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## THE PANCHAYATI RAJ SYSTEM IN MAHARASHTRA

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### **Introduction :**

Panchayat Raj in Maharashtra has its own progression path. It was among the first few states to implement the Balwantrai Mehta Committee recommendation of establishing a three-tier Panchayat Raj structure. It constituted a committee on the subject in 1961 under the chairmanship of the then revenue minister Vasant Rao Naik. Maharashtra already had the Mumbai Gram Panchayat Act, 1958 for governing Gram Panchayats. However, on the basis of recommendations of the Vasant Rao Naik Committee report, the State enacted the Maharashtra Panchayat Samiti and Zilla Parishad Act, 1961. Consequently, the three-tier Panchayat Raj system was established and became functional in the State on 1st May, 1962.

The Maharashtra government constituted several committees in the following decades to improve the functioning of the Panchayat Raj and strengthen PRIS. In 1970, the LN Bongirwar Committee was formed to evaluate the functioning of PRIS. The committee stressed the need of strengthening PRIs financially and provide more autonomy to them in planning. One of the main recommendations of the committee was the constitution of District Planning and Development Boards. Such boards were established in 1972 and began formulating district level plans from 1974. Similarly, the P B Patil Committee was constituted for the evaluation of the Panchayat Raj system in 1984. The committee emphasised involving people and gave 184 recommendations for reforming the system and enabling greater participation. Despite all these efforts, PRIS in Maharashtra were weak and the 73rd Amendment was as much necessary as the rest of the country to infuse real life into them.

### **Panchayati Raj Institutions Empowerment :**

The mandate of the Ministry of Panchayati Raj (Mo PR), which was set up in May, 2004, is to ensure the compliance of the provisions of Part IX of the Constitution, provisions regarding the District Planning Committees as per Article 243ZD, and PESA. The Ministry's vision is to attain decentralized and participatory local self-government through Panchayats, or Panchayati Raj Institutions (PRIS). The Ministry's mission is empowerment, enablement and accountability of PRIS to ensure inclusive development with social justice, and efficient delivery of services.

The Ministry works to fulfil its mandate in various ways. Essentially, it plays a strong advocacy role. Mo PR fosters knowledge creation and sharing so that the issues to be addressed are clearly articulated, meaningful strategies formulated, and there is sharing

within government as well as with non-government agencies and experts. It also provides technical assistance and facilities cross-learning across States. In the light of recent changes in policy and to take advantage of the emerging opportunities, the Ministry has repositioned itself with basic changes in its mandate.

The Constitution of India provides for setting up of three tiers of Panchayats (only two tiers in case of States or Union Territories having population less than 2 million): (i) Gram Panchayat at village level (ii) District Panchayats at District level and (iii) Intermediate Panchayats at sub-district level in between Gram Panchayats and District Panchayats. It also provides for Gram Sabha (general assembly of registered voters who reside in the area of Gram Panchayat) as a forum for direct participation of villagers in local governance.

The Constitution of India has fixed five year terms for these Panchayats and has made provision for the reservation of seats for Women and marginalized sections (Scheduled Castes and Scheduled Tribes) of Indian society. While reservation of Schedule Castes (SCs) & Schedule Tribes (STs) is in proportion to their share in

## **Local Governance :**

### **Panchayati Raj**

The institution of Panchayati Raj is as old as Indian civilization itself. It was in existence since ancient periods, having an effective control over civil and judicial matters in the village community. The Rigveda, Manusamhita, Dharmashastras, Upanishads, Jatakas and others, refer extensively to local administration.

The word panchayat is derived from the word pancha panchasvanusthitah - the word Pancha referring to an institution of the five (pancha panchasvanusthitah). The earliest reference is found in the Shanti-Parva of Mahabharata. A description of these village councils are also found in Arthashastra of Kautilya, written around 400 B.C.

Mahatma Gandhi always advocated that India lived in her villages and so the Indian independence must begin at the bottom, making every village a republic or panchayat, enjoying full powers. His dreams led to the inclusion of Article 40 in the Directive Principles of the State Policy of Constitution of India. Almost after five decades of independence, in the year 1993, the Government of India took a revolutionary step by making Panchayati Raj Institutions a part of the Constitution.

Though post independence, many of the states took steps to set up Panchayati Raj Institutions, these institutions in most of the states could not acquire the status and dignity of viable and responsive people's bodies due to a number of reasons including absence of regular elections, prolonged supersessions, insufficient representation of weaker sections like Scheduled Castes, Scheduled Tribes and women, inadequate devolution of powers and lack of financial resources.

In the light of these experiences, almost after five decades of independence, in the year 1993, the Government of India took a revolutionary step by making Panchayati Raj Institutions a part of the Constitution through the 73rd Constitutional Amendment. The basic objective of this amendment was to enshrine in the Constitution certain basic and essential features of Panchayati Raj Institutions to impart certainty, continuity and strength to them.

Panchayat Raj offers enormous possibilities of making local governance and the rural development process more need-based, participatory and productive, while at the same time being accountable and transparent. It establishes a system of governance in which gram panchayats are the basic units of administration. It has 3 levels: Gram (village, though it can comprise more than one village), Janpad (block) and Zilla (district).

