

DHARAMPAL • *COLLECTED WRITINGS*

Volume IV

PANCHAYAT RAJ  
AND INDIA'S POLITY

DHARAMPAL • *COLLECTED WRITINGS*

Volume I

Indian Science and Technology in the Eighteenth Century

Volume II

Civil Disobedience in Indian Tradition

Volume III

The Beautiful Tree: Indigenous Indian Education  
in the Eighteenth Century

**Volume IV**

**Panchayat Raj and India's Polity**

Volume V

Essays on Tradition, Recovery and Freedom

# PANCHAYAT RAJ AND INDIA'S POLITY

*by*  
Dharampal

Other India Press  
Mapusa 403 507, Goa, India

**Panchayat Raj and India' s Polity**

By Dharampal

This volume comprises two separate books:

**Panchayat Raj as the Basis of India' s Polity**

First published April, 1962 by the Association for Voluntary Agencies in Rural Development (AVARD)

**The Madras Panchayat System**

First published October, 1972 by the Balwantray Mehta Panchayati Raj Foundation

*This combined edition is published as part of a special collection of Dharampal' s writings, by:*

Other India Press  
Mapusa 403 507, Goa, India.

Copyright © (2000) Dharampal

Cover Design by Orijit Sen

*Distributed by:*

Other India Bookstore,  
Above Mapusa Clinic,  
Mapusa 403 507 Goa, India.  
Phone: 91-832-263306; 256479. Fax: 91-832-263305

*OIP policy regarding environmental compensation:*

5% of the list price of this book will be made available by Other India Press to meet the costs of raising natural forests on private and community lands in order to compensate for the partial use of tree pulp in paper production.

ISBN No.: 81-85569-49-5 (HB) Set

ISBN No.: 81-85569-50-9 (PB) Set

Printed by Sujit Patwardhan for Other India Press at MUDRA,  
383 Narayan, Pune 411 030, India.

## Publisher's Note

Volume IV contains the full text of two separate books by Dharampal on Panchayat Raj. The first, *Panchayat Raj as the Basis of Indian Polity*, was published in 1962. The second, *The Madras Panchayat System*, was published in 1972. A fresh preface has been written by Dharampal on the occasion of the publication of the present (combined) volume.

## Volume Contents

Preface	1-3
BOOK I	
Panchayat Raj as the Basis of Indian Polity: An Exploration into the Proceedings of the Constituent Assembly	5-94
BOOK II	
The Madras Panchayat System	97-300

## Preface

(This preface was written by Dharampal specially for this combined edition of his two books on Panchayat Raj.)

After its publication at the end of 1957, much excitement and expectation was aroused from the report of the Committee on Plan Projects, more popularly known as the report of the Balwantray Mehta Committee. The Committee urged that the state rural development programmes be managed by statutorily elected bodies at various levels: the village, the community development block and the district; and termed the arrangement 'panchayat raj'. Within months, these bodies began to be created through laws enacted in each state of India. The administration of development under the management of these bodies started with Rajasthan in early 1959.

Within a year or two of this beginning, interested groups began to explore what was happening under this arrangement. Many studies of this new programme got undertaken by 1960 or 1961. The Association of Voluntary Agencies for Rural Development (AVARD), Delhi, was also seriously interested in what was happening and took up on-the-spot studies of the programme, first in Rajasthan, and next in Andhra Pradesh. From this, AVARD moved on to a study of the proceedings of India's Constituent Assembly during 1947-49 on the subject of the place of panchayats in India's polity. The full debate on the subject was put together by AVARD in early 1962, published under the title *Panchayat Raj as the Basis of Indian Polity: An Exploration into the Proceedings of the Constituent Assembly*. The publication opened up a somewhat forgotten chapter on the subject and aroused much discussion and interest. The idea of this exploration was initially suggested by my friend, L.C. Jain.

The earlier AVARD studies and *Panchayat Raj as the Basis of Indian Polity* led to the suggestion that post-1958 panchayat raj programmes should be studied in greater depth. This view was also shared by the then central Ministry of Community

Development and Panchayati Raj, as well as by the National Institute of Community Development. It was also then felt that the most appropriate body to undertake this study would be the All India Panchayat Parishad (AIPP). After various consultations, it was decided, by the end of 1963, that the first such study should be of the panchayat system in Madras state, i.e., in Tamilnadu. The Rural Development and Local Administration (RDLA) Department of Tamilnadu welcomed the idea of the study and extended all possible cooperation and support to it. The Additional Development Commissioner of Tamilnadu, Sri G. Venkatachellapaty took personal interest in the study and arranged matters in a way that the AIPP study team had access to most of the records of the RDLA Department up to 1964. The study also had the advice and guidance of Sri K. Raja Ram, President of the Tamilnadu Panchayat Union, and of Prof R. Bhaskaran, Head of the Political Science Department of Madras University. Sri S.R. Subramaniam of the Tamilnadu Sarvodaya Mandal, a prominent public figure of Madras, was also of great help. The study also had the continued support of the National Institute of Community Development, and of its Director and scholars.

The study got underway in early 1964 and ended in December 1965. *The Madras Panchayat System* was written during the latter half of the year 1965, and some final touches were given to it in January 1966. The material on late 18th and early 19th century India and the policies adopted by the British at that time, referred to in *Chapter V: The Problem*, was also examined during 1964-1965 in the Tamilnadu State Archives. As the present author had occasion to be in London during August-October 1965, he also had an opportunity to peruse some additional *circa* 1800 material at the India Office Library and the British Library, London.

This study, done during 1964-1965, would appear dated today. The post-1958 panchayat institutions, constituted on the recommendations of the Balwantrai Mehta Committee Report, assumed a low profile after 1965. Ultimately they began to decay- more or less in the same manner as these institutions had done several times after they began to be established by the British in the 1880s. However, during the last decade or so, new panchayat institutions are being created, with much larger claimed participation of women and members from the Scheduled Castes and Scheduled Tribes, and with far larger resources, even in terms of proportion of state government budgets, than



those allotted to them in the 1920s. Despite all the claimed changes, it is possible that the new institutions have not acquired any more initiative, or control over their resources, or over what they do– than their predecessors after about 1925.

Regarding the late 18th and early 19th century background (briefly referred to in Chapter V), there is a vast amount of material relating to this in the British records of the period for most parts of India. Some indications of how Indian society actually functioned before it came under British dominance, and how it began to get impoverished and its institutions fell into decay because of British policies, are provided, amongst others, in some of the work I have been able to do after this study on the Madras Panchayat System. A detailed study based on *circa* 1770 palm-leaf records in Tamil, now held in the Tamil University, Thanjavur, (partial versions of them are in the Tamilnadu State Archives), relating to the complex institutional structure, details of agricultural productivity, the caste-wise and occupational composition of each and every locality, and other details of over 2000 villages and towns of the then Chengalpattu district is at present going on at the Centre for Policy Studies, Chennai. These studies, when completed, should enable us to gain more knowledge about our society and its self-governing institutions and system before the era of British domination.

Sevagram,  
December, 1999

Dharampal



Book I

# Panchayat Raj as the Basis of Indian Polity

An Exploration into the Proceedings of the  
Constituent Assembly

...There are seven hundred thousand villages in India each of which would be organised according to the will of the citizens, all of them voting. Then there would be seven hundred thousand votes. Each village, in other words, would have one vote. The villagers would elect the district administration; the district administrations would elect the provincial administration and these in turn would elect the President who is the head of the executive...

– *Mahatma Gandhi*

## CONTENTS

Foreword by Shri Jayaprakash Narayan	9
Introduction	14
I. From the Discussion on the Resolution on Aims and Objects	20
II. Appointment of the Draft Constitution Scrutiny Committee	24
III. From the General Debate on the Second Reading of the Draft Constitution	25
IV. Incorporation of Article 40 in the Constitution	48
V. From the General Debate on the Third Reading of the Constitution	61
VI. A Note by the Constitutional Adviser on the Place of Panchayats in the Constitution	88
VII. Resolution on Aims and Objects of Free India' s Constitution	91



## Foreword

Shri Dharampal, secretary of the Association of Voluntary Agencies for Rural Development (AVARD) has performed a great service in digging up from the voluminous proceedings of the Constituent Assembly all relevant material regarding the place of *panchayat raj* in the political structure of free India. A study of the material presented here would fill any one who has the least concern with Indian democracy with sorrow. During the freedom struggle, because of Gandhiji's formative influence upon the political thinking of those who fought for freedom, it was more or less taken for granted that *gram raj* would be the foundation of *Swaraj*. In other words, the concept of political and economic decentralisation was axiomatic with the fighters for freedom. But when the Constitution came actually to be constructed, that concept somehow was forgotten, or, to be more precise, remembered only as an after-thought. The present widespread practice in the ruling circles of showering seasonal, fulsome praise on Gandhiji and neglecting him in practice seems to have had its beginnings right at the outset of our freedom, when Gandhiji was still present in flesh and blood.

There was, perhaps, a subconscious thought in the minds of the political leaders who followed Gandhiji that while in the enforced condition of disarmament of the Indian people, Gandhiji's technique and philosophy of *satyagraha* were useful in the struggle for freedom, his ideas were not relevant to the tasks of post-freedom reconstruction. This thought was never clearly formed in the minds of the political leaders, who would have most indignantly rejected any such suggestion. I suspect, however, that from the beginning that subconscious thought has influenced the practical policies that the new rulers of the country have followed since independence.

Be that as it may, it is rather remarkable that it should have been believed at the time that constitution-making was the job of lawyers and constitutional experts. All constitutions that were framed after successful revolutions, had been the work of

the revolutionary leaders themselves, the experts doing no more than giving their ideas a legal framework. Unfortunately, in our case, even the distinguished lawyers to whom the task had for all practical purposes been entrusted seem to have performed their functions rather perfunctorily— as is evident from Shri T. T. Krishnamachari's lament.

The intention of Shri Dharampal in bringing to light the buried bones of past discussions is not to indulge in sterile historical research. Since the report of the Balwantray Mehta Committee and inauguration of what is now known as *panchayat raj* in Rajasthan in 1959, there has been a quickening of interest in the subject of decentralised economic and political democracy. It is to help in this process of re-thinking that this material is being published. It should be found refreshing to be reminded of sentiments and ideals expressed when the glow of a unique revolution still lighted the minds of the people and their leaders.

I should like, as a sort of a footnote (this is not the appropriate place for elaboration) to the old debate, to emphasise that the question involved is not only that of decentralisation. As I look at it, there are two entirely different concepts of society involved here. Even though not clearly expressed, this is implicit throughout Gandhiji's discussion on the subject. One concept is that put forward by Dr Ambedkar, and accepted as the basis of the Constitution: namely, the atomised and inorganic view of society. It is this view that governs political theory and practice in the West today. The most important reason for this is that Western society itself has become, as a result of a certain form of industrialisation and economic order, an atomised mass society. Political theory and practice naturally reflect this state of affairs, and political democracy is reduced to the counting of heads. It is further natural in these circumstances for political parties— built around competing power-groups— to be formed, leading to the establishment, not of government by people, but of government by party: in other words, by one or another power-group.

The other is the organic or communitarian view, that puts man in his natural milieu as a responsible member of a responsible community. This view treats of man not as a particle of sand in an inorganic heap, but as a living cell in a larger organic entity. It is natural that in this view the emphasis should be laid more on 'responsibility' than on 'right', just as in the inorganic view it is natural that it should be the opposite. When the individual lives in community with others, his rights flow from his



responsibilities. It cannot be otherwise. That is why, in Gandhiji's sociological thought, the emphasis is always laid upon responsibility.

Now, a community in order to be real, that is, in order that it might be infused with the sense of community, must emphasise in its internal life such ethical values as adjustment, harmony and cooperation. Without these, there can be no community. The community can never be at war with itself: one part of it fighting the other (albeit democratically), and the majority ruling over the minority. Such kind of political battle is possible only in the mass society, where there is no community. This does not mean that within the community there can be no difference of opinion or of interests. But they must be adjusted together and harmonised so that the community and its individual members live and grow and evolve materially and spiritually. The job is to discover the political and economic institutions as well as the processes that can accomplish this task. It is time the protagonists of *panchayat raj* looked beyond the hackneyed phrases of political and economic decentralisation, fondly hoping that parliamentary democracy *plus* a large measure of local self-government would perform the trick and usher in people's democracy of their dreams.

It is necessary to point out that, according to the communitarian view, the community does not begin and end with the primary community: the village or the small township. Gandhiji's concept of concentric circles of community might be recalled in this connection, the outermost circle, which Gandhiji termed 'oceanic', embracing the whole world community of human beings; just as within the primary community adjustment, conciliation, harmony and cooperation are the aim, so the relations between different 'circles' of community have to be adjusted and harmonised in the interest of all concerned. This objective, as well as the means to achieve it, should be expressed in the polity of society. The representative political institutions, for example, should be so constituted as to represent not individuals, but their communities; beginning with the primary community and going outward to embrace wider and wider circles. In this system, the community thus takes the place of the party— the difference within and between communities being adjusted and harmonised at every level.

In the sphere of world relations, this concept of adjustment of the interests of national communities, even of the USSR and the USA, is being considered as a practical proposition. But it is

remarkable that within the national community, this is not yet thought to be possible; or to be possible only on the basis of the majority in *numbers* imposing its will democratically upon the minority. In the United Nations, it is inconceivable that the majority of the nations should seek to impose their will over the minority. It would lead immediately to the break-up of the world organisation. For the good of each, it is imperative that the nations should discover ways to adjust and harmonise their interests. It is true that this imperative is accepted not because of moral conviction, but because of destruction from the new weapons of war. Nonetheless, the mental acceptance of the imperative is real. There is no equally clear imperative at work within the national community. In the West, where the community has almost wholly ceased to exist, the frustrations of the mass society resulting in a new moral consciousness will perhaps in time replace the present political system— based on the struggle for power— with a system based on harmony and cooperation.

In India, and perhaps in all the developing countries of Asia and Africa, however, the situation is more favourable. The small primary community, the village and the township, still exist. True, there is little of true community found at present in the village; but at least, the physical shell of community is there. The task is to put substance into the shell and make the villages and townships real communities. But if a political system is introduced into the village that further disrupts the already largely disrupted community, the result would be not development of feeling of community and harmony, but just the opposite. The polity of *panchayat raj*, or communitarian polity, must not copy the polity of the mass society. It is for this reason that Gandhiji rejected parliamentary democracy, which he termed the tyranny of the majority and laid stress on *gram raj* (which logically embraces *nagar raj*) as the basis of *swaraj* and also why he commended the process of decision-making through a process of consensus-making and emphasised the role of a detached moral force based on popular sanction and derived from selfless service as a unitive and corrective force in the democracy of his conception.

There is a last point which I should like briefly to touch upon. It might be urged, as is actually done, that in the organic or communitarian society, the individuality of man would tend to be submerged in the community; and he might not be able to enjoy that freedom which is essential for the dignity and development of the human personality. Contrarily, it might be

urged that it is only in the society that treats each person as a unit in the political system and bases the political structure on individual votes, that there is the highest possible freedom enjoyed by the individual. Nothing could be farther from the truth. It is exactly in the mass society, which falsely proclaims the sovereignty of the individual, that the individual is alienated from himself and becomes a nameless digit which the political and economic masters manipulate for power and profit and glory. The individual in the modern society is a victim of social and economic forces over which he has little control. On the other hand, it is life in the community, in which the sense of community has developed, that the individual is a distinct personality living with other personalities and has the possibility to develop to the highest as a human being. The relationship between the individual and the community, as Gandhiji has expressed it, is the readiness of the individual to die for the community and of the community to die for the individual. To the extent to which this attitude is developed on both sides, to that extent there is individual and social development. The task is to discover the best social, political, economic, cultural and educational processes and institutions that would achieve that objective.

These are some of the implications of *panchayat raj*, as I see them. I hope this publication will stimulate thought on these questions.

Jayaprakash Narayan

## Introduction

I must confess that I have not been able to follow the proceedings of the Constituent Assembly...(the correspondent) says that there is no mention or direction about village panchayats and decentralisation in the foreshadowed Constitution. It is certainly an omission calling for immediate attention if our independence is to reflect the people's voice. The greater the power of the panchayats, the better for the people...

– *Gandhiji in Harijan, 21 December 1947*

The resolution on the aims and objects of free India's Constitution was introduced in the Constituent Assembly on 13 December 1946. This was a period of turmoil and uncertainty. The Muslim League, the second major party in India, had boycotted the Assembly, and most of the representatives of the then Indian States had yet to be brought in. Yet, Gandhiji was then very much with us. It is not surprising, therefore, that no specific mention was made in this resolution itself regarding the place of India's villages in an Independent India, their role in its government and the meaning of *swaraj* to the Indian village. Whatever needed to be said about the subject was presumed to be covered by similar references like 'the passion that lies in the hearts of the Indian people today' and that there was 'no doubt that his (Gandhiji's) spirit hovers over this place (Constituent Assembly hall) and blesses our undertaking.' During the course of his speech while moving the resolution, the mover (Shri Jawahar Lal Nehru) said:

Obviously, we are aiming at democracy and nothing less than a democracy. What form of democracy, what shape might it take, is another matter. The democracies of the present day, many of them in Europe and elsewhere, have played a great part in the world's progress. Yet it may be doubtful if those democracies may not have to change their shape somewhat before long if they have to remain completely democratic. We are not going just to copy, I

hope, a certain democratic procedure or an institution of a so-called democratic country. We may improve upon it. In any event whatever system of government we may establish here must fit in with the temper of our people and be acceptable to them. We stand for democracy. It will be for this House to determine what shape to give to that democracy, the fullest democracy, I hope.

Several speakers who followed in support made brief references to the shape of the polity, the meaning of *swaraj* for every village. This was well brought out by a reference to a then recent statement of Gandhiji where he had said:

The centre of power is in New Delhi, or in Calcutta and Bombay, in the big cities. I would have it distributed among the seven hundred thousand villages of India...

There will then be voluntary cooperation— not cooperation induced by Nazi methods. Voluntary cooperation will produce real freedom and a new order vastly superior to the new order in Soviet Russia...

Some say there is ruthlessness in Russia, but that is exercised for the lowest and the poorest and is good for that reason. For me, it has very little good in it.

After a lapse of over a month, during which period the Assembly waited to give time to the others to join (which they did not), the resolution on the aims and objects of the Constitution was finally adopted on 22 January 1947. Meanwhile, negotiations about independence were going on. The unity of the country was at stake and everyone who had any say or view was totally taken up with such immediate issues.

The Secretariat of the Constituent Assembly, however, was not idle. With the help of its adviser, Shri B.N. Rau, it went on studying constitution after constitution of countries in Europe, in the Americas and the USSR. A draft was finally placed before the Assembly in August 1947, a few days after independence. At the same time, on 29 August 1947, the Minister of Parliamentary Affairs, moved that 'a Committee be appointed to scrutinise and to suggest necessary amendments to the draft Constitution of India, prepared in the office of the Assembly on the basis of the decision taken in the Assembly.' After some modification, the motion was adopted the same day. The members of this Committee were:

1. Shri Alladi Krishnaswamy Ayyar
2. Shri N. Gopaldaswami Ayyangar
3. The Honourable Dr B.R. Ambedkar
4. Shri K.M. Munshi.
5. Saiyed Mohd. Saddulla
6. Sir B.L. Mitter
7. Shri D.P. Khaitan

The revised draft, as it emerged from the Scrutiny Committee, was re-introduced in the Constituent Assembly on 4 November, 1948. During the intervening 15 months since the draft was entrusted to the Scrutiny Committee, the revised draft was published and circulated and had aroused much controversy and debate. One of the major issues which then, and subsequently in the Constituent Assembly, aroused considerable heat and anger was the place of the villages in the polity which was envisaged. In April, 1948 itself, the issue was referred by the President of the Constituent Assembly to the Constitutional Adviser for his views. In a note submitted by him he said:

Even if the panchayat plan is to be adopted, its details will have to be carefully worked out for each province and for each Indian State with suitable modification for towns. Apart from other difficulties, this will take time and rather than delay the passing of the Constitution further, it would seem better to relegate these details to auxiliary legislation to be enacted after the Constitution has been passed.

It is revealing how the Scrutiny Committee had done its job of preparing a Constitution for free India. The following was stated, on behalf of the Scrutiny Committee, by Shri T.T. Krishnamachari, during the general debate at the start of the second reading on 5 November 1948:

At the same time, I do realise that that amount of attention that was necessary for the purpose of drafting a Constitution so important to us at this moment has not been given to it by the Drafting Committee. The House is perhaps aware that of the seven members nominated by you, one had resigned from the House and was replaced. One died and was not replaced. One was away in America and his place was not filled up and another person was engaged in State affairs and there was a void to that extent. One or two people were far away from Delhi and perhaps reasons of health did not permit them to attend. So it happened ultimately that the burden of drafting this Constitution fell

on Dr Ambedkar and I have no doubt that we are grateful to him for having achieved this task in a manner which is undoubtedly commendable. But my point really is that the attention that was due to a matter like this has not been given to it by the Committee as a whole. Some time in April the Secretariat of the Constituent Assembly had intimated me and others besides myself that you had decided that the Union Power Committee, the Union Constitution Committee and the Provincial Constitution Committee, at any rate the members thereof, and a few other selected people should meet and discuss the various amendments that had been suggested by the members of the House and also by the general public. A meeting was held for two days in April last and I believe a certain amount of good work was done and I see that Dr Ambedkar has chosen to accept certain recommendations of the Committee, but nothing was heard about this Committee thereafter. I understand that the Drafting Committee— at any rate Dr Ambedkar and Mr Madhava Rau— met thereafter and scrutinised the amendments and they have made certain suggestions, but technically perhaps this was not a Drafting Committee. Though I would not question your ruling on this matter, one would concede that the moment a Committee had reported that Committee became *functus officio*, and I do not remember your having reconstituted the Drafting Committee. The point why I mention all these is that certain aspects of our Constitution have not had the amount of expert attention that was necessary, the amount of attention that could have been provided to it if a person like Mr Gopaldaswamy Ayyangar or Mr Munshi or certain other persons had attended the meetings all through.

Member after member arose to express their sorrow, anger and disappointment. This was particularly provoked by a reference to village India by Dr B.R. Ambedkar, who piloted the draft and was also Chairman of the Scrutiny Committee, in his opening statement. This concern had some effect. On 22 November 1948, a new clause was inserted in the Constitution and adopted with no dissent. This was:

*That after Article 31, the following new Article be added:*

*'31-A. The State shall take steps to organise village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.'*

This is how the present article 40 which forms part of the Directive Principles of State Policy was incorporated in free India's Constitution.

That this much only was possible under those circumstances was realised and sorrowfully agreed. How much sorrow, disappointment and unhappiness yet remained could still be felt at the third reading of the Constitution between 17-26 November 1949. Not that all agreed. The views of some members were more or less akin to those of Dr Ambedkar. But the overwhelming opinion of the House was for recognising the village and giving it a place in Indian polity.

• • •

Believing that all this needs to be noted, digested and acted upon, AVARD has tried to make some exploration in this past. Though all this adds up to some 25,000 words, feeling that we need to share it with others we have brought together all the relevant material (on panchayat raj) from the proceedings of the Constituent Assembly. This includes:

1. Excerpts from the Discussion on the Resolution on Aims and Objects of the Constitution, 13 Dec. 1946–22 Jan. 1947.
2. The appointment of the Draft Constitution Scrutiny Committee, 29 Aug. 1947.
3. Excerpts from the General Debate on the Second Reading of the Draft Constitution, 4-9 November 1948.
4. Full text of the Debate on the incorporation of Article 40 in the Constitution, 22 November 1948.
5. Excerpts from the Third Reading, 17-26 November 1949.
6. A note by the Constitutional Advisor on the place of Panchayats in India's Constitution.
7. The Resolution on Aims and Objects.

The material has been arranged in chronological sequence and we have tried not to make any omission of any reference, favourable or hostile, to the role of the village in Indian polity. We would try to publish any other material from this chapter of our history which we come by, subsequently.

• • •



This journey into the past may still serve us help explore the future. The singular ambition of the greatest man of our generation 'to wipe every tear from every eye' is far from being fulfilled. Perhaps only a Gandhi could have achieved that. It was, and still is, the resolve of the Constituent Assembly '...as long as there are tears and suffering, so long our work will not be over.' If during the last fourteen years our attention has been diverted, and our energies spent on problems arising out of the immediate happenings of the year of independence and its immediate repercussions, we can still plan to restart our journey by re-ordering the basic structure of Indian polity. We still have a chance to help the people of India to build that 'India of our dreams', which was left rather unspelt on 15 August 1947— perhaps needing no elaboration in the days of Gandhiji— by the President of the Constituent Assembly, Dr Rajendra Prasad, an India which alone can bring the impact of democratic living to all its citizens in its fullness.

It is the permeation of *swaraj* at all levels— not only in Delhi and the State capitals— which can lead to worthwhile development. More than 'development', such a feeling of *swaraj* would help in the much greater task— on which development itself depends— of the integration of Indian society, the lifting up of the depression which seems to have settled over the country and thus lead to purposive action and a feeling of well-being.

Dharampal

# I

## FROM THE DISCUSSION ON THE RESOLUTION ON AIMS AND OBJECTS

*Dec. 13, 1946- Jan. 22, 1947*

---

HONOURABLE, PANDIT JAWAHAR LAL NEHRU  
(U.P.: GENERAL)

Obviously we are aiming at democracy and nothing less than a democracy. What form of democracy, what shape it might take is another matter. The democracies of the present day, many of them in Europe and elsewhere, have played a great part in the world's progress. Yet it may be doubtful if those democracies may not have to change their shape somewhat before long if they have to remain completely democratic. We are not going just to copy, I hope, a certain democratic procedure or an institution of a so-called democratic country. We may improve upon it. In any event whatever system of Government we may establish here must fit in with the temper of our people and be acceptable to them. We stand for democracy. It will be for this House to determine what shape to give to that democracy, the fullest democracy, I hope...

SHRI M.R. MASANI (BOMBAY: GENERAL)

...I would like to draw the attention of this House to what I might call, the social or long-term aspect of this Resolution and to try to understand what kind of society or State, what way of life this Resolution offers to the people of this country. I feel, that immediate disputes aside, that is the part of the Resolution at which the common people of the country will look with the closest attention.

...Our national life has many different trends in it but almost unanimously, we all stand for the freedom of the individual and for a democratic State. And to show how widely different

schools of thought in our midst can agree with almost one voice on this desire to distribute power to our common people, to distribute political and economic power so widely that no one man or group of people can exploit or dominate the rest, I will cite to you first the testimony of one who is not present amongst us, one who was referred to by the Mover as the Father of our Nation. I refer to Mahatma Gandhi (cheers). These are his words: as quoted in 'A week with Gandhi' by Louis Fischer:

The centre of power now is in New Delhi, or in Calcutta and Bombay, in the big cities. I would have it distributed among the seven hundred thousand villages of India...

There will then be voluntary cooperation between these seven hundred thousand units, voluntary cooperation— not cooperation induced by Nazi methods. Voluntary cooperation will produce real freedom and a new order vastly superior to the new order in Soviet Russia...

Some say there is ruthlessness in Russia, but that it is exercised for the lowest and the poorest and is good for that reason. For me, it has very little good in it.

And as if to find an echo of that in a thinker of a very different school, I shall now cite a sentence or two from a recent picture of Socialism drawn by the leader of the Indian Socialist Party, Jayaprakash Narayan. I regret, that he has not joined us in our labours here, but this is what he says and it sounds almost like an echo of Gandhiji's thought:

The State under Socialism threatens, as in Russia, far from withering away, to become an all-powerful tyrant maintaining a strangle-hold over the entire life of the citizen. This leads to totalitarianism of the type we witness in Russia today. By dispersing the ownership and management of industry and by developing the village into a democratic village republic, we break this strangle-hold to a very large extent and attenuate the danger of totalitarianism.

Thus my picture of a socialist India is the picture of an economic and political democracy. In this democracy, men will neither be slaves to capitalism nor to a party or the State. Man will be free.

...The central problem of our times is whether this State is to own the people or the people are to own the State. Where the State belongs to the people, the State is a mere instrument subordinate to the people and it serves the people. It only takes

away the liberty of the people to the extent that the people really desire. Where the State owns the people, the people are mere robots in a big machine pushed about here and there by the whims of an all-powerful dictator or an all-powerful party. It is because I believe that the resolution points the direction to a Constitution where the people will be in power, where the individual will occupy the centre of the stage and the development of the individual personality will be the aim of our social good that I support this part of the Resolution, this aspect of it...

SHRI N.V. GADGIL (BOMBAY: GENERAL)

If matters today appear somewhat not very clear, I am sure, that when these principles are incorporated in the sections of the Constitution, these matters will be made perfectly clear.

...It will be a Constitution which will evoke the necessary loyalty from every citizen whom it is to govern. For, no Constitution can evoke loyalty, no Constitution can evoke the necessary sentiment unless it offers every citizen sufficient inspiration to defend it, if it comes to it, by laying down his own life...

PROF N.G. RANGA (MADRAS: GENERAL)

Lastly I wish to appeal to this House to see to it that the necessary provisions are made in the Constitution proper in order to enable our people to enjoy the various rights indicated in this Resolution. Without such provisions this Resolution will have become useless. It will only be a sort of pious hope and nothing more...

HONOURABLE PANDIT JAWAHAR LAL NEHRU  
(U.P.: GENERAL)  
(Replying to the debate said)

...We shall frame the Constitution and I hope it will be a good Constitution, but does anyone in this House imagine that, when a free India emerges, it will be bound down by anything that even this House might lay down for it? A free India will see the bursting forth of the energy of a mighty nation. What it will do and what it will not, I do not know, but I do know that it will not consent to be bound down by anything. Some people imagine, that what we do now, may not be touched for 10 years or 20 years, if we do not do it today, we will not be able to do it

later. That seems to me a complete misapprehension. I am not placing before the House what I want done and what I do not want done, but I should like the House to consider that we are on the eve of revolutionary changes, revolutionary in every sense of the word because when the spirit of a nation breaks its bounds, it functions in peculiar ways and it should function in strange ways. It may be that the Constitution, this House may frame, may not satisfy that free India. This House cannot bind down the next generation, or the people who will duly succeed us in this task.

Therefore, let us not trouble ourselves too much about the petty details of what we do, those details will not survive for long, if they are achieved in conflict. What we achieve in unanimity, what we achieve by cooperation is likely to survive. What we gain here and there by conflict and by overbearing manners and by threats will not survive long..

## II

### APPOINTMENT OF THE DRAFT CONSTITUTION SCRUTINY COMMITTEE

*August 29, 1947*

---

This Assembly resolves that a Committee consisting of:

- (1) Shri Alladi Krishnaswamy Ayyar,
- (2) Shri N. Gopaldaswami Ayyangar,
- (3) The Honourable Dr B.R. Ambedkar,
- (4) Shri K.M. Munshi,
- (5) Saiyed Mohd. Saadulla,
- (6) Sir B.L. Mitter,
- (7) Shri D.P. Khaitan,

be appointed to scrutinise the draft of the text of the Constitution of India prepared by the Constitutional Adviser giving effect to the decisions taken already in the Assembly and including all matters which are ancillary thereto or which have to be provided in such a Constitution, and to submit to the Assembly for consideration the text of the draft Constitution as revised by the Committee.

