repeatedly said that India does not live in towns but in villages. In a letter to Miraben on 4 Feb. 1936, Gandhi wrote. "My heart is in the villages. Centralization as a system is inconsistent with the non-violent structure of society."³ Gandhi strongly advised the *Panchayats* to continue their very useful work of giving people cheap, speedy and efficient justice. The key to *swaraj* is not in the cities but in the villages and so Gandhi said "I have settled in a village, a village which I did not go seeking, but which came to me."⁴

4.6.3. Predominance of Public Opinion

Mahatma Gandhi strongly believed that when *Panchayat* comes into existence, public opinion will do what violence can never do. The *Panchayat* as an institution for settling disputes, would be the real representative body and the present power groups at the village level would hold

1. Bhikhu Parekh, *Gandhi's Political Philosophy: A critical Examination*, London, 1989, p.204.

2. M.K. Bose, ed., *Selections from Gandhi*, Ahmedabad, 1986 rpt., pp. 42-46.

3. *The Collected Works of Mahatma Gandhi* in 95 vols., Vol. XIX, 1979 rpt., New Delhi, p.432.

4. Cited in, M.L. Sharma, *Gandhi and Democratic Decentralization in India*, New Delhi, 1987, p.66.

away only as long as the common people did not realize their own strength.¹ In a *Panchayat Raj*, only the *Panchayat* will be obeyed and a *Panchayat* can work only through the law of its making. The main features of this system are (a) popular sovereignty based on moral authority is vested with the people and (b) political power is completely decentralized.

6.4.4. Power Politics towards Constructive Work

Gandhi recognized the policy of freedom of thought which guides man's actions. In *swaraj* state, ruled by *Panchayat* system, man's mind will not be dominated by power politics. It works under highly decentralized conditions. Therefore power politics is bound to be directed for constructive work and public service. The rule of the elected representative institutions is to be gradually reduced. The individuals are to train themselves for self rule. The concept is also based on the philosophy of *sarvodaya* which seeks to protect the weakest sections in the society. Under such an administrative system the weakest has the same opportunity as the strongest.²

4.7.0 A Great India through the revival of villages

The village institutions like *Gram Sabha* and the *Panchayat* with their long tradition and self-contained autonomous nature, provided Mahatma Gandhi the necessary requisites to base his vision of *Gram Swaraj* in a free and independent India. To Gandhi, the independence of India was synonymous with the betterment of the life of the Indian villagers. He never ceased to declare that the soul of India was in her villages and that only when villagers awakened to their full potentialities they could be truly independent and usher in a new era of social and economic justice. Mahatma Gandhi developed the idea of a full fledged system of local bodies from the bottom to the top with the numerous villages forming the true basis of free India. His concept of *swaraj* was one of extremely self-sufficient local units, on which the people had to build a strong India.³

1. For details see, **The Collected Works of Mahatma Gandhi** in 95 vols., Vol.LXXXVIII (88), New Delhi, 1983, pp.1-3.

2. S.H. Patil, **Gandhi and Swaraj**, New Delhi, 1983, p.115.

3. S.K. Dey, **Panchayati Raj**, Bombay, 1961,pp. 6-10

Mahatma Gandhi used the term **Ramrajya** in the context of a system of rule where all the people will be happy. The record one gets from the epic **Ramayana**, tells about the rule of Sree Rama, the exiled son of King Dasaratha. Later, Rama was the ruler-servant of Ayodhya. During his rule, all men were happy, had plenty to eat, and there were no famines or shortages of food. As given earlier the term 'raj' means rule.

It seems that Gandhi's ideal indicates the direction rather than the destination. Gandhi seeks to build up a democratic self-governing structure from below, by awakening the masses into a sense of their power and dignity, a system of planning at the grass-root level itself.¹ He reminds the people that they constitute the real power of the nation; they are the real masters of their own affairs. Gandhi was fully conscious of the fact that power corrupts and absolute power, centralized at one point, corrupts absolutely. The only remedy to this dichotomy, to him, is the dispersal of power. The state in his view must be democratic not only in forms but in practice too. If democracy is to be a real one, it must provide adequate forum for the expression and synthesis of views and thoughts. When democracy provides the maximum opportunity to its citizens for their spiritual and mental growth and the freedom to develop their personality to the fullest extent possible, then democracy is said to be a real one. The most essential criteria would be the maximum opportunity for the people to participate in decision-making and in the implementation process. This is possible through the process of decentralization because it would ensure the sub-division of the country into a large number of administrative units with the progressive devolution of authority from one level to another, yet interlinked one with the other.

4.8.0 Deflection from Gandhian vision

However, Gandhian vision of an independent India consisting of innumerable units of *Gram Swaraj* at the lower levels which are linked to the national level by a wide network of *Panchayat* system was not duly comprehended after 1947. While the total number of *Panchayats* in terms of arithmetical calculations showed an increasing trend, nothing like community-based self-sufficiency or self-government has developed.² In some states, committees were separately constituted to study the process of decentralization at the local levels and to recommend proposals incorporating some of the Gandhian ideas which were themselves not of a major significance within the frame-work of the Western type of parliamentary government. Gandhian concepts of political self-government and democratic decentralization, were poles apart.

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1. C.K. Renukayya, 'Decentralized Planning in Gandhian Perspective,' in Ramyan Prasad, ed., *Decentralized Planning*, New Delhi, p.65.
 2. Rajiv Dhawan, 'Implications of Panchayat Bill, 1989,' in *Main stream*, Vol.XXVII, No.44., July 29, New Delhi, 1989, p.9.

conclusion.

The constituent Assembly proceeded to frame a constitution for India which embodied a Euro-American type of Constitution or a Westminster model of parliamentary democracy at the centre, bypassing the Gandhian Constitution and his vision of *Gram Swaraj*.

The confusion of ideological variations still lie over the nature of village democracy itself. As a result *Panchayati Raj* institutions have come to be associated with three-fold images - as instruments for the realization of Community Development, an organ of the State/Central Government, and finally an extension and embodiment of democracy at the village level. The first looks upon *Panchayat Raj* as a body of instrumental value, the second as an agent of the government and the third as a nursery for political education.

As stated earlier, there are some distortions too, about Gandhian vision. Since Gandhi spoke a lot about villagism, some critics call Gandhi a votary of agrarian primitivism, primitive tribalism as well as localism. In fact, Gandhi never visualised a *Gram Swaraj*, limited in scope.

The fundamental frame-work of *Panchayats* was left with the States under the provisions of the Directive Principles of State Policy of the Indian Constitution. Accordingly, the directives on *Panchayats* had percolated down the state levels in their varied forms. The State of Kerala, also moved in a line with the other States in the Indian Union.

Kerala State also presents more or less a pattern of the Western concept of local Government, which treats *Panchayats* as the local units of administration. Though the Kerala pattern of *Panchayat* system functions more or less on a model of administration left by the imperial rule, there are considerable differences from the national pattern in structure and functions. More than these structural and functional variations in the systems, Kerala State enjoys some other salient features, like a higher degree of political consciousness represented by the needed political, social, and communal harmony in implementing the programme. Effective monitoring of civic and municipal functions, political and financial decentralization of powers at the low level at least in a limited way and better quality of life- all these contributed to a better scope for implementing the Gandhian model of *Gram Sabha*.

Historically Kerala village system was also different from that which was in other parts of India. The next section under 4 chapters, deals with the above aspects of Kerala State as well as the process of decentralization effected in the State.

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CHAPTER 5

LOCAL BODIES IN KERALA: HISTORICAL FOUNDATIONS

5.1.0. Geographical Setting

The State of Kerala, situated in the southernmost part of the Indian peninsula, comprises the narrow coastal strip bounded on the east by the Western Ghats, and the Arabian Sea on the west. The region has been, through the ages, an integral part of the sub-continent. Its history, part of the general history of Indian sub-continent, and its culture forms one of the major streams that have enriched the composite culture of India. At the same time, Kerala has had the distinction of being an independent geographical and political entity from very early times, having extensive contacts with the countries of the outside world, which contributed to its cultural distinctiveness. Rural settlement in Kerala were not villages as in most parts of India, but rather residential clusters focussed around large rice fields and Nair houses with their fortresses. Traditionally, there was no nucleated village as may be found in other parts of India.¹

5.1.1. Integration of three Units

Kerala, prior to its formation into a single political unit in 1956, comprised of three distinct administrative units -Travancore, Cochin and Malabar, the first two being native principalities, while the third a part of the Madras Presidency under the British India. The systems of government, which though not dissimilar in fundamentals, had nevertheless important differences with regard to details. The people of these three units were bound by a common language namely, Malayalam. It is the re-organization of Indian states on linguistic basis during the post-independence period that

1. Burton Stein, ed., *Essays on South India*, N. Delhi, 1976,p.121

brought together the above three units into a single state. The first two units, Travancore and Cochin were integrated on July 1, 1949, and the third unit, Malabar with the rest, on November 1, 1956.

5.1.2. Local Bodies, William Logan's View

All the evidences, mainly Inscriptional, Epigraphical and Literary (literary sources both official and non-official) show that local bodies had, functioned in all the territorial units even from the earlier days, when the whole region now known as Kerala formed part of the larger unit 'Tamizhakam' (Tamil land) which lay beyond the Western Ghats.¹ Although evidences point to the antecedents of local bodies in the regions, references shall be made to certain discrepancies which crept into their organization and functioning in subsequent periods. The participative character of the local bodies, gradually gave way to their domination by certain castes following the Arayanization of south India.² Despite the dominance of caste and the impact of communal considerations, the local bodies had retained to a great extent their democratic and representative character. In fact, British administrators have described these caste-dominated bodies like the

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1. For details see, K.P. Padmanabha Menon, **History of Kerala**, in 4 vols., ed., T.K. Krishna Menon, Vol. 3, 1984 rpt., New Delhi, 'Foreword', p. XXXII.
Also see, Adoor K.K. Ramachandran Nair, ed., **Gazetteer of India-Kerala**, in 3 vols., Vol. II, Thiruvananthapuram, 1986, p. 106. The editor says that an officer called 'Kizhavar' carried out the instructions of the king regarding the governance of a local area.
S. Krishna S. wami Aiy angar, **Evolution of Hindu Administrative Institutions in South India**, Madras, 1931, pp. 190-'94. The author views that there was a practice known as 'Kudavolai' for selecting the village committees called **variams**.
 2. During the period of Brahmanical domination of Kerala the whole land was divided into 64 Brahmin villages, of which 32 were Tulu villages and the remaining 32 were Malayali Brahmin villages. Like the Brahmin villages, every caste had its assembly. For details see,
Kesavan Veluthat, **The Brahman Settlements in Kerala : Historical Studies**, Calicut, 1978, p.5
S. Ramanatha Aiy er, **Progressive Travancore**, Trivandrum, 1923, p.46.
M. R. Balakrishnan Warri er, **Pracheenakeralam**, (Malayalam), Trivandrum, 1932, p.106; Noburu Karashima, **South Indian History and Society, Studies from the Inscriptions: (850-1800)**, Delhi, 1984, 'Introduction', p. XIX. The author states that the Brahmedeya villages played an important role in the administration of the state and consequently functioned as an apparatus for social integration. This view has been shared by scholars like Burton Stein who says that it integrated the society ritually; P. Shangoonny Menon, **A History of Travancore From the Earliest Times**, Madras, 1878, p.77; C. Minakshi, **Administration and Social Life under the Pallavas**, Madras, 1938, pp.121-136; R. Gopalan & S. Krishna S wami Aiy angar, **History of Pallavas of Kanchi**, Madras, 1928, pp. 148-'55 ;
L.K. Anantha Krishna Iyer, **The Tribes and Castes**, Vol. II, London, 1912, p.276 & p.388.

Kuttams as village republics or the village parliament. William Logan's account is worth recalling.

The *nad* or country was a congeries of *taras* or village republics and the *Kuttam* or assembly of the *nad* or country was representative body of immense power which, when necessarily existed, set at naught the authority of the ruler and punished his ministers when they did unwarrantable acts. These were the very words used by the Honourable Company's representative at Calicut when asked to explain the origin of certain civil connections which had taken place there in 1746.¹

Logan also added that in these popular bodies existed the "nucleus of what might have been organised by judicious treatment into real local self-government and it was a great misfortune that this important point escaped notice at that time".²

5.1.3. Antecedents of *Panchayats*

The pattern of local government which developed in Travancore, Cochin and Malabar was different from those in other parts of India in their constitution and functioning. There were, no villages in Travancore (an erstwhile territorial unit of Kerala) in the strict sense of the word as it meant in other parts of India where the word connotes a cluster of houses, huddled together in a small area, possessing a common well and a common tank with wide stretches of arable land around them having no habitation.³ The early British administrators also asserted repeatedly that the Hindu village system did not exist in Malabar under the Madras Presidency.⁴ In Kerala the local bodies

1. William Logan, **Malabar Manual** in 2 vols., 1981 rpt., Vol.I, Trivandrum, p. 114-15.

The village **sabhas** appear as permanent and well constituted public bodies that acted as buffer force between the people and the government. The independent nature and constitution of the **sabhas** appear to have a reality in the later medieval times. For example, a proclamation issued by the sovereign in terms of resolution passed at the historic meeting of the Kanthalur Assembly prohibits the farming out of lands to the highest bidder by an ecclesiastical authority, who enjoyed the revenues and empowers the members of the **sabha** to inspect the lands in seasons of drought and the consequent failure of crops.

Also see, Elamkulam Kunjan Pillai, **Studies in Kerala History**, Kottayam, 1970, p.181 & pp. 269-88.

2. **Ibid.**, p.115.

3. Rao Sahib N. Kunjan Pillai, (Census Commissioner) ed., **Census of India, 1931, Vol. XXVIII, Travancore. Part I-Report**, 1932, p.73; Also see, Burton Stein, ed., **Essays on South India**, New Delhi, 1976, p.121.

George Woodcock, **Kerala, A Portrait of Malabr Coast**, London, 1967, p.844.

4. William Logan, **Op. cit.**, p.113.

were in the forms of caste or tribal assemblies in ancient times, feudal oligarchic bodies and the *Kuttams* in the medieval times and the village *sabhas*¹ in later medieval times.

The local administration which was centered round the *Kuttams* at various levels— '*taras*', '*nadus*', '*desoms*' , got stimulus and inspiration from the rulers. It seemed that the term *Panchayat* was not very popular during the ancient or medieval periods. Village matters were looked after by the various councils. The nature of the various assemblies during the medieval times shows that they were only hereditary caste councils as in early periods. They manifest hereditary local characteristics of feudalism.² Therefore, they cannot be called representative institutions for expressing popular wishes. They were sectarian more especially in a socio-religious set up, sanctimonious, and dominated by the Brahmins as well as by the Nairs with economic powers shared by them together.³ Nevertheless, King's authority was limited by these councils and *Kuttams*. Despite their caste domination and feudal-aristocratic links, the village councils played predominant role at the grass-root level.⁴ The heads of the state could hardly function as arbitrary despots because of such special positions occupied by the local *Kuttam*.⁵ With the consolidation of political power under the monarchs, the village councils mostly became part of the centralized administration.

5.1.4. *Paravathikar, Mandapathumvatukkal and the Pathivukanakku*

Under the enlightened progressive administration in Travancore from the period of King

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1. S. Ramanatha Aiyer, **Progressive Travancore**, Trivandrum, 1923, pp 66-100.
 2. Adoor K. K. Ramachandran Nair, ed., **Gazetteer of India - Kerala State** in 2 vols., Vol. II, Trivandrum, 1986, pp.197-203. The reference to the Brahmin Council called **Nalu Tali** in Kodungallur as '**Melthali**' '**Kezhtali**' '**Chingapurathu Tali**', and '**Arattali**' amply illustrates that the Brahmin oligarchy wielded very great influence on the king in governance of the country. The administrative machinery bore remarkable resemblance to the characteristics of feudal polity in Europe. In each '*nadu*', ruled by a **naduvazhi**, there were representative assemblies called the **nattukuttangal** dominated by dominant communities/castes.
 3. *Ibid.*, p.203.
 4. A. Sreedhara Menon, ed., **Kerala Gazetteer - Kottayam District**, Trivandrum, 1975, pp.399-421.
 5. _____, ed., **Kerala Gazetteer - Alleppey District**, 1975, Trivandrum, pp. 469-'87.
Most of the writers on ancient Kerala history view that the **tara** was the local unit of the Nairs organised for civil purposes. The accounts of foreigners like, Durate Barbosa, Visser as well as indigenous works like the *Tuhafat-ul-Mujahidin* of Shaik Zainuddin, the great Arabic scholar in the 16th century and the *Vadakanpattukal* (Northern Ballads) give us glimpses into the political institutions and social customs of the age.

Marthandavarma (1728-1758) down to Sri Mulam Tirunal (1885-1924) the local administrative system was reorganized with the village as the lowest unit of administration. The '*Paravathikar*' was the man to attend all affairs at the village level. He was required to attend to the irrigation works in his village, the maintenance of channels and digging of tanks, the conversion of dry lands into wet lands etc. A cluster of villages in one region formed a '*Mandapathumvatukkal*' under a *Kariyakar*, the prototype of modern *Taluq* and *Tahasildar*. An annual budget system i.e., fixing allotments for the various items of expenditure such as *Uttupuras*, palaces, revenue and military establishments etc. called *Pathivukanakku* was an important innovation introduced by Marthandavarma.¹ He expressed great faith in the efficacy of rural administration:

There will be nothing in the way of a rural reconstruction movement that will generate the inspiration, and enthusiasm will carry it to every village from the Cape Comorin to the Khyber until the village people themselves become the real leaders and enthusiasts of the movement.¹

An attempt was made to identify the rural areas by conducting a thorough investigation of villages in 1921, by the census operations. A residential village known as *Kara* or *Muri* was taken as the unit of administration on account of their compactness. A village intermediate between a *Kara* and *Pakuthi* was also taken as another unit of administration. All the divisions - *Kara*, *Muri* and the *Pakuthy*, were mainly the sub-divisions of a revenue area called the '*pakuthi*'.³

5.1.5. The Travancore *Panchayat* Act, 1100 ME (1925 A D)

Perhaps the most significant of Sri Mulam Tirunal's (the Maharaja of Travancore) reform was the formation of the legislative council (Sri Mulam Popular Assembly) consisting of members from the *Taluq* level onwards. His Highness wanted this as a forum to express the wishes of the

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1. T.K. Velupillai, *The Travancore State Manual* in 4 vols, Vol.II, Trivandrum, 1940. Also see, *Travancore Land Revenue Manual*, Vol.IV, u.d., pp. 99-100.
 2. *Travancore Information*, Vol. I, No.II, June 1941, p.50. In this Report Mr. J.H. Dunderdale describes how the problem of rural reconstruction was tackled under Marthandavarma, the King of Travancore.
 3. '*Census of India 1921*, Vol. XXV, Travancore :Part-I, Report ,Part-II, Imperial Tables , Government of Travancore, Trivandrum, 1922, pp.18-24.
Also see, A Narayan Thampi ed., *Census of 1941*, Vol.XXV, *Travancore Part-II, Tables*, (Census Commissioner), Government of Travancore, Trivandrum, 1942, p. 23.

people ^{with} regard to the administration of the state. In due course, the principle of election was introduced and women voters also enjoyed the right to vote.

The most striking administrative reform of Travancore took place under the regency of Sethu Lakshmi Bai (1924-'31). Under the guidance of M.E. Watts, the Government of Travancore initiated a *Village Panchayat Act* on Jan 25, 1925 (1100 ME)¹. The earliest legislation in Travancore relating to local government was in AD 1894,(1069 ME) when 'Town Improvement Committees' were set up in Trivandrum, Nagercoil, Quilon, Alleppey and Kottayam.² The Committee had no power of taxation. The number of members on these committees varied from five to nine with a permanent official majority. This Regulation was superceded by the Regulation III of AD 1901 (1076 ME) which for the first time authorized local taxation amounts to local needs. The experience gained in the working of this regulation, the demands from various committees for greater powers³ and the progress of local bodies elsewhere led to the enactment of the aforesaid Regulation on the lines of the latest law in force in British India at that time.⁴ The object of this Regulation was to initiate the institutions of self-government from the very bottom, viz., from the village itself, in other words to make the village a vital part in the system of government.⁴⁵

(i) Powers of *Panchayats*

The enactment of 1925, provided the setting up of self -government in rural areas based on

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1. **Village Panchayat Regulation VII of ME 1100 (1925)**
 2. **Regulation II of 1069 ME, passed on 13th Makaram 1069 ME (January 25, 1894)**, Judicial Department File No. 143/15, vol.II, English Records Office, Kerala Secretariate, Trivandrum. Also see T. K. Velu Pillai, *The Travancore State Manual* in 4 vols., Vol. IV, Trivandrum, 1940, pp.11.
 3. **Local Self Government Administration in States of India**, Government of India, Delhi, 1956, p.94. The Committees under this Regulation had, half their members elected by tax payers and the other half, consisted of officials appointed by the government. The Presidents of the committees were appointed by government.
 4. T.M. Satchit, ed., **The Madras States Directory**, Cochin, 1935, p.43. Also see, '**Occasional Speeches delivered by Diwan Bahadur, M. Krishnan Nair**, Diwan of Travancore, 1916-20, Trivandrum, 1920, p.63. The Diwan, after having cited the Royal Commission on Decentralization, reminded that it is essential to sanction an expanding sphere of local activities in Travancore.
 5. **Travancore Legislative Council Proceedings**, Vol.IV, Travancore State, Trivandrum, 1925, p.16. The Regulation was passed with great expectations. The then additional head of **Sirkar Vakil**, (Government Pleader) Subba Aiyar said, "the experiment proposed is a very great one. It will certainly make the villagers self-reliant and influential and imbue with a high sense of civic responsibility."

adult suffrage for each village with not less than five and not more than eleven members.¹ The Act entrusted these bodies with obligatory functions such as construction and repairs of communication lines, drains, wells, tanks, bathing ghats, burial grounds, cleaning the streets, excavation work at the village level etc.

The 'discretionary' functions comprised primary education, street lighting, planting of avenue trees, improvement of agriculture and cattle as well as development of cottage industries. The *Panchayats* functioned under the overall control of the 'Division Peishkar', the counterpart of the present District Collector. The Act laid greater emphasis on the principle of autonomous nature of the Village *Panchayats* as all the grants given by government together with the contribution from the villagers were to be spent in the village itself for the villagers and by the villagers. However, hardly half a dozen *Panchayats* came to be constituted in the course of many years. In accordance with the Regulations of 1925, *Panchayats* were constituted at Boothapandy and Nedumangad in the Trivandrum Division, Paravoor and Samburvadakara in the Quilon Division and Ettumannur and Perumbavoor in the Kottayam Division.²

(ii) Expansion of *Panchayat* system

But, for the implementation of the provision of the above Act, the people had to wait still. In 1931, at a conference, it was decided to inaugurate Village *Panchayats* system.³

5.1.6. Travancore Village Union Act IX, 1937

The next important development of *Panchayat* organization took place in 1937 when the *Travancore Village Unions Act IX* was passed by which 39 Village Unions were constituted. The Act not only dealt with the constitution of Village Unions, their administrative functions and powers, but

1. **Proceedings of the I, II and III Sessions of the Sri Mulam Popular Assembly**, Travancore, Trivandrum, 1925. P. Raman Thampy, member of the Trivandrum Taluq Committee in 1905 made a request to the Government to foster and encourage the growth of an indigenous institution - the **Kara** organization. The persistent demand of the people and the members of Town Improvements and Conservancy Committee resulted in the introduction of fresh legislation in Travancore.
2. T.K. Velu Pillai, **The Travancore State Manual in 4 vols., Vol.IV**, Trivandrum, 1940, p.244.
3. **Local Government Act No.D.Dis.441/36/** dtd. 9.9.1936, English Records Office, Kerala Secretariat, Trivandrum.
Also see, **Proceedings of the 28th Session of Sri Mulam Popular Assembly of Travancore**, Trivandrum, 1932, pp.15-16.
Travancore Administration Report for 1110 ME, Trivandrum, 1936, p.232.

also included provisions for a separate fund, appointment of Registrars of Village Unions, delegation of powers by government, liability of members for loss, waste and misapplication of property, institution of legal proceedings against any Village Union members, or officer, and the like.¹ The Division Peishkars were the Registrars of the Village *Panchayats* and the Village Unions in their respective division. At the close of the year 1945 (1120 ME) certain changes were made in the control and constitution of these bodies in order to improve their working. It was felt that the Division *Peishkars* as well as *Tahasildars* (who were the *Presidents* of the Village Unions) had numerous other responsibilities and could give hardly any attention to the growth of the village bodies. The administration of these local bodies was, therefore, taken away from the revenue department, and entrusted to the Public Health Department.²

5.1.7. *Panchayats*, and the Village Unions

In due course the government by a notification constituted 26 Village Unions in the State, each comprising a *Pakuthy (Pakuti)* and the government nominated some members to these Unions. The number of Unions also increased and expanded to rural parts in Travancore State. The *Tahasildars* were nominated by the government as *Presidents* of the Village Unions. Each Union consisted of 11 members nominated for a period of three years. The members included both the officials and the non-officials who were drawn from land revenue, medical, public health, public works, agricultural and co-operative departments.³ The powers and functions of the *Presidents* and *vice-Presidents* were expanded, the former officials were made competent to sanction all expenditure upto Rs.25/-. The Registrar could sanction upto Rs.100/- and all expenses above Rs.100/- had to be sanctioned by the government.⁴ However, in terms of their extent of power, the

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1. A.Padmanabha Iyer, **Modern Travancore: A Handbook of Information**, Government of Travancore, Trivandrum, 1941, p.48.
 2. H.D. Mallaviya, ed., **Village Panchayats in India**, New Delhi, 1956, pp.510-511.
 3. Act IX of 1115 (**Village Unions**); **The Acts and Proclamations of Travancore**, Vol. XIII, part II - 1117-1119, Trivandrum, 1946, p.1375.
Also see, **Ibid.**, Section. II, dtd., 21 June 1940, Trivandrum, 1946.
 4. **Ibid.**, p.1375.
Also see, Section IX of 1115, dtd., 21 June 1940, R. Dis.No.563/42/ L G A.

Village Unions were slightly less powerful than the Village *Panchayats*.

At the commencement of the year, 1947 (1123 ME) there were 17 Village Unions and 7 Village *Panchayats* in the state, covering an area of 1605 square miles with a population of nearly 18 lakhs. In the same year, sanction was accorded for constituting 74 more Village Unions covering an area of 2274 square miles with a population of nearly 26 lakhs.¹ Also, the Village Unions had non-official Presidents during the year. During the period under reference the total receipts and

1. For details see, **Village Unions Act: Act IX of 1115**, dtd., 18 March 1941, Government of Travancore, pp.937-39.

Village Unions and the **Panchayats** in Travancore-Cochin: For details see, **The Statistics of Travancore -1947-'48**, Trivandrum, 1949, p.453.

Village Unions: in Trivandrum Division

1.Aramboly 2.Thazhakudy, 3. Suchindram.

Village Unions and Panchayats in Travancore Cochin:

List of Village Unions and Panchayats which were functioning in Travancore in 1123 ME (1948) on the eve of integration of Travancore- Cochin State.

Source: **The Statistics of Travancore**, 1112 ME/1947-48, Trivandrum, 1949, p.453.

A. **Village Unions:** Trivandrum Division

1. Aramboly 2. Thazhakudy, 3. Suchindram, 4. Eraniel, 5. Kadiapattanam, 6. Thalakulam, 7. Arudesom, 8. Arumana, 9. Kanjirakode, 10. Balaampuram, 11. Karakonam, 12. Pallichal, 13. Kazhakkottam, 14. Vamanapuram, 15. Kallara, 16. Varkkala, 17. Kadakkavoor.

2. Quilon Division:

18. Thrikkovilvattam, 19. Mayyanad, 20. Oachira, 21. Govindamuttam, 22. Karunagappally, 23. Cheppad, Valiakuzhy, 24. Keerikad -Kandalloor, 25. Earezha, 26. Kannamangalam, 27. Pandalam - Thekkekara, 28. Pandalam - Thonnalloor, 29. Nooranad, 30. Tripperthura, 31. Bharanikavu, 32. Chenagannoor, 33. Kaviyoor, 34. Mannar, 35. Keezhvaipore, 36. Aranmula, 37. Kavumbhagam, 38. Kuttoor, 39. Mezhuveli, 40. Venmoni, 41. Peringara, 42. Elamthoor, 43. Mylapra, 44. Kozhencherry, 45. Vadasserikara, 46. Omalloor, 47. Ranni-Pazhavangadi, 48. Ranni-Thottamon, 49. Vallicode, 50. Malayalapuzha, 51. Ranni-Perumnad, 52. Chadayamangalam, 53. Oomannoor, (Omalloor) 54. Punaloor, 55. Thalavoor, 56. Vialakudy, 57. Achenputhoor, 58. Kozhimukku, 59. Pulincunnu, 60. Ambalapuzha, 61. Mannancherry, 62. Thalavady, 63. Takazhi, 64. Nedumudy, -Champakulam, 65. Kainakari, 66. Aroor, 67. Kuthiathode, 68. Adoor, 69. Kadampanad, 70. Kodumon, 71. Eradimangalam.

3. Kottayam Division:

72. Kanjirappally, 73. Madapally, 74. Kurichi, 75. Erumeli 76. Velianad, 77. Ponkunnam, 78. Thiruvappu, 79. Kumaragam, 80. Aymanam, 81. Neendoor, 82. Lakoms, (dissolved) 83. Veliannoor, 84. Thalayazham, 85. Moothedathukavu, 86. Vadyar, 87. Muvattupuzha, 88. Vechoor, 89. Piravam, 90. Iramalloor, 91. Koothattukulam, 92. Kalady, 93. Puthencruz, 94. Vazhakulam, 95. Rayamangalam, 96. Cheranalloor, 97. Keezhmad, 98. Kottuvally, 99. Edappally, 100. Parakkadavu, 101. Varapuzha, 102. Kunnukara, 103. Puthenchira, 104. Puthenvelikkara, 105. Vadakkekara, 106. Nedumbassery, 107. Alengad, 108. Chengamanad.

VILLAGE PANCHAYATS:

Trivandrum Division:

1. Bhoothapandy,
2. Nedumangad,

Quilon Division:

3. Paravoor,
4. Sambavarvadaka,
5. Ayiroor

Kottayam Division:

6. Ettumannur,
7. Perumbavoor, (Arayankavu)

expenditure of the Village Unions and *Panchayats* amounted to Rs.71,356 and Rs.1,22,535 respectively. The total contribution made by the government towards these institutions amounted to Rs.69,074¹ The figures cited above indicate that varied activities were undertaken by these institutions.

5.1.8. Introduction of Adult Franchise

In spite of various structural and administrative innovations, in Village Unions and the *Panchayat* system, they did not apparently result in any success. The revenue officials were relieved of the duties and the same were entrusted to the officers of the Public Health Department. The Director of Public Health was appointed instead of the *Division Peishkar*, as the Registrar of *Panchayats* and Village Unions. Early in 1945 the Village Union Act was amended. The amendment enabled the Presidents to be elected by the members themselves. Provision was also made for 50% of the members of the Village Unions to be returned by election.² Some time later a conference was convened by the government for the purpose of democratization and creation of self-sufficient autonomous units.³

5.1.9. Travancore-Cochin *Panchayat* Act, 1950

In 1946, a Village (uplift) Advisory Board was inaugurated and under it, a number of village uplift centres were opened. After functioning for a couple of years it managed the *Panchayat* Department and remained as such till the enactment of the Travancore - Cochin *Panchayat* Act of 1950, i.e., after the integration of Travancore and Cochin on 1 Nov. 1949 to form the Travancore - Cochin State.

1. **Report of Travancore Administration 1123 ME, (1947-48)**, Trivandrum, 1949, pp.172-75.

2. **Travancore Information and Listner**, No.I, Vol. VI, September 1945, Trivandrum, p.7.

3. **Ibid.**, p.7.

In the Conference, the Dewan of Travancore, C.P. Rama Swamy Iyer observed: "The Unions should do everything needed for the daily life of the village - village communication, sanitation, water supply, irrigation, conservancy etc., and concentrate in what might be called rural needs such as maternity aid, digging of wells, improvement of village communication, cleaning of silt from canals and provision of stud bulls etc."

5.2.0. Cochin

In Cochin, although the history of the State and its ruling house can be traced back to medieval times, the foundations of modern administrative system were laid only during the period, 1812-1818 when Col. Monroe, a British civil servant was both its *Diwan* and Resident. Further reforms were introduced from time to time by later Diwans many of whom had first hand experience of the working of the Madras Presidency. Civic administration was first introduced in the form of Sanitary Boards about the year 1902. They were later reconstituted into Town Councils in 1907. Village Self-government was a familiar feature from early times in Cochin State. The State came to occupy a unique position among the native states in India, by enacting a *Panchayat* Act as early as 1914. The *Panchayats* were, accordingly, vested with both administrative and judicial functions till 1943. This State also shared with Travancore the distinction of being on the forefront in the field of education and literacy.

5.2.1. Antecedents of *Panchayats* in Cochin

In Cochin, traces of local assemblies go back to very early times. Traditional modes of local administration consisted of, as in Travancore the *Kuttams* and the *taras*. There are inscriptional references to *gramani*, *karanavars*, *thandans* and the like.¹ The Chera rulers divided the kingdom into *nadus*, *desoms* and the *Kuttams*. The governors of *nadus* and *desoms* carried on the administration in tune with the wishes of *Kuttams*.

5.2.2. Caste Councils

Different castes had their own councils. These Councils were known by different names as *gramams* under a *Gramani* of the Namboothiris, the *taras* of the Nairs, and the *cheries* of the lower castes.² The so called popular assemblies in Cochin were known by different terms as *anjuttavor* (five hundred), *arunnuttavar* (six hundred) and the like. These local assemblies, despite their

1. Sreedhara Menon, ed., *Kerala Gazetteers - Trichur District*, Trivandrum, 1961, p.32.

2. L.K. Ananthakrishna Iyer, *The Cochin Tribes and Castes*, Vol.II, London, 1912. p.276 & p.238.

communal nature, checked the despotism of the rulers and preserved the rights and privileges of the people at large.¹

A caste council called *Yogakkar* functioned among the caste called *Kumbrans*. The councils of the Nairs were of two kinds - one summoned by the king and the other usually assembled in case of any emergency when the Raja (king) was guilty of extreme tyranny and gross violation of customs, conventions, and laws. There is dearth of historical evidences to prove whether there were two separate councils or not, however, the Nair *tarakuttams* acted both as caste council and popular assemblies. Like the Nair councils, other groups had also their councils.²

In Cochin too, the term *Panchayat* was not used in early times with reference to local bodies. Probably the caste councils and *Kuttams* at the lower levels served the purpose of the *Panchayat* Institutions. Anyhow, these caste councils in some instances safeguarded the interests of the particular caste at the lower levels. They gave a healthy discipline to domestic life at a time when it was most needed. And the councils, though caste-ridden, served the needs of the community at a time when a common body was absent. If the moral virtues of a peaceful and temperate character have become embedded in the Hindu society, this was due to such, ancient organic structure within the social order of humanism called caste.³ The *ur* or village continued to be the unit of social life. Each caste had its council, as referred to above, according to the strength and wealth. People lived round a *manrum* or shrine, and here the elders met to discuss and decide all matters of common concern pertaining to one community or different communities.⁴

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1. Lieutenants Ward and Conner, **Geographical and Statistical Memoir of the Survey of the Travancore and Cochin State From July 1810 to the end of the year 1821, Vol. IV**, Selections from the Records of the Madras Government, 1822, pp.64-65.
 2. L.K. Ananthakrishna Iyer, **The Cochin Tribes and Castes, Vol.II**, London, 1912, p.274, p.54, p.236 & p.276.
About the relations of the rulers with the caste councils, A.K. Iyer says that, there were occasions when the king issued Royal Proclamation called the '**Theettooram**' or writs to the effect of approval of caste elders.
 3. S.R. Bakshi, ed., '**The Gandhian Thought, Social and Political Development**', New Delhi, 1990, p.144.
 4. K.V. Krishna Iyer, **A History of Kerala**, Palaghat, 1965, pp.352 - 354.

