



Participation and the Status of Panchayati Raj Institutions in Assam

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Date of Submission: 01-05-2021

Date of Acceptance: 15-05-2021

ABSTRACT:

Any democratic state to be real and successful, the prerequisite condition must be active engagement of the people in any form through which the wills are expressed. Although Panchayat Raj Institutions have been established in Assam in order to facilitate people's participation however, there are constraints in the process of participation. In spite of large scale participation of the people, qualitative participation is still the need of the hour. The mode of participation is in such a way that the citizens hardly influence the representatives. On the contrary, large numbers of elected representatives are largely influenced by the party leaders, MPs and MLAs.

KEYWORDS: Panchayat, Rural Local Self Government, Participation and Decentralization.

I. INTRODUCTION:

Participation refers to involving people in the development activities from idea of rising to planning, implementation, monitoring and evaluation. In the contemporary times, involving disadvantaged people in the total programme cycle is also very popularly accepted concept of participation (Dahl, 2006). The concept of participation reveals that a share in an activity, voice in plan making and implementing process where people contribute their knowledge and practical ideas. The central idea of participation is to give citizens a meaningful role in local government decisions that affect them (Blair 2000). It is also important that participation should be looked in terms of the orientation of citizens towards politics as well as their actual political behavior and activities which affect the decision-making of local government (Huntington, 1976). With the dawn of independence and the inauguration of the new constitution India adopted democracy as an ideal of

governance. Consequently, popular participation becomes prime criteria for newly adopted system. Moreover, the ideals of father of nation also reveal the principle of self rule. Here it is pertinent to mention that **A. M. M Zakir (2011)** identified some important rationality for need of participation. To him, participation is prerequisite because people must realize, feel and own the programme, to solve challenges of common interest to all in the community, to achieve sustainable development of the people, by the people and for the people, to identify felt needs, to involve people in the process of development, to Solve problems concerning the majority, to mobilize local resource and to build confidence among people. Hence, from the very beginning the provisions of Panchayat or Rural Local Self Government have been included in the part-iv of the Constitution of India. The principal objective of such endeavor of the decision makers is that the common people can take part in the decision making process and the large participation in the governance can be made possible.

India's villages have a very long history of local self government, popularly known as Panchayats. The Panchayats which literary denote an assembly of five who were chosen by peoples (Meenakshisundaram, 2005:147). These institutions have been administering the Indian village community since the time immemorial. These panchayats as an ancient institution is traced since the Vedic period . The panchayat institutions are praised for their high quality of justice and equality practice by the institution headed by the intelligence, wise and impartial council of five members who own respect from the village community. However, the roles of women in those institutions were quite inactive. The panchayats as local self government has imminent values as it is just with little cost; it safeguards and enhances the



citizen's right with indigenous dignity and its importance setting for political education with equality (Shoulini and Midatala, 2010:5).

This age old prestigious institution however experience as degradation with the advent of the British. The British with their selfish motive of imperialism and market mindedness began to suppress the native citizen in accordance with their ambitious goal. But in the midst of their power the colonial rulers tried to reorganize these institutions. Once such sincere attempt worth to mention was Viceroy Lord Ripon effort of 1882 that sought to revolutionized the basic approach to local self government (Ibid: 6).

With the inauguration of the new constitution several positive initiatives have been under taken to enhance the panchayats. Therefore in the new constitution, the provision of panchayat was place under the article 40 of the Directive Principles of State Policy. However the panchayat institution's structure failed to steer adequate rural development, despite putting into force the recommendation of Balwant Rai Mehta Committee 1957 and Ashok Mehta committee 1977 respectively. Again 1986 ,the L.M Singhvi committee recommendation for constitutional status of Panchayati Raj Institutions (PRI). Then a comprehensive 64th Amendment Bill passed by the Lok Sabha fell through in the Rajya Sabha in October 1989 by a margin of two vote (Jha, 1999: 25). After the series of recommendations 1992 the 73rd Amendment Act has enacted and the constitutional status has been given to the PRI.

Status of Panchayati Raj Institutions in Assam:

Panchayati Raj Institutions (PRI) in different forms and at different times has been in existence in Assam since ancient times. Apart from undertaking various welfare activities, these organizations also played an important role in settlement of local disputes. During the Ahom rule itself the existence of Rajimel, Dekamel and Gavorumel etc. functions as local self government in Assam.