### III

## FROM THE GENERAL DEBATE ON THE SECOND READING OF THE DRAFT CONSTITUTION

*November 4-9, 1948*

---

DR B.R. AMBEDKAR (BOMBAY: GENERAL)

...Another criticism against the Draft Constitution is that no part of it represents the ancient polity of India. It is said that the new Constitution should have been drafted on the entire ancient Hindu model of a State and that instead of incorporating Western theories the new Constitution should have been raised and built upon village panchayats and District panchayats. There are others who have taken a more extreme view. They do not want any Central or Provincial Governments. They just want India to contain so many village Governments. The love of the intellectual Indian for the village community is of course infinite if not pathetic. It is largely due to the fulsome praise bestowed upon it by Metcalfe who described them as little republics having nearly everything that they want within themselves, and almost independent of any foreign relations. The existence of these village communities each one forming a separate little State in itself has according to Metcalfe contributed more than any other cause to the preservation of the people of India, through all the revolutions and changes which they have suffered, and is in a high degree conducive to their happiness and to the enjoyment of a great portion of the freedom and independence. No doubt the village communities have lasted where nothing else lasts. But those who take pride in the village communities do not care to consider what little part they have played in the affairs and the destiny of the country; and why? Their part in the destiny of the country has been well described by Metcalfe himself who says:

Dynasty after dynasty tumbles down. Revolution succeeds to revolution. Hindoo, Pathan, Mogul, Maharatha, Sikh, English are all 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.

Such is the part the village communities have played in the history of their country. Knowing this, what pride can one feel in them? That they have survived through all vicissitudes may be a fact. But mere survival has no value. The question is on what plane they have survived. Surely on a low, on a selfish level. I hold that these village republics have been the ruination of India. I am therefore surprised that those who condemn provincialism and communalism should come forward as champions of the village. What is the village but a sink of localism, a den of ignorance, narrow-mindedness and communalism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit.

SHRI DAMODAR SWARUP SETH (U.P. GENERAL)

...Besides, we have seven lakh villages in our country and the village is its smallest unit. Thanks to Mahatma Gandhi, our struggle of freedom reached the villages and it was because of the villages and because of their might that India became free.

I want to ask whether there is any mention of villages and any place for them in the structure of this great Constitution. No, nowhere. The Constitution of a free country should be based on 'local self-government'. We see nothing of local self-government anywhere in this Constitution. This Constitution as a whole, instead of being evolved from our life and reared from the bottom upwards is being imported from outside and built from above downwards. A Constitution which is not based on units and in the making of which they have no voice, in which there is not even a mention of thousands and lakhs of villages of India and in framing which they have had no hand—well you can give such a Constitution to the country but I very much doubt whether you would be able to keep it for long.

Our Indian Republic should have been a Union— a Union of small autonomous republics. All those autonomous republics by joining together would have formed the bigger Republic of India. Had there been such autonomous republics, neither the question of linguistic provinces nor of communal majorities or minorities or of backward classes would have arisen. The autonomous Units of the Union could have joined the unions of their choice according to their culture. The Union that would



have been formed in our country in this way, would not have required so much emphasis on centralisation as our learned Doctor Ambedkar has laid. Centralisation is a good thing and is useful at times but we forget that all through his life Mahatma Gandhi emphasised the fact that too much centralisation of power makes that power totalitarian and takes it towards fascist ideals. The only method of safeguarding against totalitarianism and fascism is that power should be decentralised to the greatest extent. We would have thus brought about such a centralisation of power through welding of hearts as could not be matched anywhere in the world.

Today after India has attained freedom it is not necessary for me to tell you that the world is looking up to India. It expects something new from India. At such a time as the present one it was necessary that we should have placed before the world a Draft Constitution, a Constitution which could have been taken as an ideal. Instead we have copied the constitution of other countries and incorporated some of their parts and in this way prepared a Constitution. As I have said, from the structure of the Constitution it appears that it stands on its head and not on its legs.

Thousands and lakhs of villages of India neither had any hand nor any voice in its framing. I have no hesitation in saying that if lakhs of villages of India had been given their share on the basis of adult franchise in drafting this Constitution its shape would have been altogether different. What a havoc is poverty causing in our country! What hunger and nakedness are they not suffering from! Was it not then necessary that the right to work and right to employment were included in the Fundamental Rights declared by this Constitution and the people of this land were freed from the worry about their daily food and clothing?

What I mean by all this is that if the thousands of villages of the country, the poor classes and the labourers of India had any hand in framing this Constitution, it would have been quite different from what it is today.

PANDIT BALKRISHNA SHARMA (U.P. GENERAL)

...He (the previous speaker) wants to know what position is held by villagers, labourers, farmers, and local self-government in this Constitution. I would like to submit humbly that if he will take the trouble of studying the whole of the Constitution

carefully, he would come to know that even today in the making of this Constitution, we are not ignoring that sacred inspiration of Mahatma Gandhi which led him to give us a message that India does not consist of cities but of seven lakhs of villages...

PROF SHIBBAN LAL SAKSENA (U.P. GENERAL)

...He (Shri Damodar Swarup Seth) has said that this Constitution does not give any voice to the villages...Mahatma Gandhi's own Constitution, of which an outline was given by Shri S.N. Aggarwal, was also based on village republics or village panchayats, and I think we shall have to discuss this point carefully when we come to that aspect of the Constitution. I was pained to hear from Dr Ambedkar that he rather despised the system in which villages had a paramount voice. I think we will have to amend that portion properly...He has said that there is no provision in this Constitution for Local Self-Government in units. It is an important thing which must be included in the Constitution and at present there is this omission in the present Constitution.

SHRI H.V. KAMATH (C.P. & BERAR: GENERAL)

...The other day Shrimati Vijayalakshmi while addressing the United Nations General Assembly in Paris observed with pride that we in India have borrowed from France their slogan of liberty, equality and fraternity; we have taken this from England and that from America, but she did not say what we had borrowed from our own past, from our political and historic past, from our long and chequered history of which we are so proud.

On one thing I join issue with Dr Ambedkar. He was pleased to refer to the villages- I am quoting from a press report in the absence of the official copy- as 'sinks of localism and dens of ignorance, narrow mindedness and communalism'; and he also laid at the door of a certain Metcalfe our 'pathetic faith' in village communities. I may say that is not owing to Metcalfe but owing to a far greater man who has liberated us in recent times, our Master and the Father of our nation, that this love of ours for the villages has grown, our faith in the village republics and our rural communities has grown and we have cherished it with all our heart. It is due to Mahatma Gandhi...that we have come to love our village folk. With all deference to Dr Ambedkar, I differ from him in this regard. His attitude yesterday was typical of the urban highbrow; and if that is going to be our attitude towards

the village folk, I can only say, 'God save us.' If we do not cultivate sympathy and love and affection for our village and rural folk I do not see how we can uplift our country. Mahatma Gandhi taught us in almost the last *mantra* that he gave in the best days of his life to strive for panchayat raj. If Dr Ambedkar cannot see his way to accept this, I do not see what remedy or panacea he has got for uplifting our villages. In my own province of C.P. and Berar we have recently launched upon a scheme of Janapadas, of local self-government and decentralisation; and that is entirely in consonance with the teachings of our Master. I hope that scheme will come to fruition and be an example to the rest of the country. It was with considerable pain that I heard Dr Ambedkar refer to our villages in that fashion, with dislike, if not with contempt. Perhaps the fault lies with the composition of the Drafting Committee, among the members of which no one, with the sole exception of Sriyut Munshi, has taken any active part in the struggle for the country's freedom. None of them is therefore capable of entering into the spirit of our struggle, the spirit that animated us; they cannot comprehend with their hearts- I am not talking of the head it is comparatively easy to understand with the head- the turmoiled birth of our nation after years of travail and tribulation. That is why the tone of Dr Ambedkar's speech yesterday with regard to our poorest, the lowliest and the lost was what it was. I am sorry he relied on Metcalfe only. Other historians and research scholars have also given us precious information in this regard. I do not know if he has read a book called 'Indian Polity' by Dr Jayaswal; I do not know if he has read another book by a greater man, 'The Spirit and Form of Indian Polity' by Sri Aurobindo. From these books we learn, how our polity in ancient times was securely built on village communities which were autonomous and self-contained; and that is why our civilisation has survived through all these ages. If we lost sight of the strength of our polity we lost sight of everything. I will read to the House a brief description of what our polity was and what its strength was:

At the height of its evolution and in the great days of Indian civilisation we find an admirable political system, efficient in the highest degree and very perfectly combining village and urban self-government with stability and order. The State carried on its work- administrative, judicial, financial and protective- without destroying or encroaching on the rights and free activities of the people and its constituent bodies in the same department. The royal courts in capital and country were the supreme judicial

authority co-ordinating the administration of justice throughout the kingdom.

That is so far as village republics are concerned. I believe the day is not far distant when not merely India but the whole world, if it wants peace and security and prosperity and happiness, will have to decentralise and establish village republics and town republics, and on the basis of this they will have to build their State; otherwise the world is in for hard times...

Now what is a State for? The utility of a State has to be judged from its effect on the common man's welfare. The ultimate conflict that has to be resolved is this: whether the individual is for the State or the State for the individual. Mahatma Gandhi tried in his life time to strike a happy balance, to reconcile this *dwandwa* ( ) and arrived at the conception of the Panchayat Raj. I hope that we in India will go forward and try to make the State exist for the individual rather than the individual for the State. This is what we must aim at and that is what we must bring about in our own country.

...While supporting the motion I would like to make it clear to you that I do not have at present the enthusiasm with which such a motion should be supported.

SHRI LOKNATH MISRA (ORISSA: GENERAL)

...I should say that the strength of the nation and the unity of her people do not depend upon the State power. It depends upon the realisation of the inner unity and the human spirit that makes all men brothers.

...I would have taken some more time to X-ray the speech of Dr Ambedkar. I bow down to his knowledge. I bow down to his clarity of speech. I bow down to his courage. But I am surprised to see that so learned a man, so great a son of India knows so little of India. He is undoubtedly the very soul of the Draft Constitution and he has given in his draft something which is absolutely un-Indian. By un-Indian I mean that however much he may repudiate, it is absolutely a slavish imitation of- nay, much more, a slavish surrender to the West.

KAZI SYED KARIMUDDIN (C.P. & BERAR: MUSLIM)

...The fourth part of the Constitution is the directive fundamentals which have been given...What is stated in Part IV is vague. What we want today is not mere talk of economic or

philosophical ideals. We want an economic pattern of the country in which the lot of the poor masses can be improved.

DR P.S. DESHMUKH (C.P. & BERAR: GENERAL)

...After all this is a country of agriculturists. The peasants and the labourers should have a large share and the most dominating in the Government. They should have been made to feel that they are the real masters of this biggest nation on earth. I do not share the view that the past of our ancient civilisation is not worth utilising for the future building up of the Indian nation. That is a view from which I differ.

SHRI ARUN CHANDRA GUHA (WEST BENGAL: GENERAL)

...In the whole Draft Constitution we see no trace of the Congress outlook, no trace of Gandhian social and political outlook. I feel the whole Constitution lacks in Congress ideal and Congress ideology particularly. When we are going to frame a constitution, it is not only a political structure that we are going to frame; it is not only an administrative machinery that we are going to set up; it is a machinery for the social and economic future of the nation.

Then, Dr Ambedkar has passed some remarks about the village units. We have been in the Congress for years. We have been taught to think of the village panchayats as the future basis of administrative machinery. The Gandhian and the Congress outlook has been that the future constitution of India would be a pyramid structure and its basis would be the village panchayats. According to Dr Ambedkar, the villages have been the ruination of India, the villages have been the den of ignorance. If that has been the case now, that is due to us who have been living in the towns, who have been shining under the foreign rule. Our villages have been starved; our villages have been strangled deliberately by the foreign Governments; and the towns-people have played a willing tool in this ignoble task. Resuscitating of the villages, I think, should be the first task of the future free India. I have told you, that we have been taught according to the Gandhian outlook and the Congress outlook that the future Constitution of India would be a pyramidal structure based on the village panchayats.

I admit we require a strong Centre; but that does not mean that its limbs should be weak. We cannot have a strong Centre

without strong limbs. If we can build the whole structure on the village panchayats, on the willing cooperation of the people, then I feel the Centre would automatically become strong. I yet request the House that it may incorporate some clauses so that village panchayats may be allowed to play some effective part in the future administration of the country.

Dr Ambedkar has posed before us a question that they have tried to put the constitution on the basis of provinces, on the basis of some political units, on the basis of the individual as the basic unit. The village should be the real basis of the machinery. The individual is the soul of the whole constitution; but the village should be made the basis of the machinery of its administration.

SHRI T. PRAKASAM (MADRAS: GENERAL)

...Mr T. T. Krishnamachari when he was speaking explained the handicap under which the Honourable Dr Ambedkar had been labouring on account of as many as five or six members of the Committee having dropped out and their places not having been filled up. I have been attending this session regularly with the hope and expectation that the Constitution that would be evolved would be one that would meet with the wishes and desires of those who had fought the battle of freedom for thirty years, and who had succeeded in securing freedom under the leadership of the departed Mahatma Gandhi. I was hoping, having seen the Preamble that everything would follow in regular course and bring out a Constitution that will give food and cloth to the millions of our people and also give education and protection to all the people of the land. But to the utter disappointment of myself and some of us who think with me, this Draft Constitution has drifted from point to point until at last it has become very difficult for us to understand where we are, where the country is, where the people are, what is it that they are going to derive out of this Constitution when it is put on the statute book. Now, when a Constitution is drafted, generally what is expected of those who are in charge of drafting the Constitution, those who are in charge of approving the Constitution as members of the Constituent Assembly is, what are the conditions in the country, what is the situation in the country, are we doing all that is necessary to get over the troubles in the country? With that object, I have been waiting to learn from all Members who have been devoting their time in explaining the real position with regard to this Constitution. I feel thankful to some of

those members who have not forgotten the way in which the battle of freedom had been fought in this country and how freedom had been secured. So far as the drafting of this Constitution is concerned, with all respect to Dr Ambedkar, I must say that he has not been able to put himself in the position of those who had been fighting for the freedom of this country for thirty long years. In one stroke he condemned the village panchayat system. He has referred to the remarks of one great man of those old days of the British, Mr Metcalfe, and the description given by him that the village panchayats existed and continued, whatever may have been happening with regard to the Government at the top; whoever may have come and whoever may have gone, they did not concern themselves. It is not a matter which should have been treated by Dr Ambedkar in that manner. That was a condition to which we had been reduced, after the village panchayats had been exhausted on account of the oppression of the various foreign rulers who had come over to this country. Still in spite of all that had been done for their suppression, they had survived. That is what Metcalfe wanted to explain to the world and to us who had been ignoring it. Therefore village panchayat is not to be condemned on that basis. I do not advocate for one moment today that village panchayats should be such as described by Metcalfe under those circumstances. Village panchayat should be one which is up-to-date, which gives real power to rule and to get money and expand it, in the hands of the villagers. I would like to know what is this Government that is being constituted under this Draft Constitution. For whose benefit is this intended? Is it for the benefit of a few people or is it for the benefit of the millions of people who pay taxes? Whether they have power or not they pay the taxes under the vicious system that had been established in this country and under which we had been groaning for a hundred and fifty years and we tried our best to get rid of that system...It is only right and proper that this Constituent Assembly which has been sent by the people of this country should take particular care to see that this Draft Constitution of Dr Ambedkar is so amended that it would really become a constitution for the benefit of the masses and the millions of people for whose sake the battles have been fought by that great *friend* who has gone away leaving us here to get along with our work.

SHRI K. SANTHANAM (MADRAS: GENERAL)

...I am sorry that Dr Ambedkar went out of his way to speak about village panchayats and say that they did not provide the proper background for a modern Constitution. To some extent I agree but at the same time I don't agree with his condemnation of the village panchayats and his statement that they were responsible for all national disasters. I think that in spite of revolutions and changes they have preserved Indian life and but for them India will be a chaos. I wish that some statutory provision had been inserted regarding village autonomy within proper limits. Of course there are difficulties because there are villages which are very small and there are big villages and many of them have to be grouped for establishing panchayats, but I do think that at some stage or other when all the provinces have set up panchayats, their existence may have to be recognised in the Constitution for in the long run local autonomy for each village must constitute the basic framework for the future freedom of this country.

SHRI R.K. SIDHWA (C.P. & BERAR: GENERAL)

...This is a Constitution prepared for democracy in this country and Dr Ambedkar has negated the very idea of democracy by ignoring the local authorities and villages. Local authorities are the pivots of the social and economic life of the country and if there is no place for local authorities in this Constitution, let me tell you that the Constitution is not worth considering. Local authorities today are in a very peculiarly miserable condition. The provinces which complain that the Centre has been made too strong and that certain powers had been taken away from them have themselves in the intoxication of power taken away the powers of the local bodies, and, in the name of maladministration, today more than 50 per cent of the local bodies had been superceded by Provincial Governments. This was the attitude in the previous British regime, and our Provincial Governments are merely following that practice instead of revolutionising the entire system of local bodies. Unless a direction is given in the Constitution through Provincial Governments to make these bodies very useful organisations for the uplift of villagers...this document is not worth presentation in the name of democracy. The finances of the local bodies are in a miserable condition. The Provincial Governments would not like to give them the electricity taxes, the entertainment taxes, etc., which



are the only sources of revenue for these local bodies in western countries. Here in this country all these taxes are grabbed by the provinces. This has left the local bodies mere skeletons today. If this is the tendency, how can you expect the local bodies and villages to prosper? The Governor General in his recent speeches and also one Deputy Prime Minister in his speech in Bombay stated that every villager must be made to realise that he or she has got a share in the administration of the country. I fail to understand how this can be done if you ignore the villagers, the largest portion of the population.

PANDIT BALKRISHNA SHARMA (U.P. GENERAL)

...There is no doubt that the Constitution does not contain any clause about village panchayats. A good deal of criticism has been hurled at it for that reason, but may I point out that the Constitution in no way rules out the development of the village panchayats? The Constitution does not put any obstruction whatsoever in the path of the development of those units of local self-government which will enjoy power for managing their own affairs, and therefore that criticism also seems to me to be without any foundation.

PANDIT THAKUR DASS BHARGAVA (EAST PUNJAB: GENERAL)

...The real soul of India is not represented by this Constitution and autonomy of the villages is not fully delineated here and this camera (the Draft Constitution) cannot give a true picture of what many people would like India to be. The Drafting Committee had not the mind of Gandhiji, had not the mind of those who think that India's teeming millions should be reflected through this camera.

...We have heard too much about the village panchayats. How these village panchayats will work I do not know; we have got a conception and that conception we try to put into practice.

PROF SHIBBAN LAL SAKSENA (U.P. GENERAL)

...Dr Ambedkar has criticised the system of village panchayats which prevailed in India and which was envisaged by our elders to be the ideal basis for our Constitution. I was just now reading Mahatma Gandhi's speech in the 1931 Round Table Conference in London; he was speaking about the method of election to the Federal Legislature. There he recommended

that the villages should be the electoral units. He in fact gave fundamental importance to the village republics. He said that it was in villages that the real soul of India lived. I was really sorry that Dr Ambedkar should express such views about the village panchayats. I am certain that his views are not the views of any other Member of this House.

...I am certain that a very large majority of the House do not agree with this view of village republics. As one who has done work in villages and has experience of the working of Congress village panchayats for the last twenty-five years, I can say that this picture is purely imaginary. It is an entirely wrong picture. I personally feel that, if we bring to these village panchayats all the light and all the knowledge which the country and the world have gathered they will become the most potent forces for holding the country together and for its progress towards the ideal of *Ram Rajya*...I think that the Constitution should provide for the establishment of village republics.

*The Upper House under this Draft Constitution is to be elected indirectly by provincial legislatures. I think it should be elected on a wider franchise and village panchayats should be required to elect the Upper House. The suggested method of electing the Upper House by provincial legislatures is a very wrong method. If village panchayats are allowed to elect the Upper House, we will have a more representative Upper House. I personally feel that unless we give the villages more responsibility, we cannot really solve their problems.*

SHRI SARANGDHAR DAS (ORISSA STATES)

...When he says: 'What is the village but a sink of localism and a den of ignorance, narrow-mindedness and communalism?' I am rather surprised that a respected member of this House and also a Minister of the National Government should have such an idea about our villages. I must say here, that with the spread of Western education in our schools and colleges we had lost contact with the villages, and it was our leader, Mahatma Gandhi, who advised the intelligentsia to go back to the villages, and that was some thirty years ago. For the last thirty years we have been going into the villages and making ourselves one with the villagers; and in reply to Dr Ambedkar's accusation, I would say that there is no localism in the villages. There is ignorance—yes, ignorance of the English language and also our various written languages, and that situation is due to the kind of Government

we had, a Government that destroyed our educational system. As far as knowledge of nature and wisdom gathered from *Shastras* and *Puranas* are concerned, I would say that there is more wisdom and more knowledge in the villages than in our modern cities.

...Our people living in the cities are far away from the villagers, from their life, and that is why we have become such that we think there is nothing good in the villages. Now this idea is changing; I do not know if it is changing outside the Congress circles, but I am positive that within the Congress circles, the idea of the villages is uppermost in everybody's mind. I shall therefore appeal to Dr Ambedkar to reconsider this matter and to give the villagers their due because the villages in the near future will come into their own as they used to be.

CHAUDHARI RANBIR SINGH (EAST PUNJAB: GENERAL)

...I would not like to go deep into the question of centralisation and decentralisation of power, but I would like to draw the attention of the House to one matter. Mahatma Gandhi, the Father of the Nation, always taught us that whether in the politics or in the economic sphere decentralisation engenders a power which is much greater than other kinds of power. Besides, there are other reasons also for this view. I am a villager, born and bred in a farmer's house. Naturally, I have imbibed its culture. I love it. All the problems connected with it fill my mind. I think that in building the country the villagers should get their due share and villagers should have their influence in every sphere.

BEGUM AIZAZ RASUL (U. P. MUSLIM)

...A lot of criticism has been made about Dr Ambedkar's remark regarding village polity. I entirely agree with him. Modern tendency is towards the right of the citizen as against any corporate body and village panchayats can be very autocratic.

DR MONOMOCHAN DAS (WEST BENGAL: GENERAL)

...One very pertinent question has been raised by an eminent member of this House, when he said that the Draft Constitution of India has borrowed many things from the Constitutions of other countries of the world, but it has taken nothing from the indigenous soil, from our cultural heritage, evidently meaning the Village Panchayat System. We, as a sentimental and

idealist race have a natural tendency and love for every thing that is old and past. Our Chairman of the Drafting Committee has been criticised by various personages of this House, for not including this Village Panchayat System into the Draft Constitution. They have taken it for granted that this Constitution has been the work of a single man, forgetting that there was a Constitution-making body, the Drafting Committee, always to guide the framing of the Constitution. I think, it is strange that all the members of the Drafting Committee including the Chairman have forgotten to include this Village Panchayat System into our Constitution. The Village Panchayat System has been a blind spot to all of them. I personally think the Drafting Committee has wilfully left it to the provincial legislatures to frame whatever they like about this Village Panchayat System.

In fact, there are provinces in which legislation has already been undertaken in that direction, I mean, the Gram Panchayat Bill of the United Provinces. There is nothing in our Constitution that will take from the provincial legislatures the power to pass an Act in that direction. If our provincial legislatures think that this Village Panchayat System will do immense good to our country, they are quite at liberty to introduce it in their legislatures and pass it accordingly. So I think, the criticisms sometimes amounting to abuse, which have been showered upon the Chairman of the Drafting Committee, are wholly uncalled for.

...I beg to utter a few words of caution to all honourable friends who are so enthusiastic protagonists of the Village Panchayat System. Unless and until our village people are educated, unless and until they become politically conscious, unless they become conscious of their civic rights and responsibilities, and unless they become conscious of their rights and privileges, this Village Panchayat System will do more harm than good. I know that I am inviting serious harm upon myself when I say that the Village Panchayat System has been there and was there for centuries and centuries. How much has it contributed to the welfare of our country, how much has it contributed to our social, political and economic uplift? If this system is introduced before our village people are properly educated, then I think the local influential classes will absorb to themselves all the powers and privileges that will be given by the Panchayat System and they will utilise it for their selfish motives. This system will enable the village zamindars, the village talukdars, the mahajans and the money-lending classes to rob, to exploit the less cultured, the less educated, poorer classes of the villages.

SHRI V.I. MUNISWAMY PILLAI (MADRAS: GENERAL)

...Coming to the economic condition of the villagers, especially the tillers of the soil and agricultural labour, I do not find any provision has been made in the Draft Constitution to consider the village as a unit. Of course, due to exploitation and other things, the villages are in rack and ruin. It is the highest duty of any constitution-making body to see that the village is set right. Due to the hereditary system of appointment of village officers, *maniagars* and *karnams*, they are the people who rule the villages. Having made a Constitution for the upper strata for the management of the provinces of India, if we leave alone the village-reconstruction, I feel that we are doing a wrong thing. It is the wish of Mahatma Gandhi also that the village must be made a self-governing unit. I am sure this August Assembly will reconsider what has been presented to this House and see that we make proper amendments so that the village or a group of villages could come under the category of self-governing institutions. Whether in the District Board or Municipalities, there are no real representatives of the people of the village or the taluk. This is not a popular institution as it is now constituted. I feel that the village unit must be taken into account.

SHRIMATI DAKSHAYANI VELAYUDHAN (MADRAS: GENERAL)

...There are two ways of making India a strong unit. One is by the method of centralisation of power and the other is by decentralisation; but centralisation is possible only through parliamentary system which now goes under the safe words 'democratic methods', but in this draft we can't find anything that is democratic and decentralisation is totally absent. It is a great tragedy that in making the constitution of a great country with thirty crores of people, with a great culture behind it and the great principles and teachings of the greatest man on the surface of the world we were only able to produce a constitution that is totally foreign to us. The arguments put forward by the Chairman of the Drafting Committee are not at all convincing.

SHRI GOKULBHAI DAULATRAM BHATT (BOMBAY STATES)

...Dr Ambedkar boldly admitted, and the members of the Drafting Committee do concede that in this Constitution there is no provision for establishing Panchayat Raj, the village panchayat system in India. When there is no such provision, it

can never be the Constitution of India. To forget or spurn the system of village panchayats, which has lifted us up and which has sustained us so far and to declare boldly that it has been deliberately spurned— well in all humility I lodge my protest against it. They admit that they have spurned it and have not included it in our Constitution. He has said so and that too with great emphasis. I am pained at the fact that the Chairman of our Drafting Committee has used the words, 'what is the village but a sink of localism and a den of ignorance...I am glad that the Draft Constitution has discarded the village...'

I was grieved to find that our great *Pandit* with all his knowledge of Sanskrit and politics, has opposed the system of village panchayats in this way. If the village is to be discarded, someone can also boldly demand that this Constitution be discarded. But I am a humble person and do not have much experience either. Occasionally I am led by sentiment also to make an observation. But in all circumstances an attempt should be made to include in some form, by the amendments we intend to bring forward, that democracy should be the foundation of our polity. Then alone can our Constitution be complete, then alone will it have life and then alone will we have the feeling that this Constitution is our own. Otherwise we would be rearing this great building on a foundation of sand, and it will surely fall down. This is what I particularly want to suggest and that was why I wanted to speak.

...This much I would like to submit to Doctor Sahib. He is a great scholar, and as such he should treat this country also as a land of wisdom. It is my appeal to him that he should give a place to the soul of India in this Constitution.

SHRI ALLADI KRISHNASWAMI AYYAR (MADRAS: GENERAL)

I owe it to myself to say that I do not share the views of my honourable friend (Dr Ambedkar) in his general condemnation of village communities in India. I must also express my emphatic dissent from his observation that Democracy in India is only a top-dressing on Indian soil. The democratic principle was recognised in the various indigenous institutions of the country going back to the earliest period of her history...

...(One of the criticisms has been that) the Constitution does not give sufficient importance to village communities which are an essential feature of India's social and political life. With the large powers vested in the provincial or state legislatures in

regard to local self-government and other matters, there is nothing to prevent provincial legislatures, from constituting the villages as administrative units for the discharge of various functions vested in the State Governments.

PROF N.G. RANGA (MADRAS: GENERAL)

...I am most unhappy that Dr Ambedkar should have said what he has said about the village panchayats. All the democratic tradition of our country has been lost on him. If he had only known the achievements of the village panchayats in Southern India over a period of a millennium, he would certainly not have said those things. If he had cared to study Indian history with as much a care as he seems to have devoted to the history of other countries, he certainly would not have ventured those remarks. I wish to remind the House, of the necessity for providing as many political institutions as possible in order to enable our villagers to gain as much experience in democratic institutions as possible in order to be able to discharge their responsibilities through adult suffrage in the new democracy that we are going to establish. Without this foundation stone of village panchayats in our country, how would it be possible for our masses to play their rightful part in our democracy? Do we want centralisation of administration or decentralisation? Mahatma Gandhi has pleaded over a period of thirty years for decentralisation. We as Congressmen are committed to decentralisation. Indeed all the world is today in favour of decentralisation.

What are to be our ideals? We have stated some of our ideals here in the Fundamental Rights chapter as well as in the directives. But is it not necessary that we should make it perfectly clear in one of these directives that it is the duty of the State to establish village panchayats in every village or for every group of villages in order to help our villagers to gain training in self-government and also to attain village autonomy in social, economic and political matters, so that they will become the foundation stone for the top structure of our Constitution.

...In these objectives, nothing has been said about all those people who are living in our villages...It is high time that we pay some attention to this aspect also.

SHRI M. ANANTHASAYANAM AYYANGAR (MADRAS: GENERAL)

...It is no doubt true that Dr Ambedkar gave an analysis of the several provisions of the Constitution, and unfortunately emphasised certain aspects of it, and gave his own views upon village republics, village autonomy and democracy. He could have spared us and spared the Assembly a controversy over these issues. Left to myself, I would like very much that this Constitution must be based upon autonomous village republics. Democracy is not worth anything if once in a blue moon individuals are brought together for one common purpose, merely electing X, Y and Z to this Assembly or that Assembly and thereafter disperse. That is the present state of India today. People in the villages have had absolutely no opportunity to train themselves for democracy. They have not shared responsibility with anybody; they are absolutely irresponsible. That was the view that was taken and that was the purpose of the British who ruled us for 150 years. They destroyed the elements of our freedom, of our decentralised economy and the village republics that we had. They wanted to centralise the Government and concentrated all power in the Governor General and ultimately in the British Parliament. It was in that view that they took steps to see that the villages did not govern themselves.

*We must see that the village is the unit for the social fabric that we are going to build. In the village itself, I would like that the family should be the unit, though for all-India purposes, the individual must be taken as the unit for voting. The village must be reconstructed on these lines; otherwise, it will be a conglomeration of individuals, without any common purpose, occasionally meeting and dispersing, without an opportunity to come together and rehabilitate themselves both economically and politically.*

But, as we are situated today, is it at all possible immediately to base our Constitution on village republics? I agree this ought to be our objective. But where are these republics? They have to be brought into existence...Therefore, I would advise that in the directives, a clause must be added, which would insist upon the various Governments that may come into existence in future to establish village panchayats, give them political autonomy and also economic independence in their own way to manage their own affairs.

