

Panchayati Raj in Odisha : An Overview

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Odisha became a Separate Province in 1936. The only significant step in the decentralization process came after Independence in 1948 when the Orissa Gram Panchayats Act was passed. During the Chief Ministership of Sri Naba Krushna Choudhury a new innovative attempt was made through the Constitution of Anchal Sasan and creation of Anchal Fund under the Orissa Estates Abolition Act of 1951. The Anchal Sasan Act (1955) intended to accord full powers to Anchal, a local authority which was at a higher level than the Gram Panchayat so that representatives of villagers could have played visible role in the working of system related to Public Health, Education, Agriculture, Cottage Industries etc.

The Anchal Sasan was designed to be a body corporate having fund raising out of land revenue, Fees, tolls, Cesses and taxes. Besides provision for education fund was made to finance educational programmes of Sasan. The institutions of Anchal Sabha and Anchal Adhikari were made and it had its own cadre of officers to be paid out of Anchal Fund.

The Anchal Sasan Act was not implemented which prevented Odisha a pioneering role in the democratic decentralization process much earlier to the Balwantrai Mehta Committee Report.

The fate of Gram Panchayat during 1950's and early 1960's several was under the mercy of Departments. Till 1956 it was under the Board of Revenue and the Revenue Department. There was a post of Superintendent of Panchayat which was abolished to facilitate an I.A.S cadre officer to become Director of Panchayats in the rank of Joint Secretary and later revealed to the rank of Additional Secretary. The auditing power was snatched away from Registrar and it was given to the Board of Revenue. The Panchayats came under the Department of Agriculture and Community Development in 1956 and then moved to the Political and Services Department which was under the Chief Minister. In December, 1959 it was placed under the Department of Planning and Coordination with a Secretary to head the Department.

The Scheme of Panchayatiraj which was first adopted in Rajasthan on the 2nd October, 1959 was the result of the recommendations of the Balwantrai Mehta Committee. In 1956, the Committee was formed to study the working of the Community Development programmes and suggest remedies for removal of defects therein. This Committee is sometimes known as the committee on the Democratic Decentralization. The Mehta Committee submitted its report in 1957 and came to a conclusion that "We will never be able to evoke local interest and excite local

initiative in the field of development unless we create representative and democratic institutions and invest them with adequate power and appropriate finances". The Committee arrived at the concept of "democratic decentralization" through the broadening of the concept of people's participation in community development. It recommended to take away more powers from the Centre and States and to vest them with the local units of administration.

It also recommended for three-tier system of rural administration, namely, the Gram Panchayats at the base (i.e. at the village level), the Zilla Parishad at the top (i.e. in the district level), and the Panchayat Samiti in the middle (i.e. at the Block level). The system is popularly known as Panchayati Raj. As written earlier, Rajasthan was the first State in India which adopted this new scheme on 2^d October, 1959. Odisha worked out this scheme on the 26th January, 1961. Almost all the States in India adopted this system. Thus, the recommendation of the Metha Committee brought about a political and social revolution in rural India.

The B. R. Mehta recommendations were given effect in the State. Both Panchayat Samiti and Zilla Parishad Acts were enacted. In July, 1962 under the new, young and dynamic Chief Minister Shri Bijayananda Patnaik, a new Department of Community Development and Panchayati Raj was created. The Panchayats, Samitis, Parishads and former District Boards came under its purview. The Panchayat wing was separated and it was kept under Commissioner, Panchayati Raj who also looked in to functioning of the Community Development. Two posts of Directors from IAS cadre were also created. Afterwards the Commissioner post was abolished and the Departments were kept under the Secretary. Thus the three-tier Panchayati Raj

system introduced in Odisha took few years to get stabilised.

Metha's Three-Tier System

The Panchayat is an executive body of the village ward members headed by the Sarapanch. It mainly consists of the representatives elected by the people of the Villages. There is also a provision of two women and one Scheduled Caste and Scheduled Tribe, if they do not get adequate representation in the normal course. The Panchayat is a body accountable to the general body of the villages known as Gram Sabha. As regards the main function performed by the Village Panchayat, they include maintenance of roads, wells, schools, burning and burial grounds, sanitation, public health, street lighting, libraries, reading rooms, community centres. The Panchayat also keeps records of birth and deaths. It takes necessary measures for promotion of Agriculture and Animal Husbandry, Cottage Industries and Cooperative Societies etc. Sometimes minor disputes among the citizens of villages are also settled by the village Panchayat.