It is a well known fact that the system of Panchayats in the independent India was introduced in the light of specific mention made in the Directive Principles of State Policy under Article-40 of the Constitution. The Assam Panchayati Raj Act was passed in 1948 providing the two tier structure right after the independence and before the new constitution became operative. A new Panchayat Act in Assam was passed in 1959 which was in conformity with the Balwantraji Mehta Committee Report which provided the three tier PRI structure. Again this Act was replaced by Panchayati Raj Act 1972 which again substituted by an act of 1986. Thereafter with the passing of the 73rd Amendment Act 1992, the Assam Panchayati Raj Act 1994 that provides a three tier panchayat system comprising Gaon Panchayat, Anchalik Panchayat and Zilla Parishad in accordance with the 73rd Amendment Act. As per the act of 1994 the first Panchayat election was held in 2001 and constitution of all the three tiers were completed in June 2002 (assamgov.in). The three tier Panchayati Raj System in the state of Assam at the village, intermediate and district level as the following table 1.

Table: 1

Level of Panchayat	Name Use in Assam
District Level	Zilla Parishad
Intermediate Level	Anchalik Panchayat
Village Level	Gaon Panchayat

Source: <http://pnrdassam.nic.in>

The basic statistics concerning number of Panchayat level in Assam can be understand with the following table: 2.

Table: 2

Level of Panchayat	No. of Panchayats
1. Zilla Parishad	21
2. Anchalik Panchayat	185
3. Gaon Panchayat	2202
Total	2408

Source: State Institute of Rural Development, Assam



Except the sixth schedule areas the Panchayati Raj Institutions has been successfully established in all districts of Assam and to a large extent the Panchayati Raj Institutions have been functioning quite well along with the State Government. However, there are also several problems and criticisms on the working of Panchayati Raj Institutions in Assam.

People's Participation and Panchayats in Assam:

Any democratic state to be real and successful, the prerequisite condition must be active engagement of the people in any form through which the wills are expressed with least refrain from the action powers. Panchayati Raj Institutions (PRI) which is an institution of democratic decentralization in our country aims at making democracy real by bringing their millions of citizens into the functioning of their representative's government at the grassroots level. As according to the census report of 2011, 85.92% of the total population in the state of Assam covered the rural population.¹ Therefore in order to making democracy successful the exponent of democracy advocates that democracy in a country must be sustained by a system of local self governing institutions. As one of the prime objective, emphasis was focused on the rural people's participation, where downtrodden sections should not be left behind. So, the 73rd Amendment Act provides the reservation for women, S/C and S/T's. In Assam this has successfully implemented to a large extend. The percentages of various social groups in different tier of the PRI are shown in the following table: 3.1, table: 3.2 and table 3.3.

¹ . Census Survey Report 2011. Available at www.censussurvey.co.org visited on 12-03-2013



Table: 3.1 Gaon Panchayat

Social Group→	No. of Elected Representatives			
	Gen	SC	ST	Women
Total No.	20862	1254	782	8997
Percentage	93.28	3.38	3.38	38.28

Source: http://pnrdassam.nic.in/State_profile_modified.pdf

Table: 3.2 Achalik Panchayat

Social Group→	No. of Elected Representatives			
	Gen	SC	ST	Women
Total No.	1982	80	86	791
Percentage	92.27	3.73	4.0	36.83

Source: http://pnrdassam.nic.in/State_profile_modified.pdf

Table: 3.3 Zilla Parishad

Social Group→	No. of Elected Representatives			
	Gen	SC	ST	Women
Percentage	92.82	2.56	4.62	34.62

Source: http://pnrdassam.nic.in/State_profile_modified.pdf

The source shows that in the Panchayats elections, participation of various social groups is quite satisfactory in Assam. The objective of creating a strong base of political decentralization in terms of participation in election has been largely achieved. Today almost 26 thousand representatives stand elected to the three levels of Panchayats. Of these 40% are women, 16% belonging to SC's and 11% belong to the STs.

However, despite high participation in elections, in real sense it does not fulfill the precondition of democratic decentralization. Because, statistically as it is seen that there is high quantitative involvement of people but due to lack of awareness among the rural people, their hopes and desires have always been sacrificed for the sake of the interest of political elites. That is the grassroots democracy remain as a part of narrow party politics, where poor masses are victimized to a large extent.