*Later on a time will come when on the basis of these republics or autonomous panchayats a future Constitution may be built. I agree with our leader, the Prime Minister, who spoke yesterday*



*that this Constitution may be kept in a transitional form for a period of five years so that in the light of whatever experience we may gather in this period, a future Assembly which may be elected on the basis of adult suffrage would re-draft our Constitution or amend or alter it.*

SHRI MAHAVIR TYAGI (U. P. GENERAL)

...Then, a word about the villages. Dr Ambedkar said that he was happy that the 'Drafting Committee has not accommodated the village.' He characterised it as 'a sink of localism and a den of communalism'. It is these sinks of slavery that were facing all sorts of repression in the freedom struggle. When these sinks of slavery that were being charred, burnt and tortured in Chimoor, the pyramids of freedom were applying grease on the back of the Britishers. Unless I raise my voice against the remarks which Dr Ambedkar has made against villages, I cannot face my village people. Dr Ambedkar does not know what amount of sacrifice the villagers have undergone in the struggle for freedom. 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...

SHRI L. KRISHNASWAMI BHARATI (MADRAS: GENERAL)

...I am sorry, that Dr Ambedkar should have gone out of his way to make certain references and observations which are not in consonance with the wishes or the spirit of the House, in regard to his references to the villages...Honourable Members have referred to the question of villages. I only wish to add this. He says: 'I am glad that the Draft has discarded the village and adopted the individual as its unit.' I would like to ask him where is the individual apart from the villages. When he says that the villages have been discarded and the individual has been taken into consideration, he has conveniently forgotten that the individuals constitute the village; and they number about ninety percent of the population, who are the voters.

SHRI KISHORIMOHAN TRIPATHI (C.P. & BERAR: STATES)

...Taking next the question of election in villages, much has been said about villages. There has been very sharp criticism of the view expressed by Dr Ambedkar when he said that 'the villages are dens of ignorance'. There has been ruthless criticism.

I know this criticism is because of a genuine feeling on the part of the House. The House desires that the villages should come forward and play their full part in the national reconstruction. Since the desire is very genuine, I would request the House to detail out the election procedure in the Constitution itself..

SHRI VISHWAMBHAR DAYAL TRIPATHI (U.P. GENERAL)

The one thing— and to me it appears very objectionable— which I wish to reply is Dr Ambedkar's remark that the Indian soil is not suited to democracy. I do not know how my friend has read the history of India. I am myself a student of history and also of politics and I can say with definiteness that democracy flourished in India much before Greece or any other country in the world...

...There is no doubt that later on the course of political development was arrested for some time on account of invasions from outside. Yet we find that the same democracy continued to function in our villages under the name of village republics. This, the Mover himself has admitted in his address. It is very unfortunate that he should have made such remarks as are not borne out by the facts of history.

SHRI MOTURI SATYANARAYANA (MADRAS: GENERAL)

...The Constitution which is now on the anvil places before us provisions of many kinds. It appears to me from what I have been able to gather from these provisions that it is being built from above and not from below, the base...The people know what that swaraj means for which we have been labouring for the last thirty years and for which we have been fighting for the last thirty years and they are also conscious that the Constitution is being framed for them and not for anyone else. But only the international viewpoint, and not the national nor the swaraj, nor even the villagers' view point is being given weight in the framing of the Constitution. The Constitution should be for the people of the villages so as to ensure food and cloth for them, as it was the lack of these necessities that led us to make our demand for swaraj...

I hold that if we have to provide food, cloth and shelter for our poor brethren, the villages and the village panchayats, should form the base of our Constitution. We should proceed with our work keeping them in mind. It is because we have not

done this that we have to consider whether our provinces should be strong or weak, whether our Centre should be strong or weak. These questions arise only because we have not given due importance to our provinces and villages in framing our Constitution. The basic idea underlying the whole constitution is as to how our country will compete with Britain, Russia or America and what relations it will have with them. There is nothing in the whole Constitution to show that our intention was to do something for the inhabitants of our country, for our villagers and our townfolk, and for the poor people.

So far as production is concerned, there is nothing in it that would make the village people work their utmost in order to produce the maximum quantity of wealth. I think that it will be said in reply to this that later on when this Constitution would be enforced all these would be taken to be implied by its provisions and would therefore be put into practice but that these cannot be specifically included within the Articles of the Constitution. But I hold that just as the face is to a man's character so also a mere glance at the Constitution should be sufficient to reveal the direction in which it tends to move the people. Therefore, I hope that at the time when the Constitution would be considered here, clause by clause, every attempt will be made to include in it provisions for all that we have been promising to provide to our countrymen.

SHRI SURESH CHANDRA MAJUMDAR (WEST BENGAL:  
GENERAL)

While on the subject of delimitation of powers, I should like to make a very brief reference to Dr Ambedkar's comments on the role of the village community in India's history. It is true that at times the village community stood still when history passed by. But this happened invariably in periods of national depression when everything was in a state of stagnation and the political life itself was disintegrating and the village-community was indifferent to the main course of history. But there were other times—times of healthy national life—when the village community did supply strength. I believe the village community, if it is properly revitalised and made power-conscious, can become not only a strong prop of the State but even the main source of its strength.

SHRI N. MADHAVA RAU (ORISSA STATES)

Several speakers have criticised the Draft on the ground that it bears no impress of Gandhian philosophy and that while borrowing some of its provisions from alien sources, including the Government of India Act, 1935, it has not woven into its fabric any of the elements of ancient Indian polity.

It is very unfortunate that a good deal of controversy arose in regard to village panchayats. Dr Ambedkar's strong remarks on the subject were apparently based on his own experience. But, like Mr Alladi Krishnaswami Ayyar, I wish to speak for myself in the light of my own experience. For over thirty years, the Mysore Government have put the revival of village communities and the improvement of the working of village panchayats in the forefront of their activities. A great deal of public expenditure has been incurred on this account. All officers concerned from the Dewan to the Tahsildar have, according to their lights, given personal attention to the condition of the villages. The present popular Government in Mysore, is, I understand, making still more intensified efforts in the same direction.

The results are, in my opinion encouraging and in some cases, quite gratifying. It is true some villages are chronically faction-ridden and indulge in petty tyrannies, or remain the strongholds of untouchability. A considerable number are apathetic or even moribund. But, about 30% could be classed as good; that is to say they had held regular meetings, collected panchayat taxes, undertaken some optional duties and carried out works of public utility and weekly cleaning by voluntary labour contributed by the villagers and taken steps to ensure the vaccination of children and so on. The success that has been achieved such as it is, is largely conditioned by the initiative of a good headman or other influential land-lords. I am sure that experience in other parts of the country is more or less the same. In certain small Indian States, where the bureaucratic system of administration had not penetrated, I found remarkable self-help and organised effort in the villages. With sustained effort on the part of the provincial and State Governments, the resuscitation of village communities may well be hoped for. As the Members of the Assembly are aware, Gandhiji was very particular about constructive work in the villages. This is what he said on one occasion: 'If the majority of Congressmen were derived from our villages, they should be able to make our villages models of cleanliness in every sense. But they have never considered it their duty to

identify themselves with the villagers in their daily lives.' There is nothing in the Draft Constitution to prevent provincial Governments from developing the village panchayat system as vigorously and as rapidly as they are capable of doing. The only point which has now come into prominence is whether the electoral scheme for the legislatures should be founded on these panchayats. If the House comes to the decision that this should be done, two Articles in the Draft Constitution will have very carefully to consider whether by throwing the village panchayats into the whirlpool of party politics, you will not be destroying once for all their usefulness as agencies of village administration.

SHRI T. PRAKASAM (MADRAS: GENERAL)

...Mr Madhava Rau said that the ballot box and ballot paper were not known to our ancestors. I would like to point out to him, that the ballot box and the ballot papers were described in an inscription on the walls of a temple in the village of Uttaramerur, twenty miles from Conjeevaram. Every detail is given there. The ballot box was a pot with the mouth tied and placed on the ground with a hole made at the bottom and the ballot paper was the *kadjan* leaf and adult franchise was exercised. The election took place not only for that village but for the whole of India. This was just a thousand years ago. It is not known to my honourable friend and that is why he made such a wrong statement— a grievously wrong statement and I want to correct it.

## IV

### INCORPORATION OF ARTICLE 40 IN THE CONSTITUTION (\*Full text of debate.)

November 22, 1948

---

SHRI M. ANANTHASAYANAM AYYANGAR (MADRAS: GENERAL)

Mr Vice-President, Sir, Amendment No.927 stands in my name, but Mr Santhanam has given an amendment to this amendment, for substitution of this. I find that that language is better. With your permission, he may be allowed to move his amendment in the place of mine. If you want me to formally move my amendment, I will do so, but I am prepared to accept the substitution for 31-A. I am prepared to adopt whichever course you direct.

MR VICE-PRESIDENT

Let Mr Santhanam move.

THE HONOURABLE SHRI K. SANTHANAM

Sir, I beg to move.

*That after article 31, the following new article be added:*

*"31-A. The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government."*

Sir, I need not elaborate the necessity for this clause. Many honourable Members had given similar amendments for village panchayats, but they had also attached to it conditions like self-sufficiency and other matters which many of us did not consider desirable to be put into the directives. What powers should be

given to a village panchayat, what its functions should be will vary from province to province and from State to State, and it is not desirable that any hard and fast direction should be given in the Constitution. There may be very small hamlets which are so isolated that even for fifty families, we may require a village panchayat; in other places it may be desirable to group them together so that they may form small townships and run efficient almost municipal administrations. I think these must be left to the provincial legislatures. What is attempted to do here is to give a definite and unequivocal direction that the State shall take steps to organise panchayats and shall endow them with necessary powers and authority to enable them to function as units of self-government. That the entire structure of self-government, of independence in this country should be based on organised village community life is the common factor of all the amendments tabled and that factor has been made the principle basis of this amendment. I hope it will meet with unanimous acceptance. Thank you, Sir.

THE HONOURABLE DR B.R. AMBEDKAR

Sir, I accept the amendment.

MR VICE-PRESIDENT

If you want to discuss anything, you discuss after Prof Ranga's amendment has been moved.

AN HONOURABLE MEMBER

Prof Ranga is not here.

MR VICE-PRESIDENT

I am on the horns of a dilemma. This amendment has been accepted. If I gave an opportunity to one speaker, then the whole question will have to be re-opened. I would value the advice of experts on this matter.

SHRI M. ANANTHASAYANAM AYYANGAR

If you will permit me to say so I shall only quote procedure that is adopted in the House when it sits as a Legislature. Even though a Member in charge of a Bill says he accepts an

amendment, he only indicates the line of action for other Members to follow. They may go on speaking and he will always have a right of reply after they have spoken. Even to cut short the debate on certain matters which do not involve a principle, people would like to know what the attitude of the Government is. If it is found useless, they may not pursue that matter and it is for that reason that Dr Ambedkar has said that he accepts the amendment. He still can reserve his reply after the speeches or debates are closed. I therefore, request you to call upon other speakers who want to speak. It is a very important subject and every one would like to throw some light on it.

MR VICE-PRESIDENT

In that case, I shall call upon Mr Prakasam to speak first.

SHRI T. PRAKASAM (MADRAS: GENERAL)

Mr Vice-President, Sir, I feel happy that the Government have with grace accepted this amendment and agreed to introduce it in the Constitution. We should have tried to introduce this at the very beginning of the framing of the Constitution.

SHRI VISHWAMBHAR DAYAL TRIPATHI (U.P.: GENERAL)

Sir, I do not know which Government he has referred to.

SHRI T. PRAKASAM

I am referring to the Government as it is constituted today.

This is a subject which is so very dear to the country and to the Members of this House as is shown by the way in which they have intervened in the general debate and brought it to the forefront of the discussion that this should find a place in the Constitution itself. Dr Rajendra Prasad, who is the President of the Constituent Assembly, himself expressed his opinion in favour of having village republics as the basis of the Constitution.

SHRI VISHWAMBHAR DAYAL TRIPATHI

What has the Government to do with our discussions?



MR VICE-PRESIDENT

The reference was to the President of the Constituent Assembly and not to the Government.

SHRI T. PRAKASAM

Dr Rajendra Prasad has expressed his view in favour of making the village republic as the basis of the whole Constitution, which we are completing these days. On the 10th of May (1948), Dr Rajendra Prasad happened to express his views in this matter. The Constitutional Adviser Sir B.N. Rau, when he dealt with this question, sympathised with the whole thing, but pointed out that it was too late to make any attempt to change the basis of the Constitution which had gone so far. I too agree, that if there was any mistake, the mistake was on our part in not having been vigilant enough and brought this before the House in proper time. When this was coming so late as that, I did not expect Dr Ambedkar as Chairman of the Drafting Committee to be good enough to accept this.

A very serious situation was created by not making the village unit as the real basis of the Constitution. It must be acknowledged on all hands that this is a construction which is begun at the top and which is going down to the bottom. What is suggested in this direction by Dr Rajendra Prasad himself was that the structure must begin from the foundations and it must go up. That, is the Constitution which the departed Mahatma Gandhi indicated and tried to work up for nearly thirty years. Under these circumstances, it is very fortunate that this should come in at this stage, that this should be introduced and worked in a proper way. I must really congratulate Mr Santhanam for having attempted to bring this amendment in this form so that all others who had tabled amendments, of whom I was also one, reconciled ourselves to accept this, because this gives opportunity to the people of every province and the whole of India to go on this basis and work up the whole thing, without interrupting the progress of the Constitution at this stage.

One of the distinguished friends of this House was remarking the other day to me, 'Why are you thinking of these village republics and all these things? The bullock cart days have gone; they will never come back.' This was his observation. I may point out to that friend that the village republic which is proposed to be established in the country and worked is not a bullock cart

village republic. The republic that would be established, under this resolution, under the orders of the Government as it were, would be a village republic which would use the bullock carts, not for simply taking the fire-wood that is cut in the jungles to the towns and cities and getting some money for hire; these village republics would convert the work of the bullock carts to the work of carrying paddy and other produce which they produce in the village for their own benefit and for the benefit of the public. These village republics will also be serviceable to those men of ours who are now fighting in Kashmir. I was there the other day; I saw the way in which those friends in the battle field have been carrying on their work. Some of them said to us: 'Well, Sir, when you go back to the country, you please see that the prices of food-stuffs are reduced and that our people when they apply for small sites for habitation, they are secured.' For all these things, the village republics will be of service to the military people in the best possible manner.

This is not a thing which should be looked upon with contempt, having forgotten our history and the history of the world. This is not the first time that this is introduced in our country. This is not a favour that we bestow upon our people by reviving these republics. When we fill the whole country with these organisations, I may tell you, there will be no food famines; there will be no cloth famine and we would not be spending 110 crores of rupees as we are doing today for the imports of food; this amount could be saved for the country. We have gone away far from the reality. These village republics will put a stop to black-marketing in a most wonderful manner. These village republics, if properly worked and organised on the basis of self-sufficiency to which some may take exception, if the village is made a self-governing unit, it would put a stop to inflation also which the Government has not been able even to check to any appreciable extent. This village organisation will establish peace in our country. Today whatever the Government might be doing from the top here by way of getting food from other countries and distributing it, the food would not be distributed amongst the masses ordinarily through the agencies which we have got either in the Centre or in the provinces. All that trouble would be solved immediately so far as this business is concerned. Let me tell you above all that Communism- the menace the country is facing- we are seeing what is going on in China, we saw what was done in Czechoslovakia and we know what the position is in Burma, we know what the position is even in our own country with regard to Communism. Communism can be checked immediately if the

villages are organised in this manner and if they are made to function properly. There would be no temptation for our own people to become communists and to go about killing our own people as they have been doing. For all these reasons I would support this, and I am very anxious that this must be carried out in all the provinces as quickly as possible, soon after the Constitution is passed, and I am seeing today the light and prosperity before the country when the Constitution is passed and when this village organisation comes into existence.

SHRI SURENDRA MOHAN GHOSE (WEST BENGAL: GENERAL)

Sir, I am grateful to you for giving me an opportunity to express my feeling on this amendment moved by my honourable friend Mr Santhanam. Sir, you will find there is another amendment No.991 which stands in my name almost identical with the present amendment which has been moved by my honourable friend. I am glad that such an agreed amendment has been moved by my honourable friend, Mr Santhanam, and that it has been accepted by the honourable Law Minister, Dr Ambedkar.

In my opinion the meaning of this Constitution would have been nothing so far as crores and crores of Indian people are concerned unless there was some provision like this in our Constitution. There is another point also viz., for thousands and thousands of years the meaning of our life in India as it has been expressed in various activities, was this that complete freedom for every individual was granted. It was accepted that every individual had got full and unfettered freedom; but as to what the individual should do with that freedom there was some direction. Individuals had freedom only to work for unity. With that freedom they are to search for unity of our people. There was no freedom to an individual if he works for destruction of our unity. The same principle was also accepted in our Indian Constitution from time immemorial. Every village like the organic cells of our body was given full freedom to express itself but at the same time with that freedom they were to work only to maintain and preserve the unity of India.

Our village people are so much familiar with this system that if today there is in our Constitution no provision like this they would not have considered this as their own Constitution or as something known to them, as something which they could call their own country's Constitution. Therefore, I am glad and I congratulate both my friend the honourable Mr Santhanam and

the honourable Dr Ambedkar on moving this amendment as well as for acceptance of the same. I commend this.

SETH GOVIND DAS (C.P. & BERAR: GENERAL)

Mr President, very few speeches are being made now-a-days in this House in Hindi. I would, therefore, resume my practice of speaking in Hindi unless of course I have something to explain to my South Indian friends which requires my speaking here in English.

During the course of the speech, he made while presenting this Draft to the House, Dr Ambedkar made some remarks about villages which caused me and, I believe, a great majority of the members of this House, great pain. It is a matter of deep pleasure to me that he has at last accepted the amendment moved by Shri Santhanam. We need not complain if one comes to the right course, though belatedly.

I belong to a province in which perhaps the greatest progress has been made in respect to this matter. Our village panchayats, our judicial panchayats, and our laws for Janapadas are the talk of the whole of India today. There was a time when our province was regarded as a very backward province. But today the whole country will have to admit that our province though small in size has given a lead in many matters to the other provinces of the country. So far as the scheme of village Republics is concerned, it is an undisputed fact that our province has progressed more than any other province towards its fulfillment.

Ours is an ancient, a very ancient country and the village has had always an important position here. This has not been so with every ancient country. In Greece for instance, towns had greater importance than villages. The Republics of Athens and Sparta occupy a very important place in the world history today. But no importance was attached by them to the villages. But in our country the village occupied such an important position that even in the legends contained in most ancient books— the Upanishads— if there are descriptions of the forest retreats, of the sages, there are also descriptions of villages. Even in *Kautilya's Arthasastra* there are to be found references to our ancient villages. Modern historians have also admitted this fact. We find the description of our ancient village organisation, in 'Ancient Law' by Mr Henry Maine, 'Indian Village Community' by Mr Baden Powell and in 'Fundamental Unity of India' by Shri B.C.

Pal. I would request the members of this House to go through these books. They will come to know from these books the great importance the villages have had in India since the remotest times. Even during the Muslim Rule villages were considered of primary importance. It was during the British regime that the villages fell into neglect and lost their importance. There was a reason for this. The British Raj in India was based on the support of a handful of people. During the British regime provinces, districts, tehsils and such other units were formed and so were formed the *talukdaris*, *zamindaris* and *malguzari*. The British rule lasted here for so many years only on account of support of these few people.

Just as Mahatma Gandhi brought about a revolution in every other aspect of this country's life, so also he brought about a revolution in the village life. He started living in a village. He caused even the annual Congress Sessions to be held in villages. Now that we are about to accept this motion I would like to recall to the memory of the members of this House a speech that he had delivered here in Delhi to the Asian conference. He had then advised the delegates of the various nations to go to Indian villages if they wanted to have a glimpse of the real India. He had told them that they would not get a picture of real India from the towns. Even today 80 per cent of our population lives in villages and it would be a great pity if we make no mention of our villages in the Constitution.

I support the amendment moved by honourable K. Santhanam. I hope that the Directive Principles laid down in the Constitution would enable the provinces to follow the lead given by the Central Provinces in the matter and I hope a time will come when we shall be able to witness the ancient glory in our villages.

SHRI V.I. MUNISWAMY PILLAI (MADRAS: GENERAL)

Mr Vice-President, Sir, by my honourable friend Mr Santhanam moving this amendment and the Chairman of the Drafting Committee expressing that he is going to accept it shows the real feeling of this Sovereign Body towards their less fortunate brethren living in the villages. My honourable friend Mr Prakasam referred to the statement made by the revered leaders Rajendra Prasad and Mahatma Gandhi. But we know it for a reality that the villages are in rack and ruin and if there are to be any amenities or self-government, it is to the villages that

this Sovereign Body must give them. The other day when I made a speech on the Draft Constitution, I pointed out that there is no provision to give the rural areas any choice or self-government. Now, under this amendment we bestow a certain amount of power to make the villages self-contained and to have self-government there. I am sure the seven lakhs of villages in the whole of India will welcome the provision of this amendment in this Constitution. It is with the revenue that is derived from the rural areas that it has been possible to create towns, with all amenities therein.

But the man who gives the revenue by way of taxes could not get even the rudiments of amenities, due to a citizen. I feel that by accepting this amendment we will go a long way to reconstruct the villages that have been allowed to go to rack and ruin for centuries together. If the pies are taken care of, the rupees will take care of themselves. So I feel that by having this amendment, we are going a long way towards reconstructing our villages which are in dire necessity of such reconstruction today.

DR V. SUBRAMANIAM (MADRAS: GENERAL)

Mr Vice-President, when our Mother India delivers her Constitution, if there is any living cell in the Constitution, it will be this village panchayat amendment which has been brought forward by my honourable friend, Mr Santhanam. It is a well-known fact that India is standing today as a self-governing unit in the world because of this living cell in our body politic— the village panchayat. Today, if we want to make the country strong and self-sufficient in every respect, this clause in the Constitution or in the Directive Principles is very necessary.

Now there has been some controversy about self-sufficiency. My interpretation when we speak of a village being self-sufficient is this. It may produce say ground-nut in large quantities, and it may export it, even though it may be forced to import *dalda* and other substances for the needs of the people in the village. By saying that it is self-sufficient, we only mean that it may grow all the articles that it can and also import what is necessary from the neighbouring villages. That is my interpretation. But these are matters to be worked out in detail by the village panchayats themselves.

It is clear that as far as this amendment is concerned, there can be no two opinions about it. This amendment must be carried, and in our future Constitution, much more powers must be

given to the villages. As a matter of fact, we do not know how many carpenters there are in our land. If we have the panchayats we need go only to their records and pick up the number of carpenters in every village. These panchayats will serve a very useful purpose. This clause is very essential, and I support this amendment.

SHRI SATYANARAYAN SINHA (BIHAR: GENERAL)

Sir, we have had enough discussion, and after Shri Bharathi, I would like to move for closure.

SHRI L. KRISHNASWAMI BHARATHI (MADRAS: GENERAL)

Mr Vice-President, I congratulate the Honourable Mr Santhanam for moving and Dr Ambedkar for agreeing to this amendment, I must confess that I am not fully satisfied with this amendment, for the very simple reason that even today even under the present Constitution, I think the Provincial Governments have enough powers to form village panchayats and operate them as self-governing units. But to the extent to which it goes I must express my satisfaction. It must be remembered that this is in the Directive Principle, and I see no reason why the idea of self-sufficiency should not have been accepted by Mr Santhanam. The reasons that he gave for not accepting that principle are not at all convincing. In fact, two or three honourable Members— Mr Ranga, Shri Ananthasayanam Ayyangar and Mr Prakasam have given amendments with these ideas. Mr Ananthasayanam Ayyangar's amendment says there is great need for effective decentralisation of political and economic powers. After all what the amendment seeks to give is only political independence. Political independence apart from economic independence, has no meaning. The idea behind the Directive Principles is to emphasise the way in which we want the country to function and for that we must make it quite clear to the whole world that economic democracy is important and for that decentralisation of economic power is important. It is that aspect of the matter which Gandhiji emphasised. Decentralisation both in the political and economic sphere is absolutely essential if India is to function as a democracy. In fact, speaking at the Asian Relations Conference, Mahatmaji said pointing out to the City of Delhi:

This is not India. You people are seeing Delhi- this is not India. Go to villages; that is India, therein lives the soul of India.

Therefore, I do not know why they should fight shy of 'self-sufficiency'. It has been sufficiently explained by Mahatmaji, and if it is necessary I would like even to say some words from his speeches.

THE HONOURABLE SHRI K. SANTHANAM

May I point out to the honourable Member that self-government is not merely political? It may be economic or spiritual.

SHRI L. KRISHNASWAMI BHARATHI

I quite understand it and that is the reason why it should be made clearer. If self-government includes that, it is much better that we explain it because that explanation is very necessary. I would very much like the word 'self-sufficiency' in the Gandhian sense of the word, self-sufficiency not in all matters, let it be remembered, but in vital needs of life, self-sufficiency in the matter of food and clothing as far as possible. That is what Mahatmaji said. It does not mean absolute independence. Sir, I would ask leave to read from Mahatmaji's articles certain important portions which will clear up the matter. This is what Gandhiji wrote:

My idea of Village Swaraj is that it is a complete republic, independent of its neighbours for its vital wants, and yet interdependent for many others in which dependence is a necessity.

An honourable Member asked, Well what can you do? Some villages produce only paddy; they cannot have self-sufficiency.' Is it such an impossible proposition? Gandhiji was emphatic in saying that he was not at all suggesting that the village should be independent of all these things; but in certain matters you must have self-reliance, the basic idea being '*no work, no food*'. Now the villagers think that as it is a Swaraj Government, *khadi* and food will flow from the heavens as *manna*. Gandhiji's idea in this self-sufficiency is 'Don't expect anything from the Government. You have got your hands and feet; work: without work you will have no food. You can produce your own cloth, you can produce your own food. But if you do not work,



you shall have no food, no cloth.' That is the basic idea of decentralisation and economic democracy. And if the villagers are to have that idea we must put it here and tell them about self-sufficiency. Do not expect anything from the Government. Who is the Government? After all you constitute the Government. You must work, you must produce. Do not depend on these mills. Go on with your *charkha*, make your own food.' That is the basic idea of self-sufficiency and decentralisation and economic democracy.

Mahatmaji said:

My idea of village Swaraj is that it is a complete republic, independent of its neighbours for its vital wants, and yet interdependent for many others in which dependence is a necessity. Thus every village's first concern will be to grow its own food crops and cotton for its cloth. It should have a reserve for its cattle, recreation and playground for adults and children. Then if there is more land available, it will grow *useful* money crops, thus excluding ganja, tobacco, opium and the like. The village will maintain a village theatre, school and public hall. It will have its own waterworks ensuring clean supply. This can be done through controlled wells and tanks. Education will be compulsory up to the final basic course. As far as possible every activity will be conducted on the cooperative basis. There will be no castes such as we have today with their graded untouchability. Non-violence with its technique of *Satyagraha* and non-cooperation will be the sanction of the village community...

Sir, I think there are only a few more lines of Mahatmaji's picture of life. With your leave I should like to finish it.

...There will be a compulsory service of village guards who will be selected by rotation from the register maintained by the village. The government of the village will be conducted by the Panchayat of five persons, annually elected by the adult villagers, male and female, possessing minimum prescribed qualifications.

This is a rough idea of what Gandhiji felt, and therefore, in my opinion it is very necessary that this sovereign body should enunciate and give its views on this fundamental tenet of Mahatma Gandhi, his idea being that there must be decentralisation and the village must function as an economic unit. Of course, the honourable Mr Santhanam said that it is included. I only wanted that it should be made more explicit so

that Mahatmaji's soul will be very much pleased. He said that India dies if the villages die, India can live only if villages live.

THE HONOURABLE DR B. R. AMBEDKAR

Sir, as I said, I accept the amendment. I have nothing more to add.

MR VICE-PRESIDENT

In this matter my decision is final. I have not yet found anybody who has opposed the motion put forward by Mr Santhanam. There might be different ways of phrasing it, but at bottom and fundamentally, these speeches are nothing but praising the amendment.

The question is:

*That after article 31, the following new article be added:*

*'31-A. The State shall take steps to organise Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.'*

The motion was adopted.

MR VICE-PRESIDENT

The question is:

*That the new article 31-A stands part of the Constitution.'*

The motion was adopted.

*Article 31-A was added to the Constitution.*

## V

### FROM THE GENERAL DEBATE ON THE THIRD READING OF THE CONSTITUTION

*November 17-26, 1949*

---

SETH GOVIND DAS (C.P. & BERAR: GENERAL)

I would like to make it clear at the same time that the civilisation and culture, which is the heritage of our early history and the continuity and vitality of which are visible in all spheres of our society and life and for the maintenance of which in our age Mahatma Gandhi- the Father of our Nation- sought to promote in many a way, should not be rejected by us...Modern India should be so built up that we may be able to retain our culture and civilisation as well as also the advantages of the modern age. If we look at our Constitution from this viewpoint, we would discover many shortcomings in it.

SHRI LAKSHMINARAYAN SAHU (ORISSA: GENERAL)

...India is a country of villages. In complete disregard of the villages we have turned into citizens and ask for rights of citizenship. I would say that we should have 'village-zen-ship' rights also. I do not see 'village-zen-ship' rights anywhere in this Constitution. What is the step that we should take at the present moment? We should revive the cottage industries. But the idea never occurs to us. When a few people make a hue and cry about a thing it is said that it may also be included...There is no talk of decentralisation now. We had set before us the object of decentralising India and of setting everything in order. But there had been so much centralisation that there is only one centre...

SHRI K. HANUMANTHAIYA (MYSORE STATE)

...When I look into the list of members of the Drafting Committee, and see their names, I must say that many of them

are very respected names. Many of them are very able men. But only some of them were in sympathy with the freedom movement. Most of them, if I scrutinise the names of members of the Drafting Committee, I find were the people who were not with the freedom movement in the sense in which many of our leaders were. They naturally brought their outlook and knowledge of things into the Constitution-making. That was not the kind of psychology or the knowledge that the Congress, for instance, or the country needed. I submit with all humility, they were no doubt very learned in the several laws and rules that were framed before we got independence. They were very well versed in case law and code law. But that was not sufficient for the purpose of hammering out a Constitution for a great country like India and its future. It is something like this: we wanted the music of *Veena* and *Sitar*, but here we have the music of an English band. That was because our Constitution makers were educated that way. I do not blame them rather, I would blame those people, or those of us, who entrusted them with this kind of work.

Look at the way the structure of the Constitution is built up. We were, during the days of freedom struggle, wedded to certain principles and ideologies as taught to us and as propounded to us by Mahatma Gandhi. The first and the foremost advice which he gave in his picturesque language was that the constitutional structure of this country ought to be broad-based and pyramid-like. It should be built from the bottom and should taper right up to the top. What has been done is just the reverse. The pyramid has been reversed.

Though our constitution makers have not adopted the course of decentralisation, still I have faith in the people of India. They will be able to assert themselves in times to come and make this democracy work equitably from Cape Comorin to the Himalayas. Whatever may be the set of rules, whatever may be the set of articles that we might draw up, human mind and human energy are greater factors in life and I have full faith that they will be able to rectify matters in times to come.

PROF K.T. SHAH. (BIHAR: GENERAL)

...The ability to work a democracy comes by having the responsibility to do so, and not by paper professions in its name, and practical negation of its forms. Had we agreed to such arguments in the past, had we accepted the suggestion of the

British that the people of India were not educated enough and aware enough of their rights and obligations to be able to work a democratic Government of their own, we should never even now have obtained our independence, and the right to self-government which is now our proud possession.