5.2.3. Formation of Statutory Bodies

The fall of the feudal lords like *Desavazhi* and *Maduvazhi* was followed by the reorganization of state administration in Cochin. In 1792, the Cochin State was divided into 10 *taluks* called *Kovilakkattumvathukkal*, each of which was placed under a *Karyakar*. The *Taluks* were further split up into about 30 *pravarthis*, and each *pravarthi*, became a unit of administration. Each *pravarthi* was under a *Pravarthikaran* as its head, and each *Pravarthi* consisted of again a number of *desoms*.¹

The *Pravarthikaran* (village officer) was responsible for the collection of all items of revenue due to the government and also looked after the general welfare of the ^{Pravarthi-}He was assisted by officials like 'Menon' (accountant), *chandrakaras* (cash keeper or treasurer) and two or three *masapadies* (peons) as per the Proceedings of the Diwan of Cochin.² This arrangement continued till the reforms of Col. Monro who brought about some changes by which the *Pravarthi* officers were relieved of works related to police, customs and forest.

Villages in Cochin were familiar with some forms of self-government in the 19th century. There were headmen of *Pramanakkars* who were selected by the government to associate with the work of the village officials, called *Pravarthiars* and *Menons*. They looked after the welfare of the villagers and to them were entrusted the duties like maintenance of roads, bridges, avenue trees and government *porompoke* lands. They were asked to scrutinize the solvency of parties who happened

1. C. Achutha Menon, *The Cochin State Manual*, Ernakulam, 1911, p.320.

In the 1901 Census, a **Desom** with an area of 2.1 square miles was treated as a village. In 1911, the number of **Pravarthies** was 273. The average area of a **Pakuthy** was 5.4 square miles. The average area of the **Pravarthy** as also of the **Kara** was calculated by dividing the rural area by the corresponding number of **Praverthies** or **Karas**.

Also see, U. Sivaraman Nair, ed., *Census of India, 1951, Vol.XIII, Travancore - Cochin : Part I-A Report*, New Delhi, 1953.

Also —, *Census HandBook*, Kottayam, 1952, p.XII.

U. Sivaraman Nair views that in Kochi it would have been more appropriate to consider **Desom** as a village, but it could not be done on account of practice in force at previous census.

2. Cited in, *A Blue Book Containing Important papers relating to the Land Revenue Settlement of the Cochin State, 1078-1084 ME (1903-1909) Vol.IV, Parts, V and VI (1903-1909)*, Cochin Government Press, Ernakulam, 1909, p.1660.

A letter from the Diwan to Sarvadhikariakar dtd. 25 Jan. 1908 reported that the **Praverthi** s as units of administration are very unwieldy and so, an average area of 3 square miles or 2000 acres has been made (so proposed by the census) to form a more convenient unit of administration. It seems that, the then Diwan Mr. Rama Rao submitted a draft proposal to the Madras Government for the approval of the settlement proclamation of 1904 for division of 15 square miles **Pravarthy** into smaller units.

to stand sureties in matters over which the state had a financial interest. They were also entrusted with the work of relieving distress in any form in the village. Money grants were made on their request whenever necessary. In small disputes, they acted as the arbitrators. There were no restrictions as to the number of headmen. The headmen or *Pramanakkars* in villages were the forerunners of the *Panchayat* Presidents of later years.¹

As per the Census Report of 1891 the number of inhabited villages were 659, but details about the local bodies in settlement of issues at the lower level are not given specifically. Probably the village (revenue division) might have been the unit of administration² at the lower levels.

5.2.4. The Village *Panchayat* Act of A.D. 1914 (1089 ME)

The first piece of legislation towards the forming of *Panchayats* as units of administration in Cochin State was the *Village Panchayat Act* of 1914 (1089 ME) enacted by Ramavarma, the Maharaja of Cochin³. The preamble says that:

The Village *Panchayats* were formed in the State with a view to render the principal and more intelligent subjects of H.H. the Maharaja useful by employing them in administering justice and to entrust them certain public duties such as the construction and repair and maintenance of village roads, tanks and wells, minor irrigation works and the distribution and regulation of water supply, the preservation of all *Poramboku* paths, lanes and canals and village reserves in local areas, the improvement of sanitations, prevention of epidemics and development of agriculture, prevention of cattle mortality and such other matters calculated to

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1. **Report of the Administrative Refoms Committee, 1958**, Government of Kerala, Vol.1, part-I, Trivandrum, 1958, p.11.
 2. C.Achutha Menon, **Report on the Census of Cochin (A D 1891), part -I, The Review.**, Cochin 1893, pp.37-40.
Some parts of Cochin were spilt up into a large villages while other parts^{of} made up of a small number of villages. The majority of villages in the Trichur Taluq contain^{ed} less than 500 inhabitants and in the Taluq of Talappilli, Mukundapuram, and Kanayannur, it was less than 1000. The majority of villages in Chittur, Kodungalloor and Cochin contain^{ed} more than 1000 inhabitants each. Thattamangalam in Chittur had the largest population viz. 9336, while Mamangalam in Trichur contained he smallest viz. 20, the average population of^{ed} village was 1030 against 918 in 1881.
 3. **Regulation V of 1089 ME (1914) :The Cochin Village Panchayat Regulation**, Cochin State, Cochin , 1914 (see Appendix I)

promote the health, comfort and prosperity of the inhabitants in rural areas.¹

In accordance with the provisions of the Act five *Panchayats* were established in each of the five taluks in the State, which consisting of five members, four nominated by the government from the village gentry and the fifth, the village officer - '*pravarthikaran*,' an ex-officio member. Nominations were made in the case of backward communities. Further, payment of an assessment of Rs.50/- was made the minimum property qualification for becoming a *Panchayatdar*. However, the graduates of recognized universities and government pensioners were also made eligible for membership. The Act was formed in such a way that the Diwan had the right to add or reduce any part of the notification. The term of office was fixed as two years. The *President* was the competent authority to appoint, degrade, suspend, dismiss or otherwise deal with any member of the establishment, sanctioned by the government for that *Panchayat*.

(a) Functions Streamlined

The duties and responsibilities entrusted to the Village *Panchayats* were many. These included the construction, repair and maintenance of minor irrigation works, denominated '*chiras*', '*kappers*', '*chals*', '*thodus*', and the regulation and distribution of water supply to the lands commended by such works, constructing and repairing tanks and wells and supplying water for drinking and other purposes, preservation of all '*Poramboku pattam*' lanes and canals useful for purposes of communication, cattle grazing-grounds, and village reserves, control over vaccination and registration of vital statistics, construction and repair of village roads and maintenance of road-side avenues, *sarkar* '*water pandals*', attending to all matters relating to the improvement of village sanitation such as prevention of epidemic diseases, cleaning of roads, drains etc. and such other things as may be necessary for the preservation of health of the public, formation of co-operative societies, supervision of elementary education, improvement of agriculture and agricultural cattle and prevention of cattle mortality, maintenance, repair and renewal of survey and boundary marks, and the undertaking of remunerative enterprises like markets and slaughter houses. The most important

3. Regulation V of 1089 ME (1914): The Cochin Village Panchayat Regulation, Cochin State, Cochin, pp. 1-13 & p.20

of all these was the provision for sufficient funds to be collected by these bodies.

(b) Provision for Village *Panchayat* Courts

One significant feature of the Act of 1914, was the provision related to Village *Panchayat* Courts,¹ for the purpose of exercising original civil jurisdiction. Either the village *Panchayat* itself might function as a court, or a separate *Panchayat* court was to be formed for a group of *Panchayats* by election by the members of the *Panchayats* concerned. The court consisted of five judges. One of them was styled the *President*. The suits in the court included claims for money due on contract, or for personal property, or for the value of such property when the debt or demand does not exceed in amount or value the sum of thirty rupees whether on balance of account or otherwise. Both the Village *Panchayats* and the Village *Panchayat* Courts established by a law promulgated by the Maharaja were under the Department of Rural Development which had an elected minister.² Three years later, half a dozen *Panchayats* were invested with judicial powers and were authorized to form themselves into courts, exercising civil jurisdiction in petty cases in the villages.

One significant constitutional step was *Regulation XIII of 1933* by which the Village *Panchayat* Courts were established with the number of judges equal to the number of members in the *Panchayat*. One of the members was styled the *President*. Every suit instituted and every proceeding before a court shall be disposed of ^{by} a bench of at least three judges. The judges of the group *Panchayat* were elected by the members of the Village *Panchayats* concerned. However, in many respects the government control over the *Panchayats* ^{was} maintained because the provision of the Regulation gave power to the Diwan to frame rules and he could regulate the number of the judges, the manner and conduct of election of the judges of the group *Panchayat* Courts.³

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1. **Regulation V of 1089 ME (1914); The Cochin Village Panchayat Regulation**, Cochin State, Cochin, 1914, pp.6-13.
 2. **Local Government Administration in States of India**, Government of India, New Delhi, 1956, pp.44-46.
 3. **Regulation XIII of 1108 ME (1933)**, Cochin state, Cochin, pp.1 and p.263-273.

5.2.5 Expansion of *Panchayats*

Since 1916, there had been a rapid increase in the number of *Panchayats* with the result that within the next four years they had spread over almost the entire rural areas of the state. Several amendments were also introduced into the Act from time to time in order to facilitate its working and to increase its efficiency. The control was still vested with the *Diwan Peishkar (Division Peishkar)* who was to be assisted by *Tahasildars*. A separate department was formed in 1921 and a new regulation was passed in the next year. It gave wide powers and many responsibilities to *Panchayats* and made provision for the principle of election to be adopted in their constitution to make them more democratic.

Representation of the *Panchayats* was made on communal basis. Even with such limitations, the functioning of *Panchayat* Department owes a great deal to the rulers and *Diwans* who were very sympathetic to it.¹

By *Regulation I of 1095 ME (1918)* the *Panchayat* Courts were put under a review. Accordingly, the norms pertaining to suits i.e., whether the party should appear in person or through his agent, or through a duly qualified *vakil* was formulated.²

The Census Report of Cochin 1921, gives the details of the division of the State into *taluks* and villages.³

5.2.6. *Panchayats* as Popular Bodies in Cochin

The Cochin State came to have its legislative council during the Diwanship of P.Narayana Menon (1922-25). The Legislative Council had discussed on many occasions the relevance of *Panchayats* as units of local administration. In 1929, M.I.Raman Menon, a member of the Council

1. A Sreedhara Menon, *A Survey of Kerala History*, 1970 rpt. Kottayam, pp.337 -346.

Under col. Munro (1812-1818) a *Pravarti* or village was chosen as unit of administration where he opened a vernacular school. J.W.Bhore, (1914-1919) who succeeded A.R.Bannerjee as Diwan, under the Maharaj Ramavarma started a number of co-operative units under each *Panchayat*. His successor T. Vijayaragha Rai as Diwan also took genuine interest in the functioning of local bodies.

2. a) *Regulation I of 1093, Panchayat Regulations V of 1089, Cochin State, Cochin*, pp.1-2.

b) *Regulation XI of 13th day of Tulam 1093, ME (29 Oct. 1917) Cochin State*, pp.1-2

3. For details see, P.Govinda Menon, comp., *Census of India 1921, Vol. XIV, Cochin, Part -I Report. Cochin State, Ernakulam, 1922*, p.14.

It seemed that the state was divided into six *taluks* and 273 villages for administrative purposes.

moved a resolution for Rs.186664/- for *Panchayats*. Initiating his plea, for the amount, Raman Menon stressed two points (a) separation of *Panchayats* from the Agriculture Department (b) defects in the working of the *Panchayat*. He reminded the members of the house that *Panchayat* ought to be grouped as non-official bodies. He also reminded that the efficiency of the working of the *Panchayat* depends more upon the good sense and the sense of responsibility of the members constituting the *Panchayats*. His remarks certainly reflected their response to democratic proceedings and he wanted those local bodies nearer to the common man.¹ Menon also hailed the principle of election and nomination then introduced in the *Panchayat* establishments and also the effective working of a *vaidyasala* run by a local body. The second motion in the house was led by K. Mohammed Seethi, another member of the Council who brought to the notice of the Government the great hardship felt by the Village *Panchayats* on account of the delay in inspecting and measuring completed works. K.J. Antony, another member of the Cochin Legislative House complained that *Panchayats* were never given sufficient money to carry on the works entrusted to them.² By demanding a sum of Rs.73,500/- for sanitary and conservancy works the chief medical officer highlighted the importance of the works to be done by a separate department. Some members suggested to transfer the sanitary works and conservancy to *Panchayats*. The President of the Legislature, Rao Bahadur, T.S. Narayanan in a reply, expressed his hope that *Panchayats* would provide an opportunity to associate more people with the government of the state.³

Thus, the village *Panchayats* in Cochin certainly gave great priority to democratic principles; all questions that came before the *Panchayat* was decided by majority opinion and the nomination of members by government was ultimately replaced by election on the basis of adult suffrage.

In many respects, the government control over the *Panchayat* was maintained because the provisions of the Regulation gave power to the Diwan⁴ to frame rules, and he would regulate the number of judges, the manner and conduct of election of the judges of the group *Panchayat Court*^{e.t.c.}

1. **The Cochin Legislative Proceedings, Vol.I - Official Report, 2 July ----10 August 1928, Cochin State, Cochin, p.810.**

2. **Ibid., pp. 811-12**

3. **Cochin Legislative Council Proceedings, Vol.I,3 -- 8 April 1925, pp.712-14.**

1. **Regulation XIII of 1108 ME (A D 1933) , Cochin State, Cochin, pp.263-273.**

There were 87 *Panchayats* in 1935 including the two in Cranganore (Kodungallur) serving 267 villages in all. Of the 547 *Panchayatdars* (members of the *Panchayat* council) for all the institutions together, 510 were holding office at the end of the year. The *panchayats* undertook major and minor irrigation works under the scheme of *Panchayat Maintenance Works*. Out of them, major irrigation works were transferred to the State Public Works Department.¹

5.2.7. Introduction of Adult Franchise

The system of adult franchise was introduced in 1110 ME (1935) after removing the earlier property qualifications. The *Panchayats* in Cochin were constituted in such a way that the terms of the different members of the *Panchayat* expired on different dates. This caused delay and dead lock in carrying out the routine works of the *panchayat* in the interval between the previous and the new *Panchayats*. There was no provision for nomination of a 'pro-tem' President. Under these circumstances, the government by a notification dtd., 21 Mar. 1935 amended the rules.²

5.2.8. Powers of the *Panchayat* Presidents

Still government control became more visible in sub-section 19 of Regulation III of 1110 ME (1935) because it retained the power to appoint a President who is supposed to hear cases pertaining to the people in the respective *Panchayats*.³

The term of office of the members in the *Panchayat* assembly was fixed by the Regulation of 1111 ME (1936) and its formation was subjected to the regulation as enunciated by the government. Vacancies arising from the efflux of time in the office of an elected member of the *Panchayat* was filled at ordinary election by the Director of Public Health and *Panchayats*.⁴

The offices like the President and Vice Presidents were given regularity by the *Regulations of*

1. T.M. Satchit, ed., *The Madras States Directory*, 1935, p.370.

2. Government Notification dtd. 21 Mar. 1935, Government of Cochin, Cochin, 1935.

3. **Regulation III of 1110 ME (1935)**, *The Cochin Village Panchayat (Amendment) Regulation*, Cochin State, Cochin, 1935.

Also see, *The Cochin Village Panchayat (Amendment) Regulation*, Cochin State, Cochin, 1935.

4. **Regulation XXXIII of 1111 ME (1936)**, *The Cochin Village Panchayat (Amendment) Regulation*, Cochin State, Cochin, 1935.

1112 ME (1937).¹ The government still retained hold over the *Panchayat* through the clause related to the tenure of the *Panchayat*. The Act of 1113, (*The Cochin Village Panchayat Amendment Act*) included a provision, which said that Government could extend at any time by notification in the Cochin Government Gazettee the terms of the members of any Village *Panchayat*.² The members were paid salary at a rate of Rs.20 per month.³

The newly constituted *Panchayats* in Vadakkancherry and Kunnamkulam were conferred powers to nominate the members and the Presidents by Royal proclamation in the year 1942. The King also proclaimed his authority to appoint a president and also judges of the Nemmara Village *Panchayat* Court, till such time as government may deem fit to rescind Cochin Government Gazettee.⁴

5.2.9. Hierarchical Nature of Officials

Till now, the *Panchayat* Department was attached to Public Health Department. The two were separated by the *Panchayat* order dtd. 23 Nov. 1945. The *Panchayat* Department was bifurcated from the Public Health Department and was placed under a separate head of the Department designated as the Director of *Panchayats*. The posts of *Panchayat* Inspectors were revised and three *Panchayat* Inspectors were appointed during the 2nd half of the year under report. It was reported that minor irrigation scheme taken up by the department proved to be very useful and it resulted in cultivating the land that was originally left uncultivated. The rural libraries also continued to function under the *Panchayat* Department⁵. Other significant features of the

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1. Regulation XLIII of 1112 ME : The Cochin Village Panchayat (Amendment) Regulation in Cochin, p.1-2.
 2. The Cochin Village Panchayat (Amendment) Act of 17th Mithunam 1113 ME (1935), Cochin State, Cochin, 1938.
 3. Act of 1114 ME (1939) - The Cochin Village Panchayat (Amendment Act) of 26th day of Jan.1939 Cochin, 1939.
 4. Proclamation XXI of 1117 promulgated by His Highness Sree Kerala Varma Maharaja of Cochin 29th of Edvam,1117 ME (9 June 1942), Cochin State, Cochin, 1942.
 5. Administration Report of the Panchayat Department in the Cochin State for the year 1120-21 ME Cochin, 1945.

government order were, supply of manure through the depots opened in almost all areas, maintaining roads, opening of more rural libraries (thus raising the total number to 203) sanitation works, lighting of lamps, irrigation, special programme of minor irrigation, important 'chirals' and other irrigation works, communication, planned programme of construction works, important roads and lanes, water supply, water 'pandalas', temporary sheds, payment of grant to libraries, both major and minor ones, and ^{the} opening of more major ones.

Simultaneous with the civil functions (done under the *Panchayat Department*), judicial functions were also performed in the village courts which settled disputes arising within the respective *Panchayat* areas. A Village Court established under Act XII of 1118 consisted of five judges. Every suit instituted in, and every proceeding before a village court, would be disposed of by a bench of three judges and in cases of differences, the opinion of the majority would prevail.¹

5.2.10. The Act of 1945

The Act of 1945 resulted in democratizing the Cochin *Panchayat* administration with the proper division of wards in relation to population size i.e., *Panchayats* with a population not exceeding 10,000 at the Census of 1941, were entitled to have five members to represent the people and elected on the basis of universal adult suffrage, seven members for a population between 10,000 and 20,000 and nine members for the Village *Panchayats* having more than 20,000². The practice of reservation of seats for particular communities was introduced, and the principle of universal adult franchise was implemented. The minimum age limit for the candidates to contest the election was fixed ^{as} 25. Also it charted out the function of the President, ^{and the} vice President, including their emergency powers. However, the provisions related to government control like the power to dissolve or supercede any decision certainly cast dark shades on *Panchayat* functioning. The

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1. Act XII of 1118 ME (1943), The Cochin Village Courts Act, 1943, Cochin State, Cochin, pp.1-32. The following are the suits which shall be cognizable by the village courts namely, claims for money due on contract or for personal property or for the value of such property when the debt or demand does not exceed in amount or value the sum of fifty rupees. Whether on balance account or otherwise it provided that no action shall be brought in any such court.
 2. The Act XX of 1120 ME (1945): The Cochin Village Panchayat Act 1120 (1945) pp.1-47 Cochin State, Cochin, 1945, pp.44-47.

Panchayat administration in Cochin had some other limitations; they had no power to collect taxes on property or profession, till 1950, and hence faced various financial difficulties.

5.2.11. Expansion after 1946

In 1947-48 the total number of *Panchayats* in Cochin State numbered 87 with a total of 559 *Panchayatdars*, of whom 366 were elected and 193, nominated. During the period under reference the *Panchayats* maintained 211 irrigation systems and opened about 40 miles of new roads. Every *Panchayat* maintained a manure depot. They also maintained 85 summer bunds in satisfactory condition. The total receipts and expenditure of the *Panchayat* Department amounted to Rs.7832/- and Rs.90006/-.¹

A committee appointed by the Government in 1944 to enquire into the working of the *Panchayat* Courts reported that in order to improve the existing *Panchayats*, there should be two bodies in each village area, namely *Panchayats* attending to local administration and Village Courts attending to small cases of disputes among villagers. A new law was passed by the legislature of Cochin to this effect in 1943, known as the Village Court Act.

5.2.13. Bifurcation of Civil and Judicial Functions Thus a combination of both administrative and judicial functions in the same body continued till 1943, when the Village Court Act XII of 1118 ME (1943) was passed and the government bifurcated the functions into two separate bodies. In 1946-47 there were 47 Village Courts and ^{these} had under their jurisdiction all the villagers in the state and they had disposed of around 29590 cases. The aggregate value of suits in the Village Courts amounted to Rs.62963 as against Rs.52938 in the year 1945.¹

The Cochin State was integrated with Travancore in 1949 to form the single unit of Travancore - Cochin State, and the norms of 1945 Acts were incorporated with the subsequent acts and regulations.

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1. Report on the Administration of Cochin for the year 1122 ME (1946-47), Ernakulam, 1948, p.55.
 2. Local Self-Government Administration in States of India, Government of India, New Delhi, 1956, p.56.

5.3.0. Malabar

Malabar constituted a collection of independent principalities constantly at war with one another till the establishment of British supremacy following the treaty of Srirangapatanam in 1792. Subsequently, the region became part of the Madras Presidency. The rural local bodies which functioned in Malabar were in accordance with the British innovations in local administration. It may also be mentioned that the progress of British Malabar was not so spectacular as that of Travancore and Cochin.

5.3.1. Antecedents of Local Bodies

Before the establishment of the modern system of local government in Malabar under the British rule, the unit of administration was the village. The village society was divided into *gramams* (inhabited by the Brahmins or the Namboodiris), *taras* (where the Nair community lived), *Karas* (where the Ezhava community lived) and *cheri and Muri* (where the lower castes lived). Each *gramam* was further divided into *kalakam*. Members of the *kalakam* elected an executive officer called the '*rakshapurushan* (protector) who was aided by an *avarodhe nampi*. The two officials were designed to look after the village and run day to day matters of *Kalakam*.¹

In due course, the administrative set up of the *nair* community, *tara* came to predominate the village administration in Malabar.² The very fact that *nair* militia, being the warlords and warriors, constituted the backbone of medieval power which was the reason for their dominance. Moreover, the ownership right of land also determined the domination of one caste over the other. As known, the *nairs* owned vast landed property. The ownership right over the land made them rich and wealthy. This also led to, the predominance of *nair taras* in village society.

Besides, the assemblies like *kuttam* at the levels of *tara*, *nadu*, and *desom*, had also exercised

1. T.K. Krishna Menon, ed., K.P.Padmanabha Menon, **History of Kerala** in 4 vols., New Delhi, Vol.IV, 1984. p.374.

2. Historical evidence point to the direction that the nairs were, until the British occupation of the country, the militia of the district of Malabar. Originally they seemed to have assigned the task of providing protection to the people in a **nadu**. The **nadu** was in turn to split up into **tara**. Some holds the view that the **tara** was the Nair territorial unit for civil purposes as in Travancore and Cochin and was governed by an elder called **Karanavar**

For details see, K.P.Padmanabha Menon, **Cochirajyacharithram**, (Malayalam), Kozhikode, 1989, pp.29-58.

exercised political and administrative powers although, opinions about their democratic nature still persist. Some writers hold the view that, they were caste councils while others view that they were military divisions, still others hold the view that these local assemblies exercised much political and administrative powers at the sub state level. Whatever be their nature, the Nair militia exercised many powers and played an important part in the political history of the country. They stood as the great bulwark against the tyranny and oppression of the rulers. According to East India Company's Report (given by a linguist at Calicut) "these Nayars, being heads of the Calicut people resemble the parliament and do not obey the king's dictates in all things but chastise his ministers when they do unwarrantable acts."¹

The parliament referred to, must have been the *Kuttam* of the *nadu*. However the statement is disputable, with what other writers view about the *Kuttams* in Travancore and Cochin.

Nevertheless, the *Kuttams* commanded a fairly high degree of authority in which the Nair community generally held higher positions. Apart from the supremacy of the Nairs, which by its very nature had left the village people with no power for themselves, these bodies were restricted in their scope to mere revenue collection and settling of disputes. The local administrative machinery was not obliged to carry on welfare activities.

5.3.2. Local Government in Malabar under the British Rule

In modern times, the history of local self-government in Malabar area is essentially the history of local self-government legislations enacted in Madras state. There had been a sincere native attempt as well, behind the series of legislations enacted by the British government towards their effort to widen the foundations of local government in Madras Presidency. According to a 'Memorandum on the Progress of the Madras Presidency', cited by S. Srinivasa Raghavaiyengar (The Secretary to Government, Revenue Department, Madras Presidency) further advance to the direction of local self-government in Madras Presidency was to be looked for only ⁱⁿ entrusting to local bodies more and more of the work of real administration. The Memorandum says : "A foreign

1. Cited in, William Logan, **Malabar in 2 vols. Vol. I**, 1981 rpt., Trivandrum, p.114.

legislature has to be extremely cautious in interfering by legislation with the cherished institutions affecting the everyday domestic life of the people.”¹

Under the East India Company's Government, the village system was reorganized by the grouping of a number of Desoms into *Amsom* in 1882.² There were originally 2202 *desoms* grouped into 429 *Amsoms* each under a headman who was named 'Adhikari. To assist each *Adhikari* a Menon (Accountant) and a small staff of *Kolkarans* (peons) were appointed in each *Amsom*.

5.3.3. Local Fund Circle Boards

It was in the direction of urban self-government that the legislative measures were effected first, which, were later extended to rural local bodies. Following Mayo's Resolution of 1870, two Acts were passed known as the Local Funds Act of 1871 and the Town Improvement Act of 1871. The aim of Local Funds Act was to raise funds for roads, education and public conveniences for those residing outside the municipality. The Act was meant to give a bare minimum of organization to villages as a form of partial self-government in the rural areas (the Town Improvement Act was meant to rectify the defects committed in the previous Act).

The Local Fund Act authorized the Governor General-in-Council to appoint a Local Fund Board consisting of three more members ^{who were} owners of land or residents of the circle.³ The District Collector was the ex-officio President and members were nominated by the government with half non-official members. The Local Boards were given the duties like construction, repair and maintenance of schools either wholly or by means of grants-in-aid, inspection of schools, and the training of leaders, the construction and repair of hospitals, choultries and any other work of public utility.

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1. For details on the nature of local administration in Madras Presidency see, S. Srinivas Raghavaiyengar, **Memorandum on the Progress of the Madras Presidency During the Last Forty Years of British Administration**, Madras, 1983, p.326 & pp.319-33.
 2. **Report of the Administrative Reforms Committee -1958, Vol.I, part-I**, Trivandrum, 1958, p.14.
 3. Cecil Morne Putnam Cross, **The Development of Self-Government in India 1858-1914**, New York, 1965, p.107.

5.3.4. Madras Municipal Act, 1884

The Madras Municipal Act of 1884 was the direct outcome of Lord Ripon's Resolution of May 8, 1882. The Act of 1884 was enacted to provide better administration of district municipalities in the presidency of Fort St. George. Certainly the Madras Municipal Act of 1884 was more radical than the previous acts on self-government which brought about many changes. It was a comprehensive resolution and dealt with administrative areas, local bodies, their functions, finances and powers.¹ The Act was responsible for the creation of *District Boards*, *Taluq Boards*, and the *Union Boards*, which was the first attempt in introducing a three-tier local administration in Malabar area.

Ripon who was well aware of the authoritarian attitudes of the government had felt it that it would be hopeless to expect any real development on self-government, if the local bodies were subject to check and interference. Therefore, his Resolution had envisaged a pyramidal structure of local administration.

The reforms envisaged by Lord Ripon and the provisions of the Madras Municipal Act, 1884 were significantly whittled down by the Provincial Governments, which enjoyed the freedom to interpret the Resolution according to local conditions. The bureaucracy too was hostile and it succeeded in frustrating Ripon's intentions. His successor also lacked the spirit of liberalism.

The administration Local Boards were reviewed and evaluated in 1896 and 1897 respectively. The appraisal, any way, did not help the growth of local government in Malabar. The Union Boards, which were found^{ed} for semi - urban areas, dealt with the needs of villages - village roads, sanitation and lighting.² The idea of moulding Village *Panchayat* for the administration of certain number of villages was stressed by the Royal Commission on Decentralization. It was on the basis of a resolution prepared in accordance with the Decentralization Commission that Provincial Governments were authorized to implement the scheme of rural areas, although, it was meant to suit the needs of^{the} British administration. Local bodies at the sub-district level began to take greater

1. M.Venkataramangaiya and M.Pattabiram, eds., **Local Government in India: Select Readings**, 9th Edn., Calcutta, 1967, p.105.

2. **Report of the Administrative Reform Committee - 1958**, Vol.1, part -I, Trivandrum, 1958, pp.15-16.

interest in implementing the scheme of *Panchayat* development instead of the revenue - village oriented schemes.

By the Resolution of 1915, *Panchayats* were established in all revenue villages. Again, the *Government of India Resolution of 1918 which led to the Montague - Chelmsford Reforms of 1919*, contained the principles for the revival of *Panchayats* in villages and the introduction of elective principles as well as a formula for adult franchise.¹

5.3.5. The Madras Village *Panchayat* Act, and the Local Boards Act of 1920

In pursuance of the Government's efforts to increase the association of Indians in every branch of administration, the Provincial Governments also passed appropriate Acts. Accordingly, The Madras Village *Panchayat* Act of 1920 was passed. The Act made it possible for any village, however small it might be, to have its own *Panchayat*. The Act introduced the system of adult suffrage by enfranchising all men over 25 years of age, and provided for the election of all members of the *Panchayats*, whose strength varied from 7 to 15. Also, the Act referred to numerous functions under section 15 to 20. However no adequate provision was made to provide funds for the *Panchayats*.² Shortly, the Madras Village *Panchayat* Act was replaced by the Madras Local Boards Act 1920, by which all the earlier *Panchayats* were brought under the purview of the Act. This Act governed the constitution and working of the Village Union.

5.3.6. Dual Control

The new Act considerably altered ^{the} earlier structure of *Panchayats* in Malabar area and launched the working of the 'Village Unions'. Both, the *Panchayats* and the Village Unions were recognised as units of local self-government in the rural areas. The official control over their administration was so much [^] that, they became bureaucratic bodies. The *Panchayats* in the

1. Sriram Maheswari, **Local Government in India**, New Delhi, 1971, p.16.

The principles involved were 1) *Panchayats* should be revived in the villages, 2) Local bodies should contain a large [^]elective majority, 3) Local government should be more broad-based by extending the franchise, and 4) [^]The president of the local body should be a member of the public and he should be elected rather than nominated.

2. For details on **Village Panchayats in Madras State** see, H.D. Mallaviyya, **Village Panchayats in India**, New Delhi, 1956 pp.403-423.

Malabar district were under the control of ^{the} Malabar District Board on the one hand, and the Inspector of Municipal Councils and the Local Boards on the other hand under a dual control. The District Boards were the ultimate authority to plan the working pattern of the *Panchayats* including budgets and the rate of taxes etc.¹ It seems that *Panchayats* were not the self-governing units with the freedom to initiate any proposal over and above the decisions of the District Boards. The dual control on the *Panchayats*, however, did not produce the desired effects.

Experience of the working of the Local Boards showed that the duties and functions of the *Panchayats*, the Circle Boards, the *Taluq* and the District Boards were similar in many respects and overlapping in certain cases. It was found that there were no services performed by a *Taluq* Board which could not be taken over by either the District Board or *Panchayat* Board. Shortly it felt that the abolition of the *Taluq* Boards would give an incentive to the development of Village *Panchayats* (*Taluq* Boards were abolished in 1934).

5.3.7. The *Panchayat* Act of 1948

The difference between 'Village *Panchayats*' and 'Village Unions' continued till 1937 when *Panchayats* were brought under a uniform system of administration.² By an amendment to the Act of 1943, an executive officer was appointed for each *Panchayat* and this was notified by the government. By the Act of 1946, Village *Panchayats* were brought under the charge of a Registrar General of *Panchayats* and the District Collectors. The overall charge ^{was} certainly vested with the Registrar General of *Panchayats*.

1. The Malabar District Board was responsible for levy and collection of profession tax and license fees, maintenance of all roads except the two main roads, Kozhikode - Vaytri-Gudalore and the Tellichery-Coorg road, maintenance of rest houses, travellers' bungalows, choultries and watersheds, management of ferries, supervision of secondary schools, hospitals, and dispensaries except in the Municipal areas, and *Taluq* Headquarters, all matters related to Public Health and management of markets, cart-stands, and slaughter houses. There was a feeling that the imperial government used the District Board as a for crushing the powers of the *Panchayats*. Even the Simon Commission, which was rejected by the Indian Nationalists, was critical of the local self-government mechanism as perceived by the British administration in India.

For details see, E.K. Santha, 'Local Self-Government in Malabar (1800-1960)-' Institute of Social Science Occasional Paper Series -12, Seminar Paper, presented on June 5, 1993 at the Kerala Institute of Local Administration, Trichur, p.2.