Today more than ten lakhs women are elected to these local governing bodies in every five years (Jha, 1999: 96) and in Assam also participation of women is quantitatively quite satisfactory. But the real picture is something different from what the government records says. No doubt, according to the 73rd Amendment Act 1/3rd of the total seats is reserved for women, and that has to fulfill by the women candidates only. The vested interest generally motivates the women

representatives or their close relatives in general impregnate to contest elections that the candidates can be kept under their control. Therefore in most of the cases these women representatives are not free to make their own decision rather reflects the wills of the so called vested interest in their decisions.

From the various section of the society several people have been elected to the Panchayatyati Raj Institution however their participation in gram sabha is very low. Even the experience of the field is quite different from the ideals contained in the various report prepared by the government. The women representatives rarely participate in the gram sabha and the other several do not participate, instead their husband or other male counterparts are participated in their name. If participated they generally keep mum in the meetings. Moreover, in several panchayats gram sabha is conducted only in the papers but in practice it ceased to appear in many panchayats in Assam. Hence, lack of accountability and the transparency among the representatives and officials is one of the crucial issues in the Panchayats. On the contrary, the people's attitude towards the gram sabha is also very divisive. Common perception of people towards the concept of gram sabha is something like "platform of battle for the representatives". Usually, common people have never been facilitated that they can raise their voice in the gram sabha rather it became a platform, where the representatives



elected from different political parties can indulged themselves into open fight with one another. Moreover, in most of the panchayats gram sabhas are conducted only in the paper but in reality gram sabhas are not conducted. In addition to this, provision for social audit is unheard to majority population of the state. It has also been observe from the field experience that most of the elected representatives are not conscious of social audit. Hence, in most of the cases the officials just taken signature of the representatives and managed some more signatures from some people and reported as the social audit have been conducted but in practice the provision of social audit in Assam remain in the papers only.

In the last two panchayat elections of Assam, it has been witnessed that several city dwellers having the origin of village came to contest election for the various portfolios and also most of them were elected. But here the problem is that, these people do not have any connection with village for a long year. For many years they along with their family settled in town or city. These people left their villages sometimes to achieve their ambitions or for the purpose of business or for their job and never returned. In general these people in the second half of their life or after acquiring name, fame and wealth, desire to enjoy power by getting involved in grassroots politics. But they remained unconnected with the village since last several years, hence least knowledge of contemporary conditions and problems. Again these people after having some good portfolios in the panchayats itself spent their maximum time in their normal urban schedule. That is why; these people remain unavailable for maximum days of the year in the villages.

Another crucial problem in the grassroots politics is the active involvement of M.P, M.L.A and Ministers. In the last two elections of panchayats in Assam, M.P, M.L.A and Ministers campaigned in favour of their party candidates. During the campaigning they used to articulate that the representatives of local self government can do anything only when there is a close relation with local Ministers or MLAs. In the case, they indicate their party candidates who having the good relation with him whereas their competitors do not have such relation that generally led to confusion among the masses to ascertain the alternative options. On the other hand it is also said that the panchayat elections serve as the dress rehearsal of general elections to the state and the central legislatures and their results are treated as indices of the trend of power status of political parties. Again state

government will never eye a panchayat run by an opposition party with favour. It also means that the State Government may dissolve a panchayat that stands in the way of political ambition of the ruling party or postpone panchayat elections if the political climate does not seem to be favourable. Local autonomy and local level development planning are thus easily sacrificed at the altar of narrow politics of the urban elite (Bhattacharjee and Nayak, 2001). It is also an irony that when the regional parties and even some of the national parties speak so vociferously about the federal principles, the state government led by them wants that implementation of this principle should be effective only up to the state level and must not extend to the panchayat level. It is blatant truth that no state government is truly willing to part with, any real power to share it with the panchayats.

Caste politics play no such important role in Assam as the politics of ethnicity and identity as well as religion is so sensitive and crucial. The problem of identity crisis and ethnicity is so sensitive that most aware and literate persons also sometimes become vicious. Therefore, if a fit and most desirable candidate from one community or tribes contest election, then the people from another community or tribe will not vote him if his competitor belongs to other community or tribe. That is votes are generally cast on the basis of the ethnic identity whereas such kind of practice undermined the real meaning of participation and democracy in the true sense.