It may be that the Constitution is, in intent and form, democratic. But the idea of Democracy in the shape of the Government of the people, by the people and for the people, is far from being realised if one scrutinises carefully the various Articles of this Constitution.

These are some of the illustrations. Many more I can give you which would show that the actual doctrine of a working democracy is anything but fulfilled in this Constitution that we are now passing. The mutual relation, for instance, of the several organs and even the scope for local self-Government I mean, are extremely limited. If you scrutinise the schedules relating to the functions of the Centre— the subjects they are called— and of the local units, you will see that the local units are made utterly powerless. They have neither power nor funds to do their duties effectively. A previous speaker actually mentioned that real self-government, real democracy, can only be in the unit. In the Centre, you should have only representatives of the representatives of the representatives; you see there only delegated power from the units. Now that alone would be real responsible popular government.

SHRI R.K. SIDHWA (C.P. & BERAR: GENERAL)

I am really sorry that as far as the local bodies are concerned, this Constitution has been simply silent, silent in the sense that they are not given the due share which we all aspire to see that every village and every villager should become prosperous and self-sufficient. The ideal of our great leader, Mahatma Gandhi was the 'Rural Swaraj'— that every village should be self-sufficient and self-supporting. I am sorry to state that part has not been fulfilled in this Constitution

As I said the other day, in the earlier stages, when we were discussing the Objectives Resolution, the House was unanimously of the view that the Centre should be strong and therefore the Drafting Committee had that point in view— I do not say that the provinces are mere skeletons, they have been given many powers— and the Centre has been made strong. I am for it; but that does not mean that the villages should not also be

made strong and the villages should not be left to themselves. I am indeed glad that the various provincial Governments have passed Panchayat legislation; the Bombay Government has passed the Bombay Panchayat Act; the Madhya Pradesh Government have passed the Janapada Act; the United Provinces Government has passed the Gaon Panchayat Act and the Bihar Government has enacted the Village Panchayat Raj Act. All these are there. But, if you do not give them the required money, what can they do? My regret is that the legitimate share of the finances due to the villages is not given to them for village administration and village self-sufficiency. The provinces do not give the villages their due share. The local bodies today are a sham, I should say, in this country. I hope, whatever the Constitution, the provincial Governments will make efforts to see that the villages are made self-sufficient and unless we have village self-sufficiency, there will not be happiness, and prosperity for the common man in the country, for whom we have the greatest regard.

SHRI GOKULBHAI DAULATRAM BHATT (BOMBAY STATES)

...When I examine the Constitution from the point of view as to how far the ideology of Mahatma Gandhi finds place in it, I begin to feel that it would have been much better if we had provided for our work being done mostly by Panchayats. I give very great importance to this aspect of the problem, and whenever I have had an occasion to speak here or elsewhere I have urged the acceptance of the institution of Panchayats...But it is my belief that we would have to reach the conclusion after experience that our electorate should consist of the village panchayats and that persons elected by them should be considered to be popular representatives.

SHRI M. ANANTHASAYANAM AYYANGAR (MADRAS: GENERAL)

...Left to myself, I would have preferred that the village ought to have been made the unit, and panchayats must have been formed on adult suffrage with local councils etc., and elections must have been indirect...

SHRI H.V. KAMATH (C.P. & BERAR: GENERAL)

...Mahatma Gandhi wanted India to be a decentralised democracy. He told Louis Fischer, the eminent American publicist some years ago that 'there are seven hundred thousand

villages in India each of which would be organised according to the will of the citizens, all of them voting. Then there would be seven hundred thousand votes and not four hundred million votes. Each village, in other words, would have one vote. The villages would elect the district administration; the district administrations would elect the provincial administrations and these in turn would elect the President who is the head of the executive'...A time will arrive when India is stabilised and strong, and I hope we will then go back to the old plan of the Panchayat Raj or decentralised democracy, with village units self-sufficient in food, clothing and shelter and interdependent as regards other matters. I hope we will later go back to that Panchayat Raj.

...Then there is provision for village panchayats in the directives of the State policy. Though Dr Ambedkar at first stigmatised the villages as sinks of superstition and ignorance or something like that, it is good that we embodied in the Directive Principles the salutary provision for village panchayats.

...Let us strive to reach the goal envisaged by Mahatma Gandhi and all our prophets, sages and seers, the goal- I would not call it, of *Sadhunam Rajyam* or the Kingdom of God on earth; I would simply call it Panchayat Raj.

SETH DAMODAR SWARUP (U. P.: GENERAL)

The structure of a modern State is generally based on division of powers between two compartments- Provinces and the Centre. This system is already over-centralised. If we wish to end corruption, bribery and nepotism, the system of two compartments does not seem to be appropriate. For this we need a four-compartment system. As I had once proposed there should have been separate village republics, separate city republics and separate provincial republics and they should have federated into a central republic, that would have given us a really democratic federal structure...

SHRI T. PRAKASAM (MADRAS: GENERAL)

*This is not the Constitution which I expected for the people of our country, the Constitution, the Constitution which I was expecting along with many others who have been labouring for attaining the freedom of this country, the Constitution planned out by Mahatma Gandhi, not only planned out, but also endeavoured to be put into practice. Panchayat Raj was the one which he*

*planned out and recommended to the nation...You know more about Mahatma Gandhi than myself or than anybody else in this country and you, Sir, were good enough to send a reply while the drafting of the Constitution was in progress, to a letter written to you by one ardent constructive worker, an advocate, an educated man who has spent his time in the villages for a good time. In that letter he suggested about this Panchayat organisation of Mahatma Gandhi and you replied to him in detail and you were impressed by that because you were one of the foremost followers of Mahatma Gandhi and a copy of that letter was given to me by that friend and that letter was referred by you to Shri B.N. Rau, the Constitutional Adviser. I raised that point elsewhere when we were discussing and everybody was impressed there, but I myself found it difficult to introduce the Panchayat Constitution- the framework of that- into the Constitution that had made considerable progress. So we dropped it and the leadership then suggested that there would be the Directive Principles introduced into the Constitution. We have got that here now. Therefore, the Constitution which I was longing to have was that Constitution. It is only that Constitution that would give really food and cloth and all the necessities of life to the millions. The millions were ignored during the British Raj and they were ignored in our country even after the British left and we also ignored them and we are proceeding with this Constitution.*

This is not a Constitution that we, the people of this country wanted. Mahatma Gandhi when he took up the organisation of this country in the name of the Congress at once saw how this country could be helped and how the millions could be helped.

*Therefore, I am submitting to the honourable Members of this House who are all persons who have made great sacrifice to achieve the freedom of our country, that whenever it was pointed out that Mahatma Gandhi's scheme was the proper scheme, the whole House rose in one voice as it were, and they demanded Panchayat Raj system. But because it was too late it could not be introduced into this Constitution that we were making; but every one was for that, and every one is referring to the same thing in their speeches just as they have been doing in the past.*

I am also glad about the introduction of the village panchayat system in the Directive Principles. The execution or the fulfillment of it depends upon you and others who would be in charge of this country and the Government. I understand that in the Uttar Pradesh, Pandit Govind Ballabh Pant's administration has set up panchayats and Assam had established them



even before that. If this example is followed by the provinces of India the day of redemption of the millions of India would not be very far off.

DR RAGHU VIRA (C.P. & BERAR: GENERAL)

...If the facts I place before you from the history of our country are not to your taste you may not accept them. But I do ask that if Sir B.N. Rau our constitutional adviser could go to Ireland, Switzerland or America to find out how the people of those countries are running their governmental system, could you not find a single person in this who was well read in the political lore of this country who could have told you that this country has also something to contribute, that there was a political philosophy in this country which had permeated the entire being of the people of this country and which could be used beneficially in preparing a Constitution for India. It is a matter of deep regret to me that this aspect of thought was not considered at all by us.

SHRI ARUN CHANDRA GUHA (WEST BENGAL: GENERAL)

...It has been said, and I think it has been rightly said, that this Constitution has no character of its own. Here in our Constitution we have failed to reflect the aspirations of the masses and to reflect the ideology of the revolution which we have been conducting and of which this Constituent Assembly is the product. Decentralised economy based on village panchayats should have been distinctly mentioned as the fundamental principle and basis of the new state.

This Constitution is a product of a revolutionary movement and it must reflect the aspirations of the revolutionary masses. We have been conducting a revolution and we are in the midst of it and we have not come to the end of our journey. But during the course of our struggle we have been given some revolutionary and economic ideals which, I am afraid, have not been correctly represented, except two niggardly concessions to the ideology of Gandhiji in Articles 40 and 43; i.e., regarding village panchayats and cottage industries. Even retaining the authority for the Centre, even retaining some provision for stabilising the society, this is a thing which could have been conceded and provided for in this Constitution. So this Constitution cannot satisfy the needs of the revolution. But I do not feel frustrated. I know history is a developing process...I think this Constitution

of ours is only a stop-gap arrangement. We have to proceed further so that the revolutionary aspirations of the masses may be correctly represented in the Constitution that will be framed.

SHRI SHANKARRAO DEO (BOMBAY: GENERAL)

While appointing the draftsmen of our Constitution, we were eager to have the knowledge of the constitutional pundits, and the precision of the constitutional lawyers and we have got them in full measure...But we did not choose to have the wisdom of the statesmen whose main asset is mother wit and commonsense, nor did we choose to fashion our Constitution in the spirit of our Revolution, because none of the makers of this present Constitution can claim to have passed the test of the revolutionary struggle which preceded the year 1946 when the Constituent Assembly met. In fact, the Constitution can hardly be called the 'child' of the Indian Revolution. Look at the Constitutions of the world which are the products of revolutions. They have a stamp of their own, by which even a man who runs can read them as the British, the American or the Russian. The Constitution which would rule the Indian people has got every institution which guarantees liberty to man, every principle which promotes progress, peace and fraternity, but at the same time we must admit that the Constitution has not made provision for adequate and effective machinery for the implementation of any definite principle of progress inspiring our Revolution...Though we say that we have made a Revolution and we have come to power on the crest of the non-violent Revolution led by Mahatma Gandhi, still we must admit that the principles on which that Revolution was based have not gone deep into the body politic or in the Indian society. We followed Mahatma Gandhi. We did what he asked us to do, because he promised us that he would give us independence. But we must admit that, though we followed him, we did not accept his entire conception of life. It was a political Revolution which has given us power-political- which we have tried to embody in this Constitution. But as far as social or economic conceptions of Mahatma Gandhi's ideology of life are concerned, we must admit that we have to travel far before we can say that we are anywhere near to them. How often has our Prime Minister emphasised that the world is looking to India with an expectant eye, and that expectancy is for finding a way out of the present crisis that the world is facing. We must regretfully admit that there is very little in our Constitution which they can feel as

something new, which if they copy will enable them to tide over the present crisis. We have drawn very liberally from the Constitutions of different countries like America, England, Australia, Canada, Ireland, Germany and so on. But there is very little that is in our Constitution which they can, in their turn, accept. It has been a one-way traffic practically, I am afraid. But as I said, it is no fault of any individual. If it is a fault, it is the fault of us all, because we have not faithfully followed our Master. I would not say that we have consciously tried to betray or deceive him. It was our shortcoming, it was our weakness that has disabled us from accepting what he gave us as the philosophy of a non-violent, peaceful life.

We must regretfully admit that as far as we are concerned we are not in a position today to hold up the pattern of a Constitution which can give us and the rest of the world a non-violent social order. Except Section 40 on Gram Panchayats which runs four lines in this document of 395 Articles and 8 schedules and a bare mention of cottage industries, there is no room for the Gandhian way under which the pyramid-like constitutional frame-work would be broad-based on the million panchayats vital with the initiative and creative energy of the common man. Sir Charles Metcalfe in his memorandum before the Select Committee of the House of Commons in 1832 has well brought out how these panchayats kept the even tenor of our life and culture when dynasties toppled down like nine-pins and revolutions succeeded revolutions. In the centralised society of today one bomb on the power plant is enough to extinguish all light and there is no single lamp left to light up darkness. But where many lamps burn with little oil in the tiny mud pots, there may not be the flood light that dazzles but there will never be darkness. I am afraid in this highly centralised Constitution of the Indian Republic there is a possibility of there being apoplexy of the heart and paralysis on the ends.

They expect that the Constitution which has been made by the apostles of the great Martyr will breathe his breath. But should we not be rational and must not be moved by sentiment. Reason demands that we must be realistic. There is no scope in this world of stern reality for building a Utopia. Reality demands that the society, before being recast, must be stabilised. *But how often have the exponents of real-politic and statecraft been enmeshed in their own nets? How often has the reality been a mere passing phase? We must stabilise but at the same time should we forget that what we stabilise today will grow like a Leviathan and*

*cast its shadow. In the progress of history and the affairs of man, there is no resting place. It has never happened in the history of man that he has built in a hurry and changed in leisure without demolishing what he has built. If we build today on the foundation of this Constitution of centralisation par excellence we cannot any day reorient our life and society.*

SHRI S.M. GHOSE (WEST BENGAL: GENERAL)

I lay more stress on the provision of panchayats. I am aware that the provision is not the one which we wanted it to be, yet I am confident that if we all put our strength and soul into it and work the Constitution which has provided the basis for the panchayats, God-willing we shall succeed.

SHRI S. NAGAPPA (MADRAS: GENERAL)

I once again make an appeal to the Members that we should make it a point— because most of them will be the people who will work this Constitution to see that it is worked in the spirit in which it is enacted. Only then can we realise the dreams with which the people have enacted this Constitution. Establishing of *gram panchayats* and cottage industries, and all these things will go a long way to help the poor people.

SHRI JASPAT RAI KAPOOR (U.P.: GENERAL)

...The latest recruit to the ranks of hostile critics is a person no less than Shri Sampurnanand, Education Minister of U.P. He said: It is my conviction that this Constitution is not really worthy of us'...'A Constitution is something of a sacred character which inspires future generations. It is in the case of important States the embodiment of a living faith, the philosophy of life of those who framed it. You have only to look at the Soviet Constitution to realise.'...'Judged by this criterion, our Constitution is a miserable failure. The spirit of Indian culture has not breathed on it: The Gandhism by which we swear so vehemently at home and abroad, does not inspire it. It is just a piece of legislation like, say, the Motor Vehicles Act.'

One of the criticisms against this Constitution is that it is not inspired by Gandhism, as Shri Sampurnanand has said and some other friends also have said it, though their number is small. But nothing is farther from truth than this. The chapter

on Fundamental Rights and that on Directive Principles give a direct lie to such criticism.

The second thing that Gandhiji wanted was that power should be in the hands of the masses, the peasants and labourers. Have we not really provided for that also? What does adult suffrage mean? We have taken a bold step in providing adult suffrage. It is a risky experiment which we are going to make. In deference to the wishes of Mahatmaji we are going to take that risk and I hope and trust that we shall not be sorry over this experiment.

What Mahatma Gandhi was particularly anxious was that there should be village panchayats and that they should enjoy a certain amount of autonomy. That is exactly what we have provided for in Article 40 of our Constitution. This is what it says: 'The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.' So this is what we have specifically provided for in the Constitution. Those who talk of centralisation of Government would do well to look at Article 40 in the Constitution. True, it is the Directive Principles, but where else could it be, and what more could you do at this stage? You could not have established village panchayats by one stroke of the pen or by merely waving a magic hand. All that you could do was to set forth your firm determination to proceed in that direction, and that is what we have done.

SHRI ALGU RAI SHASTRI (U.P.: GENERAL)

When we proceed further, we find that the so called Directive Principles, wherein the ideal of our country and the rights of the people are given, that though the language is quite attractive, fine and dignified yet it is nowhere said that the State take the responsibility to feed, to clothe and to provide the other basic needs of human life to its citizens. It is no doubt true that we have said that we shall strive to provide as far as possible all these things. But, while we have very proudly referred in the preamble to our giving this Constitution to ourselves we have suddenly become very meek and humble in a place where we should have very emphatically and loudly declared that since we were assuming sovereignty to ourselves we would be making provisions for the bread, the clothes, housing and the other basic needs of man in the chapter relating to Fundamental Rights. In

our ancient polity it was the precept that the *raison d'etre* of the State was to provide the basic needs of life to everyone of its citizens. But, in this matter, we in this Constitution have become extremely modest and we qualify our promise in this respect as far as possible and as far as it lies within the economic capacity of the State, and in this way have shirked our real duty to our people. The fact is, therefore, that there is not the least hint of a promise of this type in the chapter on fundamental rights, and the people who were expecting to see some such thing in the body of this Constitution are today greatly disappointed.

I appreciate Shri Shankarrao Deo's views that the Indian Constitution does not seem to bear the Gandhian outlook. But I would tell him and other friends sharing his views that, whatever be the position, though Dr Ambedkar had previously made fun of the Panchayats, yet they find a place in this Constitution. Village Industries have also been given a place here, and there is also a mention of prohibition. Its greatness lies in the fact that the problem of untouchables has been solved and the general masses have been given the right of adult Franchise, a right to vote. All these things are its great peculiarities and in view of them, we should take it that the soul of the Father of the Nation, Gandhiji, will be happy at this.

SHRI AMIYO KUMAR GHOSH (BIHAR: GENERAL)

...We have given a good-bye to the Panchayat system. So much so, that in the name of co-ordination and better administration, we have reduced the States to the position of mere order carriers.

DR P.S. DESHMUKH (C.P. & BERAR: GENERAL)

...One great merit of this Constitution I consider is that the people of this country are not going to have a Constitution very much different from what they are familiar with during the last ten or twelve years. With the exception of responsibility at the Centre it is essentially the Act of 1935. I do not mean this, for the moment, at any rate, as a sort of condemnation, I am prepared to regard it as a merit and not a demerit because the people will not have much difficulty in understanding the Constitution.

...It is no exaggeration to say that there is, however imperceptible, a conflict arising between the Government on the

one hand and the people on the other. It is no use consoling ourselves by saying that the discontent is not able to focus its attention or to organise itself in one single party so as to damage the administration of the present day. But that may very easily come about because the signs and the seeds are there. The people are thinking that this is not our administration because they have got so many grievances, so many items of discontent. So, from that point of view I am doubtful whether this Constitution really answers or satisfies either the genius of the Indian people or the requirements of the present age.

SHRI SITA RAM S. JAJOO (MADHYA BHARAT)

There are provisions in the Constitution which show that we have whole-heartedly followed the Gandhian philosophy. The Constitution contains the seeds of all that Gandhiji had taught us and these seeds would flower if the Constitution is worked properly.

SHRI SHYAMANANDAN SAHAYA (BIHAR: GENERAL)

...I feel that in the matter of framing the Constitution we have superimposed a Constitution from above and have not made a real effort to start from village life. This matter, as you will remember, formed the subject of an important discussion in this House and I must admit that for once and for the first time I thought Dr Ambedkar was not only in the wrong but very much in the wrong. His idea of the village life in this country appeared to be highly inaccurate. It is the countryside that provides all that we need in the towns. Whether you look at the military, the civil administration or the production of food, it is the village and the villager that supply the needs and it will not do to say that they are past redemption. After all they form the bulk of the population of this country. If they have not been up to the expectation of some people, who is to blame? The Centre in the past did not give them the attention that they deserved. Do we propose to do the same? If we do so I submit we shall do so at our peril. Unfortunately, we have kept the 1935 Act very much in the forefront and hence the other aspects necessary for the uplift of this country have not been properly thought out and have not got the attention that they deserve.

SHRI LOKNATH MISRA

...I think, as many friends especially the honourable Mr Prakasam said, our Constitution could have been genuine only if we had built it on the solid foundation of panchayat raj which is still in our veins and still favoured by our people. That would have given us little democracies and enabled people who will be democrats to exercise their rights with a responsibility and with zeal and also with joy. But now under this Constitution, there will be two classes, a new ruling class at the helm of affairs and at the bottom there will be the common man exercising a vote once in five years...

SHRI GOPAL NARAIN (U.P. GENERAL)

...One more point I want to emphasise. There has been over-centralisation. The local legislatures have been reduced to the status of local bodies, municipalities, local boards and the like, and, as a necessary corollary, the provincial legislatures will turn the local boards and municipalities to nullity. Though Panchayats have been given some powers, I fear they will not have any scope for working. This, in my opinion, is not good.

SHRI S.V. KRISHNAMOORTHY RAO (MYSORE STATE)

Then there was a charge that Gandhian principles have been sacrificed. I already submitted that we have embodied provisions for removal of untouchability, for national language, for communal harmony and for goodwill and guarantees to minorities, encouragement of gram panchayats and village industries and for protection of milch cattle. These are the planks on which Gandhism flourished in this country and it created a non-violent revolution in this country. If these principles have been embodied in the Constitution, I want to ask how Gandhism has been sacrificed in this Constitution. I submit that enough provision has been made for the carrying out of the programme that was enunciated by the Father of the Nation. This Constitution is a harmonious blending of the best Indian traditions— the political and constitutional experience of other countries and the Gandhian ideals.

SHRI UPENDRANATH BURMAN (WEST BENGAL: GENERAL)

...Coming next to the actual structural part of the Government, that will be set up in the near future, I would only ask the



honourable Members of this House to take note of one Directive Principle that has been inserted in this Constitution, I mean the Village Panchayat Organisation; and along with that the Directive Principles of educating our children upto the age of 14 years by giving them free and compulsory education. If these two directives are properly observed by our future Governments, then I think the condition of this country will be bettered in the near future and that will be to the good of the whole country...When we have given adult franchise— when we have trusted each and every adult citizen in the country to be the masters in the forming of the Government, it would be a folly if we delay even for a single day the Constitution of these panchayats. When you have trusted them to the extent of giving them a voice in the composition of the Government, it is but natural that you should trust them with some responsibility. Once you do this, that will relieve us of a lot of burden of administrative responsibility, at least in regard to day to day affairs. So long as you expect the Government servants to take charge of the masses, the masses will remain irresponsible and will go on complaining against the Government. But once you entrust them with certain responsibilities for local administration, they will be keen on taking charge of their affairs.

*...Of course criticisms have been made that the village panchayats cannot work, because our villagers are ignorant, and that there will be a scramble for power. But a glance at the daily papers will convince us that in most of the provinces there is a scramble for power even on the part of provincial leaders. So, it would be an absolutely silly argument to say that the masses are not yet fit to govern even in their local administration and the interests that concern them the most. My only submission is that as soon as possible we should form these village panchayats and transfer the bulk of the powers that concern the villages to these village panchayats, so that many of the problems of governing this country will be solved.*

SHRI P. KAKKAN (MADRAS: GENERAL)

...I am very glad that the Panchayat system has got a place in this Constitution.

I hope that the Government of India will take necessary steps to bring the panchayat system into every nook and corner of this vast country and develop *gram swaraj* according to the wishes of Mahatmaji without any distinction of caste, creed or colour.

SHRI R.V. DHULEKAR (U.P. GENERAL)

...The third point is that we are going to have village panchayats which is an extension of democracy to the lowest ground. For some years, we had democracy in India, but the common man never felt that he possessed any democracy. As we extend our democracy to the villages and establish the village panchayats, and ask the common man to govern himself, I believe that India will be far better...

SHRI P.K. SEN (BIHAR: GENERAL)

...Reference has been made more than once to the fact that the panchayat system should have been the basis, that the old idea which the Father of the Nation had expressed very explicitly, namely, that there should be the panchayat at the bottom and therefore the democracy broad based in panchayats should rise to a cone and that cone will be the perfection of democracy, that this should have been followed I do not see any reason why that should be barred even now. Adult franchise is a thing, as I have said, uncharted and it is by proper navigation that we have got to find out where the haven of safety lies. Gradually, it is this panchayat system, which, I doubt not will come, that may be the basis of the democracy that we are going to usher forth.

SHRI B.P. JHUNJHUNWALA (BIHAR: GENERAL)

...Every other power should be, as much as possible, decentralised and given to the unit of a village or groups of villages what to say to Provinces. With that purpose in view, I had given notice of an amendment to the Preamble that after the word 'Republic' the words 'to be worked on the basis of autonomous village units or groups of villages organised on the principle of self-sufficiency as far as practicable' be added...The object of the amendment was that when we are going to have a democratic form of Government we should have as real a democracy as possible by giving as much power to as small a unit as practicable so that the individuals composing the unit may have easy and ready remedy which is possible under a village republic.

Regarding the village republic, I want to draw the attention of the House to one matter. I do not know whether it is the opinion of the Honourable Dr Ambedkar or of the Drafting Committee

as a whole that Dr Ambedkar voiced while introducing the Draft Constitution for the second reading.

I only say that nothing can be more uncharitable and unjust to the villagers than what Dr Ambedkar had said. It is not only uncharitable but it is not based on facts. Dr Ambedkar himself admits that they have survived and they have kept the independence of India. He says that mere survival is not enough, mere survival has no value. What is the position today? We have to go about begging even for our food-stuffs. We would have been nowhere even with this independence, but for the preservation of village economy at least in matters of food, and it is only by introduction of village units in matters of economy that we shall be able to keep up our independence in the real sense of the term and survive. It is because of the preservation of the villages that we survived and lived happily. This has been admitted by Dr Ambedkar. Today we cannot produce what we want. Whatever wealth in the villages there was, has been either taken away or whatever wealth in the form of land or in the form of cattle was there has deteriorated and vanished. The land which was there has become almost barren. Why? Whatever manure was there, the manure in the form of bones etc., which used to keep up the fertility of the land, was being exported because of the foreign trade. All the bones and all the dead animals, whatever was there, used to be left in the fields and used to decompose very slowly and keep up the organic value of the land and the fertility of the soil. Regarding cattle, when Lord Linlithgow came, he started a campaign for breeding of bullocks i.e., for good breeding. This lasted for about a year or so, but what happened during the war was that all the best cattle of the country were slaughtered for the military, for the preservation of the British Empire. When Dr Ambedkar says that the villagers and the village republics did not take part in the preservation of the country, I would enquire of him as to whether he has read the history of the non-cooperation movement. If he has read, he will know that the villagers responded very well to the call of our able leaders who effaced themselves and who went to the villages thinking that it is the villages who will bring independence to the country. The villagers played the most important part in the freedom struggle. It is most uncharitable to say that the villagers and the village republics have done nothing and that they have brought about the ruination of the country, but it is the other way about. It is the Centre under the British rule which brought about the ruination of the villages which comprise 90 per cent of the population of the whole of India; and has reduced the

whole of India to a beggar's condition for their requirements. At that time of course at the Centre we were not there. There were other people. They had some other purpose to serve. Now the people of the country are at the helm of affairs and things should be different. I would say that if we have to improve the economy of the country, if we have to see that the people are happy, we have, not only from the point of ideology but as a practical proposition, to organise the villages on the ancient basis. The village panchayats should be organised on the basis on which they used to work in the past. The economy of the country should be decentralised in that way. It is not possible under the present world for us to give up large scale production of things, but still our country's economy should be decentralised as soon as possible. The sooner we do it, the sooner we give attention to this, the better it will be for us. Though it is not mentioned in the main part of the Constitution and the Constitution is not based on village republics as units of the Centre, in the Directive Principles it is provided that village panchayats should be organised with as much power as possible, and I would request our leaders that this thing should be given effect to as soon as possible in a way as if it were incorporated in the Constitution itself. It is only then, that we shall be able to realise our real independence.

SHRI ALLADI KRISHNASWAMI AYYAR (MADRAS: GENERAL)

...This Assembly deserves to be congratulated on adopting the principle of adult suffrage and it may be stated that never before in the history of the world has such an experiment been so boldly undertaken. The only alternative to adult suffrage was some kind of indirect election based upon village community or local bodies and by constituting them into electoral colleges, the electoral colleges being elected on the basis of adult suffrage. That was not found feasible.

SHRI BALWANT SINHA MEHTA (UNITED STATE OF RAJASTHAN)

...There are some others who allege that we have not maintained any link with our ancient and historic institutions. But I would urge such critics to remember that today we have only a very dim and incomplete picture of our ancient polity. The fact is that we cannot discern it even in its outlines. But even then we have included quite a number of the element of our historic institutions whereby our culture would be adequately protected.

But I concede that there is one thing which appears to be a serious defect in it. If this Constitution had embodied the ideal of Gandhiji in this respect as well, if it had embodied Gandhism, in the full sense of the term, it would have been an ideal one— one which would have been an example and a message to the peoples and nations of the world. The world today, is in a state of turmoil and discord. It is to our Bharat that the nations of the world are looking for securing salvation from this sad state. I, therefore, submit, that it would have been for better for all concerned if our Constitution had embodied Gandhism and more particularly his economic plan and social ideals. But while I regret this omission I realise that a Constitution also changes as the nation goes on marching forward.

...For the general masses, independence and the Constitution can have any significance only if they can provide them with food, raiment, shelter and education. But though there is nothing like this clearly embodied in the Constitution, yet we can by our action work the Constitution in such a way as to provide these things for them, and all their difficulties be soon removed. But this will happen, only when we follow the ideals of Mahatma Gandhi which have been embodied in this. For this we will have to reduce our expenditure too. We will have to level down the standard of living of the people at the top and to raise that of the people at the bottom. Our administration is becoming more and more costly. I think it is the effect of the British rule. Our constitutional machinery would also be quite expensive just because the present set up is so costly. If any attention had been paid to this reform it would have been better. Now too this is for the administration to give it such a shape as to benefit the poor most.

SHRI NANDKISHORE DAS (ORISSA: GENERAL)

...It has got to be admitted however, that in spite of being one of the best paper Constitutions in the world, the Constitution has failed to evoke sufficient enthusiasm in the country and a suspicion lurks in the minds of even the most ardent admirers of the Constitution that something is wrong somewhere and things are not proceeding in the way they should. Some friends have complained that the Constitution is not Gandhian in conception and they have felt bitterly disappointed on that score...A Gandhian Constitution is not to be produced by a mere mechanical process but must grow out of deepest convictions and determination to shape our society strictly and meticulously in conformity

with his ideals. This determination is to be found almost nowhere in the country. Hence evolving of a Gandhian Constitution out of non-Gandhian brains and minds is quite out of the question. Gandhiji throughout his life laid repeated emphasis on decentralisation of power, but our Constitution has proceeded on the reverse line, namely over-centralisation.

SARDAR SOCHET SINGH (PATIALA & EAST PUNJAB UNION)

...We cannot afford the luxury of over-decentralisation simply in order to satisfy mere slogans and catchwords...

SHRI T.J.M. WILSON (MADRAS: GENERAL)

...The essence of democracy is the effective participation of the individual in the actual government of the country. The greater and more effective the participation of the individual in the Government, the greater is the democracy, because democracy is still only an ideal which has yet to be reached by humanity. Decentralisation would have done something in that direction, if we had provided for it in our Constitution.

...Reference is made by some to the Village Panchayats, those ancient self-sufficient Indian communities where agriculture and handweaving industry were combined and which have survived centuries of invasion and conquest, and which were uprooted and destroyed by British imperialism, of whose glorious achievement the Governor General in 1834 reported: 'The bones of hand-weavers are bleaching the plains of India.' I am not one of those who look upon these Panchayats as perfect or eternal. But what I say is that this Assembly should have taken the cue from the inherent, native aspect of the Indian society and should have provided for some such machinery, which would have enabled the individual to participate effectively in the government of the country and the authority to flow not from top but from bottom to top. I plead for this participation of the individual, not only because it is essential in the interest of democracy, but also because it alone makes for the strength and efficiency of the Centre, though many people mistakenly think that strength lies in centralisation and a strong Centre. I repeat that democracy of conscious effective citizens is much stronger and more efficient, from any point of view than any other form of government, and the usual talk of weakness of democracy is absolute nonsense.