2. C.K. Kareem, ed., **Gazetteer of India - Kerala, Malapuram District**, Ernakulam, 1986, p.663.

5.3.8. The Madras *Panchayat* Act, 1950

Following independence in 1947, a new Act known as the *Madras Village Panchayat Act, 1950* came into existence which provided great powers to the local bodies and relieved them of the interference of the District Collector in routine administrative matters, retaining emergency powers with him. Every village with a population of 500 and more was to have a *Panchayat* although for administrative reasons the unit of population had been taken as 1000. There were two categories of *Panchayats*, category -I were those having a population of not less than 5000, and an estimated annual income of not less than Rs.10000 and category-II were all the other *Panchayats*. Election to the *Panchayat* wards was on the basis of adult franchise in Category -I, i.e., secret ballot and in category II, by show of hands. Both the categories were invested with two types of functions - obligatory and discretionary.¹ By the Act of 1950-51 the *Panchayats* also functioned as courts in petty civil cases. The Act of 1950 which came into force on April 1, 1951 governed the constitution, the structures and function of the *Panchayats* in the erstwhile Malabar area till the passing of the Kerala *Panchayat Act, 1960*.

Conclusion

Kerala State has a long tradition of decentralization of the administrative bodies, although, democratic and representative character of these bodies in earlier times suffered from certain deficiencies. When judged by modern standards, the local bodies were not popular in their constitution and functioning. The *Kuttams* were dominated by the Brahmins and the Nair gentry.

The system of local administration during the later medieval times bore the characteristics of more a feudal society more than that of the popular village communities. As known, land had been for centuries the major source of wealth and therefore, the socio-political or economic structure of the society was moulded accordingly.²

However, indigenous sources as well as European writers highlight the importance of villages as administrative units and their functioning as little republics, where social reproduction

1. A.Sreedhara Menon, ed., *Gazetteer of India,-Kerala, Trivandrum District*, Trivandrum, p.620.

2. H.M.Nayak and B.R. Gopal, eds., *South Indian Studies*, Mysore, 1990, pp.12-13.

was maintained by the combinations of agriculture and manufacture.¹ The imperial administrators, like Thomas Monro urged to recognize the village institutions while introducing administrative innovations. He desired sufficient restraints. Monro says :

Our great error in this country has been too much precipitation in attempting to better the conditions of the people, with hardly any knowledge, of the means by which it was so to be accomplished...It is a dangerous system of government in a country of which our knowledge is very imperfect, to be constantly urged by the desire of setting everything permanently....innovations have been so little guided by knowledge of the people, that it must seem to them little better than caprice... Our anxiety to make everything as English as possible in a country, which resembles England in anything....²

One prominent feature of Kerala local bodies is the colonial trait which could be clearly seen in all the erstwhile units of Kerala State, in Travancore-Cochin through the advisers/ residents and in Malabar, it was introduced directly. The local institutions with such characteristic features, as in the state of Kerala, hardly prevailed in other parts of the country. The distinctive features in terms of their geographical setting and socio-political or cultural experiences, as well as the colonial trait, present a unique background. These exceptional traits of the local bodies in Kerala set a background for the introduction of new innovations in democratic decentralization by progressive governments in Kerala, since 1956

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1. Noburo Karashima, **South Indian history and Society: Studies from Inscriptions**, - 850 to 1800 A.D. 1984, p.53.
 2. Cited in, Burton Stein, **Thomas Monro - Biography: The Origins of the Colonial State and His Vision of Empire**, New Delhi, 1989, p.292.

CHAPTER 6

DECENTRALIZATION IN KERALA, 1950 - 1970

Indian Independence was a great stimulus to the concept of local self-government and its extension to remote areas. States under the Indian Union were saddled with the new responsibilities assigned to them by Directive Principles of State Policy. Article 40 of the Indian Constitution specifically directs all State Governments to take steps to organise Village *Panchayats* and to endow them with such powers and authority as may be necessary to enable them to function as units of self-government. Following this, the First Five Year Plan enunciated the role of local bodies in development programmes and suggested that the general direction of policy should be to encourage and assist them in assuming responsibility for as large a portion of administrative and social services within their areas as possible. Consequently, State legislatures throughout India enacted a series of *Panchayat* laws in consonance with local conditions and the proliferation of Village *Panchayat* ensued swiftly.

6.1.0. Stimulus to the Concept of Local Bodies in Kerala

In Kerala too, local government in general and *Panchayat* in particular made rapid strides in their growth and progress. The integration of Kerala State into a single unit, the functioning of democratically elected government in the State, the heightened civic consciousness and demands for economic and social transformation, the acceptance of the welfare concept, the adoption of a socialistic pattern of society and the impact of Gandhian concept in the conceptual plane, an earnest desire for local bodies - all these contributed to the great stimulus to the concept of *Panchayat*.

6.1.1. Main Features of this Phase

The efforts at decentralization of the *Panchayat* administrative system in Kerala, between 1950 and 1970 are specially marked by the appointment of three statutory committees for the purpose - the Administrative Reforms Committee (1958). The Commission for Delimitation of *Panchayat* Areas (1959), and the Administrative Re-organization and Economy Committee (1965). The recommendations of the committees were accepted with some amendments made to the provisions, after marathon discussion in the State Legislative Assembly.¹ The remarkable features of this period are:

- * Enactment of the *Panchayat* Act of 1960 replacing all the earlier *Panchayat* Acts, Regulations and Proclamations that prevailed in Travancore, Cochin and Malabar;
- * Enthusiastic endeavours at the government level, cutting across party lines for a Gandhian model of *Gram Swaraj* in Kerala villages;
- * Attempts at democratization of *Panchayat* bodies in the State²;
- * Enactment of the *Panchayat* and *Zilla Parishad* Acts in 1964 and 1967;
- * The initiation of a Kerala District Administration Act (1971).

Generally stated, the issue of democratization of power at the Kerala *Panchayat* level was in high spirit, and the most distinguishing feature was a plea for ^{the} Gandhian vision of *Gram Swaraj* in

1. For details see, **Proceedings of Kerala State Legislative Assembly**, Second Session, 30 June 1960, Vol. IX, No. 7, 1961, Trivandrum, pp. 762-803.

Also see, **Background Materials of the Kerala District Administration Bill, 1971**, Kerala Legislative Assembly, July 1978, Trivandrum, p. 58.

2. The term 'democratization' implies a variety of meanings. It is a process of making any system democratic or popular. It means a governing system when referred to the form, a situation of safeguarding freedom of speech, opinion, religious rights and the assertion of rule of law when referred to the features. When referred to the style of functioning, it is known as participatory or representative, a form of functioning indicating a situation in which all the adult members exercise their right to rule. When referred to the social aspects of democratization process, it means a system which assures equal treatment of all, warranting respect for the minorities as well as the weaker sections. Democratization is indispensable to create a feeling of involvement among the people. When referred to the *Panchayat* system in Kerala, the term 'democratization' is used both in its generic and specific senses. However, for the sake of brief presentation, the term is more used in the specific sense, i.e., to assess the extent of *Panchayats*' popularity.

policy directives.¹ In fact, the fervour for remodelling the Kerala *Panchayats* in consonance with the Gandhian vision was greater than the present day ardour in favour of Gandhian concept in the re-organization of rural local bodies.

However, during the period under reference, one can find a clear deviation in the approach of the government as well as political parties towards a structural formation of the district administrative system and this swings in favour of institutionalization of the *Panchayati Raj* further amplified in 1980's.

6.1.2. Background

After the merger of Travancore with Cochin (1949) a *Panchayat Act* was enacted in 1950 because the Government took notice of the difference^{that} then existed between the Travancore and Cochin systems. According to the provisions of the Act, the State was split into 548 *Panchayats*, out of which 52 *Panchayats* belonged to the newly found Madras State. In Malabar area, after the Madras Village *Panchayat Act* of 1950, the District Boards were deprived of their control over the *Panchayats*. At the time of^{the} state's re-organization the number of *Panchayats* that became operational stood at 893.²

6.1.3. Three Categories of *Panchayats*

The structural pattern of the *Panchayats* was laid down on the basis of their annual income. *Panchayats* with an annual income of Rs.15,000/- and above were classified under Grade I, those having an annual income of less than Rs.15,000/- and more than Rs.5,000/- were listed in Grade II, while the rest were grouped under Grade III. The number of members for each *Panchayat* was determined by the government through an act on the basis of population, but subject to a maximum of fifteen and a minimum of seven. Provision for reservation of one seat in a *Panchayat* for Scheduled Castes and Scheduled Tribes was provided, if their population was not less than 5% of the

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1. **Proceedings of Kerala State Legislative Assembly**, Second Session, 30 June 1960, Vol.IX, No.7, 1961, Trivandrum, pp.762-803.
 2. S.P.Jain and B.C.Muthayya, 'Village **Panchayats** in Kerala,' in G.Ram Reddy, ed., **Patterns of Panchayati Raj in India**, Calcutta, 1977, pp.151-52.

total electorate in that area.

The term of an elected member was for a period of three years. The administration of the *Panchayat* was vested with a committee comprising of the president, the vice-president and all the members of the *Panchayat* with the president as the chairman.

6.1.4. Powers of *Panchayat* President and the Committee

The president as the executive authority was vested with some emergency powers. Such actions taken by the president would have to be reported to the committee at its next meeting to be ratified by it. Within three days after each meeting of the *Panchayat*, the president had to make a report to the Director of Local Bodies about the proceedings of the meetings. The functions assigned to the *Panchayat* Committee were of two classes, namely, obligatory and voluntary. Collection of taxes and fees and so on were Mandatory, while the rest of the functions were done on a voluntary basis.¹

The *Panchayats* of the State exercised some judicial functions also. In 1950, the Government enacted an Act by which it was vested with the power to nominate for each village, a village court of five members. The Travancore-Cochin village courts have taken steps for quicker and cheaper justice and also succeeded in discouraging litigation. There was a separate Department of *Panchayat* under a Director who had state-wide jurisdiction. There were 4 Assistant Directors of *Panchayats*, one for each revenue district. The ultimate power vested with the government. The government possessed power to supersede a *Panchayat* under certain conditions specified in section 41 of the act, viz., if a *Panchayat* is not competent to perform or if it persistently makes default in performing the duties imposed by law or exceeds or abuses its powers. The supersession is for a period not exceeding 2 years. During the period of supersession, all or any of the duties and powers of the *Panchayat* and its president may be exercised and discharged by the Director or other persons appointed by the government.

The *Panchayats* were allotted more functions to perform and the system of adult franchise

1. H.D. Mallaviyya, **Village Panchayats in India**, New Delhi, 1956, pp.513-14.
Also see, **The Kerala Panchayat Manual**, Vol. I, comp., K.N. Kesava Panikkar, Trivandrum, 1980, pp.3-20.

was introduced. There was^a separate executive officer for each *Panchayat*. There was steady increase in revenue. The average population of a *Panchayat* area ranged from 10000 to 20000. *Panchayats* were formed primarily on the basis^{of the principle} that there should be one *Panchayat* for every village. Villages in Kerala were administrative units rather than natural residential units as the people lived more or less in one continuous habitation in individual homesteads, scattered, instead of "squalid settlements of North India which huddled along a single street or in a knot of houses."¹

6.1.5. *Panchayat* election, 1953

In June 1953, the *Panchayat* general election was held in the Travancore-Cochin State to elect members to the newly formed *Panchayats*.² The newly elected *Panchayats* began functioning from August 15, 1953. As the functioning of *Panchayats* was restrained due to financial problems, the Minister for Local Government initiated a Bill (1954) which contained provisions for adequate funds at the disposal of *Panchayats* to carryout statutory functions, particularly related to local development. On July 22, 1955 the Government passed an order to give more powers to the *Panchayat*. The *Panchayats* were empowered to accord administrative sanction to works costing Rs.500/- and below. Each *Panchayat* was given a special grant to be utilized for public works in the *Panchayat* area. With a view to ensuring proper and effective supervision and toning up *Panchayat* administration, the government sanctioned the appointment of eight additional Inspectors to the then existing strength of 18.

In 1955, the government passed orders empowering the *Panchayats* to sanction upto Rs.5,000/- for works. All these were meant to strengthen *Panchayat* Institutions both in their structural entity and financial autonomy.

6.2.0. Administrative Reforms Committee, 1957 (I Statutory Committee)

This was the background of decentralized functionality of *Panchayats* in 1956, when the

1. George Woodcock, **Kerala: A Portrait of the Malabar Coast**, London, 1967,p.44.

2. **Travancore - Cochin Administration Report, 1953-54**, Government of Travancore-Cochin, Trivandrum, 1954, p.4.

Kerala state was formed merging Travancore-Cochin State with Malabar. As stated earlier, there were two pieces of legislations on local government, the Travancore -Cochin *Panchayat* Act 1950, applicable to Travancore-Cochin area, and the Madras Village *Panchayat* Act 1950, which was in force in Malabar area. In 1958 the Government of Kerala sought to consolidate all the acts, rules and regulations on the recommendations of the Administrative Reforms Committee headed by the then Chief Minister E.M. Shankaran Namboodiripad.¹

6.2.1. Inspiring Factors

During the time, the 'Balwantray Mehta Study Team' was at work at the all India level in accordance with the new policy pattern of the Planning Commission of India. The Commission reiterated the widely felt need for creating a well organized democratic structure of administration within each district and added, "in this structure, Village *Panchayats*, will have to be organically linked with popular organization at a higher level"². The working of the developmental schemes entrusted with the *Panchayat* could not yield the desired effect for lack of peoples' participation, and also due to absence of a proper structural linkage with the upper tiers.

Drawing inspiration from the Balwantray Mehta Team Report, the Committee in 1957, wanted to rectify these defects in the functioning of local bodies.

(i) Enlargement of Rural Local Government

The Government, while constituting the Committee, wanted to extend the concept of local government at the grass root level and extend it to more rural areas. It was felt that a well organized and efficient administrative system is essential for the proper functioning of any government.

1. The Government of Kerala ordered the constitution of a committee (Vide. Proceedings No.P(s), 427 .111/ 57/PD dtd. 15/8/1957) with the following members, for examining the work of administrative machinery, and suggesting measures for improving its efficiency.

Members (1) E.M. Sankaran Namboodiripad (Chief Minister and chairman), (2) Joseph Mundassery (Minister for Education), (3) N.E.S. Raghavachari (Chief Secretary to Government), (4) V.K.N. Menon (New Delhi), (5) H. D. Mallaviyya (New Delhi), (6) P.S.Nataraj Pillai (Trivandrum) and (7) G. Parameswara Pillai (Trivandrum).

2. Cited in, **Administrative Re-organization and Economy Committee ,1965-67** (Vellodi Committee), Government of Kerala, Trivandrum, 1967, p.8.

(ii) Democratization of Administrative System

The Administrative Reforms Committee approached their task with a view to democratize the whole administrative system and machinery in accordance with the new areas of development. It viewed that as development progresses, administration steadily assumes a broader content. It includes within its scope ^{the} running of administrative machinery, seeking co-operation and participation of people, informing and educating the public and finally organizing a sound system of planning based as much on the participation of people at each level as on the best technical, economic and statistical information available. Therefore, the pattern of planning has to be altered right from the top to bottom and vice-versa. The rural local bodies have also to be altered accordingly. In a nutshell the objectives of local bodies are not merely to collect revenues and maintain peace but to promote the welfare of all classes of people particularly the poorer sections. For this, the method was to be democratic and the machinery ^{had to be} responsible to the people's representative.

(iii) Decentralized administration

The system that prevailed in Kerala was so centralized that, it caused the decline of initiative on the part of the people. The laws and regulations, though amended, were still rigid, restrictive, and unsuited to the rapidly expanding functions of the executive. The Committee, therefore, observed that the officials in the financial as well as at the district and lower levels had to be equipped with adequate powers to avoid inordinate delay in discharging their duties. Wider participation, efficient administration, and wide delegation of powers were also desirable.

(iv) Check on the Executive

The Administrative Reforms Committee considered that democratization is a necessary corollary to decentralization, because it constituted an effective check on the proper exercise of delegated authority by the executive. *Panchayat* administration, when democratized (i.e. managed by the people's representatives), it ^{would} constitute an effective and meaningful check on the excess, if any, by the executive. A body of the people's representatives ^{would} also serve as an agency for the independent evaluation of work done by the permanent officials. The guiding principles of any administrative reform should be to delegate greater and greater authority to the lower units of

administration like the *Panchayats*.

Hence the Committee (1958) was expected to review the working of the administrative machinery in the state systems, ^{and the} procedures, and precedence under which it functions with a view to assessing their adequacy for a democratic government in a welfare state.

(v) Efficiency of Administration

The purpose of the government was to improve the efficiency of the administrative machinery in coping with developmental activities. Another purpose of the Committee was to suggest measures for the co-ordination of the activities of the different government departments and for the avoidance of overlapping in such activities. To be brief, the important aspects on which the Committee was expected to suggest proposals that would have direct bearing on the rural local bodies in Kerala were :

- * Measures for decentralization of power at various levels with a view to expeditious dispatch of government business,
- * Methods by which democratization of the organs of government at various levels - structural and functional formations, suitable to serve the purpose of the local bodies, or autonomous and independent functioning,
- * Effective participation of local self governing institutions or representative bodies in the administration,
- * To review the then existing system of the state, with a view to assessing their adequacy for a democratic government in the welfare state. Thus, the committee was expected to suggest recommendations arising out of the above matters or related affairs.¹

In the matter of decentralization of power at the *Panchayat* level in Kerala, the terms referred to by the committee had special significance because it was the first committee in the post - independence period set up by the democratically elected government in the state. It specified the functions to be performed, structure, pattern, norms of representation of the people, their

1. For details see, **Report of the Administrative Reforms Committee, 1958**, Vol. I, Part- I, Government of Kerala, Trivandrum, 1958, 'Introduction,' pp.2-4.

involvement through a network of committees that will look upon civic, developmental, regulatory and social programmes, health and similar agency function for the government and ^{also} specified the revenue share. It recommended to revive the powers of *Panchayats* in judicial matters too, to be exercised through the Village Courts.

(vi) Overhaulⁿ the whole administrative system

The committee viewed that the *Panchayats* had been functioning as mere “local bodies” during the last few years although they had been asked to participate in the working of the National Extension Service Programme or other local development schemes. For almost all activities of government, there are departmental agencies down to the village level. Thus, the *Panchayat* is looked upon as one of the functionaries like the Department of Education or Public Works. But the development of Village *Panchayats* on the right lines has more significance, because they can play a considerable part in bringing about a more just and integrated social structure in rural areas. Therefore, the attempt of 1958 Committee was an overhauling of the whole *Panchayat* system in Kerala in accordance with the new vision of local bodies in the post-independence period.

In this way, the first statutory committee attempted to democratize the rural local bodies through functional and structural decentralization. The whole process was grouped under the following headlines. (a) Specification of jurisdiction and constitution of *Panchayats*, (b) Functions and Powers of *Panchayats*, (c) *Panchayat* and revenue administration, (d) *Panchayats* and *Gramsevaks*, (e) Resources of *Panchayats*, (f) *Panchayat* Staff, (g) The role of village Courts and (h) Institutional structure.

6.2.2. Main Suggestions

The main suggestion of the Committee, was that : “at the village level, the *Panchayat* should function as the only organization between the people and the government. *Panchayat* should be the media through which the villagers would come into contact with government; *Panchayats* should be the units of administration , and nothing that takes place within their area should be done without the *Panchayats* being associated. They should be the executive links between the government and the

people.”¹

(i) Jurisdiction and Constitution of *Panchayats*

Till 1956, Kerala State had not followed a uniform pattern of local bodies as regards the jurisdiction, structure and constitution of *Panchayats*. In Malabar, one of the erstwhile units, the size of a *Panchayat* in terms of population was 500. While in Travancore-Cochin, the other erstwhile unit, it varied from about 10,000 to 30,000. In the former region, *Panchayats*, were classified into Grade I & II while it was different in the latter unit. The territorial area of the *Panchayat* in some cases cut across the boundaries of revenue villages. The Committee therefore suggested that delimitation of areas is to be done in such a way that a *Panchayat* will have a population of not less than 10,000 and as far as possible^{and} consist of either one village or a number of villages. In other words, the suggestion was that there should be one *Panchayat* for each revenue village.

Election on the basis of adult franchise, secret ballot and majority rule are the very vital points of democracy. Democratization of the system means incorporating these features. Therefore, the committee made their opinion that *Panchayats* should be constituted on the basis of direct election by adult franchise. One member might represent approximately every thousand voters and there should be a provision for co-option of one woman member, if no lady member is elected, and also there should be¹ reservation for Scheduled Castes and Tribes.

To ensure *Panchayat* administration^{to be} sufficiently broad based, and for the maximum utilization of all available talents in the locality, *Panchayats* should have functional committees for different subjects like sanitation, communications, public health, education etc., consisting both of *Panchayat* members and others who are interested in public welfare. Another forum suggested to ensure broad based administrative system was that a committee should be formed for each ward, i.e. ward committee in the *Panchayat* and thus, the involvement of people at the grass root level could be made possible.

The committee also endorsed the existing practice of party-based election to *Panchayat*

1. Report of the Administrative Reforms Committee, 1958, Vol. I, Part -I, Government of Kerala, Trivandrum, 1958, p.28.

councils. In a state like Kerala, where people are generally literate and have developed a high degree of political consciousness, it is natural to expect that the party ideals will influence the electorate. Therefore the Committee suggested that ~~this would assure~~ democracy at the lower levels.

(ii) Functions and Powers

The functions of the Kerala *Panchayat* are classified into three categories namely,

- * Those in respect of which the *Panchayats* have full devolution of powers as local self government units, raising their own taxes, deciding policies and implementing them;
- * Those for which the *Panchayats* would function as agents of a government with executive delegation of powers; and
- * Those involving a necessarily higher optimum level of policy making and organization in respect of which the *Panchayats'* role would be mostly advisory.¹

In other words, the first category makes the *Panchayats* as units with full devolution of powers, the second converts *Panchayats* as agents of the government or government departments and the third converts them ^{into} advisory bodies.

The functions proposed above are broadly divided into three categories namely - (i) Mandatory Functions (ii) Discretionary Powers and (iii) Compulsory Duties.²

(a) Mandatory Functions

The Mandatory Functions include the construction, repair and maintenance of all public roads in the *Panchayat* area and of all bridges, culvert roads, dams and causeways and the lighting of public roads and public places, the construction of drains and the disposal of drainage water and sewage; the cleaning of streets and public places, providing public latrines and urinals, opening and

1. **Report of the Administrative Reforms Committee, 1958**, Vol. 1, Part -I, Government of Kerala, Trivandrum, 1958, p.27.

2. **Ibid**, pp. 30-33.

The Santhanam Committee appointed by the Ministry of Community Development and Co-operation, Government of India, in 1962, classified the functions of **Panchayats** into three categories viz., civic amenities, social welfare activities and development work. Of these, the first category of activities was intended to be obligatory, while the other two could be optional.

For details see, **Report of the Committee on Panchayat Raj Finance 1962**, Government of India, New Delhi, 1963, p.8.

maintenance of burial and cremation grounds, providing drinking water to the villagers, preventive and remedial measures connected with any epidemic or with malaria, control of offensive and dangerous trades, construction and maintenance of petty irrigation works, control of cattle ponds, registration of births and deaths and encouragement to increase food production etc.

The Mandatory Functions of the *Panchayats* should be those which can be performed by them out of their own resource, with their own staff and *Panchayats* would be responsible fully both for their formulation and execution. As referred to, they would be the functions in respect of which the *Panchayats* would have full delegation of powers.

(b) Discretionary Powers

The Discretionary Powers included planting and preservation of trees, (forestry scheme) the opening and maintenance of public markets, the control of fairs and festivals other than those classified as district fairs and festivals, the opening and maintenance of public landing places, halting places and cart-stands, public slaughter houses, choultries other than those classified as district choultries, the extension of village sites and the regulation of building, the registration of births and deaths, the improvement of agriculture and agricultural stock and the holding of agricultural fairs, the promotion and encouragement of cottage industries, primary education, the opening and maintenance of reading rooms and of libraries, wireless receiving sets, playgrounds, sports clubs, and centres of physical culture, dispensaries and payment of subsidies to rural medical practitioners, maternity and child welfare centres, veterinary relief, ^{and} other measures of public utility calculated to promote the safety, health and comfort or convenience of the inhabitants of the village and ^{to} increase food production.

In discharging the functions mentioned above, the *Panchayat* is endowed with options either to take up or not, one particular function. In fields like 'social service programmes' and 'development work' *Panchayats* should function with executive responsibility as agents of government. with regard to education, the *Panchayats* may be made more responsible for the administration of primary schools on behalf of the government. In the field of health, they should have the responsibility to maintain and run rural dispensaries, primary health centres, child welfare and maternity homes.

A. greater and increasing ^{was envisaged} role for the *Panchayats* as they gain

experience, strength and vitality in attending to development works like agricultural production, animal husbandry, co-operative organizations, village industries etc.

Regarding the functions specified above, under the broad divisions, it is to be noted in this context that some more changes have been made subsequently which empower the government to declare by notification any of the discretionary duties or functions as obligatory for *Panchayat* areas. It has been stipulated further that ^{the Director of *Panchayats* may transfer to} the *Panchayat*, subject to such rules as may be prescribed the management and maintenance of any institution or the execution or maintenance of any work or the exercise of any power or the discharge of any duty within the *Panchayat* area whether provided for in the Act or not.¹ The above authorities may also authorize by general or special order a *Panchayat* to exercise any power or discharge any function such as collection of land revenue, maintenance of survey and village records, collection of village statistics, supervision and control over government primary schools, public health, child welfare, maternity institutions and the execution of community development work as may be specified by the Government from time to time.

It has also been laid down that two or more *Panchayats* together may establish and maintain common dispensaries, child welfare centres and institutions of such other kinds as may be prescribed by the government.² Besides, the government may also, by notification in the Gazette, make over to a *Panchayat* with its consent the management and superintendence of any charitable endowment in respect of which powers and duties attached to the Board of revenue, shall be transferred to the *Panchayat* also; such powers may be withdrawn from the *Panchayat* subsequently by the Government at its discretion. Again, the government may assign to a *Panchayat* with its consent, a charitable *inam*, a service *inam*, or a conditional personal *inam* resumed by the Government or any other authority provided that, the net income from such *inams* can be applied exclusively to any purpose to which the funds of the *Panchayat* may be applied and may revoke any assignment so made.³ Over and above the aforementioned duties and functions, regulatory functions pertaining to public safety, convenience and health, may also be entrusted to *Panchayats* according to chapter v of

1. The Kerala Panchayat Act 1960, Section 58, Government of Kerala, Trivandrum, 1960.

2. *Ibid.*, Section 59.

2. *Ibid.*, Sections 59, and 60, sub section (1) and (2).

the Act.

(c) Compulsory Duties

The Statutory Committee, 1958, on plan projects set up by the legislative assembly suggested the following 'compulsory duties' also for the Village *Panchayats*:² (a) provision of water supply for domestic use, (b) sanitation (c) maintenance of public streets, drains and tanks. (d) lighting of village streets (e) maintenance of *Panchayat* roads, culverts, roads, and bridges; (f) supervision of primary schools (g) welfare of backward classes; and (h) collection and maintenance of statistics.

While entrusting the *Panchayat* bodies with the responsibilities of local administration, they have been assigned duties to execute the different programmes in their respective areas. The state government can transfer any function to the *Panchayats*. The president of the *Panchayat* has been vested with emergency powers to decide and execute the works undertaken by the *Panchayat* and also to sanction money for this purpose from the *Panchayat* funds. He is also expected to advise, guide and control the *Panchayat* staff. Out of the three broad divisions of powers, the statutory committee suggested the government to accept the provisions regarding the Mandatory functions given in the Draft Kerala *Panchayat* Bill 1958.²

By proposing the bulk of the new functions to be assigned for the *Panchayats*, the committee stressed the point that democratic character should be maintained and at the same time the *Panchayats* can effectively attend to the functions as agents of government. It means that these are some of the functions in which executive responsibility may be delegated to the *Panchayats* and as and when new institutions are opened, the possibility of making the *Panchayats* responsible for their maintenance should be entrusted to the *Panchayats* consistent with the demands of the administration.

In the exercise of these functions, the *Panchayats* were looked upon as independent units in two ways as far as the exercise of administrative powers are concerned. Firstly, the Mandatory Functions are those in which the *Panchayats* would have full delegation of powers. Secondly the

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1. **Report of the Administrative Reforms Committee, 1958**, Vol.I, Part-I, Government of Kerala, Trivandrum, 1958, p.33.
 2. **Ibid.**, pp.30-31.

Panchayats need not send proposals on certain matters to higher authorities for approval. This means that *Panchayats* are given full executive responsibility in performing civic amenities and social welfare activities . On the whole the attempt was in favour of a continuous search to effect greater and greater delegation.

(iii) *Panchayats* as Units of Revenue Administration

One of the suggestions made by the Administrative Reforms Committee, 1958, was related to revenue establishments and the *Panchayat*. The *Panchayat* was empowered to collect land revenue under the jurisdiction of that particular *Panchayat*. This has to be made not only to augment the resources of the *Panchayat* but for co-ordinating the activities of the government functionaries. The committee also desired to bring them under the control of an elected body like the *Panchayat*. The committee was also in favour of allotting 50 percent of the basic tax collected to the *Panchayat* and the remaining 50 percent of the total for the state also to be distributed to the *Panchayats* on the basis of needs.

More emphasis was laid on the *Panchayat's* power to collect the revenue with sufficient powers vested with them to enforce payment and for this purpose the same revenue staff who were attending to collection of land revenue in the village offices were to be transferred to the *Panchayats*. This was suggested with a view to have more co-ordination between the revenue collection and development schemes.¹

To ensure adequacy of resources for implementing the functions for which the *Panchayats* will be given executive responsibility the committee recommended the system of special and specific grants with the provision of matching funds through the mobilization of local resources. The sources of *Panchayat* revenue listed were, house tax, profession tax and vehicle tax, basic tax, cess on land and petty irrigation works, cess on any license fees which the *Panchayats* may levy against discharge of their Mandatory

1. There was disagreement over the transfer of revenue functions from the Village Officer and Tahsildar to *Panchayats* and this view has been expressed by two members. For details see, 'Note' by G. Parameswaran Pillai and V.K.N. Menon, in **Report of the Administrative Reforms Committee, 1958**, Vol.I, Part-I, Government of Kerala, Trivandrum, p.158.

functions, voluntary contributions, surcharge levied on transfer of property, revenue from remunerative enterprises, receipts from pilgrim tax, cattle pounds, occupation of *poramboke* lands, fisheries and such other items as may be specified from time to time by the government.

Autonomous functioning of Village *Panchayats* in matters of budget finalization was also set forth by stating that the *Panchayat* budget ^{was} to be sent to *Tahsildar* for purview and scrutiny. "The purpose of this scrutiny is only to ensure that provision has been made for the fulfilment of statutory functions."¹

To co-ordinate the works of *Panchayats* and the blocks, i.e., to link the *Panchayat* organically with the extension and development work the committee suggested that the *Gram Sevaks* should be attached to the *Panchayat* who ^{would} function as its extension and development assistant. In larger *Panchayats*, it might be necessary to have a *Panchayat* Executive Officer and a *Gramsevak*.

(iv) *Panchayat* and Judicial functions

In Kerala, *Panchayats* had also exercised judicial powers, and historical accounts clearly show that, as in other states in the Indian Union, justice was administered expeditiously, effectively and efficiently by many *Panchayats*, before the enactment of the Act of 1960. In the Malabar region, *Panchayat* Courts were formed on the basis of the Madras Village Courts of 1888 and functioned in all villages having *Panchayats*.² In all villages where there were *Panchayats*, the entire *Panchayat* sat as a court for settling minor disputes and trying petty criminal offenses. In villages without *Panchayats*, the village headman functioned as village *munsiff*. The Village Courts in the Travancore area came into being under the 'Travancore Village Court Act, 1914'.³ The members were nominated by the government and not elected as was the case in Malabar. And in the former Cochin State, a separate department of Village Courts was created and the *Panchayat* Courts were reorganized by an Act of 1943.⁴ The *Panchayat* Courts, already functioning in the state were renamed as Village Courts and the members of each court (total five members including the

1. Report of the Administrative Reforms Committee, 1958, Vol.1, Part -I, Government of Kerala Trivandrum, 1958, p.38.

2. The Madras Village Court Act, 1888.

3. The Travancore Village Court Act, 1920 ME (1914 AD).

4. The Cochin Village Courts Act, 1943, Cochin, 1943.

president) were appointed by the government. They were empowered to try suits upto the value of Rs.100/-. The Cochin Village Courts had the power to execute their decrees by ^{the} arrest of the debtor or by the confiscation and sale of movable property belonging to him. Although there was no provision for appeal against judgments of the Village Courts, the Registrar of Village Courts, who had administrative control of the courts, could set aside a decree or order of a Village Court on the ground of corruption, gross partiality or misconduct of any of the judges or where the court acted without jurisdiction.

With the merger of Cochin with Travancore, a new law unifying the two existing laws, was enacted in 1954. Soon it was found inadequate to cover the whole of Kerala, which was formed in 1956. Therefore a Bill was drafted, i.e., the *Draft Kerala Panchayat Act 1958*, soon after the re-organization of the state. There have been arguments adduced from time to time by those who have misgivings about the credibility of cases settled by the village bodies, either by *Panchayats* as Court for settling civil disputes or the Village Courts functioning as judicial body.

The Administrative Reforms Committee 1958 observed:

“The one factor that has to be borne in mind while considering the question of Village Courts, is that the settlement of minor disputes between the villagers, those amongst them who have their confidence and who are fully conversant with the facts of the locality should be able to dispense justice with speedily, without having to take recourse to the lengthy process of the ordinary Civil and Criminal Courts.”¹

However, the Committee also observed that with regard to the mode of constitution of the Village Courts opinion in Travancore-Cochin area had been uniformly against entrusting judicial powers with the elected persons. In Malabar area, however experience of *Panchayat* Courts has shown that such fears are exaggerated. Therefore, the Committee suggested that the formation of a Village Court, by nomination of all the members and the chairman from out of a panel of names, suggested by the *Panchayats*, would meet the requirements. Each *Panchayat* may send a panel of

1. *The Report of the Administrative Reforms Committee, 1958*, Government of Kerala, Trivandrum, 1958, p.41.

ten names, excluding the names of *Panchayat* members from which, five may be nominated to constitute the Village Court. Since the questions that would arise for decision would depend largely on facts and not on points of law, the committee felt that, it is unnecessary to appoint a legal member to this Court.¹

(V) Structural Rationalization : (a) *The Panchayati Raj*

The *Panchayati Raj*² system of administration means a pattern of administration from the *Panchayat* to sub-state level in which all the bodies are organically linked. This has not been implemented in Kerala, though it was begun in many states in India. Though the system was not adopted as such, however, the statutory committee proposed two schemes in their suggestions on sub-district level administrative system. (1) As stated earlier, the basic unit of all departments should, as far as possible be a *Panchayat* or a whole number of *Panchayats*. This arose from the recommendation to build up an administrative structure in the state with the *Panchayat* as the base.