Draining of party funds to purchase the votes of the citizens during the panchayat election in Assam also becomes a very familiar phenomenon of the rural people. It can also be regarded as emerging political culture. So the rural people again come to expect some benefit before the polls. Expectations from the candidates may not be bad always but the expectations which are beyond the election code of conduct cannot be considerable. It becomes an open secret in Assam that the majority numbers of voters expect for some monetary gain from the contesting candidates. Many people voted on the basis of amount they able to get from a particular candidate. That is, if a candidate pays more the vote has cast in favour of that candidate. Hence, it reveals that the majority numbers of people are quite unconscious of their democratic rights, duty and the significance of their participation in the democratic process which induce to turn our so called liberal democracy into the pseudo democracy. Moreover, due to such phenomenon huge money are spent by the candidates that led to political corruption in the grassroots level. Consequently, bonafide people and



educated youths in the contemporary times become apathy over the grassroots politics.

Perception of accountability among the officials towards the representatives of Panchayats is another most climacteric enigma in the panchayats of Assam. In the panchayats or lower tier Gaon Panchayat (G.P) Secretary is the boss of everything in the panchayats. The ward members and the president (who is also directly elected by the people) have playing just role of puppet. Again, the intermediate tier called Anchalik Panchayat (A.P) is under the control of Block Development Officer (B.D.O). On the contrary, the Zilla Parishad, the apex tier of the PRI in Assam also not free from officials' control over the representatives. Moreover, the Deputy Commissioner (D.C) of the district controls the Panchayats Institutions through the District Rural Development Agency (DRDA). The Project Director of the DRDA is not officially accountable to the Zilla Parishad but to the D.C and the responsibilities to implement the various schemes for Rural Development have again entrusted to the DRDA. However, in the States/ UTs of Bihar, Chhattisgarh, Himachal Pradesh, Madhya Pradesh, Orissa, Punjab, Tripura, Uttar Pradesh, Uttarakhand, and Lakshadweep the DRDAs continue to be separate with the only linkage established with the ZPs is making the President of ZP the Chairperson of the DRDA. But in Assam D.C continues as the Chair or some other arrangement has been made in this regard.² Hence the representatives are always deprived from the participation in the decision making process in the DRDA.

According to sources of Government of Assam Activity mapping of 29 departments have been finalized and government notification has already been issued to this effect on 26th of July, 2002. A High-Powered committee is constantly reviewing the steps taken by the government departments in order to ensure functional, fiscal and administrative devolution to the PRIs. It is felt that activity mapping in Assam for devolution of powers i.e. functions, funds and functionaries to PRI may be prepared on the lines as in Kerela and Karnataka.³

². The state of panchayats : 2007-08 , An independent assessment, Volume I: Thematic reports P 55. Available at <http://www.panchayat.gov.in/viewFolder.do?itemid=3691&ppid=213&ptfid=3672&name=Chapter-3&path=undefined>The visited on 20-04 2012.

³. Department of Panchayats and Rural Development , Government of Assam, vide letter

However, activity mapping in the PRIs of Assam is still an unrealized dream. Still no PRI body monitor any programme implemented under the said 29 department. Hence, it is reveal that devolution of powers to the grass root level and the process of democratic decentralization is still remain as vague concept in the state of Assam.

Assam has constituted several statutory Autonomous Councils namely Tiwa Autonomous Council at Marigaon, Rabha Autonomous Council at Goalpara, Deori Autonomous Council at Lakhimpur, Mishing Autonomous Council at Dhemaji, Thengal Kachari Autonomous Council at Titabor and Sonowal Kachari Autonomous Council at Dibrugarh. In such districts, autonomous councils are functioning in parallel with the Panchayati Raj Institution. However, as the elections of these councils have not been conducted for many years, people started demanding election to run the council in democratic way. Hence, in the Rabha Hasong Autonomous Council, the Rabha Hasong Joint Movement Forum has been constituted and demanded election of the Council before the Panchayat Election. The organization further by accused state government of violating Clause 5 of the 1995 accord signed between Government of Assam, All Rabha Students' Union and Rabha Hasong Demand Committee. They have also gone on record to point out those functions of both the panchayat and the council is by and large similar without, however, categorically stating that panchayat was not required.⁴ Reason of such kind of demands from the various section of the society can be regarded as the reluctance of people over the working of the PRI and lassitude of the panchayat members and the officials. Hence, many other communities of Assam started demand for Autonomous Councils replacing the PRI in their areas. Moreover, All Tiwa Students Union filed a writ petition in the Gauhati High Court in the year 2001 and challenged the legality and validity of Panchayat election. The petitioner (All Tiwa Students Union) argued that the Assam Panchayat Act, 1994 was not applicable to Bodoland Autonomous Council Area and that the Assam Panchayat Act, 1994 is not applicable in the Lalung

no. PDA.258/2004/229 dtd. 6th June 2005. Available at http://pnrdassam.nic.in/Action%20Taken_Report.htm visited on 02-04-2013

⁴. Reported in The Telegraph on 26th of January 2013.