Panchayat Samiti or Block Level Bodies:

The block is the intermediary in the three-tier system and is the centre of developmental work. The Panchayat Samiti consists of by taking -

- (a) about 20 members elected by all the Panchayats in the Block;
- (b) two women members and one member from S.C and one from S.T, if they do not possess adequate representation otherwise by the process. Panchayat Samiti is headed by a Chairman elected by the members of the Samiti. The B.D.O shall be Executive Officers in the Samiti and shall function under the control of Chairman of Samiti. The Executive authority of the Samiti shall be vested in the Chairman and it shall be his duty to

have the resolution of the Samiti implemented through the Executive Officer of the Samiti. The Chairman of the Samiti shall convene and conduct the meeting of the Samiti and have the power to inspect and supervise all works undertaken by the Samiti. The Vice-Chairman of the Samiti shall be elected by the non-official members of the Samiti. He will exercise such power as delegated to him from time to time and when the office of the Chairman is vacant, he shall act as the Chairman.

Functions :

- (i) Planning, execution and supervision of the development programmes, schemes and works in the Block relating to the community development.
- (ii) Management control and spread of primary education in the Block.
- (iii) Supervisory powers over the Gram Panchayats within the Block to be exercised in such manner and to such extent as may be prescribed.
- (iv) Management of such trusts and endowments and other institutions as may be entrusted to them under any law for time being in force or under the Government.
- (v) Supervision of enforcement of laws relating to vacation and registration of births and deaths.
- (vi) The budgets of Gram Panchayats are to be submitted to the Samiti and the Samiti will approve the budgets.

Zilla Parishad :

Zilla Parishad is at the apex of three-tier systems and treated as the higher developmental agency in the State. The organization of Zilla Parishad differs from State to State. Still it consists of the elected members of the State Legislature and Parliament, Medical Officers of the district,

District Collectors, officer of agriculture, veterinary, education, engineering, public works, public health etc. Being a developmental body, its main function is supervisory within its areas. It approves budgets of the Panchayat Samitis in certain states and also gives necessary advice to the Government regarding the implementation of programmes and developmental works. Besides this, it deals in maintenance of education, dispensaries, hospital, minor education etc.

Panchayati Raj and Biju Babu:

Biju in his second spell as Chief Minister of Odisha was more determined and exhibited sheer self confidence and unremitting zeal to streamline Panchayati Raj. For him "let the people rule themselves, let them check out plans/schemes for the improvement of their respective areas and let them execute their plans" was the hallmarks of Panchayati Raj administration. According to Biju Babu the goals of Panchayati Raj can not be fructified unless there is proper devolution of Financial Powers to Panchayats. His Government made concerted effort for appointment to a Special Finance Commission to look after the domain of devolution of Financial Powers.

Biju was most emphatic about the participation of women in the Panchayati Raj System. He announced that for the first time in the history of Independent India, women will be given 33% reservation in the three-tier Panchayati -Raj Institutions. And true to his word, he saw to it that the Orissa Zilla Parishad Act of 1991 and the Gram Panchayat Samiti Amendment Act of 1992 were passed by the Odisha Assembly that provided for 33% of reservation for women including SC & ST women. So for the first time, more than 28 thousand women were elected to various Gram Panchayats and Panchayat Samitis and Zilla Parishads. It was further provided that one-third of Zilla Parishads would have exclusively women Chairpersons. In case of the Panchayat

Samitis and the Gram Panchayats, one of the two office-bearers, i.e. Chairpersons or Vice-Chairpersons must be woman. It must be pointed out that Biju Pattnaik's policies on reservation for women were followed by many other State Governments in India that culminated in the 73rd and 74th Amendment Acts to the Constitution of India, which provided for similar provisions for rural and urban local bodies respectively. Under his leadership, the Orissa Gram Panchayat Act, 1964 and the Orissa Panchayat Samiti Act, 1959 were amended in 1991, 1992 and 1993. The Orissa Zilla Parishad Act was also enacted in 1991 to constitute Zilla Parishads at the district level. This Act was extensively amended to bring in conformity with the provision of the Constitution Amendment Act, 1992. It also adds to the credit of Mr. Patnaik that after a lapse of eight years, it conducted elections to Gram Panchayats in the year 1992 for 5264 Gram Panchayats in the State. Some salient features of Gram Panchayats Samitis and Zilla Parishad deserve mention as there were the outcome of the Amendment made during Biju's Chief Ministership. In case of Gram Panchayat three mentionable points are:

- (i) The post of Naib Sarpanch is reserved for the women members, if the Sarpanch is a male.
- (ii) One-third of the total wards are reserved for women candidate including S.C and S.T candidates.
- (iii) Gram Panchayats have been vested with the power of supervision of women and child welfare programme, social forestry, rural housing, Small Scale Industries and public distribution system to other normal functions.