The task was to co-ordinate revenue administration with development and civic administration. Above the village the *Taluq* is proposed as the unit for purpose of revenue and general administration while the National Extension Service Blocks (N E S Blocks) were proposed as the unit of development and extension.³

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1. **The Report of the Administrative Reforms Committee, 1958**, Vol. I, Part-I, Government of Kerala, Trivandrum, 1958, p.42.
 2. The term '**Panchayati Raj**' means a statutory multi-tier institutional structure at the sub-state level endowed with a corporate status by a competent (state) legislature, performing functions pertaining to local government as determined from time to time, by the legislature and the executive at the State or the Union levels. The term applied in the context of local government administration in India in the post-independence period, contains the concepts like democracy, development and decentralization embodied in a paradigmatic sense. It stands for a decentralized functionality of local government by multi-tier system at the sub-state level which originated from the proposals of Balvantray Mehta Study Team on democratic decentralization. **Panchayati Raj** in India did not record a sustained success. It has been said that Balvantray Mehta also viewed the **panchayats** as units of centralized planning system. For details of the system and a critical view, see, P.C.Mathur, '**Remodelling Panchayat Raj Institutions in India**,' in T.N. Chaturvedi, ed., **Panchayati Raj**, New Delhi, 1981, p.170 .
E.M.S. Namboodiripad, '**Janadipathya Vikendrikaranam**,' in **Panchayati Raj: Prayogavum Siddhanthavum**, (Malayalam), Trichur, Kerala, 1989, p.23.
 3. National Extension Service (N E S) was launched by the Government of India under the Community Development Programme. The scheme was based on the 'Block' having an average population of 1 lakh as the base for planning purposes. Accordingly, the State was divided into 143 National Extension Service Blocks. There were 55 **Taluks** in the state with an average area of 270 sq. metres and an average population of 2.1/2 lakhs. Each **Taluq** consisted of two to four N.E.S. Blocks.

Thus, the Committee recommended that the basic unit of all departments should as far as possible be a *Panchayat*. Above the *Panchayat*, for co-ordinating the work of several departments at the *Taluq* level it was proposed to reconstitute the 'Taluq Council', and it was to be an advisory body instead of being one having devolved powers and delegated functions. The reorganized Block Advisory Committee, to be redesignated as the *Taluq* Council, should be an indirectly elected body comprising the representatives of the concerned *Panchayats*. The 'Taluq Council' would be the only one at the 'Taluq' level, replacing all other ad hoc advisory committees. The main function of the Committee was envisaged to be that of an advisory role at the sub- district level.

Above the 'Taluq Council' in order to ensure representation of people, it was recommended to form a District Council. On the role of such a Council vis-a-vis the *Panchayat* 'Samitis', the Committee favoured a restricted task only to the District Council, lest it should curtail the powers of elected bodies at the lower level. It favoured a limited role because Village *Panchayats* in Kerala, as envisaged in the report are fairly large units and they exercise comparatively many powers. Moreover, the rural local bodies in the state are self- governing bodies to an extent, with specific fields of work and powers of taxation.

However, in view of the fact that the proposed District Council would ^{be} organizations with the power to take decision, they may be assigned some tasks like scrutiny of *Panchayat* plans, apportionment among the *Panchayats* of the basic tax equalization fund, distribution of grant to the *Panchayats* channeled through local development allotments, arranging for execution of any work in a *Panchayat* which is either inefficient or has ceased to function¹.

6.3.0 Commission for Delimitation of *Panchayat* Areas: Chandu Menon Report 1958 (II Statutory Commission)

A Committee was constituted under O. Chandu Menon, in 1958 to examine the question of delimitation of *Panchayat* areas. The commission also upheld that the paramount consideration in the delimitation of *Panchayat* areas should be the creation of convenient and compact administrative units in such a manner as to enthuse the people and secure their co-operative efforts in the

1. Report of the Administrative Reforms Committee, 1958, Vol.I, Part-I, Government of Kerala, Trivandrum, 1958, p.69.

ameliorative or developmental activities of the *Panchayats*¹. The Commission strongly recommended for an economically viable *Panchayat* area to the extent possible, so that the administration could be carried on without waiting for the allotment of funds by the superior authorities.

Each district has about 100-200 *Panchayats* under its jurisdiction whereas under each Block the number is between 10-15. Therefore, the district was offered a convenient level for the formation of an intermediate agency.

Briefly stated, the committee suggested *Panchayati Raj* system of administration in Kerala in which *Panchayat*, Taluq *Council*, Block and District Council - all ^{would be} organically linked and the principles of democratization and decentralization extended upto sub-state level. In other words, the principle of administrative decentralization has to be extended to the district levels, and from the district level to the ^{uraj} areas, the *Panchayats*.

Following the recommendations of the Administrative Reforms Committee, and the Delimitations Commission, a Kerala *Panchayat* Bill was introduced in Dec. 1958. After one year the Kerala District Council Bill was also introduced in April 1959. Neither could, however, be enacted into law then, as the Legislative Assembly of Kerala was dissolved on 31 July 1959, by the President of India.

6.4.0. The Kerala *Panchayat* Act, 1960

The Government of Kerala enacted in the year 1960, a Kerala *Panchayat* Act unifying the existing laws in the Malabar and Travancore-Cochin regions of the state and enlarged the functions and financial resources of the local bodies. The Act is the climax of a series of legislative sessions held in the year 1960. The debates and discussions prior to the passing of the Act show that the members in the Legislative Assembly were in high spirit for a *Village Swaraj* in consonance with the Gandhian vision.²

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1. Report of the Commission for Delimitation of *Panchayat* Areas, 1958, in 2 Parts, Part-I, Government of Kerala, Trivandrum, 1960, p.6.
 2. For details see, **The Proceedings of the Kerala Legislative Assembly**, Second Session, 30 June 1960. Official Report, Vol.IX, No.7, 1961; Vol.IX No.14. Sep.1960; Third Session, Vol.X, Nos. 1-5, 7-10, & Fourth Session, Sep.1962, Vol.10, Nos. 11-20, Nos. 21-30, 1962, Government of Kerala, Trivandrum, pp.762-803, p.1488, & pp.819-20.

As regards the Kerala *Panchayat* Act 1960, the statement of objectives of the Act were as follows:-

The proposal is that the *Panchayat* should be the only organization at the village level between government and the people, and that they should be the media through which the villagers can come into contact with the government. In other words nothing that takes place within the *Panchayat* area should be done without the *Panchayat* being associated with it, in one of the three ways — executive functions with full devolution of powers, agency functions and advisory functions. Provision has been made for entrusting to the *Panchayat* the functions then attended to by the village officers excepting the judicial functions exercised formerly by the village headman in the Malabar area.... It is also proposed that *Panchayats* should be entrusted with the responsibility of control and supervision of elementary schools and of medical, public health work, and for the development of agriculture, animal husbandry and cottage industries....¹

6.4.1. Functions Streamlined

The Act of 1960 contained an impressive list of duties and functions of *Panchayats* (section 57) in Kerala. The Act provides that government could authorise the *Panchayats* to exercise functions such as collection of land revenue, maintenance of survey, and village records collection of village statistics, supervision and control over primary schools, medical, public health, child welfare, maternity institutions and execution of community development work including improvement of agriculture, animal husbandry, communication and village industries.

6.4.2 Institution of the *Panchayati Raj* System

In accordance with the provisions of the Act, the government introduced *Panchayati Raj* system of functioning in certain select areas. Two blocks in each district were selected for the

1. Cited in, **Report on the Measures to be Taken for Democratic Decentralization at the District and Lower Levels in 2 vols.**, Vol.I, July 1988, Government of Kerala, Trivandrum, 1988, pp.11-12.

scheme.¹ According to the scheme, every work of the different department^S_A at the village level has to be executed through the agency of the *Panchayats*. The budget of every department will therefore consist of two portions, one for works to be executed directly by the department and the other to be transferred to *Panchayats*. For their execution, the Block Development Officer, Revenue Divisional Officer and the District Collector were given powers to inspect the *Panchayats* and issue instructions so that, the works undertaken by the *Panchayats* are administered efficiently.²

6.5.0 The Kerala *Panchayat* Union Councils and *Zilla Parishad* Bill 1964

The Kerala *Panchayat* Union Councils and *Zilla Parishad* Bill 1964, was introduced in the Legislative Assembly on the lines of the recommendations of the "Balvantry Mehta Study Team" and the *Panchayati Raj* set up in state like Tamil Nadu and Rajasthan. It envisaged a scheme under which the Block was to be the basic unit of planning and development in the state with an elected *Panchayat* Union Council with sufficient authority. Above the Block, an advisory *Zilla Parishad* was proposed at the district level.³ The Chairmen of the *Panchayat* Union Councils were to be members of the *Zilla Parishad*. However, this bill could not be proceeded with, as the ministry fell in Sept. 1964.

2. The scheme of **Panchayati Raj** as a cluster of inter-meshing institutions is a post-1950 conceptual development and Article 40 of the Constitution of India does not use any phrase other than village **Panchayats**. The conceptual anomaly of treating **Panchayat** and **Samitis**, Blocks and the District Councils as variants of Village **Panchayat** become all the more pronounced recently. In this context, one has to remember that this anomaly is a post-Balvantray Mehta Report phenomenon. As a result neither the various commissions, committees and study teams appointed by the Central Government nor the two dozen and odd study teams appointed by the various state governments including the Government of Kerala have undertaken a comprehensive scheme for the re-organization of Village **Panchayats**. It is in this background that the Government of Kerala visualized a scheme of decentralization of power at the District and lower levels.

For details see, P.C. Mathur, 'Remodelling **Panchayati Raj** Institutions in India,' in T.N. Chaturvedi, ed., **Panchayati Raj**, New Delhi, 1981, p.171.

2. A. Sreedhara Menon, ed., **Gazetteer of India-Kerala**, Government of Kerala, Trivandrum, 1962, pp.645-46.

The areas selected for introduction of **Panchayati Raj** in the Trivandrum district were, Varkala Block, with Cherummiyur, Ilakkamon, Manambur, Chemmaruthy, Edava, Varkala and Vettoor **Panchayats** coming under it and Nedumangad, Aruvikara, Vembayam, and Karakulam **Panchayats**.

3. For details see, **Kerala Panchayat Union Councils and Zilla Parishad Bill 1964**, Government of Kerala, Trivandrum, 1964, p.209.

6.6.0. Vellodi Committee, 1965 (III Statutory Commission)

The political instability in the state again led to what may be called ups and downs in the approach and attempts at the decentralizing process of *Panchayat* administration. The state came under President's rule in 1965. Shortly an Administrative Re-organization and the Economy Committee headed by M.K. Vellodi was appointed.¹ The commission was constituted in October 1965 to study the question of reduction in administrative expenditure and to formulate steps necessary for achieving maximum economy compatible with security, efficiency and the permanent needs of the planned development of the state.

6.6.1. Objectives of the Vellodi Committee: Welfare State

The committee was expected to suggest measures towards administrative delegation and sharing^{of} financial powers among the officers of the government at different levels. Another point referred to by the committee was the organization of departments at all levels, state, region, district and below.

The objects of the Committee say:

As time passed, government both at the centre and in the states began to feel that those reforms had not the desired impact on the people and that the people by and large did not seem to feel that they had an active share in the formulation or the implementation of these powers. It was felt that something more had to be done to make the people feel that, they were involved in the work of establishing a welfare state.²

The Vellodi committee's approach was more or less on a similar pattern taken by the Balvantray Mehta Committee, 1958 at the national level, which recommended a *Panchayati*

1. The committee consisted the following members, M.K. Vellodi (Chairman) K.R.K. Menon and P.S. Padmanabhan, (members).

The terms referred to the committee included the distribution of functions between the state government and the local authorities, allocation of work among the different departments of the government, the organization of departments at all levels, state, region, district and below, the constitution and the structure of the state and the subordinate services, the delegation of administrative and financial powers among the officers of the government at different levels, etc.

2. **Report of the Administrative Reforms and Economy Committee, 1965-67**, Government of Kerala, Trivandrum, 1967, p.2.

Raj system of administration. However, instead of *Panchayat*, the Block was suggested to be the unit of administration.

Besides, the committee observed that the reason like lack of enthusiasm on the part of the people, and the local authorities, indifference of the government towards delegation of authority and decentralization of power, and the like, caused the dismal failure of local administration in the state.¹

Therefore, the committee reviewed the need for decentralization of responsibility and power to levels below the state, and thereby included many suggestions related to *Panchayat* administration, its powers and functions, resources, sources of revenue, its links with upper level bodies like *Taluk Samitis*, *Zilla Parishads* etc. The committee, after referring to the proposals submitted by the Balvantray Mehta Committee² to the Government of India, suggested a pattern of *Panchayati Raj* system more or less similar, to that in Kerala. Therefore it suggested to reorganize district administration in Kerala so as to link them with the village *Panchayats* in a tier system.

6.6.2 *Panchayat* as units of administration

About the rural local bodies, the main objective was intended to strengthen the *Panchayat* bodies. It included the need for creating *Panchayats* as units of administration, both administrative and territorial. The suggestions of the committee was mainly in consonance with the Government of India Resolution of 18 May, 1956 which reads as follows:

The object of local self government is to train the people in the management of their own local affairs, and the political education of this sort must, in the main take precedence of considerations of departmental efficiency. It follows from this that local bodies should be as representative as possible of the people, whose affairs they are called upon to administer, that their authority in the matter entrusted should be real and

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1. **Report of the Administrative Re-organization and Economy Committee, 1965-67**, Government of Kerala, Trivandrum, 1967, p.3.
 2. The Balvantray Mehta Committee appointed by the Government of India in 1956 recommended a three-tier system of decentralization, the Village **Panchayat** at the lowest level, the **Panchayat Samitis** at the Block level, and the **Zilla Parishad** at the district level. Most of the states in India have implemented the Mehta Committee recommendations in the scheme of **Panchayati Raj**.

not nominal and that they should not be subjected to unnecessary control, should learn by making mistakes and profiting by them.¹

6.6.3. Main recommendations

Thus, the following considerations, the committee recommended, should weigh with government in the context of *Panchayat Raj* system.²

- a) The lowest unit of administration should be the *Panchayat*, identical with a revenue village,
- b) The *Panchayats* should have well-defined functions and adequate resources to discharge them,
- c) The *Panchayats* should link up with the sub-district level bodies,
- d) The democratic body at the sub-district level should have real powers.
- e) The nature of the democratic body at the district level should be decided on pragmatic rather than on theoretical grounds.

The Committee viewed that the *Panchayats* should be accepted as units of re-survey so that they would become revenue villages as well. In other words *Panchayats* and revenue villages would have to be co-ordinated. The suggestion was that all existing *Panchayats* as also the Municipal and Corporation areas should be notified as revenue villages. This would result, according to the committee, in the constitution of 951 *Panchayats* in the revenue villages. The land records could be made available to the proposed lowest administrative units - the *Panchayats*. If on a future day the size of a *Panchayat* has to be altered, it should be laid down that the portion added or taken away is a whole number of 1000 hectare Blocks.

To provide still higher stimulus to grass root level bodies in Kerala, through a process of co-ordinated services from all the departments, the committee suggested that *Panchayats* should become part of general administration. To make *Panchayats* effective democratic bodies, it is

1. Cited in, **Report of the Administrative Re-organization and Economy Committee, 1965-67**, Government of Kerala, Trivandrum, 1967, p.12.
2. **Ibid.**, 'Summary of Recommendations', p.120.

essential that they receive constant guidance and attention and co-ordination from all departments.¹

The Vellodi Committee also endorsed the categorization of functions as listed in the *Panchayat Act of 1960*. However, 'the Draft *Panchayat Bill (1964)*' and the '*Kerala Panchayat Union Councils Act (1964)*' proposed to delete functions like maintenance of village roads and preventive measures in the context of epidemics from the list of Mandatory functions. The Vellodi Committee, objected to this on the ground that village roads would receive better attention at the *Panchayat* level, and *Panchayats* are best fitted to ensure maximum coverage in the context of preventive and remedial measures connected with epidemics.

Similarly, the committee wanted to specify with more clarity a number of discretionary functions like improvement of agriculture and establishment of model farms, improvement of cattle and cattle breeding and general care of livestock, the spread, supervision and improvement of education. It was stipulated that the funds in respect of discharging these functions be handed over to the *Panchayat* bodies, instead of being used by other departmental agencies.

The committee also, recommended in favour of granting sufficient resources with which *Panchayats* can give good account of themselves¹. But the committee did not agree with the recommendations of the previous Reform Committee of 1958 about the control and supervision of primary education by the *Panchayats*. Under the circumstances then existed, the Committee viewed that it would not be wise to entrust primary education to the *Panchayats*.

1. **The Panchayat Act of 1960**, Government of Kerala, Trivandrum, 1960.

For details see, sections 57 (1), 57 (2), 58, 59, 60 and Ch.V and Annexure V of the Act.

The recommendations of the Reforms Committee, 1958, that the **Panchayat** should undertake obligatory, agency, and advisory functions have been accepted in part, in the scheme of the Kerala **Panchayat Act** of 1960. The Act of 1960 has further classified the functions. They are: a) Mandatory, (b) Discretionary, (c) Agency and (d) Regulatory functions.

2. Section 67 of Kerala **Panchayat Act (1960)** entitles the **Panchayat** to get a grant which shall be equal to three-fourth of the amount of basic tax collected by the government in the last preceeding year from the **Panchayat** area.

The committee suggested to the government to pay to the **Panchayat** in the state a grant, the aggregate of which shall be as near as may be, equal to the balance of the basic tax collected by the government in the preceeding year from all lands in the state in such proportion as may be fixed by the government.

Chapter IV of the **Panchayat Act 1960**, enumerates the sources of **Panchayat's** revenues viz, building tax, profession tax vehicle tax, service tax, show tax and certain surcharge on stamp duty on certain instruments covered by section 71 of the Act. Surcharge on stamp duty was a major source of income. Therefore, the committee viewed that the **Panchayats** should retain the right to collect stamp duty.

The financial position of *Panchayats* was a serious concern of the committee and it suggested to the government to pay to the *Panchayat* in the state, a grant, the aggregate of which shall be as near as may be equal to the balance of the basic tax collected by the government in the preceding year from all lands in the state in such proportion as may be fixed by the government. Also, the committee observed thus,

It has been agreed on all hands that the main problem of *Panchayats* in Kerala is paucity of funds and that the solution lies in building up their resources, hence, it will be inadvisable to take away all existing and important service of revenue from the *Panchayats*. The committee strongly urged that surcharge on stamp duty should continue to be a source of revenue for *Panchayats*; any move to the contrary can only cripple them and in the process shake the very foundations of the scheme of *Panchayati Raj*.¹

The Committee suggested that for a strong *Panchayat* system of administration to prove its effectiveness and usefulness as democratic bodies at the lower levels, the *Panchayat* should be strengthened.

The Vellodi Committee also visualized a *Panchayati Raj* system of local administration for Kerala. In this sense, the committee more or less endorsed the provisions of the 'Kerala *Panchayat* Bill 1960,' which says that there should be a common unit for general administrative and local self government functions at the lowest level, i.e., the *Panchayat*. To fulfil this, the *Panchayat* should link up with the sub-district unit which should take in a whole number of *Panchayats*. Also, the democratic body at the sub district level should have real powers.

The committee recommended that there should be a '*Taluq Samithi*' above the *Panchayat* not as an advisory body as suggested by the first statutory committee, but as a democratic body with real powers. They should prepare and sanction their own budget and be able to formulate schemes and determine priorities for the implementation of the schemes. The Samithi should have the freedom to formulate and implement local sector programmes according to local requirements.

1. Report of the Administrative Re-organization and Economy Committee 1965-67, Government of Kerala, Trivandrum, 1967, pp.21-22.

Thus, the Committee of 1965 observed that “unless these provisions are included in the legislation on *Panchayati Raj*, real powers cannot be transferred to these democratic bodies”.¹ The District Collector, who is in charge of general administration of a revenue district, can “cancel the resolution passed by the Samithi which cannot conform to a law or which is in excess of the powers conferred or whose execution will endanger human life, public health, public safety...”²

The funds available to the *Taluq* Samithi would be as follows:

(1) Resources raised by the Samithi (2) Community Development Funds, and (3) Plan and Non-plan funds for the local sector in the state plan. Out of the three items, the latter two sources are to be from the state budget.

In short, Blocks and Taluks should be integrated. But care must be taken to ensure that the agency for development is retained and the size of the unit is manageable. While effecting the integration of Blocks and Taluks, the principles to be kept in view are (a) A unit should take in a whole number of *Panchayats* (b) A unit should comprise 10 to 15 *Panchayats* (c) The population in a unit should generally range from 1¹/₂ to 2¹/₂ lakhs, though, rigid adherence to this size would not be practicable. The integrated *Taluq* will be named after the same term, because this term is better understood than Block. The officer-in-charge of the unit should be called Tahsildar.

The Vellodi Committee (1967) envisaged a District Council called *Zilla Parishad* above the *Taluq* Samithi. It should be a nominated body with functions of an advisory character, as contemplated in the ‘Kerala *Panchayat* Union Councils and *Zilla Parishad* Bill, (1964)’ and that will ensure maximum co-operation of people in the implementation of the District Plan. The District Collector, being the co-ordinator of all developmental activities in the district, has a pivotal role to play under *Panchayati Raj*.

1. ‘Report of the Administrative Reforms and Economy Committee, 1965-67’ (Vellodi Committee) Government of Kerala, Trivandrum, 1967, p.29.

2. *Ibid.*, p.29.

General administrative (revenue) functions and development functions were integrated at the District level. At the sub-divisional level the Revenue Divisional Officer was in charge of the general administrative (revenue) and development functions. At the sub-district level, however, there were two units the **Taluq** and the Block headed by two sets of officers, the **Tahsildar** and the Block Development Officer.

6.6.4. Emphasis on decision-making at the lower level

The Vellodi Committee submitted its recommendations with a view to strengthen the rural local bodies in Kerala. It suggested various measures to democratize the Kerala *Panchayat* administration through functional and structural decentralization. The committee also suggested that authority should be delegated to subordinate levels, commensurate with their responsibility, so that they can make decisions without constant reference to the superior authorities. Although, the government have been expanding the area of delegated authority, from time to time, there is further scope and need as well, for delegation, which will ensure greater decentralization and facilitate decision-making at lower levels. Very often pressures arise at higher levels even in matters which should end at subordinate levels. This feature conditions the conduct of lower level officers who, without exercising the powers delegated to them, refer matters to higher authorities because they are haunted by the fear that their superiors might question the manner in which, they exercise powers. The commission had with them many instances of the government ignoring the rights of the *Panchayats* and taking on themselves the responsibility of disposing of matters. To avoid such situations, the commission suggested that once powers are delegated, government must trust the officers to whom delegation has been made.¹ Thus, the committee of 1967 observed: “the basic assumption behind delegation is that the person who delegates the power has full confidence in the judgment and bonafides of the persons to whom the power is given .”²

It seems that both the committees have many similarities in their approach, recommendations and the vision of a decentralized *Panchayati Raj* system in Kerala, and also the suggestions on structural pattern, i.e., *Panchayati Raj* administration. Both recommended that *Panchayat* should be the lowest unit of administration with an integrated system of revenue villages and *Panchayats* at the lowest level. The committee suggested well marked resources and revenue system so that they may be able to act as more or less autonomous bodies in both administrative and development functions. The functions were classified as Mandatory, discriminatory and compulsory under the Reforms Committees of 1958 and 1967. To ensure effective discharge of

1. **Report of the Administrative Reforms and Economy Committee, 1965-67**, Government of Kerala, Trivandrum, 1967, p.82.

2. **Ibid.**, p.82.

functions, both recommended ward committees consisting of both the ward members and the public. However, the recommendations of the Committee, especially those related to *Panchayati Raj*, set up - *Taluq Samitis*, and *Zilla Parishads* elicited much heated discussion and criticism.¹

6.7.0. The Kerala Panchayati Raj Bill, 1967

‘The Kerala *Panchayati Raj* Bill 1967,’ can be called in one sense an outcome of the recommendation of the Vellodi Committee of 1965. The bill contemplated essentially a two tier system, *Panchayats* at the basic level and the *Zilla Parishad* at the District level with executive functions. The bill also envisaged earmarking some specific sources of revenue to *Panchayats* and taking away from the *Panchayats* some others. The bill was studied by a select committee of the Assembly which took evidences in a number of places within the state and outside, mainly the states of Maharashtra, Rajasthan and Andhra Pradesh. The select committee’s report was presented to the Legislative assembly on 26 Mar. 1969, under the title ‘Kerala Local Government Act, 1969.’ The Bill, however, could not become law and it lapsed when the assembly was dissolved and fresh elections were called in Aug .1970.

6.8.0. Kerala District Administration Bill 1971

A new Act was introduced in the Assembly under the title ‘The Kerala District Administration Bill, 1971.’ Subject to provision of this Act, and to such conditions and restrictions as may be prescribed, the administration of a district in respect of the matters enumerated in the First Schedule has been vested with the District Council, which included the provision of supervision of local governments, “or the execution by them of programmes, schemes, works and functions relating to subjects coming within the purview of district councils under this act or any other law .”¹

Conclusion

The concept of decentralization that has evolved in Kerala since the Administrative Reforms

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1. For details see, **Proceedings of the Kerala Legislative Assembly**, Second Session, 30 June 1960, pp. 762-800
 2. **The Kerala District Administration Bill 1971**, Government of Kerala, Trivandrum, 1971.

Committee, 1957 and the Kerala District Administration Bill, 1971 bears the features of both the local administration and the local self - government .² Along with the processes of decentralization, there was an attempt at structuralizing the administrative system.

The Gandhian concept of *Gram Swaraj* remained as a goal to be achieved, that influenced the members of different commissions, committees and study groups as well as the members of the legislative assembly. However, due to incessant political instability and lack of ideological clarity, the Gandhian vision failed to gain wider currency and acceptability during the period under reference, although the Gandhian vision of *Gram Swaraj* generated pervasive influence on them. The consequent changes effected under the various governments from 1971 to 1992 marks a new phase in the process of decentralization of power at the lower levels in Kerala.

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1. E.K. Nayanar, Background Paper 19, 'Towards **Panchayat Raj** Legislation in Kerala: A Note', Seminar on **Panchayati Raj** and Nagarapalika Bill and its Implications for Local Self-Government and Decentralized Development in Kerala, 2 & 3 Oct. 1993, Centre for Development Studies, Trivandrum , p.1.

CHAPTER - 7

DECENTRALIZATION IN KERALA, 1970 - 1992

Generally stated, the phase 1970-1992 is marked with great emphasis on administrative decentralization of the *Panchayat* system in Kerala, which in turn, led to a process of institutionalization. During this phase, stress was not only on the vertical decentralization, but also the foci were on a pattern of deconcentrated system, still lingering on ^{the} Western model of local government. In Indian states an unfortunate choice of the colonial model can be traced to the compulsive preference of the founding fathers for Western concepts and also to their inability to choose from two theories of the state in particular. One was that which projected the state as the instrument of free, rational, self contained, fully equipped and autonomous individuals. The other theory saw the individuals as the products of a totality called society. However, the unfortunate development in between the two theories is that, Gandhi is ignored.¹ The Kerala State scenario is not different from this unfortunate development, although the Gandhian model of Village *Swaraj* was swaying in the (political) circles, cutting across all differences.

The image of *Panchayati Raj* Institutions had varied from state to state in India during the period under reference. However, the *Panchayati Raj* Institutions, developed in four states in India since 1958 are often cited as models of rural local self-government. Therefore, the following pages also offer a comparative study of the four models vis-a-vis the Kerala *Panchayati Raj* system. Following an interstate and intra-state comparative study, the findings of a case study taken up at the micro level, on the functioning of a *Panchayat* in Kerala State is also included in this chapter.

1. T.C.A.Ramanujachari, 'Indian Polity: A Search for a New Order, in *Indian Express*, 27 Mar. 1991, Cochin.

7.1.0. Distinguishing Features

There are three important features that distinguish this phase from the previous one. They are:

- (i). A phase of decline of Village *Panchayats* due to the political instability of the state which was coupled with the shift in favour of District (*Zilla Parishad*) and bureaucracy at the national level. The Asoka Mehta Committee of 1978 took a positive orientation to creating large areas like the *Mandal Panchayats* and *Zilla Parishads*.
- (ii). A process of administrative institutionalization was favoured which meant involvement of a far more complex power - equation in the context of District Administration.
- (iii). A phase which introduced measures to revitalise both the *Panchayats* and the District Councils in 1980s, so as to offer democratic decentralization of power at the district and lower levels.

The important developments that took place in Kerala during this period are:

- * Enactment of the Kerala District Administration Act, 1979;
- * Introduction of *Panchayati Raj* system in Kerala;
- * Appointment of a Statutory Commission under V.Ramachandran to suggest various measures to be taken for democratic decentralization at the district and lower levels (1988) ;
- * Election to the District Councils and the commencement of the functioning of Councils in all the Districts in the State.

7.1.1. District Administration Bill, 1971

The beginning of a new phase in the functioning of local government can be seen in 1971 when the Government of Kerala introduced in the State Assembly "The Kerala District Administration Bill, 1971". The structure and frame -work of this Bill was the same as that of the one proposed in the year 1969. The Bill contained clauses related to 24 items to be transferred to the

District Councils in due course. Though, there were no specific provisions on the *Panchayats*, the Bill would have created new situations in the power - equation between the District bodies and the *Panchayats*. The Draft Bill could not become law as it lapsed before its enactment.

7.1.2. District Administration Act, 1979

The District Administration Bill was again introduced in the Legislative Assembly in 1978. The Bill got through the Kerala Assembly, and received the assent of the President of India, by which time a new government ^{had} come to power. Except the act of issuing some rules and notifications related to boundaries and jurisdiction of each division, the said Bill could not move further due to political instability in the state. The functions envisaged under the District Council included— (a) administration of land revenue, (b) irrigation, (c) soil conservation, (d) agriculture, (e) co-operation and credit, (f) marketing, (g) social forestry, (h) animal husbandry and dairy, (i) fisheries, (j) household and small scale industries, (k) rural roads and inland waterways, (l) minimum needs programme, (m) health and hygiene (n) housing, (o) Harijan welfare, (p) social reform activities and (q) local revenue mobilization.

In May 1982, the next government adopted measures which led to some amendments to the Bill. The government also decided to transfer to the districts, schemes and works with emphasis on location specific and area specific development so that it would be easier for the District Councils to take-up such items of work. The act did not, however, make any headway.

7.1.3. V. Ramachandran Committee on Decentralization (IV Statutory Commission)

In March 1987, the government appointed a one man commission to advise on the measures to be taken for decentralization ^{of} power at the district and lower levels. The report and the consequent changes envisaged clearly mark a new phase in the process of democratic decentralization or the *Panchayati Raj* system in the State of Kerala.

The report contains the following recommendations:

a) Amendments to the Kerala District Administration Act, 1979 b) Amendments to schedules dealing with powers and functions of District Councils, c) Amendments to schedules

dealing with *Panchayat*, Municipal and Municipal Corporation Acts and d) Summary of Recommendations. As this study is restricted to the rural local bodies and the process of decentralization of power, stress is being given to the 'Summary of Recommendations,' although, the foregoing description needs reference to other recommendations as well. It is because of the fact that, whether rural or urban local bodies, the system has become recently enmeshed with the *Panchayati Raj* system.

7.1.4. Features

(i). Three-tier System

The Ramachandran Commission was in search of a *Panchayati Raj* system, i.e., an integrated structure of local government, with an elected council at the District level, a nominated *Samiti* at the *Taluq* level between the District and the *Panchayat*, and a Village *Panchayat* at the lowest level. In other words, the structure of local government suggested by the statutory commission was a three-tier pyramid with District Council, *Taluq Samiti*, and a *Panchayat*, which would function in a chain scheme, known otherwise, as a *Panchayati Raj* System.

(ii). Pyramidal structure

The local government structure proposed in the Kerala State by the Commission of 1988, consists of District Councils, Urban Local Bodies (Municipal Corporations/ Municipal Councils/ Township Committees), *Taluq Samitis*, and the *Panchayats*. Of these, the District Councils, *Taluq Samitis* and the *Panchayats* are to form a sort of chain or an integrated structure in a multi-tier *Panchayati Raj* system. Their powers and functions may be said to fall under three categories. They are:

- (a) Powers and functions entrusted in the statute creating the local government institutions and its subordinate legislation,
- (b) Powers and functions assigned and delegated to local government institutions in the subject - matter enactments and their subordinate legislations,²

1. Report on the Measures to be taken for Democratic Decentralization at the District and Lower Levels in 2 vols., Vol.I, Trivandrum, 1988, p.23 & p.297

- (c) Powers devolved to carry out functions, arising out of executive orders of government.

As the local bodies, both rural and urban, function and exercise powers devolved from the state government, the Statutory Commission, (1988) suggested to strengthen each one of them by a series of amendments to the existing acts, rules and regulations.

7.1.5. Core of the suggestions

- * The *Panchayat* President will be the executive authority of the *Panchayat* and the Executive Officer who is at present the executive authority, will be re-designated as secretary;
- * There will be no offices of Director, Deputy Director, Inspector of *Panchayats* and the various powers, entrusted to them under the Kerala *Panchayat* Act 1960 are to be transferred to the Government/Commissioner for Local Government / District Councils;
- * The *Panchayat* will come under the control and supervision of District Councils in a number of matters;
- * The references to Collector, Tahasildar, Block Development Officer in the Act of 1979, will be omitted and the powers envisaged to them are to be given to such authority or officers as may be appointed by the government,
- * Provisions for ex-officio membership assigned to District Council members in the *Panchayat*;
- * Age limit for eligibility to be elected as *Panchayat* member to be reduced from 25 to 21, and
- * There shall be a *Taluq Samiti* in each *Taluq* with all the Presidents of the *Panchayats* under the jurisdiction of a *Taluq* becoming its members.

In view of the formation of District Councils many suggestions were made on the aforesaid aspects of the powers and position of *Panchayat* President, *Panchayat* Council, *Taluq Samiti* (above the *Panchayat*), ex-officio membership of District Council members in the *Panchayat*, age limit for

eligibility to be elected as *Panchayat* member, powers of the *Panchayat* vis-a-vis District Councils, powers of supervision exercised by the District Collector, the *Tahasildar*, the Block Development Officer, and the hierarchical set up at the higher levels.

(i) *Panchayat* President as the Executive Authority

As regards the powers and functions of the *Panchayat* President, the change visualized was very significant. The *Panchayat* President ^{would} be the executive authority in a *Panchayat*. To a great extent, this change would result in giving a better status to the democratically elected member of a *Panchayat*, by empowering his authority above the secretary (an official appointed by the government). The new role assigned to the *Panchayat* President is in accordance with the general principle of democratic functioning followed in the country that, the elected representatives shall be responsible for taking the decisions and that the execution of decisions will be done by the permanent officials.