(Tiwa) Autonomous Council areas and for further declaration that constitution of Gaon Panchayat, Anchalik Panchayat and Zila Parishad in the Lalung (Tiwa) Autonomous Council areas is illegal. But “no accord or act” was above the Constitution and “Article 243 clearly states that panchayat election will be held in all areas except those falling under the Sixth Schedule. If the accord/act says there cannot be panchayat election, then there is a major flaw. But holding the rural poll is a constitutional obligation.” Hence, No stay order was granted by Court and the election was also duly held and panchayat authorities had been constituted following mandate of electorate.⁵ This was the observation of the court based on the present legal framework however if the will of the people is taken in to consideration there must be different picture. From the above discussion it can be inferred that the people in such areas reluctance of the system introduced by Constitutional 73rd Amendment Act and hence desire to replace the grass root political system. Whether it is lack of devolution of power or the bureaucratic hegemony in the PRIs of those areas are the bases of such notion in the minds of people? Whether more devolution of powers in the panchayats and enabling the people’s participation in the greatest number will resolve the prevalent issues? Can the Autonomous Councils created by State Government in the plain areas of Assam bring the better lives for the people than the areas under the PRIs? These are the some crucial questions prerequisite to understand.

II. CONCLUSION:

The foregoing analysis shows that in spite of huge number of people’s participation, qualitative participation is still the need of the hour. The mode of participation is in such a way that the citizens hardly influenced the representatives. Therefore the citizens should conscious enough to influence the decision making process. As because, more the public as citizens participate in discourse and deliberation the more informed will be the representatives (Priori David, 2001: 78).

It is evident from the last many years, that mere passing of Panchayat Acts and creation of Panchayat bodies has not been able to ensure the political and economic rights to the masses in the rural areas. Rather, people’s will and capacity for co-operation and self help suffer a steady erosion, the funds sanctioned by the government do not

reached their destination, corruption and leakages develop all along the way, competition for misappropriation of funds breeds unholy alliances as well as functionalism (Dutta, 2000). Therefore, conscious participation and deliberative democracy should be developed as early as possible that also enable to enhance the official’s accountability to elected representatives which is absent to a large extent in the PRI of Assam.

The Ministry of Rural Development has directed to the state government that the activity mapping of 29 departments should be finalized. The government notification has already been issued to this effect on 26th of July, 2002 however this notification still remain as notification that do not implemented. Hence, it is very important to implement such notification for to implement activity mapping in the PRI of Assam in the pattern of Karnataka and Kerala that the principle of democratic decentralization can be realized in political scenario of Assam. The department of Panchayat and Rural Development should also strictly evaluate the various functions of PRI regularly that no disorder could occur in the working of panchayat. Moreover, the department should take very strict action for the panchayat which do not conduct the gram sabha properly. On the contrary, the government can introduce some reward for the most fruitful gram sabha etc. in order to encourage such process that may perpetuate the accountability in the PRI of Assam.

Clear demarcation of powers and function between the Statutory Autonomous Councils created by state government and the Panchayat in Assam also prerequisite issue of the hour. Presence of two local self governments in some district of Assam created lot of confusion and also overlapping of task as well as negligence of responsibility can be seen in those areas whereas there should have been implemented many more developmental programmes. However, lethargy and lack of positive will among the representatives of both the local self government caused dissatisfaction among the common people. Hence, the people started demand for declaring their areas as the six schedule areas and to constitute Autonomous District Council in accordance with the provision of Sixth Schedule of the Constitution of India. Therefore, state and central government should take a very prompt initiative that can satisfy the people otherwise there is a very chance of creation of armed revolutionary groups which may again demand for secession.

Thus, the real remedy lies in making the villages not only more educated and conscious of their rights but also more communitarian in ideal. It

⁵. See All Tiwa Students Union and Anr. Vs. State of Assam and Ors. in 2003(3)GLT458



is true that there is bound to be some clash between the downtrodden and the vested interest in villages. But there is also some scope for co-operation between people in different strata. Mutual co-operation only may serve the self interest better than selfish actions. Last but not the least, it can be concluded by quoting what P.R Bhattacharjee and Purusottam Nayak (2001), remark “*Panchayats (even if rightly organized) constitute only one leg of rural development, the other leg is definitely a network of co-operative institutions and non government organizations dedicated to the ideal of community development.*”

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