As regards Panchayat Samitis the following features deserve mention:

- (i) One-third of the total seats are reserved for women members including women members of S.C and S.T category.

- (ii) Provision has been made to reserve the office of the Vice-Chairman for a woman in case the Chairman is male.

After the enforcement of the Constitution Amendment Act, 1992, it became necessary to amend the Orissa Zilla Parishad Act, 1991. The following important necessary changes were made:

- (i) Reservation of seats for S.C and S.T members has to be done on the basis of their ratio to the total population of the district.
- (ii) One-third of the seats are to be reserved for women members including S.T and S.C women.
- (iii) The post of Vice-President should be reserved for women if the President is not a woman.

The State law has provided that no person having more than two children will be eligible to contest in the election to the Zilla Parishad. Similarly persons having more than one spouse have been disqualified from contesting the election. The Government headed by the Biju Patnaik also set up quite a few Commissions of finance for the Panchayati Raj Institutions in order of offer methods and mechanisms for resources funding thus unleashing some genuine purpose to the decentralization of power.

Problems:

Diverse and huge problems in the functions and the working patterns of the Panchayati Raj System which we are facing in the day to day activities can be broadly described as mentioned below:

Initially there was domination of the bureaucracy over PRI's. The agent of implementation of all major programmes (CDP or IRDP) has always been the State Administration, various parallel bodies that have grossly undermined the importance of the PRI's.

Secondly, inadequate financial resources to carry out the administration is a serious problem. The grant-in-aid is the major component of the PRI revenue. The Government should realise the difficulty and try to solve it permanently.

Besides, other major problems are also affecting the structure. These are -

- (a) Incompatible relations among the three-tiers;
- (b) Undemocratic composition of various P.R. institutions;
- (c) Political bias; and
- (d) Un-cordial relation between officials and public.

Suggestions for removal of these defects:

The Government should take to spread education rapidly. The Government should also change its former attitude towards the local bodies. The local bodies need better personnel as well as a better office organization and methods. The local bodies should have adequate finance at their disposal to take up manifold developmental activities. Local bodies should be away as far as possible, from the arena of nasty party politics. Last but not the least, the success of the Panchayati Raj and other Local Self Governing Institutions, public life should be free from corruption. People and the leaders should possess a high moral standard. They should be honest, truth binding, vigilant and well-informed. The establishment of the Panchayati Raj has led to the quest of new leadership. The new leadership should be “development-oriented” and not “power-motivated”. The success of Panchayati Raj much depends on this pattern of emerging leadership. If it is successful, it will bring a new era of prosperity. We may quote De Jocqueville, “local institutions constitute the strength of free nations. A nation may establish a

system of free Government, but without local institutions, it cannot have the spirit of liberty”.

Conclusion:

The whole exercise of decentralization of powers is equivalent to that of transfer of power from the British to the Indians. The Panchayati Raj set-up is still in experimental stage. Every experiment has its problems and promises. The Panchayati Raj may have weakness today, but it will be a vital force of tomorrow in shaping and developing the richer and prosperous life of people of India. It requires a movement of the masses. For mobilizing the masses for the new task, the leaders are to be trained. It is needless to say that the Panchayati Raj system acts like the grassroot of democracy and a time may come when Jay Prakash Narayan’s dream of “Gram Sabha to Lok Sabha” may materialise through it. Besides, the democratic decentralization took its shape for better administration and developmental perspectives for quick rural developmental and cooperation of local people. State Government does not possess adequate wisdom of local affairs and problems. In this sense, it constitutes a significant constitution to the theory and practice of nation-building activities in the developing areas.

Selected Bibliography:

1. Rout, B.C and Mohapatra, M. K. New Rudiments of Political Science – p-II, Cuttack, Nalanda, 2004.p.95-109.
2. Orissa Review. Feb-March 2010.
3. Palanithurai, G., New Panchayati Raj System: Status and Prospects. New Delhi, Kaniska, 1996.p.21.
4. Pal, M. Panchayat Raj and Development. Yojana, August 2004 p.51.

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