The position, proposed to be reversed with the enactment of new amendments to the provisions under the Kerala *Panchayat* Act 1960, was "a total reversal - a 180° change from the present position."¹ And this change was effected as per the amendments to the Kerala *Panchayat* Act 1960, (Section 32 of 1960) accepted recently. The amendment needs that the word 'president', occurring in the Kerala *Panchayat* Act, shall be replaced by the words 'executive authority' and for the words executive authority, the word 'secretary' shall be used.²

The powers and functions that can be exercised by the President have been considerably enlarged by adding new provisions in the year 1991. The President was a chief executive according to earlier norms and provisions, but "he was not really the same as a chief executive."³ Therefore, to borrow the observations made by the Western thinkers like Samuel Humes, Eileene M. Martin and others, such president may be called "a quasi-chief executive, and the most well known example of a quasi chief executive is the English model, Council Chairman."⁴ This position is

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1. **Report on the Measures to be taken for Democratic Decentralization at the District and Lower Levels**, 2 vols., Vol. I, Trivandrum, 1988, p.244.
 2. For details see, **Ninth Kerala Legislative Assembly Bulletin**, - Part II, 24 Sept. 1991, No.65, Trivandrum, 1991, pp.8-9.
 3. K. Sukumaran Nair, **Rural Politics and Government in Kerala**, Trivandrum, 1976, p.203.
 4. *Ibid.*, pp.203-204.

better expressed by William Robinson, who says that the President presides over the council and occupies a position of great dignity and civic prestige but he possesses no executive authority and does not control the administration.¹

(ii) Powers of the President

The latest position in respect of exercise of powers by the president is that all official correspondence by, or addressed to the *Panchayat*, shall be in the name of the secretary. The president, as the executive authority, shall have full access to all records of the *Panchayat* correspondence between the *Panchayat* and District Council or between the *Panchayat* and the District *Panchayat* Officer or authorities above the District *Panchayat* Officer, and he shall wield the executive authority to the extent permitted by the rules made by the government in this regard.² This provision, added recently, actually empowers the President to act as the chief executive of a *Panchayat*. He shall convene the meetings of the *Panchayats*, forward half yearly reports to the Deputy Director, and discharge all the duties and exercise all the powers conferred on him by the Act. He cannot be interpellated by other members on the various actions done.

(iii) Changes in the Administrative Hierarchy

Drastic as well as major changes have been visualized through a series of amendments so much so that powers at present exercised by the officers like Director, Deputy Director^{and} Inspector will have to be brought under the Commissioner of Local Government.² For this purpose, a "Kerala Local Government (structure and general provisions) Act" has been suggested to^{be} enact^{ed} laying down the structure of local government in the State and comprising general provisions regarding a common election body, electoral system, appointment of Finance Commission, powers of the Commissioner for Local Government Services and the other related matters. The government's rights for supervision, inspection, holding of enquiries etc. have to be exercised through the Commissioners.

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1. K. Sukumaran Nair, **Rural Politics and Government in Kerala**, Trivandrum, 1976, p.203.
 2. **Ninth Kerala Legislative Assembly, Bulletin**, - Part II, 24 Sept. 1991, No.65, Trivandrum, 1991, p.10.
 3. **Report on the Measures to be taken for Democratic Decentralization at the District and Lower Levels** in 2 vols., Vol.I, p.243, and Vol.II, pp.1-2.

(iv) Powers and Functions of Village *Panchayats* vis-a-vis the District Council

As regards the various powers of supervision, over the working of the *Panchayats*, proposed to be given to the District Councils, section 45 of "The District Administration Act 1979" clearly empowers the District Council to exercise administrative power over the *Panchayats*. The provision says that any action taken by a *Panchayat* shall be subject to the control and supervision of the District Council. Also, by the sub section No.3 of the District Administration Act, the District Council can establish hold and control over the functioning of local bodies under its jurisdiction.

However, subject to the provision of the Act of 1979 and "The Kerala *Panchayat Act*, 1960" (sub section 32), the *Panchayats* shall have exclusive power to administer many subjects and the District Council shall not have power to question any decision legally taken by the *Panchayats*. Not only that the District Councils shall, subject to rules as may be made by the government, provide necessary administrative, financial and technical assistance to the local government, within its jurisdiction, but also expedite the due performance by the local governments of all functions vested in them under any law.¹

Although the above clauses assure independent functioning of the *Panchayats*, in certain areas the general feeling was that, *Panchayats* have to function under the administrative and supervisory regulations of District Councils. Section 45 of the District Council Act also empowers the District Councils to exercise administrative control over the *Panchayats* which gave rise to considerable apprehension among the existing local government institutions. It has been pointed out that, since the need to establish *Panchayats* as units of local government has been included in the Directive Principles of the Constitution of India, the existing powers of *Panchayats* should not be reduced in any way. Therefore, the Statutory Commission, 1988 clearly pointed out that it is not necessary to bring the actions of the *Panchayats*, subject to the control and supervision of the District Councils, and thereby, reduce the status of the *Panchayats*. *Panchayats*, with their demand, resources and technical manpower, can at best undertake only small schemes on their own. Hence

1. The Acts and Ordinances of Kerala 1980, Trivandrum, 1983, p.60.

the opinion was that, "this limited scope for local initiative and innovation may not be obliterated."¹

(v) Control by the Government

It seems that the general viewpoint was to leave the *Panchayats* free and independent, to perform functions unobstructed by the interference of District Councils. On the other hand, if the District Councils are entrusted with the administrative and supervisory control over the *Panchayats*, that may provide for some element of centralization in the District Council. Powers of supervision over local government institutions as a whole may be retained by the government instead of District Councils. Therefore, instead of exercising control over lower level bodies, the Commission viewed that it is desirable that different local government institutions function in a 'complementary way instead of there being a pecking order among them.'

This directive issued by the Report of 1988 has not influenced the decision-making immediately. The new Ministry of Kerala, which came to power in June 1991 (the Nineth Kerala Legislative Assembly) has brought about an amendment to the District Council Act, 1979, by which, section 45 of the said Act was "omitted."² Accordingly, the District Council shall not have any power to question any decision legally taken by the *Panchayats* in respect of the subjects mentioned in the said schedule.

(vi) Role of Bureaucracy

The reference in the *Panchayat Act* to the Collector, 'Tahasildar' and Block Development Officer, has been sought to be given up with the intention of assigning powers to a commission regarding the *Panchayat* election. It has been suggested to create an 'Election Commission' for all the local government institutions. No change was visualized for the *Panchayat* Institution alone. Various authorities responsible for different functions connected with the elections to local government will have to be defined by the government.

(vii) Ex-officio Members

As regards the ex-officio membership in the *Panchayats*, it was suggested that members

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1. **Report on the Measures to be taken for Democratic Decentralization at the District and Lower Levels** in 2 vols., Vol.I, 1988, p.81.
 2. **The Kerala District Administration (Second Amendment) Bill 1991**, Trivandrum, 1991.

belonging to a higher level democratic body may not be made ex-officio members of a lower level democratic body like the *Panchayats*. Therefore, it was feared that provision for ex-officio membership may mar the democratic basis of the *Panchayat* bodies.

Regarding the reduction in age for election as a *Panchayat* member from 25 to 21, it has been suggested that the age of 25 should be retained. However, any reduction in the age limit may be considered as part of the general provisions to be included in the proposed Kerala Local Government (Structure and General Provisions) Act.

(viii) *Taluq Samiti*

The question of forming a *Taluq Samiti* in between the District and the *Panchayat* has been long standing. The Commission of 1988, also, like its counterparts in the earlier period, reiterated the necessity of one more tier in between the District and *Panchayat*, i.e., at the *Taluq* level, called the *Taluq Samitis*. The proposed *Taluq Samiti* will have to consist all the presidents of the *Panchayats* under a *Taluq*. It has been suggested that eventhough *Taluq Samiti* will be a nominal body as proposed, it may be retained as part of the local government structure for the State and in due course of time more and more powers could be entrusted to them.

It was suggested that a small committee consisting of a non-official with long experience of *Panchayat* administration as chairman and two officers well versed with local administration and local finance may be asked to look into the various rules issued under the *Panchayat* Act and to suggest changes in such a manner as to increase the power of the *Panchayats*. The District Councils can also entrust some functions to *Panchayats*.

7.1.6. Empowerment of *Panchayat*

The empowerment of *Panchayat*¹ through a meaningful decentralization was also visualized

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1. The word 'empowerment' is a fashionable term that has gained currency over recent years. Its defining feature is a participatory approach. According to another account empowerment is taken to mean a process of strengthening or consolidating. Jan Neder Veen Pieterse 'Theories of Development and Politics of Post-Modern: Exploring a Border Zone', in *Development and Change*, Vol.23, No.3, July 1992, The Hague, Foreword., pp.10-11. Also see, David Slater, 'Theories of Development and Politics of the Post-Modern: Exploring a Border Zone' in *Development and Change*, Vol.23, No.3, July 1992, SAGE Publications, The Hague, pp.283 - 319.

in the Report of 1988. The most significant changes sought to be made, in relation to the *Panchayat* bodies, are — declaring *Panchayat* President as the executive authority of the *Panchayat* in accordance with the general principles of democratic functioning followed in the country, (that the elected representatives shall be responsible for taking the decisions) and also in harmony with such provisions that exist in the States like West Bengal, Karnataka and Andhra Pradesh to reduce the proposed administrative and supervisory control of District Councils over the *Panchayats* so as to function the latter with their powers directly derived from the state government, proposal to circumscribe the powers exercised by the higher officials so that they may be exercised by a single one, i.e., the government/commissioner for local government. Similarly, the reference in the *Panchayat* Act to the officials has been sought to be removed with the intention of giving powers to authorities to be specified by the government. Suggestions have been made for the formation of *Taluq Samitis*, which may be helpful as part of the local government structure for the State, prohibiting simultaneous membership in District Councils and *Panchayat* bodies. There was also a proposal for a Kerala Local Government (Structure and General provisions) Act, that has to be enacted at the earliest.

However, the powers proposed to be conferred on *Taluq Samitis*, District Councils and the government give an impression that *Panchayats* cannot do anything in relation to any matter. In all countries, government exercises its control over local bodies. But the nature of control varies. According to J.H. Warren, in England legislative control always rested with the King. However, in practice the local bodies enjoy a large measure of freedom from legislative interference.¹

7.1.7. Decline of the District Council Experiment

There must be consistency and commitment in the policy of the government for the whole process of decentralization ^{to} be meaningful. The process of decentralization also should not fail due to lack of needed policy directives. Lack of political will and political stability would lead to dismal failure of the system. It would not be out of place to state here the fate of Kerala District Councils,

1. Cited in, A. Radha, *Local Government in Travancore -1894 to 1947*, Ph. D diss., Trivandrum, 1987, p.352.

the upper tier in the *Panchayati Raj* System, of administration.

The District Councils came to power after the elections held in Feb.1991. It was the culmination of an exercise launched by the Government as early in 1958. There was great public enthusiasm over the proposed decentralized planning and the *Panchayat* system.¹ But before the councils could overcome their teething troubles and find their feet they found themselves under the supervision of a new government. As the two coalition Fronts were in all respects on totally different wavelengths, it was a politically predictable operation that the new government would not concede to the functioning of District Councils unobstructed. The Kerala District Administration Act was amended drastically, "to clip the council's wings".² As many as 146 subjects had^{been} entrusted to the councils, all relating to developmental activities, under 19 heads. Most of the powers entrusted to the District Councils were taken away now; the District Collectors were freed from their role in the Councils, the provisions to set up *Taluq Samitis* were dropped. On the other hand the council's right to confer ex-officio membership on the members of the legislative assembly and members of Parliament has been included. Also, the clause empowering the minister, the Speaker and the leader of the opposition to nominate their representatives has also been embodied. The councils, thus^{have} almost become defunct. The weakening of District Councils recently has produced a lot of debates and discussions.³

1. For details see, K.P.Nair, 'Democratic Decentralization', in *The Hindu*, 17 Aug. 1989, Madras. Also see, K.V. Nambiar, 'Decentralized Planning and Panchayats', in *Indian Express*, 12 July 1989, Cochin.

P.K. Gopalakrishnan, 'Vikendrikrithasutranathinteyyum Nadathippenteum Chila Parisannangal' (Malayalam) in *Mathrubhumi*, 21 June 1989, Cochin.

Vikendrikaranathinte Paclaathalamundu; Pakshe, (Malayalam) in *Mathrubhumi* Cochin, 22 June 1989.

2. K.P. Nair, 'A Blow to Decentralization,' in *The Hindu*, 13 Nov. 1991.

3. For details see, 'District Councils Lose Another Portfolio' in *Indian Express*, 29 Oct. 1992, Cochin. Also see, 'Zilla Council: Verum Ellinkude,' (Malayalam), *Malayala Manorama*, 2 Feb. 1992, Cochin. Also see, I.S. Gulati, 'Debasement of District Councils in Kerala,' in the *Economic and Political Weekly*, Vol. XXVI, No.49, 7 Dec. 1991.

The author says that short of abolishing the district councils altogether, the various amendments made to the District Administration Act of Kerala by the present government do everything to negate them, to make them functionless, powerless and completely dependent on the state government for finance.

7.2.0. Kerala *Panchayat* vis-a-vis Other States

The following study on *Panchayati Raj* in 4 Indian States would give a glance into how the system functions in other States, or functioned, despite changes in the political arena. Barring the State of West Bengal, all other states have been ruled by different governments. At the outset it is to be noted that the system of *Panchayat* Administration in Kerala bears little resemblance to that in other states. The very term 'village' which means a cluster of houses and a natural unit of residential area in other parts of India is different from the Kerala pattern. Nowhere in India can one find such residential areas with such a large cluster of houses. The State of Kerala presents a picture of a rural - urban continuum. In Kerala the villages are administrative units, bigger in size both in area and population and from the days of the British rule treated as units of administration for revenue purposes. The average population per Village *Panchayat* is 21,304 and thereby, Kerala stands as one among the states having higher population at the *Gram Panchayat* level, while in other states like Maharashtra, it is 1105, in Punjab it is 1108. The average number of villages in a Kerala *Panchayat* is 1.3, whereas, it is 29.1 in Assam, and 11.8 in Orissa.¹

In their structural and operational aspects, nature, extent, content, character, scope and coverage of the institution and even in the attitude of the government, the Kerala *Panchayat* differs from the other states. A study on the four pioneer States -- Gujarat, West Bengal, Karnataka and Andhra Pradesh -- that have successfully made experiments in democratic decentralization would be helpful to get a comparative analysis of the functioning of local bodies, vis - a - vis Kerala State. The states like Gujarat and Maharashtra have not only accepted the idea of *Panchayati Raj*, but also introduced a strong upper tier (at the district level). The eighties saw the resurgence of the *Panchayati Raj* Institution in India particularly in West Bengal, Karnataka and Andhra Pradesh.

(i). Gujarat

Gujarat as a pioneer state remains the best example of *Panchayat Raj* Institution in the

1. Cited in, M. Shiviah, *Panchayati Raj: A Policy Perspective*, Hyderabad, 1986, p.50.

Also see, *Panchayati Raj at a Glance*, 1982-83, New Delhi, 1983.

The size of the population per *Gram Panchayat* cited above is in accordance with the 1981 Cesus.

country.¹ A three-tier structure of *Panchayati Raj* with District *Panchayat* at the top, the *Gram Panchayat* at the bottom and the *Taluq Panchayat* at the middle level was introduced in 1963. The system functioned well. This is evident from ^{the} continuous feedback of demand for more powers. The fact that the high level 'Rikhadas Committee (1977-78)' received few suggestions for improving the District *Panchayats* is an indication of their legitimacy on the widest possible lines in the state of Gujarat.² Average number of villages per *Gram Panchayat* is 1.4. There are, on an average 72.8 villages per *Taluq Panchayat* and 9.6 *Taluq Panchayats* per District *Panchayat*. A *Gram Panchayat* is established for a local area having a population of 500 and 10,00 and it is directly elected. *Gram Panchayats* are entrusted with collection of land revenue *taquavi* dues, irrigation dues, education cess, and other dues for which ^{the} District Collector issues certificates. Recovery is done by *Gram Panchayats* above and over their functions. The *Taluq Panchayat* is given a supervisory and linking function as the middle tier. The District *Panchayat* is the most powerful body to carry out development functions and is also the moving spirit behind the high level performance of the *Panchayat Raj*. It has both supervisory and executive powers.

(ii) West Bengal

The *Panchayat Raj* system in West Bengal is unique ⁱⁿ that it has a three-tier pattern put into operation with the election held during 1973, with a *Zilla Parishad* at the district level and a *Panchayat Samiti* at the block level.³ The three tier structure has been functioning for over 12 years. The average population per *Gram Panchayat* is 11945. The average number of villages per *Gram*

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1. Cited in, A.C. Jene, 'Panchayati Raj and Development Administration- A Comparative Analysis of Structural Features of Different Models, Gujarat, West Bengal, Karnataka and Andhra Pradesh', in T.L.Shankar, ed., *Journal of Rural Development*, Vol.10, No.5, Sept. 1991, Hyderabad, 1991, pp.647-663.
 2. *Ibid.*, pp.649.
 3. For details of *Panchayat* system in its historical perspectives in West Bengal see, H.D. Mallaviyya, ed., *Village Panchayats in India*, New Delhi, 1956, pp.330-343. Also see, Nirmal Mukarji and D. Bandyopathy, Background Paper II 'New Horizons for West Bengal's Panchayats: A Report for the Government of Bengal,' presented at the Seminar on Panchayat Raj/Nagar Palika Bill and its Implications for Local Self-Government and Decentralized Development in Kerala, 2 & 3 Oct. 1993, held at the Centre for Development Studies, Thiruvananthapuram.

Panchayat is 11.5.¹ All the bodies are managed by elected councils.²

(iii) Karnataka

The Karnataka model of democratic decentralization seeks to map out a new path to rural, development.³ The pattern can be called the true 'offspring' of the Asoka Mehta Committee, 1978. The Janatha Government which came to power in 1983 enacted a new legislation 'the Karnataka *Zilla Parishads, Taluq Panchayat Samitis, Mandal Panchayats* and *Nyaya Panchayats* Act of 1983³ based on the recommendations of the Asoka Mehta Committee. It established a new four-tier structure of rural local bodies. Under the new set up the *Zilla Parishad* and the *Mandal Panchayat* are directly elected bodies. The *Taluq Panchayat Samiti* is an advisory body having only reviewing power. The *Grama Sabha* comprises all persons who are on the *Zilla Parishad* rolls pertaining to the revenue villages. Its main task is to discuss and consider the execution of development programmes falling within the jurisdiction at its meeting twice a year. In Karnataka there are 2536 *Mandal Panchayats* and 172 *Taluq Panchayats*. The average number of villages per *Mandal Panchayat* is 10.7. The *Mandal Panchayat* covering a group of villages is the first elected tier of the system, the *Zilla Parishad* is the second directly elected tier of the *Panchayat Raj* system. The *Taluq Panchayat Samitis* is only an advisory body and functions in between *Zilla Parishad* and *Mandal Panchayat*. The *Parishad* has extensive planning, administering and monitoring power in rural development. The glaring feature of the Act of 1985 is its provision for a planning authority which distinguishes it from its counterparts in other state.⁴

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1. A.C. Jena, '**Panchayati Raj** and Development Administration, A Comparative analysis of Structural Features of different models: Gujarat, West Bengal, Karnataka and Andhra Pradesh in T.L. Shankar, ed., **Journal of Rural Development**, Vol.10, No. 5, Sept. 1991, p.653.
 2. See, Nirmal Kumar Mukarji and D. Bandyopadhyah, 'New Horizons for West Bengal's Panchayats: A Report for the Government of Bengal,' Background Paper II, Seminar on Panchayati Raj/ Nagarpalika Bill and Its Implications For Local Self Government and Decentralised Development in Kerala, 2 & 3 Oct. 1993, held at the Centre for Development Studies, Trivandrum.
 3. For details see, George Mathew, ed., **Panchayati Raj in Karnataka Today: Its Dimensions**, New Delhi, 1986.
Also see, Nirmal Mukarji, **Back ground Paper-2, 'New Horizons for West Bengal's Panchayats: A Report for the Government of Bengal,' Seminar on Panchayati Raj/Nagara Palika Bill and its Implication for Local Self Government and Decentralized Development in Kerala, Oct.2 & 3, 1993** held at Centre for Development Studeis, Thiruvananthapuram, p.1-7.
 4. Cited in, A.C. Jena, '**Panchayati Raj** and Development Administration, A Comparative Analysis of Structural Features of Different Models - Gujarat, West Bengal, Karnataka and Andhra Pradesh,' in T.L. Shankar ed., **Journal of Rural Development** Vol 10, No.5, Sept. 1991, p.657.

The Karnataka experiment remains perhaps the most sophisticated effort made by any state so far, unfortunately terminated abruptly by the successor governments. An admirable study of the Karnataka experiment on decentralized planning under the Janatha Government's rule was made by Abdul Azis. The study concludes that "the system of earmarking of resources adopted by the planning commission severely restricts the room available for local initiatives."¹

(iv) Andhra Pradesh

The Andhra Pradesh *Panchayati Raj* system is also made on the model of Asoka Mehta Committee report, which consists of a three-tier system with *Gram Panchayat*, *Mandal Panchayat* and *Zilla Praja Parishad*. The *Gram Panchayat* comprises 5-19 elected members. On an average there are 2108 persons per *Gram Panchayat*. Every *Gram Panchayat* has 1.5 village. There are 17.9 *Gram Panchayats* per *Mandal Panchayat* and in each district on an average there are 49.6 *Mandal Panchayats*.¹

Gujarat, West Bengal, Karnataka and Andhra Pradesh are the four states in the forefront in enacting legislation for greater devolution of powers, functions and resources to local bodies. All of them demonstrated their commitment by holding election to the *Panchayat Raj* Institutions. Gujarat is the only state to be credited with ^{the} holding of elections regularly and ^{having} brought stability to *Panchayati Raj* Institution for nearly 30 years. The Government of West Bengal, under the Left Front also presents a phase of stability. The planning for every village is being introduced experimentally at the village level where the villagers themselves could formulate, implement and monitor their own village plan with the voluntary help of planning cadres specially trained for that purpose.³ It is due to a long period of rule by the same coalition that such reforms could be made.

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1. Also see, Bandyopadhyaya, et. al., 'Suggested Amendments to the Karnataka Panchayati Raj Act 1993: A Memorandum Submitted to the Chief Minister of Karnataka by the Task force on Panchayati Raj', Rajiv Gandhi Foundation, New Delhi, Sept. 1993.
P.Appu, 'Panchayati Raj in Peril,' Background Paper No.24, at the Seminar on Panchayati Raj /Nagar Palika Bill and its Implication for Local Self-Government in Decentralized development in Kerala, 2 & 3 Oct. 1993, Centre for Development Studies, Trivandrum.
 2. Cited in, A.C. Jena, 'Panchayati Raj and Development Administration, A Comparative Analysis of Structural Features of Different Models - Gujarat, West Bengal, Karnataka and Andhra Pradesh,' in T.L. Shankar, ed., *Journal of Rural Development* Vol 10, No.5, Sept. 1991, p.658.
 3. Suryankanta Mishra, 'An Alternative Approach to Development, Land Reforms and Panchayats', ts., Government of West Bengal, 1991, p.27.

The Karnataka experiment has been widely hailed for the substantive devolution of authority from the state level to the local bodies, in terms of both executive powers and financial resources. Andhra Pradesh model is also hailed for its efficiency. Though structural variations exist among the states, the different experiments have proved successful in bringing the administration nearer to the people.

In Gujarat, all district level sectoral development schemes and their implementation were transferred to District *Panchayats* along with their functions and functionaries. Karnataka has gone a step ahead by transferring all governmental registered societies or corporations dealing with the implementation of specific centrally sponsored schemes under anti-poverty programme to the *Panchayats*. The success of the decentralization experiment in West Bengal, especially the introduction of the scheme, i.e., formulation of village plans prepared by villagers themselves and the village based district planning process, is attributed to the commitment of the State Government towards decentralization.¹

The foregoing is an account and analysis of broad structural features in four different states which are in ^{the} forefront in taking initiative in the process of decentralization of power at the local levels. The important issues involved are: (1) clarity about the objectives and clear demarcation of functions, (2) transfer of adequate resources too, though everywhere it is an unresolved issue, (3) the prominence of *Panchayat* at the grass root level, despite multiplicity of agencies dealing with rural development schemes.

Compared to the states mentioned above, the *Panchayat Raj* bodies in Kerala are far behind in this regard. The powers given to them are not adequate and the processes of decentralization of power have not been genuinely implemented. In Kerala, an attempt was made to imbibe the ideas released by the Balvantray Mehta Team in the sixties. Accordingly, *Community Development Block* was adopted as the unit of decentralization. This step was taken because at the national level two models have been tried — Rajasthan model and the Maharashtra model. The former treats the Block as the unit of decentralization and the latter adopts the District. The former appears more conducive

1. Suryankanta Mishra, 'An Alternative Approach to Development, Land Reforms and Panchayats', ts., Government of West Bengal, 1991., p.27.

Also see, Binoy Krishna Chaudhari, 'Panchayat Rajum Janapankalithavum,' (Malayalam) trans., in *Panchayath Raj: Prayogavum, Sidhanthavum*, Trichur, 1989, pp.62-66.

to the cause of democracy than to development in its economic service.¹ The Block as a unit is accepted for planning and development.

7.3.0. Main activities of Kerala *Panchayats*

Though the Kerala *Panchayat* Institutions function under a different socio-economic and political situation peculiar to the State of Kerala and also under many limitations, it is worth mentioning that their performance in the yester years is marked by a steady progress. The functions assigned to them in accordance with the statutory provisions, consist of two categories - namely mandatory and discretionary. It consists of functions related to the civic amenities and other functions carried out by *Panchayats* singly or by groups. The duties and functions are originally listed in the 'Kerala *Panchayat* Act 1960', to which are added the recommendations made by the Study Team of the Legislative Assembly in subsequent years.²

A study of the working of the Village *Panchayats* in the State also reveals that the main activities undertaken by the *Panchayat* Institutions since the coming into operation of the Kerala *Panchayat* Act 1960, come under those listed as mandatory functions.

Most of these functions pertain to what may be called 'civic amenities'. Besides, a few agency functions have also been taken up by the *Panchayats*. However, no serious thought has been given by the *Panchayats* to the performance of discretionary functions as stipulated in the Act.

The above categories of functions and powers give the impression of a lengthy charter of obligations which every *Panchayat* should have to perform. However, among the various activities and services in which practically all *Panchayats* throughout the state have been engaging themselves are construction and maintenance of (their own) office buildings, small bridges, roads, foot paths, culverts, bunds, sluices, bathing ghats, urinals, latrines, wells, irrigation channels, busstands, cart stands, cattle pounds, opening of maternity and child welfare centres, midwifery centres, provision of drinking water supply through pipe lines, scavenging and street sweeping, removal of rubbish

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1. M.V. Mathur and Iqbal Narain, ed., **Panchayati Raj, Planning and Democracy**, Bombay 1969, 'Introduction' p.XI.
 2. For details see, **The Kerala Panchayat Manual in 2 vols.** Government of Kerala, Trivandrum, 1960. Also see, Ms. N.R. Visalakshy, **Administration of Village Panchayats in Kerala**, Trivandrum, 1967, Appendix II-A, II-B and II-C, pp. XI-XVIII.

heaps, cleansing of drains , provision of sanitary arrangements in public places where fairs and festivals are conducted, lighting of public roads and public places, opening of markets and slaughter houses, maintenance of cattle pounds etc.¹

In addition to the above activities, the *Panchayats* have also taken up projects (some projects in collaboration with NES Blocks) like, 'Applied Nutrition', 'Ela-development Programme', Family planning campaigns, prevention of food adulteration programmes, payment of grants- in- aid to clinics, sanitary arrangements, ferry service, running rural libraries and reading rooms, sports clubs, arts clubs, athletic clubs, noon feeding programmes, community listening centres, rural dispensaries, special employment schemes and 'One lakh' housing scheme.²

7.4.0. Special Schemes

(i). Seven Point Programme

During the period 1980-81, the Government of Kerala, also ordered to implement a 'Seven Point Programme' as stated below in *Panchayats* with a view to take up the same in a phased programme for five years from 1980-81, and the schemes as such are continued in the *Panchayats*. The programme includes :

- * Rural Communication;
- * Minor Irrigation;
- * Construction of Community Hall/*Kalyana Mandapam*;
- * Burial/Burning Grounds;
- * Environmental Amenities Programme for weaker sections of the society including provision for E.S.P. type latrine, Electricity, and Water Supply;
- * Opening of mini stadium;
- * Providing Balawadies and Nursery Schools for Pre-Primary education.³

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1. For details see, Ms. N.R. Visalakshy, **Administration of Village Panchayats in Kerala**, Trivandrum, 1967, pp.123-124.
 2. **Administration Report of the Panchayat Department For the Years, 1973-74, 1974-75, 1975-76, 1982-83, 1984-85, 1985-86, 1986-87, 1987-88, 1988-89**, Government of Kerala, Trivandrum.
 3. **Administration Report of the Panchayat Department For the Year 1982-83** Government of Kerala, Trivandrum, 1987, p.14.

(ii) Eleven Point Programme.

In 1988, the *Panchayat* Department, in collaboration with various government departments and other agencies, launched another scheme which has been called the 'Eleven Point Programme'.¹ The Programme aims at an integrated development of rural people, their social, cultural and economic uplift. It consisted of:

- * Water Supply Scheme;
- * Electrification and Lighting;
- * Construction and Maintenance of village roads, link roads, foot bridges etc.;
- * Rural Housing Scheme;
- * Agriculture, Irrigation and Animal husbandry;
- * Rural Industrial Development and Work Experience Programme;
- * Village Education and Cultural Development;
- * Social Welfare, Women and Child Care;
- * Health Programme;
- * Marketing facilities;
- * Environment and other Allied Matters.

In the exercise of these functions the *Panchayats* should have sufficient administrative powers, for which the proposals of Administrative Reforms Committee' (1958) were treated as the guidelines. It had already made it clear that the lower units did not have to send proposals on minor matters to higher authorities for approval. The committee proposed that the aim of any higher control should be only to ensure proper and effective utilization of the funds and the authority should not, consciously or otherwise, take up the role of the custodian of money for each and every scheme.²

The *Panchayats* in Kerala State are vested with innumerable duties and responsibilities. Although there is provision for a three-tier system with the enactment of the District Administration,

1. For details see, T.P. Kunjikannan 'Adhikaram Janagalkku,' *Pachayathukalum Vikendreekanavum* (Malayalam), 1989 rpt., Trichur, pp. 67-72.

2. **Report of the Kerala Administrative Reforms Committee- 1958, Vol.I, Part I, Government of Kerala, Trivandrum, 1958,p.33.**

Act, 1979, the suggestions have not been implemented to date.

7.5.0. Structural Imbalances

In order to discharge their functions *Panchayats* require wide powers, both administrative and financial.¹ However, the powers vested with them are not commensurate with the duties and responsibilities assigned to them, and as a result of this, there is structural imbalance in the functioning of *Panchayats*. Many of the proposals even on trivial matters have to be sent to higher authorities for their approval.

The various acts of *Panchayat* have resulted in the acquirement of power by the *Panchayats* considerably. But the state government has for some reason or other been very slow and cautious. So far in framing necessary rules for enforcing the various provisions in the Act, there have been many impediments, much to the anxiety and annoyance of the *Panchayats*. The reason that seems to have restrained the government from expediting the process of delegation or decentralization of power is an apparent apprehension that *Panchayats* may find it difficult to resist the temptation of demanding more and more powers. Also there was the fear that *Panchayats* might meddle with everything that they might lay hands upon.²

7.5.1. Less Power and more Duties

Some view that the conditions which contributed to the success of Village *Panchayats* in ancient times no longer exist in the villages of the present day and they justify the limitation of autonomy in the case of the present day *Panchayats* on that ground. It is a fact that *Panchayats* of bygone days enjoyed vast powers and privileges, for they dealt with the villagers directly, settled

1. For details on financial problems of lower level bodies in Kerala see, I.S.Gulati 'Vikendrikaranavum Dhanakarya Prasnanagalum,' (Malayalam) in **Panchayati Raj Prayogavum Siddhanthavum**, Trichur, 1989, pp.33-38.

2. Cited in, Ms. N.R. Visalakshy, **Administration of Village Panchayats in Kerala**, Trivandrum, 1967, p.126.

When the Kerala Panchayat Act (1960) was enacted by the State Assembly, the then Chief Minister of Kerala¹⁵ reported to have expressed his misgivings about passing more powers into the hands of inexperienced elected local bodies which he thought would never be satisfied with any reasonable amount of power and would be tempted to demand much more still, while at the same time trying to put every a finger into every affair of governmental administration.

private disputes (besides attending to civic functions) and their decisions were universally binding. When compared to them, their modern counterparts, which function under changed conditions, are allowed to enjoy much less power and autonomy. Therefore, it is worth studying the functions of a *Panchayat* at the grass-root level to understand this dichotomy.

7.6.0. Case study in Karumallur *Panchayat*

A review of achievements of a *Panchayat*, at the micro level was taken up so as to learn the actual functioning and problems of the grass-root level bodies in the state.¹ The study was taken up with the following objectives:

- * To assess the extent to which the process of decentralization has percolated down to a *Panchayat* level;
- * To assess the extent to which the concept of democratization of rural local bodies has been introduced at the micro level;
- * To know the extent to which the concept of autonomous functioning of Village *Panchayat* as self-contained and self-sufficient unit has influenced (or not), the actual functioning of rural local bodies;
- * How far the Village *Panchayat* functions as viable economic unit;
- * The extent to which *Panchayats* function as a unit of democracy, development

1. The case study was conducted in Karumalloor **panchayat** in Ernakulam District (revenue division). This **panchayat** is situated in the North-Western part of Ernakulam District. It has an area of eight square miles and consists of villages- Karumalloor and some portions of Alwaye. The **Panchayat** was constituted in accordance with the notification of the Travancore-Cochin Government vide No.LF.9755/80 EH.Lst Dt.11.6.1951. It is bounded on the east by the territorial areas of Kadungalloor **Panchayat** Alwaye Municipality and Chengamanadu **Panchayat**, on the south by the Alengad **Panchayat**, on the west by the **Panchayats** of Kottuvally and Chittattukara and in the north by the two **Panchayats**, Chendamangalam and Kunnukara. The **Panchayat** has a population of 26091 (according to 1981 census). This is expected to reach 36200 approximately at present. A major part of the **Panchayat** area is wet land being used for cultivation of paddy. All the eleven **Panchayat** wards are interconnected by a good system of roads and water canals. In fact good roads are the nerves and muscles through which the development flows.

The present **panchayat** council, consisting of 13 elected members including two women members was constituted in the year 1988. The **Panchayat** council is headed by a President (elected member) and a vice president to assist the former. The administrative body consists of an Executive officer, (special Grade) 1 Head Clerk, 2 Upper Division Clerks, 3 Lower Division Clerks, 2 last grade staff and 1 Ferryman.

administration and as an agency of the government at the lower levels, and

- * To assess the achievements of a *Panchayat* unit vis-a-vis the state scenario.