SHRI KAMALAPATI TRIPATHI (U.P. GENERAL)

...The first fundamental defect of the Constitution appears to be that it is terribly centre-ridden. It appears to me that the polity we have provided for in the Constitution will necessitate the centralisation of all power and authority. I consider this type of centralisation to be defective and dangerous. I think that centralisation will necessarily give rise to tendencies which may prove to be dangerous. Moreover, the leader whose footsteps we have been fortunately following for the last thirty years, gave us a viewpoint, an idea and an ideology. Our Bapu was right when he told us that centralisation, whether in political field or economic field necessarily deprives the masses of their political and economic independence. This was the new idea and new ideology that he handed over to us. He said that true democracy rose not from the top but from the bottom. Power and authority should not be centred at the top but should be distributed among the people at the base of society. Then alone can true democracy be established and then alone can people enjoy freedom. The order that we are going to establish has its head downwards. A tree is being planted with its roots above and its branches spreading downwards but in the political field any order with its base upwards and its top downwards cannot be instrumental in the establishment of true democracy. Centralisation is a terrible curse of the present times. It was the centralisation of production which gave birth to capitalism which in its turn put an end to economic freedom in the world. In the political field the order that came into being on the conclusion of the French Revolution disappeared with the establishment of centralised forms of government and with the centralisation of power and authority. If you look at the present day Russia you will see that although Russia claims to have established the greatest democracy, actually it has not been able to respect democracy. The reason behind it is that a terrible demon in the form of centralised power dominates the people and crushes their individuality and their freedom. You should remember that if you bring about centralisation in India it would lead to the maintenance of rights from a Centre and necessarily that in its turn would involve that power be more and more vested in the centre. Everyone knows that effective power in the hands of the centre can only be based on military strength and the concentration of military power is the sure road leading to the complete destruction of popular rights. This is an historic truth. Our Constitution obviously presents this danger. The circumstances may

have compelled us to provide for a centralised form of government but the danger is there and it is necessary to take notice of it. It was with this realisation that Gandhiji had taught us to oppose centralisation. He told us that for the establishment of true democracy the means of production should be of a decentralised nature. The society which is formed on such foundations should also be of a decentralised nature and the Government of this society should also be of a decentralised form. The rights should be in a gradation from below upwards and the government should enjoy only those rights as are bestowed upon it by the people. We have been told that this is a people's Constitution and a common man's Constitution. I humbly submit that it appears to me that this is in the least a common man's Constitution. Power has been centralised in it at the top although it may have well been said in it that power is vested in the people. You should pay attention to it.

Moreover, I find that there is nothing Indian in the Constitution. It appears that the Constitution has been framed only to meet the exigencies of the times.

My other regret is that we have drawn inspiration mainly from foreign Constitutions alone..We have not cared to cast even a glance at the historic spirit and culture of India nor have we taken into consideration the Indian approach to life. While passing this Constitution we did not in the least pay attention to the political philosophy and situation of this ancient country—the oldest among the nations of the world— and which has occupied a prominent place on the stage of History. History is a witness to the great and glorious experiments made by our country in the sphere of politics. But, we turned a blind eye to all these facts of our History...

SHRI DEEP NARAYAN SINHA (BIHAR: GENERAL)

...I now want to say a few words on this Constitution from a common man's point of view. When a common man from the countryside would turn over the pages of this Constitution he would not like to see the beauties of this Constitution or to go very deep into it. He would like to see whether things to meet his necessities have been provided in the Constitution or not. He would like to see whether this Constitution guarantees to him nutritious food, cloth, health and proper education. I would like to point out that the people of the villages and common men would be unable to find such a guarantee in this Constitution...I



know it and everyone knows it that India is a country of villages and our people live in villages. I can say that many countries of the world today have a preponderance of cities but my country is a country of villages. Our culture and civilization is one of villages and whatever remains of it has been saved by the grace of villages alone. Let alone giving a dominating position to the villages in the Constitution, they have been given no place whatsoever. No doubt, I have seen that in a small article mention has been made of village panchayats. But it is nothing more than a reference. Our Constitution is silent about the shape that our villages will assume and the place they will occupy in future. The picture of the administration and of the society drawn in the Constitution has no place for the villages. I wanted that in administration and other matters the villages should have been given a predominant place but this has not been done in our Constitution. I consider it a great shortcoming. I think that this is due to the fact that much thought was not given to it. But no doubt it is a basic shortcoming. If we want that our country should make great progress, happiness and peace should soon reign supreme in this land, we will have to give a predominant place to the villages in all matters. We will have to frame all the administrative and other schemes on the basis of the village. If we do not do so we will only add new chapters to our painful history of the past. I want that we should pay attention to this shortcoming in working our Constitution and should formulate all nation-building schemes on the basis of the village.

SHRI BRAJESHWAR PRASAD (BIHAR: GENERAL)

...The essence of the theory of decentralisation is utter distrust of the State. Bakunin and Prince Kropotkin advocated the theory that the State is an evil. It was based on violence and therefore inimical to all that is good and noble in human life. The best State is that which is least governed. May I ask the Members of this House— are they going to build up their State on the basis of these assumptions?

The great Mahatma was an advocate of decentralisation. His doctrine of decentralisation had an integral relation with the concept of *Ram Raj*...It is only in a non-violent society where all the elements of violence have been liquidated that we can achieve the goal of decentralisation. As long as there are warring nations we cannot think in terms of decentralisation. As long as there is economic inequality, the goal of decentralisation will elude our

grasp. It is only with the end of the state that we can usher a decentralised society. As long as there is militarism it is not possible to decentralise power to any extent whatsoever.

SHRI BASANTA KUMAR DAS (WEST BENGAL: GENERAL)

...Criticism has been offered that the proposed system of ballot-box might well have been replaced by basing the Government on the village Panchayats as its unit with a view to ensure a truer and more real form of democracy. I must confess that we have not been able to bring about that revolutionary change for a decentralised government. In spite of the teachings of the great apostle of non-violence and truth we have not been able to spiritualise our life and thought and politics in a way adequate to conform to a system of decentralised government. But the revolution has yet to come and come when it will, we will have to change this Constitution.

SHRIMATI G. DURGABAI (MADRAS: GENERAL)

...But ours is a Constitution which is neither a socialist Constitution, or a communist Constitution, or even for the matter of that, a Panchayat Raj Constitution. It is a people's Constitution and a Constitution which gives free and ample scope to the people of India to make experiments in socialism or any other ism which they believe would make this country prosperous and happy. It would have been wrong on the part of the makers of the Constitution to have introduced their own political philosophy, and they have done well in making this Constitution, as I say, a cent per cent people's Constitution, and leaving it at that.

SHRI SATISH CHANDRA SAMANTA (WEST BENGAL: GENERAL)

...I want to say a word about adult franchise. As one who is a villager and a common man, I know the defects of the villagers. Unless we give them opportunities to know what they are, they will never rise. There have been good men and there are still good men in the villages. If real responsibility is given to them, everyone of them will prove his worth and this Constitution can be worked successfully.

I moved an amendment seeking to bring the village panchayats under the Fundamental Rights. They have, however, been brought under the Directive Principles. If the village

panchayats are properly constituted as provided in the Directive Principles, the wishes of Mahatma Gandhi could be fulfilled. There are many articles in this Constitution which fulfil the ideals of the Father of the Nation, Mahatma Gandhi. Those ideals should be fulfilled.

SHRI O.V. ALAGESAN (MADRAS: GENERAL)

...There is another criticism that the village as a political unit has not been recognised. I fear that behind the back of this criticism is distrust of adult franchise. What was conceived under the village unit system was that the village voters would be called upon to elect the Panchayats and only the members of the Panchayats were to take part in the elections to the various assemblies, Provincial and Central. But now, it is the village voter himself who will be called upon to weigh the issues before the country and elect his representative, and so he will directly participate in the election. I claim this to be a more progressive arrangement than having village units which elect the electorate indirectly. It has been said that the genius of this country does not find expression in this Constitution. I do not understand what is concretely meant by this charge.

SHRI RAM CHANDRA UPADHYAYA (UNITED STATES OF RAJASTHAN)

...I feel that it would have been better if we had taken six months in the final reading of the Constitution...I think that if we had finished our labours six months hence, our Constitution would have been more complete than what it is.

SHRI RAM CHANDRA GUPTA (U.P. GENERAL)

...I am not satisfied by the criticism that there should have been less of centralisation, and more of decentralisation. I may perhaps agree to this criticism only in a small measure and not more. A strong Central Government is the need of the hour; and I prophesy that the future will tell you that this centralisation was a blessing. All along the ages, and our history bears ample testimony to this fact, the overmastering problem before India has been one of integration, and consolidation and unification. A unitary and highly centralised form of Government is suited to the needs of this country. However, in future if our experience shows that in certain matters some more powers should be given

to the units, I feel there would be no difficulty in getting the change effected by the amendment of the Constitution as provided for in Section 368.

SHRI MAHAVIR TYAGI (U.P. GENERAL)

...But the picture from the villager's point of view is dull and dead. I cannot give any argument to convince the villager that from 26th January 1950 his lot will be better. Nor is there anything tangible through which he can better understand this Constitution; because we give the villager nothing but the vote, which we will take from him after two years. That is the only thing we give him. So, I submit that it is only when those who till the soil are enabled to run this Constitution, that they would appreciate it to be their charter of rights and freedom. Otherwise the Constitution is dull. I hope our Indian earth is not so sterile that it will not give birth to a leader who will whisper life into this mould of the Constitution so that it could speak. It would speak...if we could add a proviso to it, as follows:

Notwithstanding anything contained in this Constitution, no citizen of India shall draw for his personal use either from the public exchequer or from private enterprise a pay, profit or allowance which exceeds the earnings of an average wage earner.

SHRI L. KRISHNASWAMI BHARATHI (MADRAS: GENERAL)

...This Constitution contains some special and redeeming features, but if it is to be judged from the fundamental basis of Gandhian ideology I must confess that it falls far short of it. It is perhaps wrong to say that it has totally ignored Gandhiji's ideology, but I am clearly of the view that the approach of this Constitution to the basic and fundamental principle of Gandhism is half-hearted, halting and hesitant.

...Gandhiji's idea of decentralised democracy has not been given effect to. The Gandhian ideal of economic self-sufficiency in regard to the prime necessities of life, food, and cloth- at the village level has not been incorporated nor emphasised.

SHRI SARANGDHAR DAS (ORISSA STATES)

...Again I am reminded of the speeches of several of the honourable Members who have talked about Gandhiji's plan of

democracy. They have regretted that nothing of Gandhiji's principles have been incorporated into the Constitution. I for one do not wish to dwell on that point, but, we talk in one breath of forming a society in which there would be neither high nor low people. That is to say, their incomes would be as far as possible equal.

I disagree with most of my friends, particularly the Hindu friends who expatiate on the existence of the republican system of government i.e. republics in our old Hindu polity. I disagree with them. My contention is that our lower classes, the lower castes of our society, whom we call Harijans, have all along been kept in a depressed condition. Consequently, there was no democracy. If there was democracy, if there was a republic, it was amongst the higher classes, what we call the higher castes. If you look at the Constitution from that point of view I think the removal of untouchability and the introduction of adult franchise are two of the very best elements that have been introduced in this Constitution.

SHRI L.S. BHATKAR (C.P. & BERAR: GENERAL)

...Again in the Constitution that has been passed, not much importance has been given to the peasants and the workers

If that were there, the whole of India will at once come round this Constitution. So long as this is not there, India will not appreciate it because this Constitution will only safeguard the bread of those whose hands are full of bread and not of those whose hands are empty.

## VI

### A NOTE BY THE CONSTITUTIONAL ADVISER ON THE PLACE OF PANCHAYATS IN INDIA'S CONSTITUTION

*May 1948*

---

It may not be easy to work the panchayat idea into the draft Constitution at the present stage. Articles 67(5)(a) and 149(1), which, I believe, embody decisions already taken by the Constituent Assembly provide for direct election to the Lower House, both at the Centre and in the units. These decisions will first have to be reversed if elections are to be indirect, as required by the panchayat plan. Whether this will be practicable I do not know. In all the principal federations and unions of the world, the Lower House is elected by direct election. Even the Upper House or Senate of the United States of America, which was originally indirectly elected, is now (since 1913) directly elected.

The world trend is thus strongly towards direct election for obvious reasons. It may, therefore, not be easy to reverse the decision already arrived at by the Constituent Assembly and to make the indirect elections instead of direct elections obligatory. Perhaps the best course would be so to frame the Constitution as to permit either mode of election, the actual mode to be adopted in any particular case being left to the appropriate legislature. On this view of the matter, I have prepared draft amendments on the following lines:

In article 67(5)(a), for the words 'directly chosen by the voters' and in article 149(1), for the words 'chosen by direct election', substitute the words 'chosen either by the voters themselves or by persons elected by the voters.'

Under this amendment, it will be for the Central legislature under article 290, and for unit legislature under article 291, to prescribe whether the actual mode of election for the Lower House of the Central legislature and of the unit legislatures respectively is to be direct or indirect.

Even if the panchayat plan is to be adopted, its details will have to be carefully worked out for each province and for each Indian State with suitable modifications for towns. Apart from other difficulties, this will take time and rather than delay the passing of the Constitution further it would seem better to relegate these details to auxiliary legislation to be enacted after the Constitution has been passed.

I entirely agree that legislators should have proper qualifications; the difficulty is to formulate them with any kind of precision. It would be easy enough to prescribe an educational standard which all candidates must satisfy; but this may not be considered either necessary or sufficient. The other criteria, namely, social service, character and the *sanyasin* outlook on life, do not lend themselves to precise definition, even if there was agreement about their necessity. Under the draft Constitution, it would be open to the appropriate legislature to prescribe any qualifications in this behalf under articles 290 and 291 and any disqualifications under articles 83(1)(e) and 167(1)(e).

I have been considering the proposition that our Constitution should start from the village and work upward to the provinces and to the Centre. Let us analyse exactly what this means. A Constitution deals with the organs of government, whether executive, legislative or judicial, at various levels and their relations to one another. In federal Constitutions one usually— though not invariably— deals with the Centre and units; for example, the Canadian and the South African Constitutions deal with the Centre and the provinces, but the Constitutions of the USA and of Australia deal mainly with the Centre and hardly with the structure of the States.

It is suggested that the Indian Constitution should deal not merely with the structure of the Centre and of the units but should go down to the village. In other words, is the Indian Constitution not merely to deal with the executive and judicial organs of the Centre and of the provinces, but also to create and deal with similar organs for the district, the subdivision, the *thana*, the *chowkidari* union and the village?

For example, are we to have in the Constitution full specifications of a district executive, a district legislature and a district judiciary? At present we have no district legislature but only certain administrative bodies such as district boards and municipal boards, with a limited power of making by-laws for certain purposes; the district executive is provided for inland

revenue Acts or regulations, police Acts and so on; the district judiciary is provided for in Civil Courts Acts, the Criminal Procedure Code and the like. Is it suggested that these or similar provisions should be incorporated in the Constitution itself? I fear that if we do this, not merely for the district but down to the village, the Constitution will be of inordinate length and will be even more rigid than it is at present. It seems to me that while it may be possible to create panchayats and similar bodies to function as electoral colleges for the provincial and Central legislatures it would be impracticable to endow them, or other bodies at the same level, with specific administrative or legislative or judicial functions by provisions inserted in the Constitution itself.



## VII

### RESOLUTION ON AIMS AND OBJECTS OF FREE INDIA'S CONSTITUTION

*Adopted by the Constituent Assembly on January 22, 1947*

---

This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic and to draw for her future governance a Constitution;

WHEREIN the territories that now comprise British India, the territories that now form the Indian States, and such other parts of India as are outside British India and the States as well as such other territories as are willing to be constituted into the independent Sovereign India, shall be Union of them all; and

WHEREIN the said territories, whether with their present boundaries or with such others as may be determined by the Constituent Assembly and thereafter according to the Law of the Constitution, shall possess and retain the status of autonomous Units, together with residuary powers, and exercise all powers and functions of government and administration, save and except such powers and functions as are vested in or assigned to the Union, or as are inherent or implied in the Union or resulting therefrom; and

WHEREIN all power and authority of the Sovereign Independent India, its constituent parts and organs of government, are derived from the people; and

WHEREIN shall be guaranteed and secured to all the people of India justice, social, economic and political; equality of status, of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality; and

WHEREIN adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and WHEREBY shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea and air according to justice and the law of civilised nations; and this ancient land attains its rightful honoured place in the world and make its full and willing contribution to the promotion of world peace and the welfare of mankind.

## Index

- Aggarwal, S.N. 21  
Aizaz, Begum Rasul 30  
Alagesan, O.V. 78  
Ambedkar, Dr *passim*  
*Arthasastra* 47  
Athens 47  
Aurobindo, Sri 22  
Ayyangar, M.  
    Ananthasayanam  
        35, 41, 42, 50, 57  
Ayyangar, N. Gopaldaswami,  
    17  
Ayyar, Alladi Krishnaswami  
    17, 33, 39, 71
- Baden Powell 47  
Bakunin 76  
Balvantray Mehta  
    Committee ii  
Bharathi, L. Krishnaswami  
    36, 51, 79  
Bhargava, Pandit Thakur  
    Dass 28  
Bhatkar, L.S. 80  
Bhatt, Gokulbhai  
    Daulatram 33, 57  
Bihar 57  
Bombay 57  
Burman, Upendranath 67
- Charles, Sir Metcalfe 62  
Communism 45  
Congress 24, 29, 48, 55
- Damodar, Seth Swarup 58  
Das, Basanta Kumar 77  
Das, Dr Monomhan 30  
Das, Nandkishore 72  
Das, Seth Govind 47, 54  
Das, Sarangdhar 29, 79  
Deo, Shankarrao 61, 65  
Deshmukh, Dr P.S. 24, 65  
Dhulekar, R.V. 69  
Durgabai, G. 77
- Fischer, Louis 57
- Gadgil, N.V. 15  
Gandhi, Mahatma *passim*
- Ghose, Surendra Mohan  
    46, 63  
Ghosh, Amiyo Kumar 65  
Greece 47  
Guha, Arun Chandra  
    24, 60  
Gupta, Ram Chandra 78
- Hanumanthaiya, K. 54
- Jajoo, Sita Ram S. 66  
Jayaswal, Dr 22  
Jhunjhunwala, B.P. 69
- Kakkan, P. 68  
Kamath, H.V. 21, 57  
Kapoor, Jaspat Rai 63  
Karimuddin, Kazi Syed 24  
Khaitan, D.P. 17  
Krishnamachari, T. T. 25  
Kropotkin, Prince 76
- Madhya Pradesh 57  
Maine, Henry 47  
Majumdar, Suresh Chandra  
    38  
Masani, M.R. 13  
Mehta, Balwant Sinha 71  
Metcalfe 18, 22, 26  
Misra, Loknath 23, 67  
Mitter, Sir B.L. 17  
Munshi, K.M. 17, 22  
Mysore 39
- Nagappa, S. 63  
Narain, GOPAL 67  
Narayan, Jayaprakash  
    v, 14  
Nehru, Jawahar Lal 13, 15

Pal, B.C. 47  
 Pandit, Vijayalakshmi 21  
 Pillai, V.I. Muniswamy  
     32, 48  
 Prakasam, T. 25, 40,  
     43, 44, 48, 50, 58  
 Prasad Brajeshwar 76  
 Prasad, Dr Rajendra 44, 48  
 Provincial Governments 27  
  
 Ranga Prof N.G. 15, 34,  
     42, 50  
 Rao, S. V. Krishnamoorthy,  
     67  
 Rau, Sir B.N. 44, 59, 60  
 Rau, N. Madhava 39  
 Round Table Conference 29  
 Russia 14, 38  
  
 Saadulla, Saiyed Mohd. 17  
 Sahaya Shyamanandan 66  
 Sahu, Lakshminarayan 54  
 Saksena, Shibban Lal 21  
 Samanta, Satish Chandra  
     77  
 Sampurnanand 63  
 Santhanam K. 27, 41, 46,  
     47, 48, 50, 51, 49  
*satyagraha* 52  
 Satyanarayana, Moturi 37  
 Sen, P.K. 69  
 Shah, K.T. 55  
 Sharma, Pandit Balkrishna  
     20, 28  
 Shastri, Algu Rai 64  
 Sidhwa, R.K. 27, 56  
 Singh, Chaudhari Ranbir  
     30  
 Singh, Sardar Sochet 73  
 Sinha, Deep Narayan 75  
 Sinha, Satyanarayana 50  
 Socialism 14  
 Sparta 47  
 Seth, Damodar Swarup 19,  
     21  
 Subramaniam, Dr V. 49  
  
 Tripathi, Kamalapati 74  
 Tripathi, Kishorimohan 37  
 Tripathi, Vishwambhar  
     Dayal 43  
 Tyagi, Mahavir 36, 79  
  
 United Provinces 57  
 Upanishads 47  
 Upadhyaya, Ram Chandra  
     78  
  
 Velayudhan, Dakshayani  
     32  
 Vira, Dr Raghu 60  
  
 Wilson, T.J.M. 73





Book II

# The Madras Panchayat System

A General Assessment

## Publisher's Note

*The Madras Panchayat System* was originally published in two volumes. Vol.I presented an account of the structure of Panchayat Raj as it developed since its inauguration in the latter half of the 19th century. It was authored by Dr S. Saraswathi.

Vol. II is the present work, which is a critical evaluation of the structure as it has emerged in recent years, and also of the actual functioning of Panchayat Raj in Madras state. It was written exclusively by Dharampal.

For obvious reasons, Vol.I is not being reissued as part of the *Collected Writings*. References to 'Volume I' in the present work have not been edited out and should be understood in this context.



## CONTENTS

Introduction	101
1. State-Wide Dimensions of Panchayat Raj	110
2. A Sample Survey of Panchayat Bodies	156
3. Achievements, Weaknesses and Potentialities	201
4. Corruption and the Panchayat System (An Attempt at Measurement)	236
5. The Problem	249
<i>Appendices</i>	
1. Physical Achievements	265
2. Tiruppuvanam Panchayat Union Staff Position (November 1964)	268
3. Madras Panchayats Bill 1958: Statement of Objects and Reasons	270
4. The Custom of 'Kareiyid' or Periodical Redistribution of Land in Tanjore	284
5. Temple Assemblies and Village Councils	293
6. List of Persons Employed in the Study	297



## Introduction

Scholars on India hold conflicting opinions about the connotation and origin of the term 'panchayat'. According to some of them, the term has historically implied more or less self-governing village bodies looking after the manifold civic, administrative and political needs of the citizens in their area. A number of such scholars even go as far as to equate the term 'panchayat' with what has been rather dramatically called 'village republic' by some of the early British district administrators, including the more well-known Metcalfe. The majority of scholars on India, on the other hand, believe that the term 'panchayat' never conveyed any such meaning; and that the function of panchayats was merely to act as judicial bodies in civil or criminal cases at the village or other levels, as well as to settle religious and ritual problems of various kinds.

While a perusal of early (late eighteenth and early nineteenth century) British Indian records leave little doubt that in most parts of India, the village (and perhaps also the towns, etc.) possessed an organised institutional framework which looked after the civic, administrative and political needs of the community, and was endowed with necessary powers and resources to perform the various tasks, [What exactly was the nature of this framework and how it stood in relation to the central state system, how authority and resources were distributed between them are questions that need an enquiry far beyond the scope of this study. This would require a thorough research into the archival and allied material pertaining to the period prior to the establishment of British rule and institutions in various parts of India. The subject is briefly touched upon in the last chapter.] it may yet be true that the word used for such a framework then was not the term 'panchayat' but some other term(s). It is possible that the use of the name 'panchayat' for such a structure is altogether of British origin. Anyhow, whatever may be the original connotation of the term 'panchayat', the present-day statutorily established panchayat

bodies in all parts of India, instead of being an inheritance from India's long past, are merely the products of the late nineteenth century British rulers.

During the past eight decades of the panchayat system in Madras, three detailed examinations of the whole system have led to fresh structures and total reorganisation of these bodies. Three major attempts in 1880, 1907 and 1946 are traceable during which abstract ideas or theories have been used to form the basis of these local institutions. The structures established each time were different in their composition, their institutional relationship to the people of their respective areas, their functions and to a lesser extent in their income and expenditure pattern. In each of these three attempts, however, the institutions started with relative freedom; and, in course of time, were hedged in and restricted, ending in an impasse. The growth and decline of the panchayat system in these three phases during a period of eighty years is strikingly similar.

Following the individual district attempts at forming some less formal local bodies for local funds during 1850 and 1880, the governmental authorities of that time in the India office in London, in the Government of India at Calcutta, and in the Presidency of Madras began to think about some form of self-governing institutions at the local levels. Several ideas seem to have led to the same conclusion. The three major concerns were: (i) to help raise additional resources at local levels to do the various things which it was felt were needed to be done either by starting new schemes or pursuing old ones more vigorously, (ii) to create a system of local government which would be relatively independent of the routine governmental machinery and would enable those who operated the system, particularly the collectors of the concerned areas, to undertake desirable tasks in a flexible and freer manner, and (iii) to enable the people of different areas from the village to the district level to have a part or say in doing things for their own individual and social well-being.

The first two of these seem to have evolved from the need of the situation and the experience of the countless British administrators in the previous half a century. The third had much less to do with the administrators either in Madras or in the Imperial Government of India at Calcutta (as it was then called). It was really an extension of Gladstonian ideas and abstractions by the then Viceroy Lord Ripon. It is true that following in the footsteps of Ripon, similar sentiments were also aired by various other persons and committees. Some even expressed a desire to

put some life into the fast dying village communities and their councils; or even to recreate such communities where they had seemingly become extinct. Madras certainly did not lag behind in such sentiments. Yet, this Gladstonian idea did not really go very far. It ended with the celebrated Ripon resolution and its incorporation in the statement of principles which preceded every enactment.

As a result of the 1884 legislation, a three tier structure came into being in the Madras Presidency in all districts at the district level, in most talukas at the taluka level, and in a substantial number of villages at the village level. In many areas, the bodies grew in strength; doing a substantial amount of work in terms of the construction and maintenance of roads, the starting and maintenance of schools, hospitals, dispensaries, etc. Their total expenditure (although not very large by present day quantitative standards), was substantial in comparison to the governmental expenditure in those days. Yet a deadlock began to develop in the functioning of these local bodies: either between the local bodies and the presidency government, or between their chairmen (who were officials) and the general membership. In most places, this led to people losing interest in the body; and in some, to the members trying to assert themselves. One form of such assertion, which became somewhat common in the district boards, was to reverse one or other decision of the collector-president, particularly in regard to the punishment meted out by him to any employee of the district board. This became irksome, if not quite intolerable, both to the collector and to the government. In 1905, the government provided for an appeal by the collector-president to the Governor-in-Council against the decisions of the district board. A real impasse in the structure was thus reached.

The Royal Decentralisation Commission of 1907, in addition its primary task of examining the administrative structure of the governments in India (from the subdistrict to the imperial capital) also interested itself in the question of local boards and village panchayats. It obtained a massive testimony, all recorded verbatim and published in ten volumes comprising 45,891 questions, and replies. Volume I, pertaining to the Madras presidency alone, consists of 10,079 questions and answers. Within the terms of its reference, the Commission made a comprehensive assessment of the prevailing situation at different levels and gave its own recommendations to deal with the problems faced.

The years 1909–1920 were the years of wide ranging discussion on the subject of local self-government institutions. The subject seems to have attracted practically everybody who had anything to do with public life. Even persons known for their moderate political views were to be found in the forefront, pleading the case for strengthening these bodies and extending them support. A research into this period may disclose that the published material pertaining to the panchayat idea, and to what such bodies should be and should do, is more voluminous during the decade of 1910–1920 than in any other ten-year period including the years after independence. Two such elaborations, one by Gopal Krishna Gokhale and the other by C.P. Ramaswamy Iyer, are worth reproducing here:

The three evils of the present system of district administration are its secrecy, its purely bureaucratic character, and its departmental delays. Important questions affecting the interests of the people are considered and decided behind their backs on the mere reports of officials, only final orders being published for general information, as though the people existed simply to obey. The constant references, backwards and forwards, which an excessive multiplication of central departments has necessitated, involve long and vexatious delays even in the disposal of petty matters, and are a fruitful source of irritation and suffering to simple villagers. The Collector is the chief representative of the Executive Government in a district, and to prevent the evils of an uncontrolled exercise of power, he is subjected to a series of checks in his work. The checks are, however, all official; they are all exercised by the members of his own service, of which he himself as a rule, is a fairly senior officer, and though they may serve to prevent gross abuses of power, they are not of much value in promoting efficient administration, and they certainly hamper him largely in the prompt discharge of his duties. What the situation requires is not such official checks exercised from a distance, but some control on the spot on behalf of those who are affected by the administration. For this purpose, I would have in every district, a small council of non-officials, two-thirds of them elected by the non-official members of the district board, and one-third nominated by the Collector. I would make it obligatory on the Collector to consult the council in all important matters, and I would delegate to him large additional powers to be exercised in association with the council, so that ordinary questions affecting the

administration of the district should be disposed of on the spot without unnecessary reference to higher officials.<sup>1</sup>

Unless the people are trusted to manage local affairs without official control from within, they will never learn adequately to discharge their functions. If this reform does not take place, as well as the much needed reform in the extension of their powers as to the raising of income, the framing of budgets, the creation of appointments, and in short all matters in which they at present work under strict control, still less it is likely that a spirit of initiative or of business-like promptitude will characterise the action of these bodies.<sup>2</sup>

These two views probably sum up several of the expectations and proposals by which these were sought to be realised.

The enactment which came in 1920 was thus an attempt to give some concrete shape to these ideas. To an extent, the beginning was really hopeful. The two legislations as well as the regulations framed under them attempted to assist the realisation of these ideas. No doubt there were several powers reserved for the government under the two Acts. Most of them were, however, delegated to the district or taluka boards or to their presidents. Till 1930, there does not seem to be any actual interference in the day to day functioning of these bodies, or of the modifications they made in the rules, regulations, etc. But concern about the manner of their functioning began to appear in government circles, particularly among those in charge of financial procedures, even as early as 1924. By 1930, such issues really became urgent. Some of the points made during discussions in government circles were that the forms prescribed by the government earlier did not 'provide for sufficient information to check the accuracy of figures entered as (budget) estimates'; that there were no written rules of procedure which described the important stages of preparation and control and sanction of budgets in the offices of the local boards; that the manner of presentation was not laid down; and that the government 'had no means of reasonably satisfying themselves about the reality of a working balance shown on paper.' While pointing these out, it was admitted that however ideal a system might be in theory, its

effectiveness depended on the manner and the spirit in which it was worked into practice. Still, it was stressed that the aim of a system was 'equally to minimise all possibilities of human error.' These points were illustrated by the defects noticed in a particular taluk board during that period. The place of the local bodies in the body politic was indicated and the objects in creating them were explicitly stated: '(i) to lighten the task of central authorities in respect to certain fields of activity which from their nature and the enormous size of this country cannot be efficiently exercised by a central organisation; and (ii) to train people in self government.'