### **Role of Panchayats in Parallel Bodies/Institutions:**

#### **Joint Forest Management Committees :**

The Government of Maharashtra had issued a circular dated 5th October 2011, for the constitution of the Joint Forest Management Committee. The notable points of the circular are as follows

- The Gram Sabha shall constitute this committee, and powers and scope of the work of this committee will be set after discussion with the Gram Panchayat.
- The JFMC is a sub-committee (Standing Committee) of Gram Panchayats and it is the responsibility of the gram Sabha to regulate and monitor the working of the JFMC.
- Some of the duties and responsibilities entrusted to the JFMC are:
  - To protect and conserve forest, forest species & biodiversity.
  - To cooperate forest officers for controlling forest crimes
  - To implement micro-plans properly
  - To coordinate with other departments for planning and implementing rural development schemes.
  - Nature Tourism in Forest Area allocated to JFMC. To link it to livelihoods of local residents and disseminate information of destination to all.
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### **Panchayats in Important Schemes:**

- Maharashtra ZP and PS Act 1961, First Schedule section 100 under -Social Education(101),, Second Schedule section 101 part - Social Education(55), and Maharashtra Village Panchayat Act 1958 Gramsuchi, section 45 - Miscellaneous (70)
- Licence fees can be collected by GPS. Maharashtra ZP and PS Act 1961, First Schedule section 100 under - Public Health (48),, Second Schedule section 101 part - Public Health (30), Miscellaneous(57,66, 67, 74), and Maharashtra Village Panchayat Act 1958 Gramsuchi, section 45-Public Health (28)
- Maharashtra Village Panchayat Act 1958 Gramsuchi, section 45-Public Health (28) and Kondwada, Gramsabha may take resolution for this subject and implement the same 48GP may provide water for these purposes, if there is surplus water
- Maharashtra Village Panchayat Act 1958 Gramsuchi, section 45-Small Scale and Cottage Industries (47) 50Under special project DRDA can undertake projects. Maharashtra Village Panchayat Act 1958 Gramsuchi, section 45-Small Scale and Cottage Industries (47)
- Maharashtra Village Panchayat Act 1958 Gramsuchi, section 45-Small Scale and Cottage Industries (47) 52GPs have to protect water resources from exploitation Maharashtra Ground Water Act 1983

### **Capacity Building of Elected Women Representatives (EWRs):**

The State Election Commission, Maharashtra has designed a special Capacity Building Project for empowerment for EWRs at Gram Panchayat level named Krantijyoti. The main features of the programme are:

- The training module is specially designed considering the training needs of Gram Panchayat EWRs.
- This capacity building programme is brought at the doorsteps of EWRs, by organizing the trainings in the nearby PHCs/ Samaj Mandirs at the cluster of villages.
- The Krantijyoti training module is kept informal in nature by including games, songs and interactive training tools for easy understanding of the EWRs irrespective of their educational and social status.

The project has not only gained media and public appreciation but also has been appreciated and involved in the annual agenda of UN Women which plans to support the monitoring and evaluation part of this project.

### **Panchayat Mahila Shakti Abhiyan. Maharashtra (PMSA):**

A forum of 99 elected women representatives is set up under Panchayat Mahila Shakti Abhiyan representing 3 tiers of Panchayats through democratic process. Maharashtra is the first State to set up this kind of forum through democratic process. Election of the above mentioned 99 representatives and executive committee were held and the Executive Body of PMSA has been established having following agenda:

- To address and follow up of the issues at Government level like Women Child exploitation.
- Sexual harassment, untouchability issues
- To prepare action-plan for women's empowerment.
- To follow up the objectives approved in Charter of Demand

### **E-tendering process**

Panchayat Raj Institutions have to procure tenders for many works and supplies under I various programmes of State and Central Government to be implemented by them. The traditional sealed envelope system is proved to be time consuming and expensive. Government of Maharashtra has decided to undertake an e-tendering system from 1st January 2012. Procurement of the works, items and services supplies through e-tendering process shall help in ensuring transparency, time-saving, fair competition and quality work. Features of E-tendering are as follows:

In the first phase, all the works of value of Rs 5 lakhs and above at Zilla Parishad, Panchayat Samiti and Gram Panchayat level shall be processed through e-tendering system. 33% of the works which shall be allotted to educated unemployed and labour societies also shall be processed through e-tendering process for fair competition and transparency.

The items of above Rs. 1 lakh for which Rate Contract is not available, shall be purchased only through e-tendering process.

All ZP officers, employees and service providers are given training of e-tendering process and all Zilla Parishads have started implementing e-tendering.

### **Conclusion :**

The Panchayats, throughout the years, have relied on federal and state grants to sustain themselves economically. The absence of mandatory elections for the Panchayat council and infrequent meetings of the Sarpanch have decreased the spread of information to villagers, leading to more state regulation. Many Panchayats have been successful in achieving their goals, through cooperation between different bodies and the political mobilization of previously underrepresented groups in India. There is an obstacle of literacy that many Panchayats face for engagement of villagers, with most development schemes being on paper. However, homes linked to the Panchayati Raj System have seen an increase in participation for local matters.

In 2020, the Indian series Panchayat premiered. The second season of this series was premiered in 2022. While Panchayat is mainly based on village life of Underpaid panchayat secretary it also loosely highlights the day to day working of a panchayat and daily life in an ordinary Indian village in a humorous way. It succeeds in showing how women are sidelined in the panchayat politics even though government has mandated women representation and how elected Panchayat representatives are often have to beg MP & MLAs for funds for their villages development.

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