7.6.1. Impact of Reforms at the Micro Level

The recommendations made by the Statutory Committee (1988) on decentralization and empowerment of *Panchayat* Institutions led to the new role of the *Panchayat* President at the grass-root level. The *Panchayat* President is the executive authority and the executive officer appointed by the government becomes the *Panchayat* Secretary. In the *Panchayat* where the case study was conducted this new development is sufficiently felt. Also the study reveals the fact that the impact of democratization has also percolated down^{to} the *Panchayat* level. The *Panchayat* council constituted after the election has the power to discuss all matters related to development functions or other functions listed under 'mandatory' or 'discretionary' powers. The *Panchayat* council of Karumallor unit met 16 times during the period 1990-91 in accordance with the general principle of democratic functioning of elected bodies. There is no ward committee functioning below the *Panchayat* council though the scheme was mooted in the Administrative Reforms Committee (1958). In no *Panchayat*^{does} such a body exist now. In some states, the equivalent of ward committee is *Gramasabha*, but in^{the} Kerala context, there is no provision for *Gramsabha* below the Village *Panchayat*, in the 'Panchayat Act of 1960'.

7.6.2. Semi- autonomous Position

Generally stated, a *Panchayat* functions more or less as an independent body at the lowest level, subject to sub section 32, of Kerala *Panchayat* Act 1960, which stipulates that the *Panchayats* shall have exclusive power to administer many subjects. However, The District Administration Act, 1979 (Section 45) envisaged an administrative as well as supervisory role of District Council over the *Panchayats*. This provision was amended by the Ninth Kerala Legislative Assembly (1991) and the present position is that *Panchayat* at the lowest level can function as independent unit subject to supervisory control by the *Taluq*, District *Panchayats*, Directorate of *Panchayats* and the Government.

A review of the Administrative Report 1989-90, 1990-91 and 1991-92 of Karumalloor *Panchayat* gives the view that it attends to most of the functions listed in the 'proforma', like maintaining a Public Library at Veliyathunadu, community receiving sets, street taps, attending medical relief etc. However, in many other items listed, it draws blank. Most of the works is being done according to a set frame work. Some are done independently, others in accordance with the specific instruction from the government and still others under the joint co-operation of *Panchayats* and NES Blocks. In this respect the *Panchayat's* functions can be called a partnership system.¹ The absence of popular enthusiasm or initiatives is also noted in the execution of work.

The vision of a *Panchayat* is that it has to function not only an administrative unit but also a viable economic unit. The income-expenditure statement shows that its sources of revenue consist of building tax, service tax, profession tax, vehicle tax, entertainment tax, show tax etc., while items of expenditure include establishment charges, public works, education, water supply, drainage, public health etc. It can receive grants from the government for constructing its own building. *Panchayats* are eligible for block grants, initial grants, special grants and the like. In the financial year, 1991-92 this *Panchayat* had a total income of 414288-95, while its expenditure was Rs.436093-95. It received an amount of Rs.3,10,600/- as grants from the government.²

Under the Jawahar Rozgar Yojana the *Panchayat* received Rs.6,65,200/- for the period 1990-92 and spent Rs.66,2992/- on projects which are carried out under the joint venture of Blocks and the *Panchayats*. The amount received (from the Government of India) was spent for construction of houses, roads, culverts, drainage and maintenance works. *Panchayats* are also the agencies of the government in implementing programmes like Integrated Rural Development Project.

On an analysis of the functioning of Karumalloor *Panchayat*, it seems that, *Panchayats* are created and maintained as unit of development administration and agents of the government at the lower levels. When further analysed, it seems that the local bodies are treated as administrative

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1. V.Ramachandran, 'The Development Administration; The Kerala Experience' in Ms. Padma Ramachandran and M.A.Oomen ed., **Some Issues in Development Administration**, New Delhi, 1987, p.67
 2. For details see, **Administration Report of Karumalloor Panchayat for the year, 1991-92**, p.18.

units where the concept of decentralization is applied as an administrative arrangement as in the colonial period by which local bodies are created by the centre to discharge the functions.

7.6.3. Performance at the micro level

As a unit of development administration, the Karumalloor *Panchayat* has attended public works related to roads and communication system. It has maintained village roads, two ferries, dug three wells, installed 28 water taps for the supply of protected water and maintains one library and public reading room at Veliyathunadu. Under the medical relief, the *Panchayat* maintained one Public Health Centre, one Clinic, one Government Homeopathic Dispensary and one Midwifery Centre. Under social welfare scheme. It attends to feeding centres, family planning programmes, construction of houses under the one lakh housing scheme etc. A *Yuvajenamela* (festival of young people) conducted during the period under reference needs special mention. The *Panchayat* acts as an agent of the government in implementing projects under Integrated Rural Development Programme (IRDP) and Jawahar Rozgar Yojana (JRY). Besides, the state government too implements certain programmes through the *Panchayats*. As a unit of democracy, at lower levels, the *Panchayat* is ruled by an elected council, presided over by the President. Normally, the council will be in power for a period of 5 years. The present *Panchayat* Council of Karumalloor consists 13 elected members (including two women) who took office in the year 1988.

7.6.4. Eclipse of the Concept of Self Government

As stated, the study shows that the *Panchayat*, at the lower levels, functions mainly in three ways - a unit of development administration, an agent of institutional democracy and an institution of local self-government. But the image of *Panchayat* as a unit of development administration emerges ahead of the other two because the government looks upon it as an extension wing of administration. The efforts taken towards decentralization of power have resulted in the institutionalization of *Panchayats*, i.e., a sort of hierarchical set up. As a result, one has to doubt whether the main image of *Panchayat* as unit of self government has been merely ignored and caused to eclipse. One remarkable feature is the absence of any political strife at the *Panchayat* level

in Kerala.

7.6.5. Macro-level picture

A general review of the efforts at decentralized functionality of the *Panchayati Raj* system in Kerala from the days of Administrative Reforms Committee, 1958, under E.M.S. Namboodiripad, down to the Report of 1988 initiated under E.K.Nayanar, brings to light that it has passed through many ups and downs. The story of the scheme is one of uncertain directions and of brave proposals.¹ The process of decentralization was effected in a phased manner; in the first phase of decentralization, the formulation and implementation of programmes did not receive sufficient attention. The emphasis was on its vertically formed structure. The second statutory committee (1965) suggested the need for creating the *Panchayats* as units of administration and wanted to link them with *Taluq Samitis* and District Councils. The third committee, (1988) suggested various measures so as to materialize the visions of the first and second committees. The third statutory committee also seems to have resorted to a balanced approach, although its main task was to suggest various measures at decentralization of power at the district level. It also favoured the strengthening of the *Panchayati Raj* system. Its recommendations were intended to strengthen the *Panchayats* as independent units.

However, it is also to be noted that, the local bodies are created and they exercise only those powers and functions which are specifically assigned or created or delegated to them. This is basically a Western concept of local government, the same concept, envisaged and executed under the British rule in India. In fact, the Statutory Report of 1988, in its approach to entrustment of powers and functions to local government admitted that this concept of local government seems to have influenced the decision-making in granting more autonomy to local government by the state legislature.²

1. P.D. Kuruvilla, 'Panchayat Raj-The Kerala Scenario,' in *Indian Express*, 2 June 1989, Cochin.

2. For details see, **Report on the Measures to be Taken for Democratic Decentralization at the District and Lower Levels**, in 2 vols., Trivandrum, 1988, p.28.

Conclusion

The fact is that the Village *Panchayat*^s of Kerala, as in other states under the Indian Union are in no sense absolutely independent self governing institutions. They have no legislative power of any kind except that of making routine bye-laws within the ambit of the law under which they function. Section 131/1 of the Kerala *Panchayat* Act, however, authorizes the *Panchayat* to make bye-laws or norms necessary for carrying out any of the purposes for which it is constituted, but no bye-law or cancellation of a bye-law shall have effect until it shall be approved or confirmed by the Director. Moreover the state has power to revise or veto the deliberations of the *Panchayat* and all their financial actions. In this situation, *Panchayats* cannot act independently, they exercise those powers granted piecemeal. Though the Kerala *Panchayats* in totality as well as micro levels function in a better environment than their counterparts in other states, the question of granting status of self sufficiency to Village *Panchayats* depends on the policy of government.¹ Here lies the wide ideological chasm between Gandhiji's ideological commitments to village self-government and the official policies of the government, the political activists and civil servants.

Though there is^a wide chasm between Gandhian ideas and the Kerala *Panchayat Raj* system it does not mean that Gandhian ideas of *Gram Swaraj* were not an active force in Kerala. In fact, the State of Kerala, did sustain the ideological shoots of Gandhism as mentioned earlier. (The State has been nearer to Gandhism in 1957, 1958, 1965, and 1988). An analysis of the functioning of Kerala *Panchayat* bodies vis-a-vis Gandhian concept of *Gram Swaraj*, attempted in the next section would be helpful to understand the sustenance of Gandhian ideological shoots in the State from 1957 (Administrative Reforms Committee), to 1988 (V.Ramachandran Commission). The Gandhian concept did foster the *Panchayati Raj* and the vision remained at the conceptual level at every stage of evolution in Kerala since 1956.

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1. For details see, E.M.S. Namboodiripad, *Vikasanathinte Rashtriyam*, (Malayalam), Trivandrum, 1991.
Also see, T.M. Thomas Isacc & S.Mohana Kumar, 'Kerala Elections 1991, Lessons and Non-lessons', in *Economic and political Weekly*, Vol.XXVI, No.47, Nov.23, 1991, p.2669.

CHAPTER 8

DECENTRALIZATION IN KERALA VIS- A-VIS THE GANDHIAN CONCEPT OF GRAM SWARAJ (1956-1992)

8.1.0. Co-existence of Colonial Model and the Gandhian Vision

Decentralization efforts at the *Panchayat* level in Kerala during the period 1956-1992 show a zig-zag course or phases of ups and downs. Besides, in the context of Kerala, as elsewhere, one finds the co-existence of both the centralizing and decentralizing activities in the same polity, which is said to be one of the general characteristics of any modern state.¹ Furthermore, one finds in the Kerala State the co-existence of both the Gandhian vision of *Gram Swaraj* as an ideological shoot behind every effort at decentralization at the lower levels in modern times and also the features of the colonial model of local government left by the British rule in India, which looks upon the *Panchayats* as mere units of administration. At times efforts at decentralization in Kerala point to a near-Gandhian model while at the other times they stand at a different wavelength.

Apparently, one finds a glaring contrast between the concept of decentralization applied in administrative purpose for creating local government bodies (for example in Britain and other Western countries) and the concept of decentralization applied in creating local self-government bodies with a view to strengthening the democratic foundations of the government at the centre and at the lower levels, (and also aimed at empowering the ordinary citizens at the grass-root level as visualized by Mahatma Gandhi). Hence, the following pages form an analysis of the process of

1. David Slater, 'Territorial Power and the Peripheral State: The Issue of Decentralization,' in *Development and Change*, Vol.20, No.3, July 1989, The SAGE Publications, The Hague, pp.510-11. The author of the article who is also a political analyst says that the policy of decentralization sometimes appears "a mirage, myth and mask" in the management of the state.

decentralization efforts at the *Panchayat* level in Kerala, vis-a-vis the Gandhian vision of *Gram Swaraj*, presupposing the fact that there exists such phases of ups and downs in other states too in the functioning of local bodies and also the reflection of the colonial trait.

8.1.1. Participatory Concept in Gandhian Vision

To most of the political thinkers, the concept of decentralization is an administrative measure which means political or economic devolution of power. But to Mahatma Gandhi, it meant more than that whether it is applied at the central or state level or at the sub-state level. The attributes of Gandhian vision of decentralization have already been referred to in chapter 4. Therefore, the details on the Gandhian vision will be a digression. Suffice to mention in this context that, to Gandhi, *Gram Swaraj* formed by the process of decentralization of power at the lower level is a responsible, representative and participatory unit, conducive to the growth of self-governing citizenship and self-governing villages.¹ To Gandhi, the participatory nature of *Gram Swaraj* is more important than any thing else. The local government created by the government is bound to fail in arousing common man's interest because it is the least participatory in its functioning.²

8.1.2. The Colonial Model

Analogously, the local government institutions in India, like their British counterparts are creatures of statutes, ordinances and regulations. The model of local government created in India under the British rule was incorporated into the Constitution of India at the time of its framing. From the national level most of the states under the Indian Union also incorporated many of the characteristics of the British model during their rule and also after independence. Surprisingly, in Kerala State even the Statutory Commission of 1988 endorses the relevance of the British model and thereby, presents an inclination towards the Western concept of decentralization.³

1. S.H. Patil, **Gandhi and Swaraj**, New Delhi, 1983, p.110.

2. G.D.H. Cole, **Local and Regional Government**, London, 1947, p.41.

Local governments in Britain are creatures of Statutes, Ordinances and Regulations. It is pyramidal in structure. The author views that the English local government failed to evoke any interest as far as the common man is concerned.

3. **Report on the Measures to be Taken for Democratic Decentralization at the District and Lower Levels** in 2 vols.,Part -I, 1988, Trivandrum, pp. 28-29.

8.1.3. Shoots of Gandhian Vision in Kerala

Although the Kerala State is still under the hangover of a long period of colonial administration, it does not mean that the rural government in the State had never been inclined to a Gandhian vision of *Gram Swaraj*. In fact, there were occasions of breakthrough of the Gandhian vision in the context of rural local administration in Kerala. In the fifties and sixties, the state government had adopted an approach in favour of the Gandhian vision, however, this enthusiasm did not persist. In due course, the enthusiasm cooled off because of many reasons, of which the main one is incessant political instability.

An analysis of the process of decentralization in Kerala and an understanding of its deviations from the Gandhian concept will be worth-analysing, under the above mentioned characteristics of Kerala State.

8.2.0. Towards a Near Gandhian Model, 1958

It seems that the first Reforms Commission, 1957-58, had adopted a pro-Gandhian outlook in the context of administrative reforms at the *Panchayat* level.

After the integration of the erstwhile princely segments of territories into a new state, all the then existing *Panchayats* were reconstituted by the government. Shortly, the Government of Kerala appointed a Committee under, E.M.S. Namboodiripad in order to study and make recommendations to tone up the administrative machinery in accordance with the new areas of development and the influx of Gandhian ideas.¹ Both, the approach and the system visualized by the committee deserve one's special attention. The vision is near-Gandhian model of self-sufficient administrative units, i.e., *Swaraj*, though the terms as such were not incorporated in it for the reason that the Communist party had a different outlook.² However, the committee was well guided by the intention of creating self-sufficient administrative units at the local level and a decentralized planning system to ensure people's participation at all levels for educating as well as imparting training for new ventures.

1. Report of the Administrative Reforms Committee, 1958 in 2 vols., Vol.1, Part-I, Trivandrum, 1958, p.22.

2. E.M.S. Namboodiripad, *The Mahatma and the Ism*, New Delhi, 1958, p.52.

8.2.1. Emphasis on Participation

The committee thus, noted the importance of people's participation in administration even at the lowest level, which was well emphasised by Mahatma Gandhi. Gandhi desired to distribute power among the villages of India instead of concentrating at the national capital or the state capital. He was never tired of saying that the greater the power of the village *Panchayats* of India, the better for the people. To Gandhi, the real task before the government is to create a spirit of self-government and to train people to play their part in all walks of life as citizens of effective democracy. The fundamental approach to self-government should be that every person who is a subject of that government must be able to feel, every moment of his life, that the government is his, in the sense that he has contributed something to its building-up as a partner.¹

The committee observed that any proposal for reform should be formulated in such a way as to achieve people's participation. It was, in a way, to rectify the major defect of ^{the} centralized system of government and the scanty developmental schemes that existed in Kerala. It was, in another way, to assure the effective participation of the people in general administration at the central, state and the grass-root levels, where alone it is real. Obviously it has aimed at empowering the Village *Panchayats*. The committee also observed that, the *Panchayats* have only restricted powers and limited responsibility so that developmental schemes sponsored by the government did not yield the desired results for want of people's participation. In the context of rural development, the word participation has a specific meaning. Participation is the introduction of a new set of people into the decision-making process with regard to resource distribution.²

The Administrative Reforms Committee 1958, pointed out the need for strengthening the *Panchayat* system in the State in consonance with the Gandhian vision of decentralization of power. The Reforms Committee stated that, true democracy has to be worked from below by the people of every village in Kerala. It observed that a *Panchayat* with real responsibility and power will enable the villagers to make their desires known and get quick results and, thus to see democracy in action

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1. A.K. Raj Kumari, 'Local Self-Government and Democracy,' in *Harijan*, Vol. XVIII, No.20, 17 July 1954, Ahmedabad, p.159.
 2. Chopra Kanchan, et al., 'People's Participation and Common Property Resources,' in *Economic and Political Weekly*, Vol. XXIV, Nos.51 and 52, 23-30 Dec. 1989, Bombay, p.189.

in the village itself.¹ It will effectively ensure the participation of the village community.

8.2.2 Ward Committees Proposed as *Grama Sabha*

Conclusively, this approach of the Administrative Reforms Committee 1958 can be said to have resulted in emphasising that democratic bodies (*Grama Sabha*) with substantial power at the lowest level be made at the earliest, with wide participation of people in the developmental schemes, a wide delegation of powers and association of people's representatives with ^{the} administration in a positive manner, according to the importance of the level and the nature of the subject. In matters of development, the people should have definite and responsible role both in planning and execution. This suggestion was made by the Reforms Committee with a view to providing a large section of the village community an opportunity to associate with the *Panchayat* activities. As there was no reference to any type of *Grama Sabha* in Kerala, it seems that *Panchayat* Ward Committee is the nearest point where Gandhian vision of *Grama Swaraj* could be met.

8.2.3. Plea for Autonomy

The Reforms Committee desired to maintain the status of *Panchayat* above the level of a mere statutory body. In other words, it wanted to distinguish between the democratic body and a statutory body. For example, in matters like finalization of *Panchayat* budget, the Committee did not want the same to be approved by a higher body like the *Panchayat samiti* (or Block or any Board). In order to ensure that the *Panchayat* budget fulfils the statutory needs as well as the needs of those functions proposed to be delegated to them, the budget should be sent to the *Tahasildar* for preview and scrutiny before it is approved by the *Panchayat*. Its aim was to avoid unnecessary interference with the discretion of the *Panchayat*. Stated in general terms, the committee wanted the *Panchayats* to be invested with substantial responsibility and power and to link them up closely with general administration.²

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1. **Report of the Administrative Reforms Committee, 1958** in 2 vols., Vol. I, Part-I, Trivandrum, 1958, p.23.
 2. **Report on the Measures to be Taken for Democratic Decentralization at the District and Lower Levels** in 2 vols., Vol. I, Trivandrum, 1988, p.23.

The committee pointed out that the Village *Panchayats*, are subject to control by the agencies like the Legislature, Executive and the Judiciary. Of all the forms of control, however, that which is exercised by the Legislature is the most fundamental. The *Panchayats* are brought into being on the basis of special legislative enactments. Whatever powers they have, are derived from the concerned Acts of the State Legislature and the rules and regulations made under such Acts-all leading to an effective control over the lower level bodies.

At the lower levels, the District Collector also exercises control over the *Panchayat* bodies.

The clause pertaining to supervisory role vested with the District Collector, however, left the existence of democratic bodies (grass-root level) at the mercy of the bureaucracy. One of the clauses says that, if a *Panchayat* defaults in its functions and is not responsive to instructions of correction, the Collector who is responsible for the revenue and general administration, should have the power to supersede it, or to withdraw from it such of the functions as in respect of which default had occurred. He should also have the power to make or add interim arrangements for the discharge of all or any of the functions of the *Panchayat* so that village administration continues without interruption.¹

The control and supervision of *Panchayats* vested with the Collector will convert ^{the} *Panchayat* [^] ^{into} more an agency of the State Government than a self-government unit.² If the superior is not happy with the lower ones, he may turn to be a denunciator!³

8.2.4. Adult Franchise

However, the committee wanted to explore the areas where greater delegation of responsibility to the *Panchayat* could be made. It suggested a 'continuous search to effect greater and greater delegation of executive responsibility to the *Panchayat*.' The committee, therefore, recommended that *Panchayats* directly elected on the basis of adult franchise should be made the

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1. Report on the Measures to be Taken for Democratic Decentralization at the District and Lower levels, in 2 vols., Vol.I, Trivandrum, 1988, pp.39-40.
 2. K. Sukumaran Nair, *Rural Politics and Government in Kerala*, Trivandrum, 1976, p.13
 3. For further details on the nature of control usually exercised by the government on *Panchayats*, see, N.R. Visalakshy, *Administration of Village Panchayats in Kerala*, Post-doctoral diss., Trivandrum, 1967, pp. 152-65.

basic units of administration at the village level and they should be entrusted with the responsibility of formulating and implementing developmental work and social service programmes lying within their sphere. Most of the recommendations have become part of the *Panchayat* Act of 1960.

8.2.5. *Panchayat* as Basic Unit of Administration

The committee in its survey indicated that low profile of *Panchayat* bodies in the state is due to many factors. They include indifference in the matter of implementation, lack of vigour at top levels in regard to enforcement, complacency among the officers and staff below in carrying out instructions etc. To overcome the defects, the Administrative Reforms Committee 1958, emphasised the need for strengthening *Panchayats* and suggested a thorough re-orientation of the powers. The overall aim of the government was to strengthen *Panchayats* in the State as viable and basic units of administration and development at the village level. It stipulated the collection of land revenue by *Panchayats* as agents of the government.

8.3.0. Towards a Near Gandhian Model, 1959

The Commission for Delimitation of *Panchayat* Areas, 1959, recommended that the *Panchayat* area and the revenue village should be coterminous. The commission aimed at economic viability and territorial entity.¹ Thus, the Delimitation Commission aimed at two objectives - one, an integrated body of *Panchayat* unit, two, settlement of local finance. To achieve these objectives *Panchayat* area and revenue village should be coterminous, which will form the unit of administration at the lower level and effect the conversion of *Panchayats* into viable economic units.

8.3.1. Autonomy and Autarchy

The self sufficiency of villages means autonomy in all respects-political and economic. The

1. Report of the Commission for Delimitation of *Panchayat* Areas, 1959 in 2 Parts, Part-I, Trivandrum, 1960, pp. 1-6.

O. Chandu Menon was appointed in 1959, to make suggestions on the delimitation of the *Panchayat* areas and to examine the re-organization of *Panchayats*' territorial limit. His recommendations were aimed at strengthening the concept of a Grama Swaraj in compact territorial size at the *Panchayat* level in Kerala.

political autonomy must be corroborated with economic stability too. It is well worth quoting a statement by Sardar Patel (the late Home Minister of India):

It is being said that the franchise of the electorate has been enlarged and the local bodies have been given very wide powers, true, I accept it. But what good would come out of it, unless and until the question of local finance is settled first. The extension of franchise and widening the scope of duties would be like dressing a dead woman.¹

'The Chandu Menon Commission' approached the task with a view to re-structure^{ing} Kerala *Panchayat*, more or less in consonance with the Gandhian vision. The report, pointed out the then existing colonial 'hangover' in the post-independence period. It said that the type of local administration contemplated or introduced during the pre-independence days was different from the *Gram Swaraj* administered by the Indian national leaders in those days. The progressive evolution and establishment of decentralized local administration which is quite in keeping with the national genius of the country was undoubtedly in the minds of those who were engaged in shaping the future set-up after the attainment of independence and it is seen that the said concept or principle is enshrined in the Constitution of India.

8.3.2. Creation of Convenient and Compact Unit

The commission cited the circumstances referred to above, for the sole purpose of showing that the paramount consideration in the delimitation of *Panchayat* areas was the creation of convenient and compact administrative units in such a manner as to enthuse the people. This principle was kept in view wherever the question of the alteration of the boundaries of revenue villages or *Taluqs* or even districts arose, for consideration.¹

8.4.0. Towards a Near Gandhian Model, 1960

'The *Panchayat* Bill 1960,' enacted during the second session of the Kerala Legislative

1 Cited in, **Report of the Commission for Delimitation of Panchayat Areas, 1959** in 2 Parts, Part-I, Trivandrum, 1960, p.6.
2. *Ibid.*, pp.6-10.

Assembly, actually forms the real base of the powers and functions, structure and framework of Kerala *Panchayat*. The Bill not only contained the framework or structure of the *Panchayat*, but also the size of each *Panchayat* in terms of territory and ^{population and} reservation of women and weaker sections in the *Panchayat*.¹

8.4.1. Empowerment of Individuals

One may find the vision of '*Gram Swaraj*' as the overall goal of The *Panchayat* Bill, 1960. The subsequent discussions, held in the Legislative Assembly when the Bill was introduced, reflect very well the goal to be achieved. More and more members of the Kerala Legislative Assembly, expressed their ideological commitments to Gandhian vision and argued for a meaningful democratic decentralization at the *Panchayat* level.² Replying to the debates on the *Panchayat* Bill 1960, the Minister for Local Government, P.P. Ummer Koya said:

The *Panchayat* and *Gram Swaraj* envisaged in this Bill is the recognition of the right of the people to govern themselves and it is going to make very great changes in the political life of the State of Kerala because the *Panchayats* are ultimately going to decide how a citizen

1. For details see, **The Manual of Kerala Panchayat Administration** in 2 vols., Vol.1, Government of Kerala, Trivandrum, p.6.

2. **Proceedings of the Kerala Legislative Assembly Second Session-1960**, 30 June 1960, Official Report, Vol. IX, No.7, Trivandrum, 1961, pp. 762-803.

'The Kerala **Panchayat** Bill, 1960' was introduced in the Kerala Assembly by Pattom A. Thanu Pillai, (the Chief Minister of Kerala), who said that **Panchayats** should really form the basis of decentralized popular government of the state and due importance should be given to the composition of **Panchayats**, their functions and resources.

George Joseph Podippara, a member of the Legislative Assembly emphasised the goal of the Bill as creation of (making) self sufficient, self-contained Kerala villages, in consonance with Gandhian vision of Gram Swaraj. Joseph Chazhikkadan another member pleaded for an absolute village autonomy, self-sufficient and self-contained status. For details see, *ibid.*, p.766.

C. Achutha Menon, (another member of the Legislative Assembly who became the Chief Minister of Kerala later) pointed out that Government of India failed to realize the importance of autonomous village functioning, which was a glorious heritage of India's ¹⁹⁰⁰ yester years. He said that the **Panchayat** Bill of 1960, introduced in the Assembly would fulfil a glorious tradition of the Kerala village. Then he warned of ^{of} an industrial culture, destroying the autonomous functioning of Kerala villages. Details see, *ibid.*, p.771. Interpreting the Article 40 of the Indian Constitution, C. Achutha Menon said that it is incomplete in relation to power and authority of States to enact a broad outline of **Panchayat** system. Others who spoke in favour of **Gram Swaraj** included, T.A. Thomas, K.K. Viswanathan, Hammid Ali Shammad, Ms. Leela Damodara Menon, T.C. Narayanan Nambiar, K. Hassan Ghani, T.K. Ramakrishnan, E.P. Gopalan and C.G. Janardhanan.

should live and he should take care of himself from the cradle to the grave.¹

The women members in the Legislative Assembly demanded provisions to protect the women's rights and even urged for reservation of seats for women.²

Concluding the long discussion on the power, functions and duties, structure and goal of the *Panchayat* Act, Pattom A .Thanu Pillai, the then Chief Minister of Kerala said : "it is only by imposing trust in the *Panchayats* by giving wide powers and opportunities to them to exercise those powers, it is only that way, that we can entirely take us to our goal of full, self-sufficient, self-government."³

With the enactment of the Kerala *Panchayats* Act, 1960, the State of Kerala had accepted a uniform law for the administration of *Panchayats*.

8.4.2. Bureaucracy and the Gandhian Concept

However, it seems that bureaucratic control over the *Panchayat* institutions was made part of the Act of 1960, and only very few developmental functions were given to *Panchayats* while they were bound to perform most of the compulsory duties. The responsibilities contemplated in section 58 of the Act were not entrusted to them by any government which came to power after the enactment. The Kerala District Administration Act 1979, envisaged the *Panchayats* to be under the supervisory control of the District Collector firstly and after the formation of District Council, they had to be brought under the supervision and control of the District Council. The amendments made in the Kerala *Panchayat* Act 1979, and the specific mention of the revenue functions and powers of the District Councils in the Fourth Schedule of the Kerala District Administration Act,

1. **Proceedings of the Kerala Legislative Assembly**, 5 Nov. 1960, Vol. X, No. 36, Trivandrum, 1963, p.3758.

2. **Ibid.**, pp. 784-788.

The women members included, Leela Damodara Menon and K.R. Gouri. Leela Damodara Menon said: "We would make the best effort to see that women are returned in sufficient numbers. We must remember that we will be losing the co-operation of 50 percent of the population in the **Panchayats**, if we did not have any women in the **panchayat**". Then she said that she would like women to have an equal right with men in the political as well as in the social field.

For details see, **Ibid.**, p.1488.

3. **Proceedings of the Kerala Legislative Assembly, Second session**, 12 July 1960, Official Report, Vol.IX, No. 7, Trivandrum, 1961, p.1504.

1979, caused the dismal failure of local administration during the years following 1960. However, the initial enthusiasm for identifying the Kerala *Panchayats* in accordance with the Gandhian vision turned out to be bleak. In due course, the *Panchayats* were looked upon as units of administration, like any other government department.

8.5.0. The Vellodi Committee, 1965: Domination of Bureaucracy

The Vellodi Committee (1965-67), also endorsed the approaches of the previous governments in matters of democratic decentralization at the lower levels. According to the committee, no government that fails to keep the objectives __ order, efficiency, and justice __ can succeed in satisfying the people of the state or the country concerned. The civil service is the only machinery employed by a government to achieve these objects.¹ Pointing out the failure of the objectives of the First Five Year Plan, the committee felt that something more had to be done to make the people feel that they were involved in the work of establishing a welfare state. The idea of development of rural life and economy through the Blocks, as envisaged by the Balvantray Mehta Committee (1958) was organized to bring the government nearer to the people, the only way in which the people could be made to feel that they were part of the government. Therefore, attempts were made to revive the *Panchayati Raj* system, i.e., a three-tier system in the country. In the opinion of the committee this system has not been tried in Kerala State due to absence of a popular Government in the State during the last few years.

In view of the situations that had prevailed, both at the national and state levels the committee submitted a series of proposals with a view to strengthening the *Panchayat* system. The committee viewed that the local bodies should be representative as far as possible of the people 'whose affairs they are called upon to administer and their authority in the matter entrusted should be real and not nominal and that they should not be subjected to unnecessary control.'

Although, the committee recommended many measures to strengthen the *Panchayati Raj*

1. Report of the Administrative Re-organization and Economy Committee 1965-67, Trivandrum, 1967, p.2.

system¹ their recommendations were in favour of the District Collectors to acting the Directors of *Panchayats* in their respective districts. These recommendations certainly empowered the civil servants to override the decisions of democratic bodies, and thereby, were non-Gandhian in principle. As is known, Gandhian vision never empowers the civil servants to act as ^{8b}hier authorities. On the other hand, it envisages *Panchayat* system as a little world of its own. So, what the committee suggested was largely reflective of a 'civil servant's vision of decentralization which is also different from the Directive Principles of State Policy'.² In short, the committee endorsed the concept of what may be called bureaucratization of lower level administration. Instead of bringing the elected body as supreme, the recommendation envisaged a rule by civil servants at various levels of ^{the}*Panchayati Raj* system. Thus, it only served to lengthen the chain, already too long, of officials. Vellodi Committee, thus, assigned a greater role to District Collectors by stating that the success of *Panchayati Raj* largely depends on the leadership and co-operation extended to the democratic bodies at all levels by the District Collector, and other development officers. The committee viewed that the District Collector, being the co-ordinator of all development activities in the district has a vital role to play under the *Panchati Raj* system of administration.³

8.5.1. Plea for Popular Bodies

Members of the Legislative Assembly like Chandrasekhara Pillai warned against the tendency of centralization around the District Collector. He said that the *Panchayat* Bill enacted in the year 1960 was a great step, in fact a welcome step towards the vision of ^{the}Gandhian concept of *Gram Swaraj*. About the supervisory role of the civil servants over the *Panchayats* he remarked that

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1. The following considerations should weigh with government in the context of introduction of **Panchayati Raj** (a) The lowest unit of administration should be **Panchayat**, identical with a revenue village (b) A **Panchayat** should have well defined functions and adequate resources to discharge them (c) **Panchayats** should link up with the sub district unit, which should take in a whole number of **Panchayats** (d) The democratic body at the sub-district level should have real powers and (e) The nature of the democratic body at the district level should be decided on pragmatic rather than on theoretical grounds. For details see, Vellodi Committee, 1965-67.
 1. See debates in the Kerala Assembly over the 'Recommendations of Vellodi Committee'. For details see, **Proceedings of the Kerala Legislative Assembly, Second Session, Vol. XXI, Nos. 29-33, 31 July - 4 Aug. 1967, Trivandrum, 1969, pp.1396.**
 3. **Report of the Administrative Re-organization, and Economy Committee, 1965-67, Trivandrum, 1967, p.33.**

it is undemocratic practice in a democratic country, to invest the District Collector with so much powers making him a dictator.¹

This view-point was so strong in 1967 that when the debate on the Report of the Administrative Re-organization and Economy Committee, 1965, was held in the Legislative Assembly, many members expressed their anguish over the approach and recommendations of the committee. Kumara Pillai, another member of the Legislative Assembly commented on the Vellodi Committee Report as an 'articulated mumbling of a bureaucratic mind.' Citing Arther J. Napthali, he viewed :

"Administration is basically nothing more or less than common sense and common sense begins with simplicity and clarity. These must be the cornerstone of any effective procedural system."³ The observation made by E. Ahmed, (Member of the Legislative Assembly) is worth mentioning. He observed that the Government is moving like a steam roller, causing much noise, and moving at snail's pace.

8.6.0. Administrative Institutionalization, 1967, 1971, 1979

After an active discussion in favour of a Gandhian model, that cut across the party lines, the Kerala Legislative Assembly initiated a Bill- 'The Kerala *Panchayati Raj* and the *Zilla Parishad* Bill, 1967 which aimed at setting up one more tier at the district level in the *Panchayati Raj* system, i.e., a scheme of two-tier system. The Bill could not be enacted (into a law) due to the change of government.

For the next few years, the question of decentralization at the *Panchayat* level was not a live issue and the process of attention was shifted to *Panchayati Raj* system. The attempt was, towards

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1. **Proceedings of Kerala Legislative Assembly**, Second Session, 12 July 1960, Official Report, Vol.IX, No.14, Trivandrum, 1961, p.1496.
 2. Cited in, **Proceedings of Kerala Legislative Assembly**, Second Session, 3 Aug. 1967, Official Report, Vol.XXI, No.32, Trivandrum, 1968, p.3757.
For details see, *Ibid.*, pp.3757-3804.
Also see, **Proceedings of Kerala Legislative Assembly**, Second Session, 27 July 1967, Official Report, Vol. XXI, No.27, Trivandrum, 1968, p.543. Members include, K.R. Raghava Poduval, P.N. Chandrasenan, A.V. Kunjambhu, T.M. Meethayian, P.P. Krishnan, K. Karunakaran, E.M.S. Namboodiripad, M.P.M. Ahammed Kureekal, P.S. Sreenivasan, Alexander Parampithara, V. Unnikrishna Pillai, K. Koran and Palotil Muhammed Kutty.

an administrative institutionalization of ^{the} *Panchayat* system. The District Administration Acts (1971 and 1979), can be called as the beginning of this phase and the government attempted to enact some norms and regulations on ^{the} District Councils. It was under these circumstances that the Government of Kerala appointed V. Ramachandran to suggest measures for the democratic decentralization at the district and lower levels.

