

Panchayati Raj System in Haryana: A Critical Study

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ABSTRACT

The idea of Panchayati Raj system has been prescribed in the Preamble of our Constitution which speaks about the right of liberty of thought and expression, equality of status and of opportunity, fraternity as well as liberty to participate in all types of functions and to have faith in any religion. This right has been given to all the citizens of the country irrespective of their place of residence, caste and religion. In our democratic setup, people have the say in decision making bodies both at top and lower level. They can participate in the Government at top level indirectly through their elected representatives while at the lower, they can participate directly at Panchayat level, where elected representatives can participate by identifying villagers needs, prepare micro level plans and be instrumental in implementing such plans. By introduction of 73rd Amendment of the Constitution, the term Panchayati Raj came into existence with constitutional status, which implies creation of local government institutions at the village, block and district level. In Haryana, the Panchayati Raj is now competent as a machine of governance wherein Gram Panchayat is the clean system of network management. The system has three tiers, i.e. Gram Panchayat at village level, Block Samiti or Panchayat Samiti at block level and Zila Parishad at District level. These bodies play an important role in rural administration in the present time as the emphasis of Government is on welfare of masses. Entrusting power at grass root level means empowering these bodies and making them more democratic.

Key Words: Constitution, Panchayat, Governance, Rural development, Representative.

I. INTRODUCTION

Since time immemorial, India has been called land of villages as about seventy-five percent of the population of the country lives in villages. Our scriptures, such as Smritis, Shrutis and

Upanishads have also highlighted the existence of villages. Maharishi Valmiki writes about two types of villages: 'Ghosh' and 'Gram'. The Ghosh was big in size and the Gram was smaller. The head of such Gram who administered it was called Graminis. In ancient period, the Sabha was the centre of multifarious activities of the village. It decided all religious and social matters. All types of disputes of the village were referred to it for final settlement and the decision given by the Sabha was seldom challenged in appeal. The Panchayat consisted of five people collectively with a Sarpanch having jurisdictions in civil and criminal cases. No legal practitioner was allowed to plead before a Panchayat.

There was a great decline in Panchayati Raj system during the time of the Britishers, who in no manner gave weight to the decision of the Panchayat Head. They used to run and manage the system of the government with the assistance of semi-officers like Zaildar and Numberdar who used to collect the land revenue from the villagers. Before independence, certain local bodies with elected representatives were functioning in the country. Such local bodies did not, however, had constitutional status. They owed their existence, constitution and functioning to statutes and had been subject to the overall control of provincial governments. But with the passage of time these local bodies were given constitutional status by adding Part IX to the Constitution.

In independent India, Panchayats were first constituted through The village Panchayat Act, 1921 (Act III of 1922) as amended via the use of Act X of 1922. The provisions of the Act were enlarged from the Act of 1912. The Deputy Commissioner of every district was empowered to control and modify the Gram Panchayat. Gandhi expressed his thoughts concerning village Panchayats, though his concept of village Panchayat could not take concrete shape until India got freedom. One such idea is given here: "My Idea of Village Sawraj is that a whole republic, impartial

of its neighbours for its essential dreams and however interdependent for masses and others in which dependence is necessity. Consequently, every village's first challenge might be to increase its meals, flowers and cotton for its cloth. It should have a reserve for its farm animals, exercising and play grounds for its adults and children." As regards Gandhian view, the Panchayat is envisaged to undertake three types of activities: administrative, municipal and developmental.

In 1957, Balwant Rai Mehta Committee was constituted to study the problems and to suggest means for implementing the Panchayati Raj on uniform pattern throughout the country. The Committee recommended the Gram Panchayat at Village level, Panchayat Samiti at Block level and Zila Parishad at District level. The recommendations came into effect on April 1, 1958 and Rajasthan was the first state to adopt it on October 2, 1959. Later this pattern was introduced throughout India. Pandit Nehru conferred it indigenous name Panchayati Raj. Balwant Rai Mehta study team report was warmly welcomed and it influenced significant changes in community programmes. Until the enactment of the 73rd Amendment of the Constitution, the Panchayat system was based purely on State laws and the functioning of the system was very sporadic. A new Part, Part IX, consisting of Article 243 to 243- and a new Schedule, viz., Eleventh Schedule, has also been added to the Constitution.

Effects of 73rd and 74th Constitutional Amendments: The following changes have been affected by 73rd and 74th Amendments.

1. Elections shall be held for all the seats of the Panchayat.
2. One-third of the seats shall be reserved for SCs and STs.
3. One-third of the seats shall be reserved for women.
4. Out of the seats reserved for SCs and STs, one-third of the seats shall be reserved for women of these very categories.
5. There shall be reservation of seats for the SCs and STs for the post of the Chairperson of the Panchayat.
6. There shall be reservation of seats for women for the post of the Chairperson of the Panchayat.
7. SCs and STs shall not be debarred from contesting elections for such seats as are not reserved.
8. Women shall not be debarred from contesting elections for such seats as are not reserved.

Objectives of the study

- To observe the functioning of present Panchayati Raj system in Haryana.
- To look at the drawbacks of the prevailing Panchayati Raj system.
- To examine Panchayati Raj officials-elected representatives relations in Haryana.
- To have a look at the competencies, duties and powers of the Panchayats, Block Samiti and Zila Parishad.