These arguments led to the hypothesis that the activities of local bodies would be limited by Acts of the legislature and subject to these; the administrative framework of local boards would be designed with full elasticity regarding their activities in the spheres prescribed, control remaining in the central authority and limited to specific items for preventing the decay of these institutions by financial insolvency.

On such a hypothesis, a 'fiscal system' to 'suit such an organisation' was worked out. The main suggestions made were to provide (i) statutory rules under the rule-making powers of the government; and (ii) a detailed set of departmental instructions 'to guide the presenting etc., of the budget.' These suggestions were considered by the relevant authorities. One of the draft rules prescribed that the 'budgets of local boards and of the village development fund shall become executory only after the approval of the local government.' This was found to contravene Section 116 of the Act and was deleted. A few other rules were added, and from then on, the *rule* of statutory rules and detailed departmental instructions began in the working of the local bodies created under the 1920 Acts.

These steps, alongwith a few additional ones, set the trend and the pace. The rest was simply a logical consequence. What was found to contravene Section 116 of the Act in 1931-32 no longer did so in 1935. In fact things went further. It was then stated that the sanction of the budget shall not, by itself, be deemed to authorise the panchayat to incur all the expenditure provided for therein; and where the sanction of the local government or of any other authority is required for incurring any expenditure provision for which has been specifically accorded, it shall be the duty of the panchayat to obtain such sanction before the expenditure is incurred.'



Even this was found to be insufficient. In early 1939, the Inspector of Municipal Councils faced a serious problem. It made him write to the government. The letter is worth quoting:

In this connection I invite the attention of Government to the concluding portion of my letter of 20.3.1939 wherein I have promised to submit a further report about the callous way in which Panchayats spend their funds under provisions of the Local Board Act. Rule 1-A(2) of Schedule V to the Act provides that subject to such rules as the local government may make the panchayat shall have power to make such provisions as it thinks fit for carrying out the requirements of the village in respect of certain specific matters, like plantation of avenues, control of village buildings, extension of village sites, village protection, improvement of agricultural stock, promotion of cottage industries, etc. Cases have come to notice where panchayats have been indulging in wasteful expenditure like maintenance of breeding bulls, encouragement of cottage industries, by maintaining bee-hive foundries, making provision for the extension of village sites, etc., without considering their financial position and quite oblivious to the fact that panchayats have got to improve their sanitation and afford facilities for drinking water, and maintain their roads properly which are prime necessities of any village. Though law provides that Government may make rules in this behalf still the framing of a rule is not a pre-condition precedent to incurring of expenditure in respect of these authorised items as contemplated in rule 1-A(2) of Schedule V to the Act and I think it is desirable that the inspector should be authorised to control such wasteful expenditure in the interests of the Panchayat administration. I, therefore, suggest to Government the desirability of framing a rule to the effect that if panchayats would spend any money on the items specified in rule 1-A(2) of Schedule V, the previous sanction of the inspector should be obtained in the matter. I have already made a reference to the Government about the propriety of making a rule for controlling the establishment of village libraries and reading rooms and I am awaiting orders of the government in the matter. I suggest that Government may be pleased to consider the above suggestion and pass early orders in the matter.

As a result, two government orders were issued: the first, on 31st August, 1939; and the second, some months later, on

2nd February 1940. The first related to a particular case of a panchayat keeping a bull, instructing the concerned panchayat to give up the keeping of the breeding bull and asking the district board to whom the bull belonged to take it back from the panchayat. The second order amended the schedule to the Act and stated that 'no panchayat shall incur any expenditure on any of the matters specified in sub rule (2) of rule 1-A of Schedule V of the Madras Local Board Act, 1920 without the previous approval in writing of the Inspector of Municipal Councils and Local Boards or of the Deputy Inspector of Municipal Councils and Local Boards concerned.' About the same time, a rule for controlling the establishment of village libraries and reading rooms was also issued by the government. Thus, under the rule-making authority, each activity of the panchayat came to be controlled by the government.

Similar alterations were made in other matters. The technical sanctioning powers of the bodies were first made over to their technical staff; but later, the staff was itself taken out of the service of the local boards. Whatever little staff still stayed in the service of these bodies gradually began to be bound not by the conduct rules as framed by these bodies but by rules statutorily proclaimed. Even the travelling and daily allowance rules did not escape attention. By about 1944, the procedural and operational structure which, with some recent refinements exists today under the Madras Panchayats Act, 1958, had come into being.

The period 1946 to 1958, and thereafter, in practically every detail is comparable to the period 1907-1920. The same type of concern to promote local bodies was expressed; similar discussions took place; similar commissions or committees were appointed. But while the local boards of 1920 had started with a comparatively cleaner slate, the panchayat bodies of 1958 were loaded with complexities of procedure. The aim in 1958 was to achieve each and everything with the same old operational and procedural devices. The Act of 1958 also created a three-tier structure, this time with more status and resources at the middle tier. It also provided for larger quantitative resources than had obtained immediately before. The most outstanding achievement of the 1958 period was the establishment of village panchayats to cover every village and hamlet. Till 1958, only about half the area of the state had village panchayats. In the 1930s, the area coverage was about one-third of the composite presidency.

Yet even the financial resources after 1958 were proportionately no more than those which obtained in the two decades 1920 to 1940. In fact, in comparison to total state expenditure, the present resources are somewhat below those of the previous period. Till about 1940, the total expenditure of local bodies in the Madras presidency had ranged from 4 to 6 crores of rupees, while the expenditure of the presidency government moved between 16 and 20 crores of rupees. Since 1961, when the present structure had fully come into being, the expenditure is around Rs.28 to Rs.30 crores a year; while the state expenditure has grown to nearly Rs.195 crores in 1964-65. This certainly does not imply that these bodies are languishing for lack of money. This is only to illustrate the trend.

The present volume is an attempt to evaluate the system and functioning of panchayat raj in Madras State, mainly from the information and impressions gathered during extensive tours of several districts, undertaken during the study and from a study in depth of certain selected panchayats and panchayat unions. The total impact of the system in terms of the investments made, the programmes taken up, the human resources involved and the institutional machinery at work has been assessed in a general way. Some crucial questions (like corruption, the extent of real 'self-government', the role of panchayats in the village communities) have been discussed with a view to identifying the problems and suggesting a way out to bridge the existing gap between the theory and practice of panchayat raj in the Madras State.

Dharampal

#### Notes

---

1. Gopal Krishna Gokhale, quoted in, *The Development of Indian Polity* by M. Ramchandra Rao, p. 291, Madras.

2. C.P. Ramaswamy Iyer, *Presidential Address of the Malabar-District Conference*, 1917.

# I

## STATE-WIDE DIMENSIONS OF PANCHAYAT RAJ

---

The impact of the present panchayat system in terms of its total physical achievements must be estimated at least roughly, before embarking on a critical survey of either the totality or some parts of it. The place of panchayat institutions, and the men associated in running them must be determined in the context of the general socio-political-administrative structure of the state in order to understand the full import of the new system. This leads to an examination of the physical magnitude of the existence and functioning of the apparatus.

### ADMINISTRATIVE ARRANGEMENTS

The state is delimited into twenty-one development districts. In all revenue districts, except the district of Madras, district development councils (one each in the Nilgiris, Kanyakumari and Chingleput and two each in other districts), have been constituted.

A total of 374 panchayat unions and 12,895 panchayats have been constituted in the state. Their size and population are not uniform. The number of panchayat unions range from four in the Nilgiris to twenty-nine in South Salem. The number of panchayat unions comprised in each development district is given in *Table 1*.

Approximately, the average size of a panchayat union is 100 square miles, and the population 75,000. But the area and population of the different panchayat unions are widely at variance. The biggest panchayat union, covering an area of 1,818.85 square miles, is in East Coimbatore development district; and the smallest, extending to an area of 16.48 square miles, is in West Coimbatore development district. Fifteen panchayat unions cover a population of more than one lakh each, and four have less than 30,000. Villivakkam panchayat union, situated about ten

TABLE 1

miles from the city of Madras, has the largest population of 1,47,737, and extends to 62.05 square miles. Evidently, the high density of population here is due to its nearness to the state capital. The number of panchayats in a union also varies. There is just one panchayat in Yercaud union in Salem district; the maximum number is in Utteramerur union in Chingleput district which covers seventy-three panchayats.

In terms of general development and also of importance, there is a wide disparity between the unions. The existence of a telegraph office and a railway station may to a considerable extent be taken as indicators for general economic importance of an area. Out of the 374 unions, the headquarters of less than one-half of the number have railway stations and also have a telegraph office. There are a few union headquarters situated at considerable distance from railway stations or main bus routes. In some unions, there are no petrol pumps in the area and the union jeep makes a return trip of forty to fifty miles just to fill in petrol. But practically all unions have secondary schools in their area; many of them even have five to six. Union headquarters are generally situated in taluka and subdivision towns, but quite a few of them are located in some remote corner of the union area which it is expected to serve.

The wide disparity in the number of village panchayats and villages included in each district is too obvious to be overlooked.

Table 2

<i>District</i>	<i>Population in thousands</i>	<i>Area in square miles</i>	<i>No. of Panchayat Unions*</i>	<i>No. of Town Panchayats*</i>	<i>No. of Village Panchayats</i>	<i>No. of villages</i>
Madras	1,729	49	—	—	—	—
Chingleput	2,196	3,031	27	27	1,192	2,309
North Arcot	3,146	4,942	36	27	1,541	2,055
South Arcot	3,048	4,204	34	22	1,682	2,255
Salem	3,804	7,028	51	53	1,352	1,715
Coimbatore	3,557	6,018	41	58	846	976
The Nilgiris	409	954	4	16	46	54
Thanjavur	3,246	3,740	36	31	1,568	2,686
Madurai	3,211	4,910	34	43	857	1,143
Trichirapalli	3,190	5,514	39	33	1,235	1,555
Ramanathapuram	2,422	4,849	32	25	1,285	1,728
Tirunelveli	2,730	4,419	31	58	852	1,016
Kanyakumari	997	643	9	46	—	65

\*Latest figures are given in the statement on the panchayat elections of 1965 at the end of the Chapter.

Table 3

Name of the development district	Village panchayats coterminous with revenue villages		Village panchayats for less than one revenue village		Village panchayats for more than one revenue village		
	Population less than 1000	Population 1000 to 3000	Population less than 1000	Population 1000 to 3000	Population less than 1000	Population 1000 to 3000	
North Vellore	129	290	28	61	2	75	
South Vellore	260	270	8	7	—	161	
East Thanjavur	167	351	7	14	5	136	
West Thanjavur	121	276	15	27	3	182	
East Ramanathapuram	72	154	103	121	14	223	
West Ramanathapuram	59	103	80	60	13	56	
East Coimbatore	49	121	2	8	12	29	
West Coimbatore	30	212	3	13	15	7	
							26
							21
							26
							32
							14
							7
							43
							13

#### TABLE 4

Neither the size of the district, nor that of the population, nor even the number of revenue villages provide any basis for the number of village and town panchayats constituted in a district. *Table 2* may show at a glance the general picture of panchayats in the state.

The Panchayat Act of 1958 permits the constitution of a panchayat for any local area comprising one revenue village or more than one revenue village or just a part of a revenue village. Thus, the jurisdiction of a panchayat does not always coincide with the jurisdiction of the revenue village. There are many villages falling under the jurisdiction of more than one village panchayat. *Table 3* may illustrate the incoherence of revenue borders and panchayat borders.

Since the establishment of the unions, eleven townships have been constituted by the government (*Table 4*). In these areas, the functions and powers exercised by the panchayats have been transferred to the township committees.<sup>1</sup>

Many town panchayats have also been constituted as municipalities since the promulgation of the Act, and during 1965 itself, nine panchayats have been declared as municipalities. Besides, the entire area covered by the Singanallur panchayat union in Tirunelveli district has been constituted into a municipality.



## FINANCIAL ARRANGEMENTS

As significant as their physical characteristics is the total finances involved in the operation of the panchayat system. As constituted, the importance of these bodies depends on the amount of resources they handle.

The amount of land revenue in an area depends on a variety of factors: the fertility of the soil, the relative general development of the area, distance from urban areas, historical background, etc. It has been explained in volume I that the government had statutorily adopted a policy of fiscal classification of the panchayat unions into four categories, and had decided to give varying rates of certain grants to the unions in each category. The classification is applied for determining the 'local cess matching grant' and the 'local education grant'. The classification is based on the land revenue demand per capita of the union, excluding town panchayats in them, and the idea is to give more financial assistance to poorer areas than the relatively prosperous ones.

*Table 5* shows the development districtwise fiscal classification of panchayat unions in the state with reference to village land revenue per capita.<sup>2</sup>

Doubts were expressed about the validity of the fiscal classification and some collectors pointed out that most of the villages in the state would fall under 'B' category. A suggestion was also made for making road grants uniform at 50 per cent. Other suggestions made in connection with formulating fiscal classification were: (i) constituting periodical or permanent panchayat finance corporation, (ii) assigning land revenue to panchayat unions at Rs.2 per capita in addition to the grants decided by the Panchayat Finance Commission, (iii) assigning local cess in relation to per standard acre and surcharge at a fixed percentage of local cess and (iv) adopting the yield-per-acre for each crop in the panchayat union as the basis for fiscal classification.<sup>3</sup>

The question of reclassification was again raised in January 1963, but again the government deferred consideration of the

TABLE 5

question as comprehensive amendments to the Madras Panchayats Act, 1958 were stated to be under formulation. The provisional classification ordered will have to be made use till orders on the fiscal quinquennial reclassification of blocks are issued after processing comprehensive amending legislation,<sup>4</sup> it said. The government, however, did not take any decision as it felt that the matter would become relevant only for formulating the Fourth Plan Schematic Budget. But it appears that this had not been done while the new schematic budget was being prepared.

It was brought to the notice of the government that there were particular villages in 'A' or 'B' class unions which were poorer compared to the rest of the villages in the union. The government thereupon stated that the general economic status of the block was alone taken into consideration in determining the fiscal classification, and that it had no objection against a

panchayat union spending a larger portion on such villages from the allotment it received from the government on the basis of the classification. There will have to be an internal adjustment within the block without affecting the government grant to the block as a whole,' it said.

The fiscal classification of blocks is a provincial arrangement. The grouping of blocks as Stage I and Stage II was originally made under the Community Development scheme to denote the date of the setting up of the block and its crossing from one phase to another of the planned programmes. Though it continues, it is only relevant for getting grants from the Government of India. The number of these Stage I and Stage II type of blocks in the districts is given in *Table 6*.

The resources of these bodies may be classified as (i) transfers made by the state government to them, and (ii) resources directly raised by them. The former may further be distinguished as taxes and duties levied on their behalf under the provisions of the statute on the rates fixed or recommended by the government, and grants made both generally and for specific purposes. The resources levied and collected directly by these bodies belong mostly to village and town panchayats. A statement furnished by the Rural Development and Local Administration Department of the Government of Madras (*Table 7A & 7B*), shows the financial position of these bodies.

TABLE 6

TABLE 7A: Statement I- Transfers made by State  
Government to Local Bodies (Panchayats and Panchayat Unions)

Table 7B: STATEMENT II- RESOURCES DIRECTLY  
COLLECTED BY PANCHAYAT BODIES

The amount due to the village panchayats from the house, vehicle and profession taxes directly levied by them (though much less than the income from the single item of surcharge on stamp duty specifically levied in the name of the panchayats) has shown some increase in the past two or three years. Yet the best performance in 1963-64 recorded in Tiruchi district still shows failure to collect 33 per cent of the taxes due to the panchayats. In many districts, the balance to be collected was much more than the actual collections in a year, even more than double the collections. There were reports about harassment of villagers in the collection of these taxes. A question was raised about this in the state legislature in 1962, when the government informed that the properties of twelve defaulters were attached and later released.<sup>5</sup> *Table 8* provides districtwise details of collections.

Among the various tax income due to village and town panchayats, the largest is derived from surcharge on stamp duty, which has uniformly since 1960-61 yielded around 40 per cent of their income from all taxes. The profession tax seems to be the least important item which at its maximum in 1963-64 had yielded only Rs.5.20 lakhs out of the total income from all taxes, viz., Rs.587.15 lakhs. *Table 9* may illustrate the relative importance of the various taxes the proceeds of which accrue to the panchayats.

TABLE 8: Collection and Balance of House, Vehicle and  
Profession Tax

(For the Year 1961-62)

(For the Year 1962-63)

(For the Year 1962-63)

The statute has empowered the panchayats to levy a tax at their own discretion on agricultural land for specific purposes. It is interesting to note that (though this provision is much hedged in and regulated and cumbersome to apply), in the district of Coimbatore, this enabling clause has been very widely utilised as is shown in the following statements, (*Tables 10 and 11*), furnished by the Rural Department and Local Administration Department of the Government of Madras.

Of the ordinary expenditure of panchayat unions, education constitutes nearly one-half of the total. This may be seen from the statement of expenditure of panchayat unions during the year 1964-65 (*Table 12*) furnished by the Rural Development and Local Administration Department of the Government of Madras.

The above seems to be the normal pattern of expenditure since 1961-62 in all the local bodies including the municipalities; this pattern of expenditure is uniform in all of them since 1961-62 (see *Table 13*).

The staff working in the panchayat unions in different capacities are of four types: the community development staff, the regular secretarial staff of the union, the field staff and the technical personnel. In the village panchayats, besides the executive

TABLE 9

officers and clerks, village officers participate in panchayat activities. The total personnel working in panchayats and panchayat unions can be classified as given in *Table 14*.

The maintenance of the elaborate system of panchayat administration involves a direction and supervision by the government at various levels, the state secretariat, the collectorate



TABLE 10

and the sub-divisional levels.(A note on the organisational set-up of this panchayat system is given at the end of this chapter.) In addition, the training of various officials and non-officials and other propaganda work connected with the panchayat administration involves considerable expenditure by the State. The total is also gradually increasing from about Rs.100 lakhs in 1961-62 to 135 lakhs in 1964-65. More than Rs.11 lakhs are allotted for the Rural Development and Local Administration Department, about Rs.3 lakhs to the maintenance of the office of the Additional Development Commissioner. One of the biggest items of expenditure is the Local Fund Audit for which more than Rs.22 lakhs are allotted in the Budget Estimate for 1965-66. This is double the amount spent in the year 1961-62. Similarly, the panchayat development allowances to the village officers have grown from about Rs.15 lakhs in 1961-62 to Rs.26 lakhs in 1965-66.

#### ACHIEVEMENTS

It was stated by the government in the state legislature that the priorities in panchayat development were drinking water supply, link roads and schools for every village.<sup>6</sup> A review of the achievements was made by the Minister for Local Administration

TABLE 11: Statement showing the maximum rates of tax levied on agricultural lands under section 119 (3) of the Madras Panchayats Act, 1958 per acre per half year in the Panchayats in the different Development Districts of the State.

in his 'Review of Panchayat Development in Madras State 1964-65'.<sup>7</sup> The panchayat unions had at that time three to four years existence. In the major fields, the achievements claimed then were as follows:

TABLE 12: Expenditure during 1964-65  
Panchayat Unions in the State

*Agriculture*

By October 31, 1964, in a period of forty-three months, out of the Third Plan period of sixty months, the expenditure on agriculture through the panchayat unions was Rs.2.31 crores out of the five year budget of Rs.4.96 crores. Proportionate expenditure on panchayat plantations, equipment to panchayats and cooperatives, promotion of composting by individuals, agricultural equipment for *grama sevaks* and purchase of demonstration equipment at block headquarters were fully utilised or even exceeded. A total of 25,950 acres was brought under panchayat plantations during the period. Chingleput and Thanjavur districts, East Ramanathapuram and North Salem development districts had plantations totalling over 2,500 acres each. Expenditure on other items was much below the schematic allocation for the period. For *grama sahayak* service, Rs.11,56,000 were utilised out of the total five year allocation of Rs.1,12,50,000, i.e., about 10 per cent of the allocation. The situation with regard to 'laying demonstration plots' or 'running demonstration farms'

TABLE 13: Expenditure incurred by Local Bodies

was only slightly better. *Table 15* gives a detailed breakdown of the allocation and expenditure.

*Animal Husbandry*

The pattern of expenditure incurred on activities pertaining to animal husbandry through the panchayat unions was similar: the expenditure of forty-two months (upto 30th September, 1964) amounting to Rs.22,79,451. The total five year allocation for animal husbandry through the unions is over Rs. one crore. Out of this, Rs.4 lakhs is towards the government contribution to the building of some twenty-five veterinary dispensaries. *Table 16* gives the quantitative achievements during the period and the expenditure incurred.

*Fishery Programme*

By 31st October 1964, 183 fish nurseries had been started in thirty-three panchayat unions in Thanjavur district and

TABLE 14

TABLE 15: A Statement showing the various schemes implemented (upto 31st October 1964) under the Agricultural Programme, and the amounts set apart under each item

TABLE 16: Statement showing the expenditure incurred and physical targets achieved under Animal Husbandry Programme (upto 30th September 1964)

in forty-six unions in the rest of the state. The programme was yet to begin in the other seventy unions which had also been selected for starting fish nurseries.

*Minor Irrigation*

Under minor irrigation by October 1964, 21,700 tanks having a total ayacut of 8,51,000 acres had been transferred to the panchayat unions and in 1963-64 an amount of Rs.28,59,000 had been incurred on their upkeep.

*Education*

In the field of education in 1962-63, the panchayat unions, besides transferring of the local cess to the education fund, had contributed Rs.64 lakhs towards elementary education from their own general funds. This contribution rose to Rs.109 lakhs in 1963-64, and was expected to go up to Rs.136 lakhs in 1964-65.

Environmental sanitation scheme had been started in 100 schools, at a cost of Rs.2,00,000. Pre-primary education had

been taken up in 730 schools in twenty-one unions (one in each development district in the state) and the integrated Child Welfare Development Project in fifteen panchayats of the Poonamallee panchayat union near Madras City. 14,000 radio sets had been supplied to the panchayats at a subsidy of Rs.180 for the first set in a panchayat and at a subsidy of Rs.100 for an additional set for a hamlet in the panchayat area. The Panchayat Radio Maintenance Organisation, especially set up for the purpose in September 1961, did the maintenance of these radio sets at an annual charge of Rs.20 from a panchayat, the cost of new components (with a 10 per cent surcharge) to be paid by the panchayat additionally.

There were 10,310 *Mathar Sangams* (target being thirty per union) and 14,00,000 volunteers on the rolls of the Village Volunteer Force. A total of Rs.1,45,000 had also been donated by the members of the Village Volunteer Force.

Two development blocks, Kolli Hills and Yercaud, both in the Salem district, had, besides the normal panchayat union resources, additional grants of Rs.10 lakhs each from the Government of India for a period of five years. The Rural Works Projects for utilisation of rural manpower sponsored by the Government of India operated in fifty-five panchayat union areas, and the three centrally suggested and assisted pilot projects for rural industries had received their sanction by the end of 1963.

Regarding taxation by the panchayat unions, practically all the unions had levied a local cess surcharge. The rates decided by the unions varied from five paise to a rupee of every rupee of land revenue collected in the area. This was to be matched by the government by a grant varying from 75 per cent to 150 per cent of the amount collected in the area of a union. The average rate of the levy would work out at 31 paise, and as a result of such interest in the unions in levying this tax, the government grant was raised from Rs.85,24,000 in 1961-62 to an estimated Rs.1,70,00,000 in 1965-66. Similarly, 329 panchayat unions had levied surcharge on entertainment and show tax in their area from which an estimated income of Rs.57,00,000 was expected in 1964-65.

#### LINKS WITH THE LEGISLATURE

The members of the state legislature have shown interest and expressed concern over the functioning of the panchayat bodies. Through questions on the floor of the House about



specific or general issues, and through its Committee on Subordinate Legislation which scrutinises all statutory rules issued by the various executive departments of the Madras government under the relevant stipulation in the several State Acts. The power of scrutiny and revision of the statutory rules relating to the panchayat system is statutorily entrusted in the state legislature.

Many questions have been raised by members of the legislative assembly and the council from time to time on matters relating to panchayats. They deal with diverse topics—elections, members, presidents, functions and powers of the bodies, finance, administration, etc., and in its replies, the government has at times provided important statistical information, factual details of incidents and has stated its own policy and programmes.

Through the Committee on Subordinate Legislation, the state legislature has been scrutinising the statutory rules relating to the Madras Panchayats Act 1958 and the District Development Council Act 1958.<sup>8</sup> During the past four-five years, the Committee, while approving most of the statutory rules without recommending any change, has commented on several. In its ninth report (March 1965) commenting on the proviso which directed the president of the district development council to prepare the report of the district and submit it to the government, it pointed out the omission or ignoring of the district development council. The Committee recommended that before submission to the government, the report 'should be laid down' before the district development council. In an earlier report (March 1964), it commented on the procedure of too much concurrent inspectorial jurisdiction exercised by several officers. Commenting on the question of administrative reports of panchayats and panchayat union councils, the Committee had the following to say in its ninth report (March 1965):

In the above order (*G.O. [Rt.] 2160 R.D. & L.A. 10th October 1963*), Government have issued rules regarding preparation of administration reports...The particulars referred to in Section 55 (1) of the Act have been prescribed in the present rules which have been published in the Gazette on

22nd January 1964. Since the first batch of Panchayat Union Councils were constituted in October 1960 and the last batch in 1961 the department was requested to state whether the above Panchayat Union Councils had submitted their administrative report for the years previous to the issue of the rules.

The Department has furnished the following reply:

The Administration Reports of the Panchayat Union Councils were received for the year 1961-62 from the Collectors of Madurai and Coimbatore, and for the year 1962-63 from the Collectors of Madurai and Ramanathapuram and Salem...In *G.O. (Ms.) 2160 R.D. & L.A.*, dated 10th October

1963, rules relating to the preparation and submission of administration report of Panchayat Unions and Panchayats have been issued. It has been considered further instructions may be issued to the Collectors as to the form in which they should prepare the general report on the administration of Panchayat Unions and Panchayats in the district and that based on these reports a state level report may be prepared. Necessary action in this, regard is being taken separately.

The Committee, while noting the above reply, drew the attention of the government to its previous recommendations viz. that rules under Acts should be framed simultaneously with or immediately after commencement of an Act. The Committee was also of the opinion that in the present case, the issue of the rules had been unduly delayed.

Commenting further on the above, the Committee inferred:

...so obviously the Panchayat Union Councils could not have adhered to the provisions of law strictly so far as submission of administration reports to the Collector was concerned.

In an earlier report of 1961-62, while commenting in a notification (issued under *G.O. 1677 L.A.*, of 8th October 1960) the Committee expressed the opinion that 'for purposes of convenience, the question of remission of amounts below Rs.50 should be decided by the commissioner subject to ratification by the panchayat union council and above Rs.50 should be decided by the panchayat union council and their decision should be final.' Commenting on a similar provision with regard to the panchayats (Notification No. 45, Rule 6 in *G.O. [Ms] 1248 L.A.*, 26th April 1961) it observed, 'the rule provides that when any single item of tax, fee or other amount to be written off as irrecoverable exceeds Rs.50, the sanction of R.D.O. shall be obtained. The Committee recommends that the limit of Rs.50 be raised to Rs.100 since the panchayats should be vested with more powers.' It recommended that this should apply equally to the provision in notification 51(2)C.

In yet another report in 1961-62, it advocated that the members, presidents and vice-presidents of panchayats and outsiders appointed as members of panchayat committees (Referred to in Notification 16, *G.O. [Ms] 1248 L.A.*, 26th April 1961) should be 'entitled to at least one second class fare by railway or steamer journey.'

In its reports, the Committee has again and again drawn the attention of the government about the delay, at times as long as six months, in the placing of the rules before the legislature. In its 17th report of 1961-62, it also recommended 'that all the rules issued under Madras Panchayats Act 1958 be consolidated and arranged subject-wise for easy reference.' No such consolidated book of statutory rules seems to have been prepared till now (July 1965).

Besides the Committee on Subordinate Legislation, there is another committee of the legislature 'Legislative Committee on Public Assurances' to keep watch on the fulfillment of the various assurances given in the legislature by the government from time to time. One of the questions which arose out of the proceedings of this committee was about the location of the headquarters of a particular panchayat union. The matter was later closed by the committee itself.

#### JUDICIAL PROCESSES

At times, matters pertaining to the panchayat system reach courts of law. Mostly, this is in the form of writ petitions for stay of elections, etc., by individuals who have some grievance. Some of these cases drag on for considerable time. At times, the result of a no-confidence motion is challenged by a writ petition. One such petition was allowed by the High Court as the meeting where the no-confidence motion was passed was held in a place different from the one given in the notice of the meeting. In another case relating to a no-confidence motion, the ground for appeal to the High Court was that the meeting was invalid as there was an elaborate debate (not permitted by the relevant rules) at the time of the passing of the no-confidence resolution. This case was still pending at the end of 1964 when the recent elections were held.<sup>9</sup>

#### TRAINING

Late in 1955, the Tamilnadu Panchayat Union (TNPU) had come out with a scheme of training panchayat members and sought the assistance of the government in its implementation. The scheme was considered at the government level several times but for some unspecified reason was deferred from time to time. Again in August 1958, the TNPU requested the sanction of

the government for conducting training camps for members of the panchayats. Though this was welcomed by the government, the sanction was not granted immediately. Finally, a scheme of training panchayat presidents and vice-presidents was approved in October 1961 to be run by the Tamilnadu Panchayat Union.<sup>10</sup> As a first step in implementing this scheme, four seminars were held in Madras in December 1961 to orient (i) eleven official instructors (one per district) of the grade of divisional panchayat officers; and (ii) those of the presidents of Taluk Association of Panchayats who were available for this task.

The training, started in April 1962, continued for about a year. The total expenditure on this training of panchayat presidents and vice-presidents amounted approximately to Rs.3,70,844. Of this, an expenditure of about Rs.50,000 went towards the pay and allowance of the staff. The study camps (as this training was termed) ordinarily lasted for two to three days for each group and was conducted under the supervision of a special officer for training in the R.D. & L.A. department. A total of 21,735 presidents and vice-presidents of panchayats (80 per cent of the total) had formally undergone the training by April 1963.

Besides the above study camps, there are regular training arrangements for the various categories of staff employed at the panchayat unions. The training to the *grama sevaks* is imparted at the seven Rural Extension Training Centres and the training course lasts for about two years. Some of these centres have also Home Science wings attached to them which provide a one-year training to incumbents for the posts of *grama sevikas*. Each of the *grama sevak* and the *grama sevika* trainee receives a monthly stipend of Rs.40 and Rs.45 respectively during the period of training.

The extension officer (cooperation) is expected to undergo a three and a half months' training at a training centre at Tirupati (run by Central Agriculture Ministry and the Reserve Bank); the extension officer (education) a training of six months at a Social Education Organisers' Training Centre; and the *mukhya sevika* a training of ten and a half months. The extension officer (agriculture) undergoes a refresher course at Agricultural College, Coimbatore; the extension officer (animal husbandry) a similar refresher course at Veterinary College, Madras. The health personnel receive an eight weeks' training as a team

at a centre at Poonamallee (run by the Central Ministry of Health) and the block development officer receives a fifteen-day training in village industries, some training in 'loan work' and office procedure and if a non-revenue person a week's survey training by a district surveyor.