8.7.0. Deflection

In 1988, while describing a local government structure for the state in the context of democratic decentralization, V. Ramachandran suggested that it is through the establishment of a composite local government structure that democratic decentralization from the state to the district and lower levels can be brought about.¹ The establishment of a council at the district level and a *Taluq Samiti* between the *Panchayat* and the District levels have been under consideration. The structure of government for the state as visualized by the commission would be on the following pattern.

- a) District Councils.
- b) Urban Local Bodies
- c) *Taluq Samitis* &
- d) The *Panchayats*.

Each unit has to receive its share of powers through the Bills promoted in the State assembly, acts or enactments and delegation.

Surprisingly, the committee did not deliberate anything specifically about the Gandhian concept of *Gram Swaraj*, although it desired the empowerment of the *Panchayat* to a considerable extent. At the same time the Report highlighted the features of the British system and wanted "to learn useful lessons from the British experience."² Evidently such 'wishes and desires' seem to be more inclined to an administrative aspect of decentralization, which is contrary to the Gandhian vision of creating the upper tiers of the local bodies in 'ever widening and never ascending circles'.

1. Report on the Measures to be Taken for Democratic Decentralization of Power at the District and Lower levels in 2 vols., Vol.I, Trivandrum, 1988, p.26.
2. Ibid., p.26

8.7.1. Pyramidal Form

The Committee thus, envisaged a pyramidal structure of *Panchayati Raj* system for the state with the *Panchayats* at the bottom and the District Councils at the apex, i.e., at the sub-state level. As stated above, the proposed model is a clear deviation from the Gandhian concept of 'oceanic circle' in which the upper layers will not crush the lower tiers. In fact, Mahatma Gandhi was unhappy with the image of the pyramid which in his view underlay much of modern thought and practice and replaced it with that of concentric circles.¹ The individual is not an abstract atom but a member of a specific community which profoundly moulds his deepest instincts, aspirations, unconscious memories, habits and ways of life and thought. The individual is not smothered by the community and the two are not crushed under the weight of the state.² In the system visualized for the state, *Panchayat* is considered as a unit of the administration, and is controlled and supervised by the upper units of the administration. It is a three-tier system of administrative structure — *Panchayats, Taluq Samitis* and District Councils organically linked together.

8.7.2. Statutory Structure

The concept visualized for the state is a statutory structure, in which power is decentralized as per the laws of the government. The concept is closely related to the Western models of decentralization. The local government in England is legal, and not prerogative. The Kerala pattern also seems to be more or less the same. No *Panchayat* can exercise any power unless sanctioned by the state.

8.7.3. Creation by the Government

Kerala *Panchayat*, in terms of their powers, shows the features of all the three categories- (a) Function that arises out of executive orders of government (b) Function entrusted in the statute creating the local government institution and (c) Functions assigned and delegated to them. Local bodies in Kerala exercise both executive and representative functions, but the powers enjoyed by

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1. Bhikhu Parekh, *Gandhi's Political Philosophy: A Critical Examination*, London, 1989, p.8.
 2. Acharya Ramamurthy, 'Gandhian Perspectives on the Reconstruction of Indian Polity,' in **Ramashray Roy, ed., Gandhi and Contemporary Crisis**, 1986, Delhi, p.50.

them. are devolved to them from the higher levels. The *Panchayats* are created by the government through the Statutes and regulations. Thus, one finds that, different statutes under the government contain various functions assigned to different authorities. The functions of local government institutions also depend upon the statutes and regulations or the Bills enacted. Hence every time, the delegation of power is related to the statutes issued by the state government. It is only through a series of statutes and regulations that the *Panchayat* enjoys the present functions, the powers and functions to local bodies evolving out of a long period of evolution. In other words, legislation to entrust powers and functions to local government institutions was not a one time process.

8.7.3. Role of Political Parties

A glaring deviation from the Gandhian vision is related to the role of political parties in the *Panchayat* elections. Mahatma Gandhi and later on *sarvodaya* activists desired a partyless *Panchayat* election. In a state like Kerala, where there is a higher degree of political consciousness, external manifestation of it is only to be expected in the administration of local bodies. The earlier committee hoped that in due course political parties would either keep away or keep a distance from the elections. But this has never been materialized. In fact, the political parties try to convert the *Panchayats* as their strong holds and view the *Panchayats* as a jumping ground to power centers. They also look upon the *Panchayats* as entry points.¹

Gandhi visualized non-political functionaries at the helm of affairs at the *Panchayat* level. It is highly doubtful whether such functionaries can be visualized in the changed political climate at the national level or at the state level. It is impossible to ward off politics altogether in a democracy; the fact is that political parties are to function healthily in a proper democracy. The political battle in the upper levels of, national, state, and district level filters down to the lowest tier.

The same electorate that is politically organized for election to national and state level bodies

1. Henry Maddick, *Panchayati Raj: A Study of Rural Local Government in India*, London, 1970, pp.207-10.

For various opinions on the role of political parties in *Panchayati Raj* functioning see, Harish Chandra Mathur and E.M.S. Namboodiripad, 'Political parties and *Panchayati Raj*,' in *The Indian Journal of Public Administration*, Vol.VIII, No.4, Octo - Dec. 1962, pp.612-613 and pp.620-621.

can hardly be expected to shed politics altogether at the *Panchayat* level.

As far as Kerala is concerned, the problem of party politics and party-based elections in *Panchayat* assumes great importance. Political parties perform very useful functions like undertaking leadership, socialization etc. As in Assembly and Parliament elections, *Panchayat* elections also witness cut-throat political battle. The *Panchayat* Councils are elected directly by the people on the basis of adult suffrage and the number of members to be elected varies from seven to fifteen. The qualifications and disqualifications of the candidates who wish to stand for election have been enumerated in the '*Kerala Panchayat Act, 1960*'. For purpose of election each *Panchayat* area is divided into wards on the basis of ^{the} total population of *Panchayat*. The members elected mostly on party basis hold office normally for a period of five years. But the government may by notification in the Gazette extend or reduce the said term by such period as may be specified in the notification. After the elections are over, a meeting of the elected members of each *Panchayat* will be held to elect a president from among the elected members. The president after his election to that office convenes a meeting at which the members of the *Panchayat* elect the vice-president. The president, vice-president and members together constitute the *Panchayat* Council. The president as a 'quasi federal executive' of the *Panchayat* Council, the opposition members in the Council, the government official as its executive (at present renamed the secretary) and the government staff, all these resemble a miniature of the state legislature at the lower level. The whole system resembles a system of local administration than a process of self governing system otherwise known as democratic decentralization. The structure in this respect resembles English models of 'Boroughs' and 'Counties' and its functioning resembles French 'Communes'. The *Panchayats*, repeatedly named village republics, are not really sovereign self governing institutions; they are 'infra-sovereign representative organs' functioning at the village level which insist more on their representative character than participatory.

8.7.4. Dominant role of Departmental Bureaucracy

The concept of politics and democracy is still Western-oriented. Predominantly elitist, the democracy at the *Panchayat* level is controlled by the departmental bureaucracy. It is more an

agency of the state government than a self governing unit. The local bodies are also very much bureaucratized. Political parties also enjoy a dominant role. To counter the excess domination of those forces, it is suggested to reduce the extent and area of *Panchayats*. The smaller the unit of administration the lesser would be the part played by political parties. The relevance of *Gram Sabha* comes more and more under such a situation.

8.7.5 Non-functioning of the *Gram Sabha* in Kerala

The *Grama Sabha* has an important role in activating the democratic process at the grass root level. The *Grama Sabha*, in a sense ante-dates the introduction of *Panchayati Raj* and is generally speaking regarded as an instrument of direct democracy rather than the representative democracy. In some states (like *Rajasthan*) the role and status of the *Grama Sabha* which meet at least twice a year, have been formalized and incorporated in the statute. There is no provision, neither statutory nor legislative for a *Grama Sabha* in the State of Kerala. The large area and huge population make it impossible for several thousands of people to assemble together in a common place. The *Grama Sabha* assures participation of common man. Popular participation has been considered an instrument of institutional democracy.¹ Gandhian vision of *Grama Sabha* at the lowest level is more than mere representation or nominal participation. On the other hand it is to act as the link in which all the people in a particular geographical area are directly involved in planning, implementation, monitoring and evaluation.

8.7.6. *Grama Sabha* in Kerala

Recently the State Government launched a programme of holding *Grama Sabha* at the village level (revenue unit), which is meant to redress grievances of the people at the lower level. It seems that the prime objective of the *Grama Sabha* in the State (which has yet to become popular) is to serve as complaint cell, (a wrong conjecture of Gandhian concept of *Gram Swaraj*), under what is known as 'the speed programme' of the Government of Kerala. The *Grama Sabha* according to Mahatma Gandhi also represents the meeting point of direct government, i.e., direct democracy.

1. Henry Maddick, *Panchayati Raj: A Study of Rural Local Government in India*, London, 1970, p.73.

Many Gandhian activists including Jayaprakash Narayan and R.R.Diwakar also pleaded for the setting up of *Grama Sabha* with sufficient statutory backing. They all wished the relationship between the *Panchayat* and *Gram Sabha* to be that of the Cabinet and the Assembly. The ultimate objective is to assure people's involvement in the matters related to them. It is only by getting the people involved in the process of improving themselves through their own efforts that it will be possible to develop their capacity and self-reliance to provide a co-operative way of life and to bring about social and communal solidarity.

The *Panchayati Raj* Institutions today face threats from different groups like politicians, who are reluctant to give up power, the State Secretariat and Heads of Department, organized Trade Unions and local level leaders in addition to paucity of resources¹

8.7.7. The failure of the *Panchayats* to evoke interest

It is doubtful whether *Panchayt Raj* has succeeded in making an average citizen in a Kerala village, more conscious of his rights. To the common villager it does not represent a preoccupying part of his daily life. He cannot relate to it in terms of his daily need and every day concerns. *Panchayat* means to him only the spectacular occasion when he exercises franchise once in five years or more than that, and a few civic functions, or venue of festivals sponsored by the state government. The *Panchayats* have failed to provide him a sense of full and meaningful participation. Decentralization and democratization are compulsions of rural development. There is no other alternative to raising the awareness of the rural poor from below.

8.7.8. A Phase of Officialdom

Decentralization without democratization will result in the growth of officialdom. Therefore one has to change the villages not only in their institutional structure but also in their economic, administrative and social structure. Democratization means not only the election process but also a willingness to be heard. It was not just enough to create institutions, it was also essential that enough

1. V. Ramachandran, 'Threats to **Panchayati Raj**,' Background Paper -23, Seminar on **Panchayati Raj/ Nagara Palika Bill** and Its Implications for Local Self Government and Decentralized Development in Kerala, 2 & 3 Oct. 1993, Centre for Development Studies, Thiruvananthapuram, pp.1-4.

powers should be given to them to maintain development activities.¹

From the foregoing account it seems that the *Panchayati Raj* as a system of rural administration needs more attention in the context of Kerala's peculiar socio-political situation. The importance of the *Panchayat* system is its democratic character. However, its image as an agency of revenue collection for the government chartered during the colonial period or as a unit of development administration in the post-colonial period has become the measuring yard of the functioning of *Panchayat* system. A new approach known as *Panchayati Raj*, a model of an integrated structure of local administration, has also become popular. The *Panchayati Raj* system reared on such a foundation would not be a substitute for a unit of participatory democracy. In the context of Kerala all the above images exist side by side along with the ideological shoots of Gandhism. The concept has deeply influenced the members of the statutory commissions and the state legislature.

8.8.0. Factors favourable

The main argument against incorporating the Gandhian model of *Gram Swaraj* into the system of local government was the dismal poverty and ignorance as well as the conservative nature of the village people. In fact, in the context of Kerala, the above factors have no standing. In political, economic and social aspects, the Kerala situation is unique. The progressive nature of the state itself is the favourable situation for experimenting the models of self-reliant and self-sufficient rural local bodies. Again, as a result of many socio-political and economic changes that took place in the state, both in urban and rural areas in recent times, one might say that the social consumption of people of all levels of income is high²

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1. N.Sivanna, **Panchayati Raj Reforms and Rural Development**, Allahabad, 1990, p.48.
 2. V.Ramachandran, 'The Development Administration: The Kerala Experience,' in Ms. Padma Ramachandran and M.A. Oommen, ed., **Some Issue in Development Administration**, New Delhi, 1987, pp.57.

PHYSICAL QUALITY OF LIFE INDICATORS OF KERALA - A COMPARISON (1986).¹

Indicator	Kerala	India	Low Income Countries
1	2	3	4
Per capita GNP	247	290	270
Adult literacy rate	91	52	56
Life expectancy	70	56	61
Infant mortality rate	27	95	69
Total fertility rate	2.3	4.2	3.9

An important aspect of the Kerala State, is the relative absence of any wide gender, regional and caste differences. The keylink in the above phenomenon is held to be the formulation and effective implementation of a set of redistributive development policies.

8.8.1. Political Awareness, Social Factors etc.

The awareness of the people along with other factors is the main reason for Kerala's development according to a study on agricultural labourers and poverty.² In Kerala, there was an active demand from the people for various basic services. A sense of one's right on the part of the people generated pressure for their effective functioning. Thus, the socio-political factors have received great attention in the making of the Kerala model. These factors point to the direction towards a successful functioning of local bodies at the grass-root level because the empowerment of the

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1. Cited in, T.M.Thomas Isaac and S. Mohankumar, 'Kerala Elections-1991: Lessons and Non-Lessons,' in **Economic and Political Weekly**, Vol.XXVI, No.47, 23 Nov. 1991, p.2693.
 2. Joan . M. Mencher, 'The Lessons and Non-Lessons of Kerala : Agricultural Labourer's and Poverty,' in **Economic and Political Weekly**, Special Number, Vol.XIV, Nos. 41-43, 1990, p.263.

elected body should assure effective functioning as well.

8.8.2. Recent Trends

The post - 1987 period is remarkable for a discernible re-orientation of mass movements to developmental activities.¹ There is an overall thrust towards a new development perspective, creation of labour enthusiasm, mass voluntary labour for the creation of community physical assets and infrastructure for agricultural development and ecological regeneration.² The state enjoys many advantages which few others do in India. The working people in the state have acquired over the years the valuable experience of co-operative functioning at all levels. The perspective of the Eighth Plan is to make use of people's organizations which already exist, to rely on elected popular bodies such as the *Panchayats* and District Councils and to develop new Co-operative Institutions of the people to achieve a breakthrough towards higher growth.³ An 'Approach Plan' of Kerala's Eighth Five Year Plan gives an outline of the proposed local level planning. It speaks out that top priority is being given to the task of identifying development activities amenable to the local bodies together with sufficient funds and administrative authority.⁴

From the preceding accounts, it seems that a necessary socio-political environment exists in the context of Kerala which can necessarily be used as an outer frame for the effective implementation of the concept of self-reliant, self-sufficient, self-governing rural local bodies in Kerala. As stated earlier, the Gandhian approach is not for taking the villages to the bullock-cart age, but a (modern) concept of ^{an} integrated system of over-all development of individuals and the community. Also, as referred to earlier, Gandhian vision of the village was an entirely transformed identify, self-sufficient and self-reliant. His was a purposive self-reliant matrix of autonomy above ambivalence of alien structure and process.⁵

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1. For further details see, E.K. Nayanar, 'Panchayat Bill - Wresting of State's Powers,' in *Kerala Calling*, Vol.7, No.7, July 1989, Dept. of Public Relations, Government of Kerala, p.3.
 2. E.M.S. Namboodiripad, 'Panchayat Raj Bill: A Measure of Further Centralization,' in *Kerala Calling*, Vol.9, No. 11, Sept. 1989, Department of Public Relations, Government of Kerala, p.21.
Also see, M.A. Oommen, 'Panchayati Raj Keralathil: Prasthanangalum Sadhyathakalum,' in *Panchayath Raj: Prayogavum Sidhanthavum*, (Malayalam), Trichr, 1989, pp.55-61.
 3. *Towards an Approach to Kerala's Eighth Five Year Plan*, State Planning Board, Trivandrum, 1989, p.5.
 4. *Ibid.*, p.17.
 5. D.B.Mathur, *Prefacing Gandhi*, Jaipur, 1988, 'Introduction,' p.IX.

Conclusion

Panchayat Raj as a system of rural administration needs more attention in the context of Kerala's peculiar socio-political situations. The most glaring defect of the Kerala system is that along with the efforts at decentralization of power (in consonance with the Gandhian vision or not) at the lower levels, there are parallel trends of more and more centralization, and bureaucratization. The pendulum has thus swung often from the Gandhian concepts to the long chain of hierarchical civil servants/bureaucracy.¹ The experience of the state that attempted to introduce democratic decentralization in the sixties and seventies clearly shows that all the power groups - the ministers of the state government, members of the state legislature and the bureaucracy were responsible for the low profile of *Panchayati Raj* in Kerala. Some element of centralization is inherent in a system of planning and development. But the degree of centralization would become greater unless conscious steps are taken. Likewise, the high fervour shown in favour of the Gandhian vision of *Gram Swaraj* gradually paved the way for the institutionalization of local bodies. Besides, more and more Boards and Corporations or Authorities, have been formed with their vertical organizations and thereby, the role of local bodies has been shunned continuously. "The decision - makers and those in charge of the administration and the management of these organizations find it convenient to yield to this process since their powers also grow instead of being shared with others."² Under such a situation, solution can be like this, those things which could be done at the local level may be entrusted with the rural local bodies.

A study of the process of decentralization in Kerala *Panchayat*, vis-a-vis the Gandhian concept of *Gram Swaraj* would be helpful to understand the phases of nearness to Gandhian vision, as well as the magnitude of the ideological chasms between the concept of *Gram Swaraj*, and the present *Panchayat* system of the Kerala state and how the new situations referred to above in the state, can be made use of towards a trial of implementing the Gandhian model of *Gram Swaraj*.

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1. For more details on general trend at the national level see, S.V.S. Juneja, 'Panchayati Raj - A Survey,' in **Indian Journal of Public Administration**, Vol.XIX, 1973, pp.54-81.
Also see, P.S. Appu, 'Introducing Structural Changes,' in **Kurushetra**, Vol.XL, No.1, Oct. 1991, New Delhi, p.31.
 2. **Report on the Measures to be Taken for Democratic Decentralisation of Power at the District and Lower Levels** in 2 vols., Vol.I, Trivandrum, 1988, p.17.

CHAPTER 9

CONCLUSION

There is unanimity of opinion among political thinkers about the positive contribution of local self-governing institutions to the strength of a free nation. They are seen as necessary prerequisites for the sustenance of the spirit of liberty and popular democracy. Decentralization, as envisioned above, implies the spirit of autonomy in decision-making within at least a limited sphere. However, in the West, the concept of decentralization signifies administrative convenience and, as a result, the local bodies function as 'limbs and hands of the central government.' In India, the rural local bodies known as the *Panchayats* embody the traditions of autonomy and of grass-root level democracy.

The autonomous features of the local self-governing bodies (rural local bodies) in India have evolved from the peculiar geo-physical and socio-political nature of the country as well as out of India's historical processes. Hence, each village developed into an autonomous unit, a little world of its own, which survived all political convulsions and invasions, and retained its continuity. Under the British rule in India, a different model of local administration evolved, which replaced the traditional pattern of the 'Panchayats'. As a result, the self-sufficient natural economy of the Indian villages was broken up. Lord Ripon's Resolution of 1882 did result in the routinization of a structural innovation and the introduction of a model of administrative decentralization paving the way for the establishment of a three-tier structure of local bodies. However, the vision of local bodies as agents of the central government, which characterised the

subsequent measures under the British administration, did not augur well for their growth and autonomous functioning.

It was in this background that Mahatma Gandhi's idea of *Village Swaraj* emerged as a fighting slogan against the Imperial Government. The rural local bodies in India known as the *Panchayats*, which guided the destinies of autonomous village communities in ancient times, provided Gandhi with a model of democratic decentralization, the spirit of which can be recaptured and modified to suit the requirements of modern times. In the revival of the autonomy of the *Village Panchayats*, Gandhi's concept of democratic decentralization was a bulwark against authoritarian rule and exploitation and a guarantee of individual freedom and progress of individual citizen. Villages were envisioned by Gandhi as republics, self-sufficient and self-reliant units of perfect and real democracy. Gandhi's concept of *Gram Swaraj* visualised a non-violent, non-exploitative and equalitarian order (an equalising mechanism) and a model of development which was not confined to material progress alone. Instead, it was an integrated and holistic vision of progress. The entire structure was not to be a power-pyramid with the apex sustained by the bottom (top - down development model) but vice versa, i.e., the model of an inverted pyramid. The autonomous units of power at different levels would be organically linked together in an 'Oceanic Circle.' Thus, *Gram Swaraj* is a concept of village-self- rule in which the legislative, judicial and executive powers are combined into one, to function as units of democracy based on individual freedom. Gandhi did not mean that the ancient *Village Panchayats* should be revived exactly in the old form. That was neither possible nor desirable.

Gandhi's insistence on decentralization at the village level had little effect on the decision-makers of independent India. The mode of development envisioned for independent India, involving large-scale industrialization and

employment of modern technology, favoured monolithic bureaucratic structure and centralised administration. Gandhi's advocacy of the empowerment of rural local bodies or *Panchayats* was, however, countered by projecting villages as 'sinks of localism, dens of ignorance and narrow - mindedness and the cause of ruination of India' and as bases least suited to begin the process of development.

Reservations about the grant of autonomy at the grass-root levels stand justified in situations where widespread illiteracy and poverty prevail. But even in regions in the country with total literacy, high level of political consciousness, and relatively high standard of life, efforts have yet to be made for the devolution of power into the ranks of the lower administrative units. It is in this context that a study on the decentralization of power at the *Panchayat* level in Kerala assumes importance.

Unique socio - political, geo - physical and economic factors have placed Kerala in a pre-eminent position among the states in India. The progress and development achieved by Kerala in many sectors have been lauded by different study groups time and again. The state has taken great strides in the spheres of education, particularly at the primary and secondary levels. The literacy rate in the state has touched cent percent in many parts. In the adoption of social welfare measures, it has set an example to the other states in the country. The impact of these welfare schemes is clearly visible in the rural areas. The availability of basic services such as schools, primary health centres and hospitals, post-offices, transport and communication facilities is near universal. Special mention should be made of the establishment and effective functioning of rural credit societies in the co-operative sector within easy reach of the rural population.

The social scenario of Kerala comprehends certain unique features.

Earnestly implemented land reforms have made the tenants in the state the owners of the land on which they live. This has removed the landlord - tenant rift which could impede the smooth functioning of rural local bodies. The absence of bonded labour, harassment of lower classes and caste and communal dominations are other significant features.

At the popular level the State of Kerala displays a high degree of political consciousness. The people perform their electoral duties actively and with a sense of responsibility. Elections, whether to the Central Legislature, the State Legislative Assembly or the Rural Local Bodies, all generate wide enthusiasm and are characterised by the active participation of every section of society. Elections are generally free from violence and do not leave behind trails of hatred and hostility. This may be attributed to superior civic sense, social consciousness, cultural traits and the spirit of communal harmony which characterise social life in Kerala.

The *Panchayats* in Kerala have been associated with developmental activities for a reasonably long time, and more actively after the passing of the Kerala *Panchayat* Act of 1960. The local bodies have taken initiatives in implementing various schemes formulated by the State Government and thereby helped developmental activities relating to agriculture, public works, public health, minor irrigation, sanitation, education, rural electrification and housing. *Panchayats* have been involved in 'Applied Nutrition Programme,' 'Ela Development Programme,' 'Family Planning,' 'Vanamahotsva,' sanitary works and similar activities. There has been active participation in schemes like the 'Seven Point Programme' and the 'Eleven Point Programme'.

Reference may be made in this context to the relatively long traditions of rural local bodies in Kerala. Cochin, an erstwhile territorial segment of the

Kerala State and a Princely State under the British rule was the earliest to enact a *Panchayat* Act in 1914. Travancore, another erstwhile unit also followed suit in 1925. In Malabar, innovations in rural local administration go back to 1884.

Kerala, thus, presents a potential area of experimenting with democratic decentralization in the true sense of the term as envisaged by Mahatma Gandhi. As already stated, the Gandhian vision of *Gram Swaraj* has been an ideological shoot behind every effort leading to the acceptance of *Gram Swaraj* in the State of Kerala.

With the congenial environment already existing in the State, steps for the grant of greater authority and autonomy to the *Panchayats* should have been initiated long ago and pursued earnestly. But in reality the very concept of strengthening the *Panchayats* with a view to ensuring direct popular participation in the process of development and administration, and of transforming the *Panchayats* into nurseries of democracy and centres of liberty, is yet to emerge as a desirable goal in academic as well as political circles.

Reasons for the slow pace in the devolution of power in Kerala State are not difficult to identify. The absence of clarity regarding the role of *Panchayats* in independent India, which has retarded the progress of local self - government at the national level, is shared by the leaders in Kerala as well. The colonial perception of the *Panchayats* as agents of the government continues to blur the vision of local bodies as centres of popular democracy. The confusion which prevailed in political circles in Kerala found echoes in the deliberations on decentralization in the 1950's and 1960's.

Discussions relating to the *Panchayat* Act of 1960 were conspicuous by the unanimity of views supporting the implementation of the Gandhian vision of *Gram Swaraj* and the strong advocacy of the transfer of authority and popular

participation in administration. Replying to the deliberations on *Panchayats*, the then Minister for Local Government said that the *Panchayat* and *Gram Swaraj* envisaged in the legislation affirmed the right of the people to govern themselves and heralded great changes in the political life of the State, because the '*Panchayats* will ultimately decide how a citizen should live and take care of himself from the cradle to the grave.' Concluding the long discussions, the then Chief Minister of Kerala reiterated that it was only by reposing trust in the *Panchayats* and by giving wide powers and opportunities to them that the goal of self-sufficient , self - government could be achieved. Expectations of the better functioning of local bodies including the *Panchayats* raised by the initial enthusiasm gradually faded, with the result that the account of decentralization efforts at the lower levels between 1958 and 1988 remains one of ups and downs, of fluctuation dictated by political changes.

The main impediment to the progress of decentralization is the lack of commitment on the part of any political party to the ideal. Successive governments being formed by coalitions of political parties, apprehensions regarding the loss of power appear to have weaned away political leaders from efforts at decentralization. On the other hand, the creation of numerous Boards and Corporations in the Public Sector has been found to offer opportunities for the sharing of patronages. The absence of single party rule, submission to pressures of the constituent political parties in the government, the prospect of the division of spoils and the lack of political will have all combined to retard progress towards a greater decentralization of power in Kerala.

Of greater relevance is the absence of organised public opinion in favour of meaningful decentralization. Academic studies and discussions on the subject remain a necessary requisite to bring about the required attitudinal change and to build the force of opinion that can accelerate changes towards devolution of

authority and power. With an environment congenial to the realization of the ideal held aloft by the Father of the Nation, the role of providing leadership falls on the academic community in Kerala. A sense of urgency in this direction is added by the 73rd Constitutional Amendment initiated by the central government which envisions a third layer of government below the central and state levels.

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APPENDICES

APPENDIX - 1

***REGULATION V OF 1089 ME (AD 1914) - THE COCHIN VILLAGE PANCHAYAT REGULATION, COCHIN STATE, COCHIN. (Passed by His Highness the Raja of Cochin on the 16th day of Kumbhom 1089 corresponding with the 27th day of Feb 1914).**

Preamble. "Where as it is expedient to provide for the organization of Village *Panchayats* in the Cochin State, with a view to render the principal and more intelligent subject of His Highness, the Raja usefully employing them in administering justice to their neighbours and also by entrusting to them certain public duties such as the construction and repair and maintenance of village roads, tanks and wells, the execution of repairs to and minor irrigation works and the distribution and regulation of water supply, improvement of sanitation, prevention of epidemics, the maintenance of water pandals the preservation in tact of all *Poramboku* paths, lanes and canals, the village reserves in local areas not included within the limits of any town constituted under Regulation I of 1085, the improvement and development of agriculture, prevention of cattle mortality and such other matters calculated to promote the health, comfort and prosperity of the inhabitants of such local areas," it is hereby enacted as follows:-

Chapter - I Preliminary

Short title and Commencement. [1] The Regulation may be called "The Cochin Village *Panchayat* Regulation and it shall come into force on the first day of *Meenam* 1089 ME.

- [2] Interpretation: In this Regulation, unless there be something repugnant in the subject or context:
- (i) 'Village' means a local area recognized in the recent revenue survey and settlement for purposes of Land Revenue Administration, as a village or group of such villages or a local area for which a Village *Panchayat* has been established under this Regulation.
- [3] "Village *Panchayat* Court" means a civil court of original jurisdiction established under this Regulation for a village.
- [4] "District Munisiff" or "District Judge" means the District Munisiff or District Judge within the local limits of whose jurisdiction the Village *Panchayat* Court is situated.

Chapter II. Establishment and Constitution of Village *Panchayats*

- [5] The Diwan may from time to time by notification in the Government Gazette establish a Village *Panchayat* for one village or part of a village or group of villages and may at any time, in like manner, modify or cancel such notification.
- [6] (i) A Village *Panchayat* established under this regulation shall consist of five members, one of whom shall be styled the President. The *Pravarthikaran* or Chief Village Officer of a revenue village

* The first *Panchayat* Act enacted by a Native State .

comprised in the jurisdiction of a *Panchayat* established under this regulation, shall be ex-officio member of the *Panchayat*.

- (ii) If any doubt shall arise as to who is the *Pravarthikaran* of a revenue village, comprised in the jurisdiction of a *Panchayat*, established under this Regulation, it shall be competent to the Diwan Peishkar to declare by an order in writing who is such *Pravarthikaran* for the purposes of this Regulation.
- [7] The President and the other members of the Village *Panchayat* shall be appointed by the Diwan according to such rules as the Diwan may, from time to time prescribe with the sanction of His Highness, the Raja in that behalf and they shall hold office for a period of two years provided that the Diwan may, by notification in the Gazette provide for all or any of the members other than the ex-officio members being elected, subject to such rules and conditions as may from time to time be prescribed by the Diwan with the sanction of His Highness, the Raja.
- [8] The Diwan may suspend or remove the president or any member of a Village *Panchayat* for incapacity, neglect of duty, misconduct or other just and sufficient causes and shall do so on a requisition made by the chief court for like cause appearing in the judicial proceedings of such president or member.
- [9] Any person appointed to be president or member of a *Panchayat* may tender his resignation to the Diwan and on such resignation being accepted, shall be deemed to have vacated his office.
- [10] Powers and Duties of a President:

Subject to such rules as may be framed by the Diwan in this behalf, it shall be competent to the president of a Village *Panchayat* to appoint, degrade, suspend dismiss or otherwise deal with any member of the establishment sanctioned by the Government for that *Panchayat*. It shall be the duty of the president and in his absence of the senior member to control and supervise the work of the *Panchayat* and to carry on all correspondence connected there with.

[11] *Duties and Responsibilities of Village Panchayat*

A Village *Panchayat* shall, in the village or villages under its authority, subject to such rules as may from time to time be prescribed by the Diwan, with the sanction of His Highness the Raja, and under a notification published to that effect in the Gazette so far as the funds placed at its disposal will permit, have the control and administration of, and provide for one or more of all of the following matters as the Diwan may deem fit to fix with due regard to local conditions and circumstances.

- (a) The construction, repair, and maintenance of irrigation works, denominated "Chiras" "Kappus" "Chals" "Thodus" etc., and the regulation and distribution of water supply to the lands commanded by such works.
- (b) Constructing and repairing tanks and wells and such other works as will supply the inhabitants of the area over which the *Panchayat* has jurisdiction with a wholesome supply of water for drinking and other purposes.
- (c) Preservation in tact of all *poramboku* paths, lanes and canals useful for purposes of communication, cattle - grazing grounds and village reserves.
- (d) Control over vaccination and registration of vital statistics .

- (e) Construction and repair of village roads and maintenance of road side avenues.
 - (f) Maintenance of *sarkar water pandals*.
 - (g) Attending to all matters relating to the improvement of village sanitation such as prevention of epidemic diseases, cleaning of roads, drains etc., and generally doing such things as may be necessary for the preservation of the health of the public.
 - (h) Formation of co-operative societies under Regulation IV of 1088.
 - (i) Supervision over elementary education.
 - (j) Improvement of agriculture, and agricultural cattle and prevention of cattle mortality.
 - (k) Maintenance intact and repair and renewals of survey and boundary marks.
- [12] Provision of Funds required by a Village *Panchayat*.

The funds required by the *Panchayat* to carry out the purposes of this Regulation, shall be placed at its disposal by the Diwan in accordance with the rules that may be prescribed by the Diwan in this behalf from time to time.

- [13] The Village *Panchayat* shall provide an office and shall meet for the transactions of business with reference to matters enumerated in section 11 at least once in a month.
- [14] The president shall preside over each meeting and in his absence the members of the *Panchayat* shall elect one of their members present at the meeting to preside there at;
2. All questions coming before a meeting shall be decided by a majority and, in the case of equality of votes, the president or presiding member of the *Panchayat* shall have a second or casting vote.
 - 3.. No business shall be transacted at a meeting unless three of the *Panchayat dars*, then on the *Panchayat* be present.
- [15] (1) Minutes of the resolution passed at each meeting shall be recorded in a book kept for the purpose and shall be signed by the president or the member of the *Panchayat* who presided at the meeting.
- (2) Copies of the resolutions of the *Panchayat* shall be prepared and sent by the President within three days after the passing there of to Tahasildar of the *Taluq*.
- (3) The resolution of the *Panchayat* shall be carried out by the president in whom the entire executive power of the *Panchayat* shall be vested and who shall be directly responsible for the due fulfilment of the purposes of the Regulation.
- [16] The Diwan may from time to time with the sanction of His Highness the Raja, frame rules to regulate:
- a) The administrative powers of the president and other member of a Village *Panchayat*.
 - b) Generally, all matters connected with the carrying out of the provision of this Regulation.

Chapter III Establishment and Constitution of Village *Panchayat* Courts

[17] The Diwan may from time to time by notification in the Cochin Government Gazette, authorize the members of any Village *Panchayat* to form themselves into a Village *Panchayat* Court and to be judges of that Court for the purpose of exercising original civil jurisdiction under this regulation, with in the local units of the village of which they form the *Panchayat*.”