II. RESEARCH METHODOLOGY

Research material has been collected from primary in addition to secondary sources. The primary study of Haryana Panchayati Raj Act 1994, Haryana Panchayati Raj Election rules 2006, Directive principles of State policy of the Constitution, Part IX inserted inside the constitution of India and 73rd amendment Act of 1992 has been done. Apart from it, related books, journals, articles, encyclopedia, newspapers, magazines and related material on different web sites has been used for the purpose of study.

Panchayati Raj system is identified as the prime instrument of decentralization through which democracy becomes truly representative and responsive. The Panchayati Raj institutions are considered as local self government meant for providing basic infrastructure facilities, empowering weaker sections of the society and initiate the development process at the grass-roots level of rural India, where the sole of India lives. Development of villages depends heavily on these Institutions and their effective functioning. Findings show that Panchayats are running inefficiently and there is a lack of people's participation. There is an urgent need to remove certain problems including legislative and procedural which hinder the working of these institutions. The sources of finance and other monetary matters are considered to be the heart and soul of all self-governments. The important regulation of Panchayati Raj left the question of deciding the financial matters of these bodies to the respective Governments. However, the Constitution empowers the legislatures of the states to enact legislation to authorize Panchayats to levy and collect suitable taxes, tolls and other charges. With the passage of time, government has issued guidelines for upliftment of Panchayats. The Panchayati Raj system in Haryana is working well except some problems and challenges. After the 73rd Constitutional Amendment in 1992, the State properly decentralized their authority to the Panchayati institutions. The purpose is to take democracy to the grass-root level. The Panchayati

Raj system not only entrusts people with the power of decision-making but also gives them authority and capacity of governing local government and manage their affairs. The Panchayati Raj institutions have been installed to provide possibilities and chances to the rural people especially the downtrodden sections of the society to take active part in the governance and improvement of the rural areas.

III. FINDINGS:

Some of the findings are given below:

1. Except from the seats reserved for particular community of people, the downtrodden sections of the society aren't getting elected from the general category pool of seats.
 2. Most of the women who're elected remain as a puppet in the hands of their relatives, in particular their husbands.
 3. The Panchayats who are affiliated to the ruling party are getting benefited by numerous schemes or programmes. So the real beneficiaries are deprived of government schemes.
 4. The Panchayati Raj establishments have very restricted economic rights within their ambit.
 5. The government provides very restrained aid to the Panchayats, which is not enough for development of village activities.
 6. The grants are not released in time. Eventually, the welfare schemes are hampered.
 7. There is sometimes no co-ordination amongst the officers and elected representatives.
 8. The elected representatives need right orientation to recognize their powers and duties.
5. There should be a close watch on PRI's for proper distribution of food grains received from the Government agencies for distribution among the downtrodden and weaker section living under BPL in the village.
 6. The State Government should release its share of funds in time and also ensure the full and proper utilization of such funds by the heads of the PRIs.
 7. A proper strategy should be worked out for the involvement of technically qualified local inhabitants for the contribution of their work in the development of PRIs.
 8. The guidelines for the implementation of Rural Development Programme should be modified in view of the ground realities of the area.
 9. Committees should be formed for involvement of local people in the developmental activities of the village.
 10. Social audit should be necessary in all the welfare programmes undertaken by the PRIs
 11. There should be least interference of Government in the functioning of Panchayati Raj Institutions.
 12. The Heads (Chairpersons, Sarpanches, Panchs and Members) of the PRIs who are giving exemplary performance in the governance of the village should be awarded by the Government so that it may encourage the other heads (Chairperson, Sarpanches, Panchs and Members) of the Zila Parishads, Block Samitis and Panchayats.

IV. SUGGESTIONS

1. On the basis of my findings illustrated above, the following suggestions seem to be much useful for the betterment of the Panchayati Raj Institutions:
2. To achieve the desired results, a massive awareness generation campaign should be launched in rural areas. The trained legal luminaries should deliver lecture in such legal awareness camps on the basic topics relating to the inhabitants of the villages so as to create legal awareness among the rural masses.
3. The elected representative of the Panchayati Raj institutions should be properly trained so that they are aware of their powers and duties and exercise and perform for the betterment of the village.
4. A strict monitoring mechanism should be developed to ensure proper implementation of works and payment of daily/weekly wages.

V. CONCLUSION

It would not be wrong to say that the Panchayati Raj Institutions have started playing their administrative role in the manner it was thought to be. But the problem comes at the stage of the input from the major stakeholder, i.e. the public at large. The institution is today induced by various ill practices like the proxy voting or the corruption at large or the interference of political parties. It is thus important to start the reform initially targeting the people, which include educating the voters and making them competent to understand their rights and duties. Even the functioning of Panchayats in India needs a structural change as it does not have any powers to levy tax, and therefore it is dependent on the State Government for financial assistance and loses its independency. The role of the political parties is also very persistent in the Panchayati Raj system and thus, these issues need to be addressed at the earliest. Therefore, it can be said that the Panchayati Raj Institutions have walked a long way in implementing the objective that they were

thought with. Yet there are various problems today that need to be addressed. In India, the majority of the population belongs to the rural areas and therefore it is needed that the administration of such units is made effective. Keeping in view the prevailing socio-economic conditions, further reforms must be introduced in the entire structural and institutional framework of the Panchayati Raj Institutions so that the yawning gap between theoretical and practical approaches to the implementation of Panchayati Raj system is abridged. To achieve the real objectives, it will be imperative to introduce some more realistic and effective legislative measures to give certain definite powers to the people at grass-root level.

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