There are also orientation courses for selected block development officers and extension officers at the Bhavanisagar (Mysore) or Hyderabad Orientation and Training Centres for a duration of twenty-two days or forty-five days. The revenue divisional officers also undergo a five-day preliminary study of development programmes at Gandhigram and another five-day study in rural industries at Kallupatti.

In-service training for one to three days is also provided for grama sevaks and grama sevikas. There is another 'full three-day' training of village leaders in batches of fifty.

There are no district training centres in Madras State for members of panchayat bodies on the lines recommended by the Central Ministry of Community Development and Cooperation. At the beginning of 1965, 41 per cent of the block development officers in the state were untrained. The number of untrained social education officers was also sizable while the shortages amongst the *grama sevaks* and *grama sevikas* was 17 per cent and 4 per cent respectively. Amongst the extension officers the shortages in 1964 were of the order of 10 per cent.

#### ROLE OF CONSULTATIVE COMMITTEES ON PANCHAYAT DEVELOPMENT AND THE MADRAS STATE UNION OF PANCHAYATS

Three Consultative Committees were constituted by the government in 1964 to consider and deliberate on the several problems arising out of the working of the present panchayat system. They are composed of the chairmen of the concerned standing committees of each district development council. Other members include collectors, state level officials and some non-officials. These committees serve as fora of discussion on the various problems and shortcomings of the system and its operation. Ordinarily the committees are presided over by the Chief Minister. The equivalent of these committees, at the official administrative level, is the annual conference of collectors, where the working of the panchayat system forms a major item of the agenda.

The other state level body is the Madras State Union of Panchayats (better known as the Tamilnadu Panchayat Union),

which though non-statutory and non-official in character, interests itself in the working of the panchayat system. The union holds a state conference every two years. The two recent conferences were held in Tiruchirappalli in 1962 and in Madras city in July 1964. During its meeting in 1964 the conference discussed various issues and adopted several resolutions.

The 1962 conference of the Tamilnadu Panchayat Union seemed at that time to have produced substantial results. Its resolutions were considered by the government and some of these were later discussed between a deputation of the TNPU, and the then Chief Secretary in September 1962. Some of the suggestions of the TNPU were accepted at this meeting. But many of the questions raised in 1962 were still being processed by the state government as late as the end of 1964.

The TNPU has Taluka Panchayat Unions as its affiliate institutional members. The Tamilnadu Panchayat Union itself was accorded recognition by the government in November 1952 and the panchayats were permitted to become its members, to pay Rs.5 annually as membership fee, and also if they wished to subscribe to its journal. Earlier to the formation of this organisation, a similar body perhaps more limited to the district boards, functioned in the Madras Presidency and performed similar tasks for its affiliates. This body seems to have disappeared about the time the district boards were abolished in 1957.

Several district bodies with names like 'Association of Panchayat Union Council Chairmen' have come into being in different districts during the past year or two. Some of the recent decisions of the government appear to have accelerated their formation and made them more active. However, so far they seem to have limited themselves to the consideration of relatively more personal and individual status issues.

#### NATURE OF REQUESTS FROM PANCHAYAT BODIES

The legal and administrative regulations governing the panchayat administration have been described in Volume I which show that little is left for independent judgment or discretion of panchayat bodies in any matter. Several instances can be cited to show how absolute is governmental control. Even matters of purely panchayat or of village concern have often to be referred to the government. Some of the queries raised by these bodies and requests made by them and the attitude of the government to them may illustrate the present nature of the term 'panchayat raj':

(i) A curious instance which comes through is of a panchayat in Madurai district which resigned *en-bloc* in protest and was later dissolved. The story as it emerges is as under:<sup>11</sup>

The Collector of Madurai District 'A' in his letter of 31.12.1961 reported that the president, vice-president and members of panchayat 'X' in Taluk 'A' have tendered their resignation in the form of a resolution on 21.12.1960, and ever since the panchayat was not functioning and that it was reported by the divisional panchayat officer 'A', that the reasons for tendering resignation are: that the authorities concerned failed to take action on the resolution of the panchayat No. 27, dated 27.11.1960 regarding illicit distillation and gambling and the panchayat could only make representations and that it was not correct on the part of the president, vice-president and members of the panchayat to have resigned their offices for these reasons in the form of a resolution and stop functioning. All the members have resigned their offices on 21.12.1960 and the panchayat has not been functioning from that date. The Collector, therefore, considered that the panchayat 'X' was persistently making default in performing the duties imposed on it by law and its administration was at standstill.

In view of the above report, the panchayat 'X' was called upon to show cause why it should not be dissolved for one year from 1.6.1962. The notice was duly served on 3.5.1962, but no reply was received from the panchayat within the time stipulated. The panchayat has not availed of the opportunity which is given to it. The Government have, therefore, issued their notification dissolving the panchayat for one year from 1.8.1962.

The Panchayat Union Commissioner concerned has been asked to take necessary action for the administration of the panchayat during the period of its dissolution.

A question about this panchayat was raised in the legislature seeking information. The government confirmed the *en-bloc* resignation of the panchayat in the form of a resolution on 21st December 1960 and the reason furnished by the panchayat was that action was not taken by the authorities concerned on its resolution (No. 27, dated 27th November 1960) regarding illicit distillation and gambling in the panchayat area.<sup>12</sup>



(ii) A co-opted member was removed from membership by a panchayat union council as it was alleged that the member had worked for two days in some government project and had received about Rs.5 as wages for this work, this disqualifying him from membership. The member contended that he had only worked as a volunteer and it was later established that though he was paid remuneration, it was only out of contingent funds. It was stated by the government authorities that those paid from contingent funds could not be classed as government servants. The government reinstated the member and informed the panchayat union councils that they did not have power to remove members and that in each such case, the government had to be referred to.<sup>13</sup>

(iii) The travelling allowance of a panchayat union chairman for attending a meeting of the district development council was time-barred as his earlier bill was considered invalid since it was not submitted in the newly 'revised forms' for such bills. This delay was condoned by the government enabling the chairman to receive the amount due to him.<sup>14</sup>

(iv) A panchayat union chairman had in the course of his official duty made some visits to the site of works undertaken in his union area. For these journeys, he had been paid by the union an amount of Rs.17.50. This payment was objected to by the audit authorities as they claimed that travelling allowance by the chairman for visit to work sites was not specifically covered by earlier government instructions. After the matter was represented to it, the government decided to drop the objection.<sup>15</sup>

(v) After considering their enquiries and requests, the government permitted the local bodies to spend up to Rs.50 per portrait of Mahatma Gandhi and the President of India. Portraits of eminent chairmen, members, presidents, etc., could be installed by the bodies at private cost. Installation of the portrait of any other national leader at private cost was to be permitted by the government after the consent of the concerned leader had been obtained.<sup>16</sup>

(vi) Agreeing to requests and superseding a previous order, the government permitted local bodies to incur expenditure on

presentation of address to a minister of the state or the centre up to Rs.20 in a panchayat and Rs.50 in a panchayat union or a municipality. Utilisation of the amount towards entertainment or purchase of a casket was prohibited.<sup>17</sup> Another order superseding an earlier instruction issued in 1928 permitted the local bodies, excluding the panchayats, an expenditure of Rs.200 on presentation of address to the Governor of Madras. The amount as in the case of ministers was not to be utilised on entertainment or purchase of caskets.<sup>18</sup>

(vii) In reply to queries, the local bodies were informed that sanction for the purchase and erection of busts of national leaders in their area would ordinarily be withheld except in an exceptional case.<sup>19</sup>

(viii) A particular panchayat body was permitted to incur an expenditure of Rs.200 for presenting an address to a minister of the central government.<sup>20</sup>

(ix) Another panchayat body was permitted to incur an expenditure of Rs.600 for replacing a damaged portrait already installed in one of its buildings.<sup>21</sup>

(x) A panchayat union council in Tirunelveli district had incurred an expenditure of Rs.26 on printing the agenda for a meeting of the council in October 1962. Soon after this, the government prohibited printing of any such agenda. As the bill towards this printing was held up a request was made on the council's behalf by the collector bringing this point of earlier printing to the notice of the government. Thereupon, the amount of Rs.26 was sanctioned by the government as a special case.<sup>22</sup>

(xi) In 1960, a reference arose regarding the sanction of some loan for some *gramdan* villages in Madurai district. The matter was finally taken up in May 1962. Still nothing happened till March 1963. A little later, the commissioner of the panchayat union, in which these villages were comprised, informed the government that Takkavi loans for these villages had by then begun to be available. The matter was dropped at this stage.<sup>23</sup>

(xii) The collectors were asked to see that a set of four panchayat union maps showing the provision of minimum basic amenities: (a) communications, (b) elementary schools and drinking water facilities, (c) medical facilities, and (d) minor irrigation, were prepared and displayed in each panchayat union and district office.<sup>24</sup> One of the collectors reported seeking permission of an expenditure up to Rs.80 for each set of four maps. After some enquiries from other districts and the concerned collector, his request was refused because no similar request had come from any other district.

(xiii) In a panchayat union council at a meeting in November 1961, presumably presided by the sub-collector of the area, a local cess surcharge of 50 paise per rupee of land revenue was decided on the basis of an agenda item (prepared by the commissioner) which had suggested a surcharge of 55 paise. At a special meeting a month later, the previous resolution was unanimously cancelled, the attendance in this meeting being twenty-seven out of a total membership of thirty-two. The meeting was presided by the sub-collector in his capacity of ex-officio chairman. Information regarding this cancellation was sent to the additional development commissioner, the sub-collector and the *tehsildar*. The action was considered to be whimsical by the government. However, the government did not cancel the resolutions as it was realised that amendment of Section 116 of the Madras Panchayats Act alone could stop the carrying out of such a resolution. The collectors and the revenue divisional officers were consequently asked to persuade the panchayat union councils not to cancel such resolutions during the same financial year.<sup>25</sup>

(xiv) In December 1961, a panchayat union council adopted a resolution expressing its protest against the government's instructions on the application of rule 27 of Madras travelling allowances rules with regard to the payment of travelling allowance to members, vice-chairmen and chairmen of the panchayat union councils. The council contended that the application of this rule reduced the position of an elected representative to much less than that of a lower division clerk paid from council funds, inasmuch as the clerk was entitled to 11 paise per mile while members of the council received 6½ paise per mile for similar journeys. It asked the government to drop this rule. The matter

was considered by the government but the order which followed stated that 'the government have carefully examined the above suggestion but are unable to accept it.'<sup>26</sup>

(xv) In early 1961 a collector wrote to the government requesting the sanction of a sum of Rs.50 towards incurring expenses for refreshments, etc., at such meeting of the district development council which met in two sessions on the same day. The proposal after some discussion and hesitation was agreed to by the state government.<sup>27</sup>

Nearly one year lapses between the taking of a policy decision by the government and its communication to the concerned authorities in the form of orders on any matter of state-wide import in which decision lies with the state level authorities. In one instance, this time gap extended to eight years. The matter concerned the communication of the type-design of elementary and higher elementary school buildings and the relevant permitted estimates which were worked out in 1950 but communicated in 1958. Even in matters which are considered to be very urgent (like agricultural development), a minimum of one year seems necessary between formulation and communication of decisions to concerned authorities. In its fifth meeting on 3rd January 1964, the State Agricultural Advisory Board suggested the formation of agricultural production committees at the panchayat union level. The order instructing the formation of such committees 'to meet every month and make suggestions to solve the problem confronting agricultural development in the block area' with the block development officer, extension officers (agriculture and animal husbandry) and three practical agriculturists as members was communicated to the councils only some ten months later in November 1964.<sup>28</sup> A somewhat different instance is in regard to lands made over to panchayats. This matter was discussed and a recommendation made in May 1961 at a state conference of district collectors. Proceedings of this conference were communicated a year later in May 1962. Six months after this, the collectors were asked to give their comments and to send detailed lists regarding unassessed waste lands in their respective districts. The information requested was received from most of the districts during December 1962 to October 1963. In December 1963, a question was raised at the

state level as to 'why should Government call for a list of unassessed waste land. This will be a big task and for what use'? Thereafter, the remaining two districts which had not sent the information were informed not to send this information any more and the file of over a thousand pages was closed.<sup>29</sup>

#### SPECIAL PROVISIONS FOR KANYAKUMARI AND CERTAIN OTHER AREAS

The nine panchayat unions and the forty-six panchayats in the district of Kanyakumari, the panchayat union of Shencottah in the district of Tirunelveli, and the Yercaud panchayat union in Salem district are in their legal framework and operation different from those in the rest of the state. Many of the unions in the district of Tirunelveli and the unions and panchayats in the district of the Nilgiris also provide some exception to the general operational pattern of the system. Tirunelveli district for decades has had a higher literacy rate compared to the state average, and also has an overwhelming number of publicly managed educational institutions as compared with their number in other districts. The direct load of supervising and administering elementary and higher elementary schools on most of the panchayat unions in this district is therefore much less. The percentage of the school-going population enrolled in schools is the highest in Kanyakumari district, higher than in the city of Madras.

Tirunelveli is just a little behind Madras city, but much ahead of the other districts in this regard. Probably, this factor is to some extent responsible for certain variations noticed in the working of the panchayat system in these two districts. The district of the Nilgiris being wholly mountainous and having a different ethnic population is perhaps also quite distinctive in the working of the panchayat institutions particularly at the village level. However, because of the limitation of the study sample panchayat unions and panchayats to the districts of Thanjavur, Ramanathapuram, Coimbatore and North Arcot, no study of the impact of these historical and physical factors on has been attempted. An attempt has only been made to understand the specific differences in Kanyakumari due to the different statutory and administrative stipulations, and to find out if the lesser direct educational load on the panchayat unions has led to any major variations in functioning or emphasis on other activities and programmes.

The district of Kanyakumari and the area of the Shencottah panchayat union became part of the Madras State only in 1956. Their former association with Kerala has given them certain distinctive administrative and organisational features. Their physical situation and other socio-cultural factors have further emphasised this distinctiveness.

The legal framework has curiously named all the panchayats in Kanyakumari as 'town' panchayats. Though many of them have some towns up to a population of 5,000 within their areas, in most essential matters, they are altogether rural, with most of their citizens engaged in agriculture and other rural occupations. It is true that, compared to most village panchayats in the rest of the Madras State, they are larger both in area and population. The two largest in area are Azhakiapandipuram (with 82.35 square miles) and Ponmana-Aruvikara (with 63.743 square miles- 40 square miles of which are forest area). The largest in population is Colachal, with a population of 34,765. In most others, the population ranges between 10,000 and 20,000, and the area covered is three to fifteen square miles. Twenty to thirty hamlets are included generally in each panchayat. Out of a total district population of 9,96,915, the rural population is 7,07,275.

Having named these as town panchayats, to treat them equitably with the other village panchayats in the rest of the state, other exceptions had to be made. One such is the house tax matching grant paid to them by the government which is not available to town panchayats elsewhere in the state.

Other major differences are at the panchayat union level. Firstly, the council of the panchayat union is quite differently constituted. In contrast to other unions in the state, all members of the panchayats in a union area, and not only the panchayat presidents, are members of the panchayat union council. This enables all the elected persons in an area to take part in the deliberations of both the panchayat and the respective union. Since the total number of such elected persons is smaller (fifty to sixty in each union) this arrangement has become feasible.

Yet some other unions in the state like Vellakoil in the district of Coimbatore which has only eleven panchayats and most of them with twenty to thirty hamlets each do not enjoy this proviso.

Secondly, all elementary and higher elementary education and the management of the school meal programme in

Kanyakumari district is outside the jurisdiction of the panchayat unions and the panchayats. Government schools which are predominant are directly managed by the education department. The financial allocation to publicly managed schools are also allotted to them through the department of education and not by the panchayat unions as in other areas of the state. This means a much smaller total budget— a total income of Rs.2,88,271 against an expenditure of Rs.2,95,994 (omitting the opening and closing balances) for instance in the Agasteeswaram panchayat union in 1964-65— as contrasted to budgets of Rs.6 to 8 lakhs in other unions of the state. Whether this leads to the union giving greater attention to other activities and helps the social education organiser who is free of the job of administering panchayat union schools in attending more to the work of social education is not traceable from the records or the pattern of expenditure. According to those who run these bodies there is really no difference which is easily discernible. This applies equally to those panchayat unions in Tirunelveli where the number of panchayat union schools are comparatively few. In fact, the chairmen and staff of the panchayat unions and the governmental personnel at the district level in Tirunelveli who were asked about this thought the question irrelevant and were almost certain that such variation could make little difference to the implementation of other programmes and activities.

Thirdly, the panchayat unions in Kanyakumari (also the unions in the district of Nilgiris) are all fiscally classified as 'D'. This enables them to receive a larger proportionate share of such grants as local surcharge matching grant and reduces their share of public contribution for items in the works programme. The land revenue both in Kanyakumari and the Nilgiris being very low, the unions there have become eligible for these concessions.

The meetings of the panchayat union councils in Kanyakumari, however, appear to be more lively. It may be partly due to the fact that all the elected panchayat members in the area participate in the council and bring in several view points on any issue under discussion. This arrangement probably also accounts for a larger concern with general problems of the union as a whole, a concern which a council constituted only of the panchayat presidents cannot show. Any president who is a solitary representative of his area will invariably be more concerned with what he could get from the union for his area than with issues of general well being. It is also possible that the liveliness in the panchayat union councils in Kanyakumari is more attributable

to reasons of wide-spread education, greater cultural continuity and homogeneity and other historical factors.

There are variations in the working of the panchayats also. The majority of the panchayats are housed in their own buildings, most of them have large budgets, around Rs. one lakh each in 1964-65, thus giving a per capita of Rs.4 to 7. Their establishment costs about Rs.10,000 yearly; nearly 30 per cent to 50 per cent of such expenditure is on collection establishment. An item much neglected elsewhere but which appears to be well attended in the panchayats of Kanyakumari district is the panchayat contribution to the school meals programme. Whether this is due to their own volition or to the larger pressures of the education department, which as mentioned above itself manages all government schools and would therefore be more accountable for the running of the school meal programme in them, is difficult to say. According to the statements of income and expenditure, the eight panchayats in which this enquiry was made have contributed sums varying from Rs.1,020 to Rs.5,976 in 1964-65 to the cost of school meals in their areas.

Some of the panchayats in the district have panchayat plantations. But in many of them which have large areas the effort is infinitesimal. This may be true of many other programmes as well as of the participation and interest of the different hamlets in the existence and work of the panchayat.

Many *grama sevaks* in the panchayat unions of Kanyakumari have been provided with a government built residence for which they pay a rent. The *grama sevak* is also expected to provide room in this residence for the agricultural implements and other stock under his charge. Many of these structures are built in rather isolated places away from the busy parts of the villages. Such structures are therefore regarded as unsafe and otherwise unsuitable. Besides, these quarters are so small that a *grama sevak* who has to live there with his family and has to keep his implements has literally to squeeze himself in. Insufficient accommodation and unsuitable location result in the structures remaining vacant while the *grama sevak* pays rent not only for the private place where he actually lives but for this vacant place in his name. A way out of this ridiculous and somewhat tragic situation must be found.

The functioning of the panchayat unions and the panchayats in the district of Kanyakumari and what they today do and what they will soon have to engage in if they wish to stay



in the stream of life and the district's socio-economic educational and cultural situation has important lessons for the rest of the Madras State and in days to come for most of the country. The level of education, the density of population, and a merging of small towns with agricultural areas, though today a peculiarity of Kanyakumari would, in a few years, become a common experience in most other districts and panchayat union areas. Such a situation would require an altogether different handling. One would have to provide both for agricultural and urban needs through the same institutions. Furthermore, the maintenance of amenities, roads, bridges, street lighting, public buildings, wells, tanks, drains etc., would be for some time to come a constantly increasing and more and more money consuming activity. Today the panchayats in Kanyakumari do try to attend to most of these latter needs. Yet, the larger need of agriculture and of providing or suggesting employment to those who have to look for other jobs, does not seem to have dawned on those who direct or run these bodies. In agriculture, the usual budgeting, provisioning etc., obtain. Most of this has little relevance to large areas of Kanyakumari, with the consequence that a large part of the allocation cannot either be utilised or is used for things thoroughly unsuitable for these areas. The employment problem is as yet no one's business. Nonetheless, the very survival of these bodies and whatever little they do in terms of amenities will depend on their being enabled and encouraged to attend to these two problems in the manner which suits their particular situation.

#### PANCHAYAT ELECTIONS 1965

After some postponement, elections to all the panchayats were for the first time simultaneously held throughout the state in January 1965 for direct election of members of panchayats; and, after a three-month postponement, for election of presidents of panchayats and chairmen of panchayat union councils in April that year.

Much unanimity is evident from the election results. Out of a total of 1,17,629 members who had to be elected to the 12,454 villages and 424 town panchayats, 47,636 (40.5 per cent) were elected without contest. Lack of contest was even more marked with regard to the election of panchayat presidents. Not counting Coimbatore district, for which these results are not readily available, among the other eleven districts out of a total 12,027 presidents who were to be elected 7,753 (64.2 per cent)

were elected without any contest.\* For the panchayat union chairmanship, the contest was keener; only eighty one (22 per cent) out of 367 were returned with a unanimous vote. The proportion of the sitting chairmen returned is 38 per cent (140 out of 367). Fifteen of the chairmen also happened to be members of the state legislature having initially been elected as members and presidents of particular panchayats. It is not known how many members of the legislature in all are members of the village and town panchayats.

Out of the 12,878 panchayat presidents, 523 belong to the scheduled castes and 57 to scheduled tribes. It is again not known how many of these scheduled tribe presidents contested or were elected as chairmen of panchayat union councils. *Tables 17 and 18* give more detailed district-wise information on the panchayat elections.

\*Uncontested elections in the state of Madras are nothing new. The following table pertaining to the period 1920-35 may be of interest in this connection.

	Union Boards		Taluk Boards		District Boards	
	Uncon- tested returns	Con- tested returns	Uncon- tested returns	Con- tested returns	Uncon- tested returns	Con- tested returns
1925-26	1,414	959	151	666	NK†	NK†
1926-27	474	212	114	203	NK†	NK†
1931-32	150	48	37	12	NK†	NK†
1932-22	3,177	2,076	1,799	1,958	443	676

†Not known. Perhaps no elections were held for District Boards during these years.



ORGANISATIONAL SETUP OF THE PANCHAYAT  
DEVELOPMENT ADMINISTRATION IN MADRAS STATE\*

(\*Received from the Rural Development and Local Administration Department, Fort St. George, Madras-9 as per letter no. 138916 P1/64-I, 16th July 1964.)

*(a) State Level*

At the state level, the subject 'Panchayat Development' is dealt with by the Rural Development and Local Administration Department of the secretariat. The Minister for Local Administration is in charge of the Community Development and Panchayat Development. The Finance Secretary is the Development Commissioner and is in overall charge of the Planning and Development for the state. The Development Commissioner does not directly deal with the Community Development and Panchayat Development. There is a Secretary to Government and the Additional Development Commissioner, who is also the Additional Secretary to Government. The Additional Development Commissioner acts both as a head of a department and also performs the secretariat functions in his capacity as Additional Secretary to Government. The Rural Development and Local Administration Department at the secretariat is divided into the Programme Branch, Accounts and Finance Branch, Establishment Branch and Municipal Administration Branch. Four Deputy Secretaries are directly in charge of these programmes- two of them directly dealing with the Programme and Accounts. These officers are also state touring officers. The other Deputy Secretaries are the Deputy Secretary in charge of Establishment and Municipal Administration and the Deputy Secretary (Special) is in charge of Rules and Legislation relating to Panchayat Raj.

2. With a view to advise the government for the successful implementation of the Panchayat Administration in this state, the government have constituted the following Panchayat Development Consultative Committees:

- i) Panchayat Development Consultative Committee on Administration and Works;
- ii) Panchayat Development Consultative Committee on Production Programme;
- iii) Panchayat Development Consultative Committee on Welfare Services.

These committees meet twice a year. The composition and functions of these committees are explained in the proceedings No. 797, Rural Development & Local Administration, dated 31-3-1962. (copy enclosed).

*(b) District Level*

At the district level, the district collector who functions as *primus inter pares* constitutes the keystone of the entire edifice. He coordinates and supervises the entire work relating to the Community Development and Panchayat Development. He is the head of the team consisting of the district heads of development departments. For developmental purpose, heavy districts have been divided into two each. For each development district, there is a district development council. The district development council is in charge of the implementation of the developmental schemes. The collector of the district is the chairman of the district development council. The personal assistant to the collector (Panchayat Development) is the secretary of the district development council. The district officers of the development department are members of the district development council.

*(c) Block Level*

Each development block covers a population ranging 65,000 to 75,000 and is in charge of the block development officers. With the implementation of the Madras Panchayats Act, 1958, a panchayat union had been constituted for each block. The block development officers are designated as panchayat union commissioners-cum-block development officers. The panchayat union commissioner is primarily responsible to the panchayat union council for the successful implementation of the programme and acts as the leader of the team of officers attached to the block.



## Notes

1. Section 4 of the Panchayats Act, 1958.
2. *G.O. 613*, R.D. & L.A., 3rd March 1961. The classification of the unions in Kanyakumari and the Nilgiris districts is not included; because of the low land revenue per capita all the unions in these two districts were later classed in 'D' category.
3. *G.O. 2167*, R.D. & L.A., 11th October 1963.
4. *Memo. 843183/F1/62-5*, R.D. & L.A., 11th January 1963.
5. *G.O. (RT) 1740*, R.D. & L.A., 12th September 1962.
6. *G.O. 2274 (RT)*, R.D. & L.A., 19th November 1962.
7. Appendix I reproduces the chart indicating the physical achievements as shown in the Review.
8. The scrutiny by the Committee on Subordinate Legislation is to take the following into consideration: (i) whether it (the concerned set of rules) is in accord with the general objects of the Act pursuant to which it is made; (ii) Whether it contains matter which in the opinion of the Committee should more properly be dealt with in an Act of legislative assembly; (iii) whether it imposes taxation; (iv) whether it directly or indirectly bars the jurisdiction of the law court; (v) whether it gives retrospective effect to any of the provision in respect of which the Act does not expressly give any such power; (vi) whether it involves expenditure from the Consolidated Fund or the Public Revenues; (vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Act pursuant to which it is made; (viii) whether there appears to have been unjustifiable delay in the publication or laying of it before the legislature; (ix) whether for any reasons its form or support calls for any elucidation.

The legislative department prepares memoranda on the "Rules", "Sub-Rules", etc., and places such "memoranda" along with the Rules before the Committee for its consideration. Any clarifications which are received from the concerned department are also placed before the Committee, and if the Committee wishes it may itself call for clarification or summon the departmental officer to appear before it to clarify the points raised by it. Draft reports based on the observations of the Committee on the Rules scrutinised are prepared in the legislative department and placed before the Committee from time to time for approval. On approval the report of the Committee is printed and presented to the legislature. Thereafter copies are forwarded to concerned departments for taking action on the recommendations of the Committee. A watch on the action taken is kept by the legislative department which presents a consolidated report showing the action taken on the recommendations of each report and places it before the Committee. After consideration, a separate report is presented to the legislature by the Committee.

The Committee on Subordinate Legislation was first constituted in 1955. During 1957-58 (second Assembly), it considered 972 sets of Statutory Rules in 90 sittings and presented 18 reports to the Legislature. It made 538 recommendations on the 972

sets of Rules considered by it. Of these, 238 were accepted by Government, 62 not pursued by the Committee and the remaining 38 were pending action at the end of this period. During the third Assembly (beginning April 1962), it had made 10 reports to the legislature by March 1965.

9. *G.O. (Ms.) 31*, R.D. & L.A., 4th January 1964.
10. *G.O. (Ms.) 2876*, R.D. & L.A., 30th October 1961.
11. *G.O. (Rt.) 2456*, R.D. & L.A., 1st December 1962.
12. *G.O. (Routine) 2456*, R.D. & L.A., 1st December 1962.
13. *G.O. (Ms.) 1394*, R.D. & L.A., 1st July 1963.
14. *G.O. (Ms.) 370*, R.D. & L.A., 18th February 1964. 15. *G.O. (Ms.) 387*, R.D. & L.A.,
15. *G.O. (Ms.) 387*, R.D. & L.A., 19th February 1964 (See also *G.O. Ms. 2901* R.D. & L.A., 1st November 1961).
16. *G.O. (Ms.) 17* L.A., 3rd January 1963.
17. *G.O. (Ms.) 1384*, L.A., 17th May 1961.
18. *G.O. (Ms.) 540*, L.A., 25th February 1961.
19. *G.O. (Ms.) 1915* L.A., 2nd December 1960.
20. *G.O. (Rt.) 1740*, R.D. & L.A., 12th September 1962.
21. *G.O. (Rt.) 1520*, R.D. & L.A., 14th August 1962.
22. *G.O. (Rt.) 959* R.D. & L.A., 14th May 1963.
23. *G.O. (Rt.) 1580*, R.D. & L.A., 7th August 1963.
24. *G.O. (Rt.) 1397* R.D. & L.A., 18th May 1961.
25. *G.O. (Ms.) 2175* R.D. & L.A., 5th October 1962.
26. *G.O. (Ms.) 2175*, R.D. & L.A., 5th October 1962.
27. *G.O. (Ms.) 935*, R.D. & L.A., 28th March 1961.
28. *G.O. (Ms.) 2415*, R.D. & L.A., 19th November 1964.
29. *G.O. (Rt.) 2604*, R.D. & L.A., 17th December 1963.



## II

### A SAMPLE SURVEY OF PANCHAYAT BODIES

---

The districts of Thanjavur, Ramanathapuram, Coimbatore and North Arcot were selected for the purpose of an intensive study. The study was to be done in three ways: *first*, through interviews with randomly selected villagers, elected representatives and officials in selected panchayat unions and panchayats; *second*, through observation of the working of these bodies for a period of about six months by trained research investigators; and *third*, by a study of the records of these bodies. For several reasons, some of these tasks could not be accomplished in the manner they were intended. The interviewing had to be done in a hurry and on the basis of schedules which, at the time they were finalised, did not have the benefit of better factual knowledge of the system. Systematic observation had to be omitted and the study of field records has remained rather uneven, partly because some of the senior research personnel attending to field study did not know Tamil and partly because there was little detailed record on the proceedings of any meeting and on the manner of arriving at decisions by the panchayat bodies. The proceedings and minutes of meetings have very little to disclose beyond indicating that an item on the agenda was passed or postponed or (rarely) negated.

The twelve panchayat unions which were selected on the basis of random sampling were (1) Thiruvaiyuru, (2) Needamangalam, (3) Muthupet in the Thanjavur district, (4) Sakkottai, (5) Rajasingamangalam, (6) Tiruppuvanam in the district of Ramanathapuram, (7) Pollachi, (8) Vellakoil, (9) Modakkurichi in the Coimbatore district, (10) Kandili, (11) Wandiwash and (12) Cheyyar in the district of North Arcot. 36 panchayats, three in each of these panchayat unions, were again randomly selected. Five of these happened to be town panchayats— all the three in Sakkottai, one in Tiruppuvanam and one in Cheyyar. Some basic data about these panchayats, their area, population, date of first formation of the panchayat board, their total income and expenditure is given in *Table 41*.