(18) Constitution of Village *Panchayat* Courts

“A Village *Panchayat* Court established under this Regulation shall consist of five judges one of whom shall be styled the president. Every suit instituted and every proceeding before a Village *Panchayat* Court shall be disposed of by a bench of at least three judges. In case of difference, the opinion of the majority shall prevail. When the judges are equally divided the opinion of the president, or in his absence the senior judge shall prevail.

For the purpose of this Regulation, the Diwan may nominate one of the judges other than the President as the Senior judge.

[19] A. Jurisdiction, Res judicate - and Limitations

The following are the suits which shall be cognizable by village *Panchayat* Courts, namely - claims for money due on contract, or for personal property or for the value of such property, “When the debt or demand does not exceed in amount or value the sum of thirty rupees whether on balance of account or otherwise....”

STATUTORY COMMISSION 1

REPORT OF THE ADMINISTRATIVE REFORMS COMMITTEE, 1958 UNDER E.M.S.
NAMBOODIRIPAD in 2 vols., Vol.I, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM, 1958.

CHAPTER -XIV; SUMMARY OF RECOMMENDATIONS :THE PANCHAYATS
(Abstract)

1. *Panchayats* should be made the basic units of administration at the village level.
2. The functions of *Panchayats* may be divided into three categories:-
 - (i) those in respect of which they would have full devolution of powers; (ii) those for which the *Panchayats* will function with executive delegation of powers as agents of government; and (iii) those in respect of which the role of *Panchayats* will be mostly advisory.
3. There should be one *Panchayat* for each revenue village but where the population is less than five thousand, two or more villages may be conveniently combined.
4. Where the population is above 25 thousand the question of converting the unit into a Municipality may be considered, provided the area is small, compact and has distinct urban characteristics. 'Townships' may be formed in places which are distinctly urban, but have small population and area.
5. *Panchayats* should be constituted on the basis of direct election by adult franchise of one member for approximately one thousand voters. One woman member may be co-opted by the *Panchayat* if no woman is elected. But there is no need for co-option for any special groups or organizations.
6. *Panchayats* should have functional committees for different subjects consisting both of *Panchayat* members and others who are interested in public welfare. There could also be ward committees for each ward in the *Panchayat*.
7. The provisions regarding mandatory functions in the Kerala *Panchayat* Bill may be accepted. Registration of births and deaths may also be included among the mandatory functions.
8. In the exercise of these functions the *Panchayats* should have sufficient administrative powers to accord sanctions etc.
9. In the field of 'social services programmes' and 'development work' the *Panchayats* should function with executive responsibility as agents of Government.
10. In the field of education Government-owned primary schools should be maintained and run by the *Panchayats*.
11. In the field of health the *Panchayats* should have the responsibility to maintain and run the rural

dispensaries, primary health centres, child welfare centers and the maternity homes.

12. When new institutions are opened in the village as many of them as possible should be entrusted to the *Panchayats*.
13. It will be the responsibility of the *Panchayats* to formulate the programme of development work and to implement as many of them as would lie within their sphere.
14. There should be a continuous search to effect greater and greater delegation of executive responsibility to the *Panchayats*.
15. The Village revenue establishment may form part of the *Panchayats* and the *Panchayats* may be made the agents for the collection of land revenue.
16. 50% of the basic tax collected by the *Panchayats* may be allotted to them and the remaining 50% of the total for the State may be distributed to the *Panchayats* on the basis of needs.
17. The same revenue staff now attending to the collection of revenues should continue to do so in the new set up also. The present Village Officer may function as the Revenue Officer of the *Panchayat* and the Village Assistant or the 'Menon' as the Revenue Assistant.
18. The work of the revenue staff will as now be inspected, supervised and reviewed by the Tahsildars and the higher officers.
19. There is no need for continuing the conventional hereditary system of village officers now prevalent in the Malabar area.
20. In order to link the *Panchayats* organically with extension and development work, each *Panchayat* may be given service of a *Gram sevak* who will function as its extension and development assistant.
21. For the proper exercise of their mandatory functions the *Panchayats* may be assigned the sources of revenue listed in the draft Kerala *Panchayat* Bill.
22. For implementing the functions in respect of which the *Panchayats* will be given executive responsibility specific grants for each subject should be made which will be equivalent approximately to the amount of expenditure that would have been incurred by Government.
23. The *Panchayat* budget should be scrutinized by the *Tahasildar* before it is approved by the *Panchayat*. Once the *Panchayat* has accorded sanction to the budget, it should not be required to send it to a higher authority for approval.
24. If the *Panchayat* persistently defaults in its functions, the Collector should have the power to supersede it or to withdraw from it such of the functions as in respect of which the default has occurred.
25. The *Panchayats* will have to employ their own staff for performing their mandatory functions.
26. The *Panchayat* Executive Officer, Revenue Officer, Revenue Assistant, the Gram Sewak, the Health Assistant, and the staff of the institutions which will be transferred to the maintenance of the *Panchayats* may be recruited on the basis of a district cadre and their pay and allowances may be borne by the State.

27. A certain amount of administrative control over the staff should be vested with the *Panchayats*.
28. The powers of the *Panchayats* and the departmental officers over the staff should be clearly defined and there should be no room for conflict between the two.
29. There will be a complete re-shaping of the pattern and mobility of staff in the *Panchayats* and in the Revenue and the Local Bodies departments.
30. Village Courts should be formed by nomination from a panel of names suggested by the *Panchayats*.
31. There is no need to appoint a legal member to these courts.
32. The powers proposed to be vested in the Village Courts under the Kerala Village Courts Bill are adequate and may be accepted.

Sub District Level

33. The basic unit of all departments should as far as possible be a *Panchayat* or a whole number of *Panchayats*.
34. There should be some arrangement for co-ordinating the work of the several departments to ensure integrated development and avoid duplication and delay.
35. The revenue and development functions may be combined at the level of the *Taluq* in one officer.
36. An area consisting of about a lakh to a lakh and a half of population would be the optimum area as the charge of a *Tahasildar*-cum-Development Officer.
37. The integrated unit may be called a *Taluq* and its Chief Administrative Officer, the *Tahasildar*.
38. During the stage of intensive development, the *Tahasildar* should be given the assistance of an Additional *Tahasildar* to help him in his work relating to revenue and general administration.
39. The existing *Tahasildars* should be given an intensive course of training in National Extension Service Programmes and similarly the Block Development Officers who have been recruited from departments other than Revenue should be given suitable training in revenue work.
40. Future recruitment to the cadre of *Tahasildars* should be-
 - (i) by promotion from staff employed for general administration; (ii) by promotion of the Extension staff in Agriculture and Co-operation; and (iii) by direct recruitment from the open market.
41. The Block Advisory Committee may be reconstituted and called the '*Taluq Council*'. It may be formed by indirect election of one member from each constituent *Panchayat*.

The representatives of *Panchayats* need not necessarily be the members of the *Panchayats*.
42. A woman member may be co-opted to the Council if no woman is returned by election.
43. The Chairman of the Council should be a non-official elected by the members of the Council.

44. The functions of the Council will be advisory.
45. The *Taluq* Council will be the only council at the *Taluq* level replacing all other *ad hoc* committees.
46. The Municipalities should also be given representation in *Taluq* Councils.
47. The Revenue Firka system which now exists in the Malabar and Cochin areas of the State may be abolished.
48. The revenue divisions and the Revenue Divisional officers should be retained.
49. In view of the small size of the districts in the State, the system of attaching Revenue Divisional Officers to Collectorates instead of having separate Headquarters and offices for them may be tried.
50. There is need for an examination of the achievements of the Community Development Programmes in relation to the prescribed targets and objectives.
51. Officers of the General Administration and of the technical departments should work with mutual regard and understanding in the implementation of the Plan and Community Development Programmes.

THE DISTRICT

Two sets of recommendations have been made based on two different views. They are given separately in sections I and II below:-

Section I

52. It is necessary to have a non-official body at the district level.
53. All M.L.As. may be members of it, *ex officio*. It may also include representatives of *Panchayats* and Municipalities, to be returned by indirect election.
54. The Collector should be the Chairman of the Council.
55. The Council will function as an advisory body and as a co-ordinating agency in matters of development, and for the duration of the Plan period.

Section II

56. There should be a Council at the district level with a non-official President and a non-official Vice-President elected by its non-official members.
57. It may be constituted by direct election to be held simultaneously with the elections for *Panchayats*.
58. The Secretary to the Council should be an official.
59. All the District Officers of the Development Departments will be members of this Council without the power to vote.

60. The Council should not be merely an advisory body as at present, but should have power to take decisions and implement them so far as development work is concerned.
61. It should be given in the requisite finances and control over staff to fulfil this responsibility.
62. It should also have the necessary administrative and financial powers.
63. It will direct, co-ordinate and supervise the work of the Blocks and the *Panchayats* in regard to development.
64. The Collector will not be a member of the Council, but will be kept informed of the progress of its work from time to time so that he may take steps to improve it when necessary.
65. The Development Section of the Collectorate may form the nucleus of the Council's office. A separate office and the requisite staff will have to be provided later.
66. The implementation of this reform should be phased in three stages.

REGIONAL OFFICES

67. Regional officers should be assigned specific powers and responsibilities in matters of financial and administrative control.

THE DEPARTMENTS

68. There should be wider delegation of powers to Heads of Departments and their subordinate officers.
69. The officers should be allowed to exercise the powers delegated to them.
70. Higher officers of Government and the Ministers should develop a proper attitude towards delegation of powers.
71. An Organization and Methods Unit should be set up in the offices of each major Head of the Department and of the Collectors.
72. The laws and rules enforced in the different parts of the state should be unified as early as possible.
73. Parity of procedure at least should be enforced immediately.
74. Some agency under the Chief Secretary should keep a watch on the progress achieved in this respect from time to time.
75. Heads of Departments should send periodical reports to Government showing particulars of the exercise of the delegated authority beyond a certain level.
76. The O & M Division in the Secretariat also should verify whether important orders issued by Government are promptly.

STATUTORY COMMISSION II (O. S. CHANDU MENON COMMISSION)

REPORT OF THE COMMISSION FOR DELIMITATION OF PANCHAYAT AREAS,
GOVERNMENT OF KERALA, TRIVANDRUM, 1960.
RECOMMENDATIONS

(Abstract)

In the G.P. No. LA. 8-2 939/57/L & LAD dtd. 23.9.1957, 30-10-1957, 11.11.1957 and 18.11.1957, the Government of Kerala ordered that Committees would be constituted at *Taluq* level and District level to examine the question of delimitation of *Panchayat* areas. The recommendations of the committee were considered by the Director of Local Bodies in May 1958. In the meanwhile the matter was considered by the Administrative Reforms Committee and their recommendations are contained in Chapter IV of their report on the basis of the following principle:

- i) The *Panchayat* area and the revenue village should be co-terminous as this will form the future unit of administration.
- ii) In rare cases, where having regard to the existing local conditions, the jurisdiction of a *Panchayat* has to include part of a revenue village, the boundaries of the latter should be altered suitably;
- iii) The boundaries of *Panchayats* should not cut across revenue *Taluq* and revenue districts, if in any case, such overlapping is unavoidable the boundaries of the *Taluq* or the district should be altered suitably;
- iv) A Community Development Block should comprise a number of whole *Panchayats*. In no case, should one *Panchayat* fall within two blocks. If having regard to local conditions, a *Panchayat* will fall within two blocks. If, having regard to local conditions a *Panchayat* will fall within two blocks, the block boundaries will be altered suitably.
- v) The Population of a *Panchayat* area may be generally between 10,000 and 25,000.

In para (1) clause (2) of the terms of reference, it is stated that in rare cases, having regard to the existing local conditions - a *Panchayat* area has to include part of a revenue village, the village boundaries should be altered suitably. The *Panchayats* and villages should be co-terminous.

It is necessary to explain the exact approach made by the Commission to the question of delimitation of *Panchayat* areas and extension of municipal limits. Inaugurating the Conference of Provincial Local self Government Ministers, which was held at New Delhi in August 1948, the Prime Minister of India stated in the course of his address, that Local Self Government is and must be, the basis of any true system of democracy. We have got rather into the habit of thinking of democracy at the top and not so much below. Democracy at the top will not be a success unless it is built on this foundation from below. In his presidential address to the Provincial Local Bodies held in 1933, the then chairman of the Ahmedabad Municipality (the late Sardar Valabhai Patel) said as follows. "It is being said that the franchise of the electorate has been enlarged and the local bodies have been given very wide powers. True I accept it. But what good would come out of it unless and until the question of local finance is settled first. The extension of franchise and widening the scope of duties would be like dressing a dead woman." The type of local administration contemplated or introduced during the pre-independence days was different from the *Gram Swaraj* administered by the Indian National leaders in those days. The progressive evolution and establishment of decentralized bodies as efficient local administration

which is quite in keeping with the national genius of the country, was undoubtedly in the minds of those who were engaged in shaping the future set up, after the attainment of independence, and it is seen that the said concept or principle is enshrined in Article 40 of the Constitution under the heading Directive Principles of State Policy. In implementing the said policy *Panchayati Raj* has been inaugurated in some states, including the Kerala state. These circumstances have been referred to for the purpose of showing that the paramount consideration in the delimitation of *Panchayat* areas should be the creation of convenient and compact administrative units in such a manner as to enthuse the people and secure their co-operative efforts in the ameliorative or developmental activities of the *Panchayats* and this principle has to be kept in view wherever the question of the alteration of the boundaries of revenue villages or *Taluq* or even districts arises for consideration. At the same time, unnecessary difficulties in the reconstitution of villages or the realignment of boundaries have to be avoided.

There is no reference to economic viability of *Panchayats* in the terms of reference to the commission, Possibly because, the idea was to advance the necessary funds to the deficit *Panchayats* from the district pool, vide section 69 of the Kerala *Panchayat* Bill 1958. At the same, an attempt has been made to extent possible, to suggest economically viable *Panchayat* areas so that the administration could be carried on without waiting for the allotment of funds by the prescribed authority envisaged in the said section 69.

It would appear that the working of the National Extension Service Programme and other developmental activities will be entrusted to the *Panchayats* or at least the *Panchayats* would be playing a prominent role in such matters vide G.O. (MS) No. 2160 dtd. 1.1.1960. In these circumstances, it must be reasonably taken that the guiding principle in the delimitation of *Panchayat* areas is the formation of compact and convenient units in such a form as to infuse enthusiasm in the people comprised in the *Panchayat* areas to undertake effectively the developmental activities which would lead in establishment not in the distinct future of contended and prosperous villages or *Panchayats*. This has been well kept in view in recommending the delimitation of *Panchayat* areas and in suggesting the readjustment or realignment of village boundaries.

APPENDIX 4

STATUTORY COMMISSION III - (VELLODI COMMITTEE)

REPORT OF THE ADMINISTRATIVE RE-ORGANIZATION AND ECONOMY COMMITTEE,
1965 - 67 IN 2 PARTS, GOVERNMENT OF KERALA, TRIVANDRUM, 1968, pp 119-27

SUMMARY AND RECOMMENDATIONS : PANCHAYATS

(Abstract)

1. The following considerations should weigh with Government in the context of introduction of *Panchayati Raj*:
 - (a) The lowest unit of administration should be the *Panchayat*, identical with a Revenue Village
 - (b) The *Panchayat* should have well-defined functions and adequate resources to discharge them.
 - (c) *Panchayats* should link up with the sub-district unit, which should take in a whole number of *Panchayats*.
 - (d) The democratic body at the sub-district level should have real powers.
 - (e) The nature of the democratic body at the district level should be decided on pragmatic rather than on theoretical grounds.
2. A fresh delimitation of *Panchayats* to make them co-terminous with existing revenue villages is not desirable, since delimitation of *Panchayats* has been completed only recently.
3. There is no need to accept the existing *Panchayats* as units of resurvey; the unit should be one, that is most convenient from the technical angle; if the size of a *Panchayat* has to be altered in future, the portion added on or taken away should be a whole number of the unit of re-survey.
4. All existing *Panchayats* as also the Municipal and Corporation areas should be notified as Revenue Villages.
5. The Guruvayoor Township should be deemed as part of the nearest village for general administrative and revenue purposes; for functions of local self-government it should retain its status as a Township.
6. There is no need to integrate the village staff and the *Panchayat* staff in the proposed set-up
7. The village and *Panchayat* Offices in the new unit should be housed in the same building.
8. The revenues of the *Panchayat* should be collected by the *Panchayat's* collection staff; the Village Officer should collect land revenue and other dues to Government as at present

9. *Panchayats* may utilize the services of Village Officers for the collection of their own revenues under Section 75 of the Kerala *Panchayats* Act, 1960.
10. Collectors have to be brought squarely into the picture of *Panchayat* administration.
11. All District Collectors should be notified as Directors of *Panchayats* in their respective Districts.
12. All Revenue Divisional Officers should be notified as Deputy Directors of *Panchayats* in their respective Divisions.
13. The Directorate of *Panchayats* and its regional offices should be abolished.
14. The District *Panchayat* Officers and subordinate staff should continue in their present form.
15. District *Panchayat* Officers should function as Personal Assistants to the Collectors in the *Panchayati Raj* wing which should be organized in all Collectorates.
16. The Directorate of Municipalities should be abolished and District Collectors should be notified as Directors of Municipalities in their respective Districts.
17. The staff of the Directorate and the regional offices of the Department of *Panchayats* and the staff of the Directorate of Municipalities should be distributed among the Collectorates.
18. *Panchayats* and Municipalities should be administered by the Agriculture and Rural Development Department at the Government level.
19. All mandatory functions under Section 57(1) of the Act should be undertaken by the *Panchayats*; the mandatory functions under Section 57(1) should not be abridged.
20. The list of discretionary functions in Appendix III should be notified immediately as mandatory.
21. Wherever such discretionary functions are now being discharged by departmental agencies, the necessary departmental funds should be made over to *Panchayats* and the concerned departmental officers made functionally responsible to the *Panchayats*.
22. In the circumstances that exist in the State at present, it would not be wise to entrust primary education to the *Panchayats*.
23. Government should go slow in the matter of entrustment of agency functions to the *Panchayats*.
24. Effective functional committees should be constituted in the *Panchayats* and the services of retired officials, technical men etc., should be utilized for the purpose.
25. If *Panchayats* should become effective units of local self-government their resources should be adequately built up.
26. Basic tax collected from all *Panchayat* areas should be treated as a common pool and distributed among *Panchayats* as follows:
 - (a) Grant towards meeting a part of the establishment charges should be given to all Third Grade

Panchayats subject to the following:-

- (i) The staff engaged should conform to the pattern approved by Government.
 - (ii) The payment should be limited to the amount by which actual expenditure on establishment charges exceeds 25 per cent of the annual income of the *Panchayat* (excluding grants, loans and contributions)
 - (b) Grants should be given to *Panchayats* whose total annual income (including the establishment grant) is below Rs. 20,000, the quantum of grant being the difference between the total annual income and Rs. 20,000
 - (c) The remainder of the basic tax should be distributed to all *Panchayats* on the basis of population, a suitable per capita rate being determined for this purpose.
27. Section 67 of the *Panchayats Act, 1960* should be suitably amended for the disbursement of grants to *Panchayats* on the above basis. When basic tax is made over to *Panchayats*, the payment of grants, *ad hoc*, should cease
28. Transfer of departmental funds to *Panchayats* for the performance of departmental functions should be outside the basic tax grants.
29. Surcharge on stamp duty should continue to be a source of revenue for *Panchayats*.
30. The collection of their own revenues by *Panchayats* is not quite satisfactory; as a mechanism to improve the collection of *Panchayat* revenues, Government may prescribe suitable provisions to withhold part of the admissible basic tax grant, if the *Panchayat's* collection of its own revenues falls below 75% of the demand
31. The collection of *Panchayat* revenues should be constantly watched and systematically reviewed by the Revenue Divisional Officers and the District Collectors.

TALUQ SAMITIS & ZILLA PARISHADS

32. For the successful introduction of *Panchayati Raj*, the unit of general administration and development at the intermediate level should be one and the same
33. Blocks and *Taluqs* should be integrated, care being taken to ensure that the agency for development is retained and the size of the unit is manageable
34. The following principles should be kept in view while effecting the integration of Blocks and *Taluqs*:
- (a) A unit should take in a whole number of *Panchayats*;
 - (b) A unit should comprise 10 to 15 *Panchayats*;
 - (c) The population in a unit should generally range from 1¹/₂ to 2¹/₂ lakhs, save in exceptional cases where rigid adherence to this size would not be practicable.

It should be possible to peg the number of integrated units at 70 to 80 as suggested in Appendix IV

35. The integrated unit should be called a "*Taluq*" and the officer in charge of the unit should be called a "*Tahasildar*".
36. Eventhough the same officer will be responsible for general administration and development in the new unit, the existing machinery for the discharge of these functions should be kept largely intact
37. The office of the new unit should have two wings- a general wing and a development wing.
38. In the general wing, the *Tahasildar* should be assisted by the Deputy *Tahasildar* and in the development wing by the *Panchayat* Extension Officer
39. In the new unit, there is need only for one Extension Officer for subjects other than agriculture and co-operation.
40. Depending on the area under cultivation a new unit may require more than one Extension Officer for agriculture; in the same way, depending on the number of Co-operative Societies and the volume of statutory work a new unit may require more than one Extension Officer for Co-operation.
41. The full strength of *Gram Sevaks* and other field staff now in position in all the Blocks should be retained and suitably deployed in the new units.
42. All Block Development Officers who have been confirmed should be integrated with the category of *Tahsildars*; others should revert to their parent departments.
43. Block Development Officers should be given intensive training in revenue work for six months and similarly, *Tahsildars* who have not worked as Block Development Officers should be given training in Community Development and Extension.
44. The stage has been reached when development work in the Blocks should be transferred to a democratic body with the power to plan and to implement projects of local development at the sub-district level; this body should be called a *Taluq Samiti*.
45. The *Taluq Samitis* should prepare and sanction their own budget and should be able to formulate schemes and determine priorities for the implementation of the schemes.
46. Community Development Funds and Plan & Non-plan funds for the local sector of the State Plan, available for the *Taluq Samitis* should be indicated in the State Budget, *Taluq*-wise and communicated to the *Taluq Samitis* as soon as the State Budget is finalized.
47. The Collector should be empowered to cancel resolutions passed by *Taluq Samitis* which do not conform to law or are in excess of the powers conferred or whose execution will endanger human life, public health, public safety etc.
48. *Taluq Samitis* should be constituted in the manner laid down in clause 5 of the draft *Panchayat* Union Councils and *Zilla Parishads* Bill, 1964.
49. Associate membership in the *Taluq Samitis* for the Members of the Legislative Assembly is undesirable, since it is likely to inhibit the growth of local leadership.
50. The Chief Executive Officer of the *Samiti* should be the *Tahasildar* and his functions should be as prescribed in Clause 23 of the *Panchayat* Union Councils and *Zilla Parishads* Bill, 1964.

51. District level bodies called *Zilla Parishads*, which are advisory in character, should be constituted on the lines indicated in the *Kerala Panchayat Union Councils and Zilla Parishads Bill*.

DISTRICT ADMINISTRATION—THE COLLECTOR

52. For efficient plan implementation, it is necessary to clothe the Collector with sufficient authority.
53. In all areas of development covered by the District Plan, the Collector should have full responsibility for implementation.
54. The relationship between the Collector as the Chief Development Officer and Co-ordinator in the District and the other District Officers concerned with the implementation of the District Plan should be defined.
55. The Collector should have a special responsibility in regard to agricultural production.
- The Deputy Director, Agriculture should become an integral part of the Collector's organization.
- The Collector should have control over minor Irrigation and Co-operation .
56. The Collector should not normally have additional Personal Assistants.
57. The appointment of Deputy Collectors to clear revenue arrears is unnecessary; where special staff is called for, special Deputy Tahsildars may be appointed.
58. It should generally be possible to handle additional land acquisition work by the appointment of Special Tahsildars with the necessary field staff.
59. Land acquisition work should be done with greater expedition; the appointment of field staff including survey staff and a more liberal application of the urgency provisions of the Act should help; Collectors should consider, land acquisition as an important item of work for which they are responsible.
60. The concept that the Collector is the Head of the District Police and is responsible for the maintenance of law and order should be respected and nothing should be done to curtail the Collector's authority or to weaken his control.

STATUTORY COMMISSION IV - (V. RAMACHANDRAN COMMISSION ,1988)

REPORT ON THE MEASURES TO BE TAKEN FOR DEMOCRATIC DECENTRALIZATION AT
THE DISTRICT AND LOWER LEVELS. GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM,

(Extract)

SALIENT FEATURES OF RECOMMENDATIONS

1. It is necessary to decide upon and establish a composite local government structure in the State in order to decentralize powers to the district and lower levels.
2. The local government structure in the State may consist of:
 - District Councils;
 - Urban Local Bodies (municipal corporation/municipal councils/ township committees)
 - Taluq Samitis*
 - Panchayats*
3. For the present, the *Taluq Samitis* may have only limited powers but as development progresses, it will become necessary to delegate executive powers to them also.
4. A Kerala Local Government (Structure and General Provisions) Act may be enacted laying down the structure of local government in the State and consisting of general provisions regarding a common election body, electoral system, appointment of Finance Commission, powers of the Commissioner of Local Government and the like.
5. There is need for degree of order and stability over a period of time in the jurisdiction of villages, *Panchayats*, *Blocks*, *Taluqs* and districts. As recommended by the Administrative Reforms Committee, as early as in 1958, a single or a whole number of villages may form a *Panchayat* and a whole number of *Panchayats*, a block. A single or a whole number of blocks may constitute a *Taluq* and a whole number of *Taluqs*, a district. As the formation of *Taluq Samitis* will depend on this reorganization, early steps may be taken for the same.
6. The powers and functions of local government institutions may be said to fall under three categories:-
 - (i) Governmental and departmental functions which arise out of executive orders of Government and are not covered by statutes-a good part of plan schemes and welfare pensions, scholarships and allowances will come under this category;
 - (ii) Powers and functions entrusted in the statute creating the LGI (Local Government Institutions) and its subordinate legislation; and

- (iii) Powers and functions assigned and delegated to LGIs (different powers being delegated to different LGIs) in the subject-matter enactments and their subordinate legislation.
7. A study of *Panchayati Raj* legislation in other States as well as of the efforts made in Kerala to frame a law on district councils shows that the effort has been to list all the powers and functions of the local government body in the law creating that body. The Kerala District Administration Act, 1979 sought to improve upon this by making provisions enabling the delegation of Government's powers, except the rule-making powers in a number of enactments. However, such omnibus provisions do not help in specifying the functions and give excessive discretion to government-to do nothing or everything.
 8. The functions of local government institutions, including district councils, can be defined clearly in statutory matters, only by making detailed provisions in the concerned enactments and their subordinate legislation.
 9. Legislation to entrust powers and functions to local government institutions, like the district councils, cannot be a one-time exercise as has been attempted so far. It should be a continuous, evolutionary process in which powers and functions are assigned as and when new enactments are brought about.
 10. In Part II of the report, amendments to the Kerala District Administration Act and its schedules are suggested. The revised schedules constitute the first set of powers and functions to be assigned to District Councils. The existing laws, not covered by the schedules (as amended) may be scrutinized during the next two to three years, for possible assignment of further functions to local government institutions.
 11. It may be submitted to the Rules Committee of the Legislature that a specific requirement may be laid down that bills involving entrustment of functions to Government agencies or to newly created authorities or boards should be accompanied by a memorandum on decentralization, in addition to the memoranda on finance and subordinate legislation. This will ensure that consistent attention is given to the question of decentralization every time a law is enacted and will also avoid contradictions in legislative policy.

PART II

12. The Preamble to the Kerala District Administration Act may be expanded to make clear the intention, of bringing about people's participation in planning and development activities in the district and not merely in 'administration.' A more appropriate title to the Act may be "Kerala Decentralization Act."
13. As it is already over eight years since the President's assent was received to *KDAAct* (Kerala District Administration Act), it may be laid down that all the provisions of the law, as amended, could be brought into effect by May 18, 1990 (ten years from the date of assent).
14. The amendments proposed in this report may be moved in two separate batches-those which require Government of India's concurrence and those which do not.
15. It is advisable to define a "district" as equivalent to a 'revenue district.'
16. The district councils may also be brought within the definition of 'local government' as the Act has been passed in exercise of the powers under entry 5 of list II of the Seventh schedule of the Constitution relating to "local government" and District Councils will form an integral part of the local government structure in the State.

17. In view of the wide disparity in the number of members in each district council, that will arise from one district to another if the provisions in the Act are followed, a minimum and maximum number of members-20 and 40 respectively-may be laid down as in the case of *Panchayats*.
18. As elections to *Panchayats*, municipalities and municipal corporations have been held recently in the State on the basis of the existing electoral system, elections to the district councils may also be held on the same basis and the question of any change in the system, like bringing in proportional representation, may be discussed and decided upon in the context of the proposed Kerala Local Government (Structure and General Provisions) Act.
19. For the reasons stated by the V.K. Krishna Menon Committee in the context of nomination of Members of Parliament on the boards of public undertakings and other statutory authorities, membership of MLAs (Members of the Legislative Assembly) in executive bodies like district councils, may not be provided for.
20. It is a sound principle that there should be no dual membership in executive and decision-making bodies. This may be incorporated in the Act and a maximum period of three months' overlap allowed. The provision for ex officio membership of members of the district council in other local government institutions may also, therefore, be omitted.
21. The district council may be a fully elected body. Therefore, as regards women, 25% of the seats may be reserved for them, instead of going in for nomination.
22. The age of eligibility for membership in all local government institutions may be retained at 25 as at present.
23. An appropriate explanation may be added in the relevant section so that voters in the Guruvayoor Township area will also become eligible for voting to the district council.
24. In the case of employees of public corporations, the disqualification of membership should apply to all categories of employees.
25. The extension of the term of office of a district council should be an exception under unavoidable circumstances. It may be stipulated in the Act itself that the term should not be extended beyond one year in all.
26. The standing committees of the district council may be renamed and rearranged in order to indicate the range of responsibilities and objectives of each committee. The standing committees of the district council may be renamed as:
 - (a) Finance and Planning Committee,
 - (b) Production and Employment Committee,
 - (c) Social Justice and Welfare Committee,
 - (d) Infrastructure and Amenities Committee,
 - (e) Social Service Committee.
27. The present system of functioning of local government institutions through standing committees may

continue in the interests of wider participation of members in decision-making

28. The exact amount of monthly and other allowances of the President and members of the district council may not be stipulated in the Act, but may be such as may be prescribed in the rules.
29. No change is necessary in the provision that the Collector will also be the Secretary to the district council, considering the size of the districts in the State, the need for effective assistance to district councils in their functioning and the desirability of maintaining the composite nature of functions of the District Collector.
30. The fact that the functions of the District Collector are not merely secretarial but that he has responsibilities to execute the decisions of the district councils may be made clear by calling him the Chief Executive Officer of the Council.
31. Except in the case of finance and accounts, it is not advisable to mention specifically the subjects to which Joint Secretaries will be assigned.
32. Even if separate recruitment and appointment of staff are made to the district councils in future, for several years to come, the bulk of the employees under the councils will be the Government servants whose services are placed at their disposal.
33. The non-gazetted employees of the Government placed at the disposal of the district council may be permanently allotted to a district and may continue in the service of that district council so long as they continue in non-gazetted service.
34. Provision may be made in the law to enable the district councils to obtain the services of officers and servants from statutory corporations, boards and public corporations, depending upon the nature of work.
35. The disciplinary powers of the General Committee, the President, the Secretary and other officers may be laid down in the rules, instead of providing in the Act only the powers of the Secretary and the President.
36. Subject to the provisions regarding disciplinary proceedings and subject only to the general orders of Government for the purposes of technical control and maintenance of standards, the President of the district council may have full supervisory powers over the officers and employees placed at the disposal of the council.
37. Section 44 and the First schedule to *KDA Act* may be revised, as proposed in the report, in the light of the detailed discussions in the report and the methodology suggested for entrustment of powers and functions to district councils. The revised first schedule and detailed amendments to 24 Acts (7th to 30th schedule) are given in Annexure I to Part II B.
38. The District Planning function will be one of the important functions of the District Council. To assist the district council, a District Planning and Development Advisory Committee may be constituted with broad-based membership as recommended in the report.
39. Upon the constitution of district councils, the District Rural Development Agency of the district and the Fish Farmers' Agency, if any, of the district may be merged with the district council so that the district council shall be responsible for the functions of the said societies.

40. When we are decentralizing powers and functions, we may not reduce the existing status of field level local government institutions. Different local governments institutions may function in a complimentary way under the guidance of the State Government and it is not necessary to provide for control and supervision of *Panchayats* or other local government institutions by the district council. In actual working, a measure of consultation and mutual dependence will undoubtedly emerge and if the district councils are effective, the other local governments will naturally look upto them for guidance and assistance.
41. The district councils cannot have a financial year different from that of other levels of Government. The section of the Act declaring the financial year to be from the 1st day of July may, therefore, be omitted.
42. Since the term of office of district council is five years, the constitution of the Finance Commission may also be once in five years only.
43. It does not appear necessary to prescribe the qualifications of Chairmanship and membership of the Finance Commission in the Act.
44. Since the independent sources of revenue that could be thought of for the district councils are such as will yield only small amounts of money, it is inevitable that in the present scheme of things, almost the entire funds for the council are made available by the State Government.
45. An important question to be gone into by the Finance Commission will be the criteria of inter-district allocation of plan funds and this function may be included specifically in the Act.
46. As regards the budget of the district council, it may be specifically laid down in the Act that there should be no deficit in the transactions for a year.
47. The Legislature is competent to take a view on how a local fund should be audited and, therefore, no change is suggested to the provision made in the Act that the Examiner of Local Funds Accounts will be the Auditor for district councils. However, since the organization of the ELFA will have to take up vastly increased responsibilities, a retired Accountant General may be appointed immediately to study the ELFA's department and suggest improvements in organization and methods to enable it to cope up with such responsibilities.
48. The power of the Government to cancel or suspend a Resolution of the district council should be used in exceptional circumstances. The exercise of the power may be made subject to the 'satisfaction' of Government and not merely to the 'opinion' of Government.
49. The powers of revision of Government of the decisions of the District Council, as provided for in the Act are too sweeping and will defeat the whole purpose of decentralization. They may be limited to a few important types of cases as may be prescribed in the rules.
50. In the context of the KDA Act, the amendments to the Kerala *Panchayat* Act may be limited to a new items as in the case of urban local bodies. Provision may be made for the entrustment of functions/ schemes/ works by the District Councils to *Panchayats*.
51. There are basic conceptual and practical difficulties in declaring the President of the *Panchayat* as the "Executive Authority" of the *Panchayat*. But the position of the President as the executive head of the *Panchayat* under whose general supervision and control, the officers, and staff will work, may be recognized and specific provision made in the Act.

52. It is Rules framed under the Kerala *Panchayats* Act that have severely hedged in the *Panchayat* between the Executive Officer on the one hand and the departmental officers on the other. A committee may be appointed to suggest comprehensive revision of the Rules, in order to enhance the functional freedom of *Panchayats*.

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