## I

In each panchayat, twenty persons were selected randomly from the electoral rolls of the panchayat area, thus making a total of 720 persons (among whom 100 belonged to the five town panchayats) and they were interviewed on the basis of a common schedule. Seven members from each panchayat, including the panchayat president, and another eight to ten from each panchayat union council in addition to the three panchayat presidents selected at the panchayat level itself, the twelve panchayat union chairmen from the four districts in their capacity as members of the district development councils, totalling in all 372 elected representatives, were further interviewed on the basis of another schedule. A third group interviewed on the basis of a third schedule comprised 264 officials, three each from the 36 panchayats, about ten each from the twelve panchayat unions and the remaining 34 from the level of the district which included five district collectors. The results of the interview have initially run into over 200 separate tables grouped under some 130 detailed heads. The respondents amongst the elected and the officials were overwhelmingly male while amongst the villagers women accounted for some 35 per cent of the total (253 out of 717).

### VIEWS OF THE INTERVIEWED RESPONDENTS

The general tone of the interview results is one of relative acceptance of what prevails. It is true that a substantial number of persons (particularly from amongst the villagers, some time running into 40 per cent to 50 per cent of the sample), do not respond at all to many questions. That may partly be accounted for by defects in the interview technique and procedure, and may be due partly to ignorance or indifference amongst such respondents. It is difficult to say which contributed more to such non-response. But, those who responded do not show any marked variation in terms of factual information or opinion on most questions which were asked. Practically, all village respondents know of the existence of panchayats; most members of the panchayat union council know the number of village panchayats in their particular panchayat union; and most of the villagers and the elected specify road construction and maintenance, drinking water projects, building and running of schools as the primary activities which these bodies have undertaken and of which they are quite conscious. There is some little difference on this point in the reply of panchayat union and district based officials,

who additionally give primary place to activities like agriculture. Any great controversy or unrest or ambition which there may be in the minds of those who are connected with these bodies does not come through the interviews. It is possible that the structuring of the questions and the manner of their administering may itself have barred the recording of any such response.

The only striking thing which does emerge is about the rather marked difference which the urban based (i.e. at the panchayat union and district) official displays with regard to his image of rural society in contrast to that held by persons, both village officials and the ordinary people at the village level. Most of it comes out in response to questions about elections.

People at the village level seem to place a higher significance and to show a greater interest in general elections than elections for the panchayats. On the contrary, the urban based officials and even the panchayat union chairmen think that the villagers have more interest and get much more excited about elections to the panchayat. This response was a few months before the recent (January 1965) panchayat elections in Madras, and it is possible that the response after the elections could have been different. The various responses are indicated in *Tables 19-23*.

Table 19: (VILLAGE RESPONDENTS)

*Question:* In what elections have you voted?

Table 20: (VILLAGE RESPONDENTS)

*QUESTION:* FOR WHICH OF THESE ELECTIONS HAVE YOU FELT GREATER EXCITEMENT?

\*N.R.: No response. N.A.: Not available D.K.: Don't know.

Table 21: (ELECTED REPRESENTATIVES)

*Question:* Which of these elections, Panchayat or General Elections, do you think create greater excitement among the people of the village?

Table 22: (ELECTED REPRESENTATIVES)

*Question:* What about your own feeling?

Table 23; (OFFICIALS)

*Question:* Which of these elections– Panchayat, General Election– creates greater excitement among rural people?

According to the people at the village level, practically everyone votes of his own volition, and choices have little to do with questions of caste, political affiliation, status, factional interest, etc. But, according to the city based officials, and surprisingly the chairmen of the panchayat union councils interviewed, these latter were the major influences. Perhaps this is to be expected, and individuals in both the groups are being equally honest in giving their particular version of the situation as each comprehends it. Only it points out the wide difference in the comprehension of those who are inside the village society and those who are either mere onlookers or are trying to fit it to some preconceived model.

Table 24: (VILLAGE RESPONDENTS)

*Question:* For what caste of candidate have you voted in the panchayat elections?

Table 25: (VILLAGE RESPONDENTS)

*Question:* Please recollect and tell me if any candidate for the panchayat elections was supported in any way by any political party.

Table 26: (VILLAGE RESPONDENTS)

*Question:* Whose advice would you seek before casting vote?

Table 27: (ELECTED REPRESENTATIVES)

*Question:* Was the election to your panchayat/panchayat union conducted on party lines? For instance, did any candidate invoke party slogans in his favour?

Table 28: (ELECTED REPRESENTATIVES)

*Question:* And what about caste? Did any candidate invoke caste slogans in his favour?

Table 29: (OFFICIALS)

*Question:* Did any candidate invoke party slogans or get party help during the panchayat election?

About the management of schools by panchayat union council, most villagers and even officials (including 17 teachers out of the 32 teachers in the officials' sample) feel that attendance in schools is now far better. Very few mention any decline in the management of schools under the panchayat union councils.

Table 30: (VILLAGE RESPONDENTS)

*Question:* Have you seen or heard of any change for the better or worse in the system of education since the past three or four years?

Table 31: (VILLAGE RESPONDENTS)

*Question:* Have you heard about or seen any changes for better or worse in the system of education since the past three or four years? If yes, what changes have you noticed?

Table 32: (ELECTED REPRESENTATIVES)

*Question:* Have you seen or heard of any change for the better or worse in the system of education since the past three or four years?





The school meals programme is known to most village respondents. Very few think it is not going well; most of them affirm that public contributions are being received. Curiously enough, few have indicated their having made any voluntary contribution for any public purpose while responding to another question. 20 out of 32 school teachers and seven out of 13 block development officers however mention about the unsatisfactory position in this regard.

Table 35: (VILLAGERS)

*Question:* Does the panchayat provide mid-day meal to school children?

Table 36: (VILLAGERS)

*Question:* What about people's contribution, Do you think it is forthcoming satisfactorily?

Table 37: (VILLAGERS)

*Question:* Apart from the taxes and fees, have you at any time given any other contribution to the panchayat?

Table 38: (OFFICIALS)

*Question:* Does the contribution from the people come satisfactorily?

There is some grievance amongst the elected and the officials about the keeping of panchayat funds with the panchayat unions and the financial relationships between the two. The response however is somewhat subdued, as the question itself did not engage into much of a probe.

Table 39: (ELECTED REPRESENTATIVES)

*Question:* Do you think that the village panchayat fund should be maintained by the village panchayat themselves or by the block? Please state your reason for either case?

About relationships between the officials and non-officials in the panchayat system, practically all the elected and official respondents find them fine and cordial, while many feel they are excellent. Only a few respondents seem to differ from such universally held views.

## II

What now follows in this chapter is based on a perusal of records in the offices of panchayats, panchayat unions and the district development councils. The research unit was able to cover only a small part of the records and that too in certain areas only. Absence of any reference to information on a particular point from a specific area does not at all imply the absence of such records. It only means non-perusal of those records, or, in a few instances, their unavailability to the research team.

### THE SAMPLE PANCHAYATS

As can be seen from *Table 41*, a little less than one-half of the thirty-one village panchayats are of recent formation in the years 1958–60. A few others were created between 1950 and 1958 and there are several which are of longer standing. Two of them, both quite small in area and population, from the Cheyyar and Wandiwash panchayat unions are more than forty years old. All the five town panchayats have had a fairly long life ranging from forty to eighty years. The area of sample village panchayats varies from one to eighteen square miles and the population from 700–6,000. Several of these are single village panchayats but many have as many as twenty small and large hamlets.

There is much variation among these panchayats with regard to annual income and expenditure. From as little as Rs.1,500 in one or two panchayats, it amounted to over Rs.20,000 in several in 1963–64. The per capita panchayat income in the several panchayats varies between Rs.1.50 to Rs.10 in 1963–64. Majority of them, however, have a per capita income of three to five rupees. The expenditure pattern shows still greater variation. It goes down to as low as 50 paise per capita in two or three panchayats. One actually is having an income of around Rs.4 per capita but either for some reason desires to save its resources for future use or is just unable to put them to any use in the present. The per capita expenditure is as high as

Rs.10 in some panchayats in 1963-64. Generally, the expenditure depends on the income but in a few panchayats the deficit is met out of past balances. It may be generally true in most parts of the state that the majority of village panchayats which had fairly good balances in 1960-61 have more or less exhausted them by 1964-65.

In most village panchayats, the stamp duty surcharge is the major income of the panchayats. The three panchayats in the Vellakoil panchayat union, however, provide noticeable exceptions. In these as well as in the three panchayats of the nearby panchayat union of Modakkurichi, the development tax levied by the panchayats at their own individual option is one of the main sources of income. The development tax does not seem to have been levied by other panchayats in the sample from other districts and this more or less accords with the general variation amongst the districts. The house tax levied by all is a fairly substantial source of income, though seldom the most important in the sample village panchayats. The income from the vehicle tax is nominal and from the profession tax really insignificant. Some panchayats show an income in the way of government or panchayat union grants; but in this, the practice of keeping accounts between one area and another seems to be dissimilar. In respect of many grants received from the government or the panchayat union, the arrangement is such that though the money may have been received for specific construction jobs, the accounts for these are only kept in the records of the panchayat union. So a clear idea of the amount of grants received in any panchayat area cannot be obtained from the account books or the income-expenditure statements of the panchayat. (Any comparison between the panchayats about the total or per capita income and expenditure on the basis of the statements given in Table 23 without taking into account the actual grants may not be valid.)

On the side of expenditure, very little is usually spent on office staff, postage and travelling allowances. Stationery seems to be an occasional item costing Rs.100 to Rs.200 at a time. Sanitation and lighting also cause little expenditure. So does the panchayat contribution on the school meals programme, only about one-fourth of the sample panchayats having contributed anything at all towards this programme in 1962-63 or 1963-64. The items of expenditure are mostly concerned with construction of roads, culverts, overhead water tanks or other drinking water facilities, school buildings, sometimes a community centre, and in quite a few areas particularly where the development tax

Table 41: SELECTED PANCHAYATS (SOME DATA)

Name of Panchayat	Year of first formation	Area	No. of Hamlets	Population	Income 1963-64 (Rs.)	Expenditure 1963-64 (Rs.)
<b>THANJAVUR</b>						
Thiruvayyaru P.U.						
1. Vallamparambur*						
2. Peramur*						
3. Mangudi*						
Needamangalam P.U.						
4. Kalacheri	1958	2.46 (sq.mls)	6	1,849	26,526	
5. Rayapuram	NR	3.63 (sq.mls)	2	1,932	12,919	
6. Vadavoor Vadapathir	1931	4.64 (sq.mls)	2 (c.v.)	5,157	23,042	
Murthupet P.U.						
7. Thondiyakkadu	1955	3,828 (acres)	NR	2,935	6,679	
8. Kallikudi	1954	922 (acres)	NR	1,734	7,440	
9. Mangudi	1955	1,108 (acres)	NR	2,918	10,501	
<b>RAMANATHAPURAM</b>						
Sakkottai P.U.						
10. Kanadukathan* (TP)	1924	NR	NR	5,200		

(Contd. on next page...)

has been decided, expenditure on hospitals, dispensaries, etc. The other conspicuous item of expenditure is panchayat plantations— part of the expenditure being met from union grants and the rest from the general budget of the panchayat. The plantation expenditure shows large variations from panchayat to panchayat and in some perhaps the expenditure may be much beyond the income which is expected from them. Probably some of these things have happened due to over enthusiasm at the union level.

The village panchayats in the sample show quite some variations in the periodicity of their recorded meetings. Some met practically every month, or even more frequently, while others only four or five times a year. Practically, all of them have no 'owned' building for the panchayat office as such and most of them operate from the residence of the panchayat president. All the five town panchayats, however, have separate buildings of their own. Normally, a panchayat has three to five items on its agenda and two of them are invariably passing of the accounts and passing of the minutes of the previous meeting. The minute books in most panchayats do not contain any formal reporting of what had happened to the decisions taken earlier. This at times results in the adoption of some resolutions in successive meetings of a panchayat. The recorded attendance is fairly good, normally two-thirds of the members attending, though the solitary woman member seldom seems to attend any meetings. Sometimes circulation of the agenda is substituted for formal meetings of the panchayat. This perhaps is no undesirable way out when it is difficult either to assemble the members or there is little to transact.

#### THE SAMPLE PANCHAYAT UNIONS

A list of the twelve panchayat unions showing their areas, population, number of panchayats in their jurisdiction, their fiscal category, number of schools and other such data is presented in *Table 42*. The number of children attending the elementary and higher elementary schools is 8,000–10,000 except in the much larger Pollachi panchayat union. The proportion of boys varies between 55 per cent and 65 per cent and of girls between 35 per and 45 per cent. The number of teachers is about 250–300 in each of the twelve panchayat unions excluding Pollachi. Of these, 20 per cent to 35 per cent are women. There are four to six high schools in each union and they are pretty large. Most of them have a teaching staff of twenty to thirty each. In Sakkottai and Pollachi panchayat unions, there are large polytechnics

and colleges and also a municipal town within each union. Practically, all the union areas have one or more cinema houses in their midst. Six of the union headquarters (Thiruvaiyaru, Needamangalam, Muthupet, Sakkottai, Tiruppuvanam, Pollachi) are railway stations, and four are on main bus routes (Vellakoil, Kandili, Wandiwash, Cheyyar). In only two unions, Rajasingamangalam and Modakkurichi, the headquarters, though served by buses, are not easily accessible. Rajasingamangalam does not boast of a petrol pump either in its area and the union jeep has to undertake a journey of some twenty miles each way to get filled with petrol. As may be inferred from the land revenue figures in the preceding table, Modakkurichi, Thiruvaiyaru, Needamangalam, Muthupet, Tiruppuvanam and Cheyyar are the most fertile; Pollachi, Vellakoil, Wandiwash and Kandili have both fertile and less fertile areas while Rajasingamangalam (though it is classed 'B' for fiscal purposes) and Sakkottai are poor agricultural areas. Sakkottai with its five town panchayats, however, can boast of perhaps the largest number of palatial houses in any panchayat union in the state and has several colleges in one campus at Karaikudi- the area being the ancient home of the Chettiers, well known for business and philanthropy.

Meetings of the council of the panchayat union are held every two months, or more frequently- as ordinary or urgent or special meetings. The urgent or special meetings are convened to consider just one or sometimes a few more items; but in the ordinary meetings usually thirty to forty items are considered. The time taken is seldom more than two or three hours. Two essential items are passing the contingency expenditure and approving the minutes of the previous meeting. At times there are one or two questions to be answered. As in the panchayats, there is no formal reporting made to the panchayat union council on how matters stood with regard to previous decisions. The recording of minutes seldom discloses the trend of discussions and merely states the resolutions and the council's positive or negative decision. Practically, all decisions are of agreement, though at times an item may be deferred for later consideration; rarely, there is negation of what is proposed through the formal agenda. *Table 43* indicates the frequency of meetings and the number of items on the agenda in the different unions in the sample.

Besides the three statutory committees, the Appointment Committee, the Education Committee, and the General Purposes Committee, the panchayat unions have been asked to appoint (1)



Table 43: PANCHAYAT UNION COUNCIL MEETINGS (FREQUENCY AND NO. OF ITEMS CONSIDERED)

Name of P.U.C.	1961-62				1962-63				1963-64			
	No. of subjects		Special & urgent		No. of subjects		Special & urgent		No. of subjects		Special & urgent	
	Ordinary	No. of subjects	Special & urgent	No. of subjects	Ordinary	No. of subjects	Special & urgent	No. of subjects	Ordinary	No. of subjects	Special & urgent	No. of subjects
1. Thiruvaiyaru	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
2. Needamangalam	2	28	2	2	10	282	13	46	5	235	8	34
3. Muthupet	8	228	7	7	6	330	6	6	6	365	4	4
4. Sakkottai	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
5. R.S. Mangalam	12	160	5	6	8	193	9	19	8	185	2	2
6. Thiruppuvanam	5	192	5	7	10	456	6	7	10	334	—	—
7. Pollachi	3	63	4	55	6	257	8	8	7	286	1	1
8. Veilakot*	10	372	3	6	9	310	—	—	8	337	6	267
9. Modakkurichi	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
10. Karidli	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
11. Wandiwash	4	90	3	3	5	137	5	17	12	196	1	1
12. Cheyyar	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR

a Women Welfare Committee, (2) a Harijan Welfare Committee, (3) an Ad-hoc School Advisory Committee, and (4) a Block Level Judging Committee. The two latter are composed mostly of officials, the School Advisory Committee consisting of the panchayat union commissioner as chairman and the deputy inspector of schools and extension officer (education) as members. Except the Appointment Committee, the others, whether statutory or not, hardly ever meet. *Table 44* shows the frequency of the meetings of the statutory committees in the twelve panchayat unions chosen for intensive study.

The frequency of the meetings of the Women's Welfare Committee and Ad-hoc School Advisory Committee from the two or three unions from which information could be had is as under. (*Table 45*).

The chief executive of the union is the panchayat union commissioner. Section 44 of the Act, while specifically defining his functions and relationship with the panchayat union council directs him to—

perform all the duties specifically imposed and exercise all the powers conferred on the Commissioner by this Act and subject, wherever it is hereinafter so provided, to the sanction of the Panchayat Union Council, and subject also to all other restrictions, limitations and conditions hereinafter

Table 44A: APPOINTMENT COMMITTEE (STATUTORY)  
(Frequency of Meetings)

imposed, exercise the executive power for the purpose of carrying out the provisions of this Act and be directly responsible for the due fulfillment of the purposes of this Act.

Table 44B: EDUCATION COMMITTEE (STATUTORY)  
**(Frequency of Meetings)**

Table 44C: GENERAL PURPOSES COMMITTEE (STATUTORY)  
(Frequency of Meetings)

Replying to a query from the Central Ministry of Community Development and Cooperation, the Madras government in its reply clarifying the commissioner's relationship with his council stated:

The Panchayat Union Council is having power to issue specific directions as it may think fit regarding the performance by the Commissioner of any other functions assigned to him under the Madras Panchayats Act, 1958. Except for the above, the Commissioner cannot be said to be under the Panchayat Union through its Chairman.

A note from a commissioner in one of the sample panchayat unions reproduced below indicates how a commissioner looks at his statutory duties.

*Note on the functions of the Block Development Officer and Panchayat Union Commissioner*

*As Block Development Officer:* Block Development Officer is competent to operate on state funds for the payment of Establishment charges for all establishments for whom payment is made from State Funds (Government). Besides, he can operate on Government funds for all items of work which are not entrusted to the Panchayat Union such as

Table 45A: WOMENS WELFARE COMMITTEE (NON-STATUTORY)  
(Frequency of Meetings)

Table 45B: AD-HOC SCHOOL ADVISORY COMMITTEE (NON-STATUTORY)  
(Frequency of Meetings)

Table 46: MONTHWISE NUMBER OF COMMUNICATIONS RECEIVED AND DESPATCHED  
(From Panchayat Unions in the Sample)

Name of union	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Thiruvaiyaru	Receipt NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	Despatch NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Needamangalam (1964)	Receipt 2824	1426	1406	1551	1309	1418	1804	2236	2145	1958	2015	2064
	Despatch 1324	1763	1699	1785	1560	1388	1630	1458	1657	103	1330	1705
Muthupet (1963)	Receipt 726	1077	980	1043	941	985	997	627	907	669	860	1010
	Despatch 1363	1428	1380	1144	1148	1149	1309	1357	958	1110	1341	1087
Sakkottai (1964)	Receipt 921	1141	1160	779	912	818	1108	862	1238	891	1036	957
	Despatch 1138	1214	1246	1010	1022	900	1375	1238	1289	1073	1127	993
R.S. Mangalam (1964)	Receipt 1080	1010	1013	1127	1213	1117	919	1050	1178	1413	1257	1153
	Despatch 1511	1435	1375	1334	1302	1210	1403	1038	1377	1307	1371	1531
Thiruppuvanam (1963)	Receipt 473	381	432	438	503	492	566	397	411	387	396	416
	Despatch 1663	1417	1523	1357	1321	1217	1485	1501	1350	1369	1393	NA
Pollachi (1964)	Receipt 1215	1182	1494	1136	1162	1044	1474	1405	1214	1172	1160	1292
	Despatch 1402	1590	1582	1713	1617	1318	1917	1811	1033	1121	2000	1323
Vellakoil (1964)	Receipt 1346	1336	1508	1163	1051	1242	1605	1520	1356	1312	1229	1280
	Despatch 880	805	875	1035	850	895	1040	720	600	840	762	625
Modakurichi (1964)	Receipt 833	923	1135	1002	1075	965	1201	1034	1000	1057	879	888
	Despatch 964	896	981	1174	905	1499	998	846	1559	1358	908	1102
Kandhli (April 1963- March 64)	Receipt 1054	1059	1393	1252	1000	1097	1553	1437	1208	1183	1087	527
	Despatch 948	1124	870	1543	978	1020	760	1328	984	1248	1327	890
Wandiwash (1964)	Receipt NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	Despatch 1079	1460	1180	1301	1086	906	1249	1260	1304	831	1112	NA
Cheyyar (1964)												

Harijan Welfare works, contingent bills for the supply of provision to the community centres, etc.

There are various kinds of schemes for the grant of loans to ryots under the Land Improvement Loans Act and Agricultural Loans Act. Special rules for pumping installations of oil engines, New Well Subsidy Scheme, Intensive Manuring Scheme and loans for agriculture implements.

*As Commissioner:* The Commissioner is the executive authority of the panchayat union. He is invested with all powers of appointment, punishment and dismissal of all employees paid from panchayat union funds. He can appoint the candidates selected by the Appointment Committee. He can award punishment to the employees in consultation with the Chairman. He has to carry out resolutions passed by the Council then and there subject to the rules and regulations issued by the Government. He can draw cheques on the funds of the panchayat union for any expenditure connected with the panchayat union administration.

A statement of the categories and number of persons who work under the administrative control of the commissioner in the panchayat union, is given in Appendix 2. The statement is furnished by the Tiruppuvanam panchayat union.

The functioning of the panchayat bodies is governed by the statutory provisions, executive instructions and the financial allocations decided by the state government. The extension personnel in the panchayat union meet every fortnight. The chairman of the union council is associated with every alternate meeting over which he presides. The other meetings are presided by the commissioner. The commissioner, the extension officers and the managers of all the panchayat unions in a taluk attend a monthly meeting under the chairmanship of the revenue divisional officer to review the panchayat union programmes and activities. The panchayat union chairmen in a revenue division also have a more informal meeting with the revenue divisional officer at his headquarters every two months. This latter meeting is held a little before the meeting of the district development council of which the chairmen as well as the revenue divisional officers are members.

The load of office work in every union is fairly heavy. The average daily receipt and dispatch of correspondence adds up to eighty or more. Several of these items are fairly detailed statements, received or filled proformas, etc. A monthwise statement

of incoming and outgoing correspondence ('tapals' as these are termed in Madras) in the different sample unions is given in *Table 46*.

The delay in the appointment of the staff, particularly that of the government paid staff— the extension officers, grama sevaks and sevikas, the manager, etc., causes much hardship. In small schools, it doubles the load on other school teachers at times for months together. In other programmes it implies a standstill till the new incumbent has functionally taken charge and familiarised herself or himself with the work. In some unions, the problem has been more acute than in others. As an illustration, in the panchayat union Wandiwash, according to the report of the collector of North Arcot for 1963, the posts of the extension officer (cooperation), extension officer (education), mukhya sevika, compost development inspector, two stockmen, one social welfare worker, three *grama sevaks* grade I, two *grama sevaks* grade II and two grama sevikas were unfilled since 1st April 1962.

More or less similar situations had arisen in other panchayat unions. In the Rajasingamangalam panchayat union, the position of vacant extension posts at the time of field investigation (November 25, 1964) was as under (*Table 47*).

Besides much delayed appointments, on the average, one-fourth to one-half of the government appointed staff are transferred from place to place and post to post every year. The proportion is higher for the extension staff than the secretarial. *Table 48* indicates the number of such transfers in some of the unions from which such information was available.

The yearly total expenditure including the approximate cost of the Community Development and National Extension staff (not accounted in the union budget) in the twelve unions in 1963-64 varied from a little less than Rs.6 lakhs in Sakkottai, Vallakoil and Kandili to over Rs.9 lakhs in Thiruvaiyaru. *Table 49* gives subjectwise break up of this expenditure for each of the twelve panchayat unions.

There is some variation in the expenditure from month to month in every union. Partly this variation is due to the fact that the salaries of teachers are not always paid on the same date and at times the salaries of two consecutive months get recorded during the same month. On the whole, the panchayat unions do not seem to face a problem of too little finance for months together and then getting flooded with money two or three months

TABLE 47

TABLE 48

before the end of the financial year, which is a common experience of all such similar bodies in many of the other states. A monthwise break-up of expenditure in some of the unions is given in *Table 50*.



Table 49: SELECTED PANCHAYAT UNIONS (DETAILS OF EXPENDITURE 1963-64)

(Population and amount in thousand)

	Thiruvayaru	Needamangalam	Muthupet	Sakkottai	Rajasinganangalam	Thirupuvanam	Pollachi	Vellakottai	Modakkurichi	Kandli	Randiwash	Cheyar
Population	85	77	62	63	52	67	127	55	87	64	83	76
Fiscal category	A	A	A	D	B	A	B	B	A	B	C	A
Ordinary expenditure (in Rs.)	28	36	39	45	26	32	29	30	29	34	46	38
Management	—	—	—	—	—	—	3	2	—	—	—	—
Remunerative enterprises	—	—	—	—	—	—	—	—	—	—	—	—
Dispensaries, etc.	30	26	5	11	19	—	10	2	5	25	3	4
Maternity centres	—	—	6	—	9	—	—	9	9	—	13	7
Women and child welfare	—	3	4	3	6.7	6	3	3	8	6	3	6
Communication maintenance	99	57	29	34	26	29	54	18	36	41	49	42

Irrigation	47	34	—	11	2	—	—	—	—	18	14	12
Social education	—	—	3.5	—	2.7	—	—	5	9	—	7	5
Elementary education	402	280	243	253	306	353	388	204	220	240	412	332
School meals	33	22	55	10	66	9	27	30	25	15	64	45
Agriculture and animal husbandry	105	—	81	—	36	—	—	30	75	—	68	51
Village industries	—	—	—	—	3	—	—	36	—	—	1	18
Other programmes	—	—	4	—	3.6	—	—	7	4	—	3	3
Capital expenditure	—	—	—	—	—	—	—	—	—	—	—	—
Communications	111	116	108	71	13	42	20	17	146	49	53	69
Rural water supply	36	51	12	46	40	20	40	29	46	24	7	6
School buildings	25	21	30	7	—	25	65	17	56	19	2	10
Agriculture	—	—	—	—	—	—	—	—	—	—	—	2
Village industries	—	—	—	—	27	—	—	—	—	—	2	8
Others	—	—	—	—	—	—	—	48	9	—	—	—

## PROGRAMMES

### *Construction of Roads, Drinking Water Projects and School Buildings*

Decisions about the location of new roads, drinking water projects or the construction of a new school building, all of which require varying amount of local contribution, are within the full competence of the panchayat union council and appear to provide the council with its utmost decision-making opportunity. It is difficult to say which particular influences or needs go into such decision-making. The advice of the union staff, particularly the commissioner and the union engineer, would perhaps contribute much to individual decisions. The availability of requisite local contribution would also be a primary factor and areas which are not able to come forth with the appropriate local contribution may not at all get the advantage of these programmes. A union can, according to instructions, relax the contribution percentage in the case of needy panchayats. This, however, would involve either compelling other areas to contribute somewhat more to works which relate to them, or the union itself meeting such amounts out of the surplus in its own funds. No region is likely to agree to contribute a larger share to help starting of a project in another region as matters stand today. The union contributing towards the deficit in the total local contribution amount out of its own surplus funds does happen occasionally, but such occurrences are limited as most unions have little of such surpluses. It may perhaps be true to say that many areas do get much less benefit out of these programmes by the mere fact of their inability to raise the local share. The principle of fiscal classification presently applied amongst panchayat unions could perhaps with more reason be applied to the panchayats within a union.

However, looking at some of these decisions over a period of three to four years in some of the unions, it seems that the decisions are fairly equitable as regards distribution of these amounts among the various panchayats. In the panchayat union, where incidentally the union has considerable surplus funds and has allocated fairly large amounts from them to the works programme, the per capita variation of amount spent in different panchayats is approximately 1:2. Such comparison cannot, however, take into account the initial needs of a particular area. One area may have had a lot more amenities to start with than another. And such equitableness may in fact help in the continuation of the need gap among different areas. The other aspect

Table 50: STATEMENT OF MONTHWISE EXPENDITURE

(Rs. in thousand)

Name of union	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March
Needamangalam (1963-64)	13	30	62	54	38	30	46	28	28	65	44	36
Muthupet (1963-64)	20	59	76	36	56	77	10	40	56	43	113	130
Sakkottai (1964) (Ordinary only)	26	34	31	25	34	27	64	10	34	25	48	66
Rajasingamangalam (1963-64)	36	40	5	7	31	72	13	61	12	98	18	112
Pollachi (1963-64)	42	50	36	64	44	91	56	66	71	97	84	112
Vellakot (1964) (Ordinary)	25	36	27	43	34	56	70	14	43	33	31	46
Modakurichi (1963-64)	25	38	30	28	25	38	34	48	51	41	43	54
Kandli (1963-64) (Ordinary)	26	25	22	24	26	42	31	36	42	33	28	88

\*The period for which the expenditure pertains is shown against the name of the union. Where it is shown from Calendar year as in Sakkottai and Vellakot the expenditure for (January and March) of the particular year is shown in the end columns. The expenditure shown is approximate; in some unions it includes the capital expenditure and deposits and balances also, in others it does not.

which the research unit was not able to go into was about the fairness of utilisation of funds between localities or hamlets within the individual panchayats. But the ideas and pressures which bring about such equity at the union level in all probability do operate within the village panchayats also.

#### *Elementary Education*

The major functions of the panchayat union in the field of elementary education are to make arrangements for timely payment of salaries etc., both in the panchayat union schools as well as aided schools in the area; to see to the opening of new schools with the agreement of the education department; to appoint teachers of panchayat union schools (including creation of new posts and filling up of existing ones); and to generally do all that is required in the matter of administration. The major task of the council of the panchayat union thus consists in opening new schools, appointing new teachers and deciding on the transfers of existing teachers. Opening of new schools and appointing new teachers is not too frequent. What is said to be of

TABLE 51: Details of Transfer of School Teachers

\*Wherever the information is only for one year or so, it is probable that the transfers during the rest of the period 1962-65 were not very marked.

\*\*Forty-two of the transfers in Tiruppuvanam were made on 7th August 1964, perhaps they were in the nature of 'prescribed' transfers.

\*\*\*The actual number of persons involved at Vellakoil was sixty-six. Of these thirty-two have had more than one transfer, one of the teachers having had as many as six transfers during a period of two years.

more frequent occurrence is transfer of teachers by the panchayat unions. Table 51 gives the number of teachers transferred within particular periods in some of the panchayat unions from which information could be obtained. The approximate rate of transfer in relation to the total number of teachers in an area varies from union to union. The proportion of transfer is as low as less than 5 per cent in one union and as high as 25 per cent in two unions out of nine panchayat unions about which information was available. Incidentally the rate of transfer of the government paid panchayat union staff is comparatively much higher.

#### *Agriculture, Animal Husbandry and Fisheries*

The research unit has not been able to make a detailed study of any of the schemes and programmes under agriculture, animal husbandry or fisheries. The position of expenditure under the several detailed heads in the selected unions is not very dissimilar to the overall position in the state, as indicated in the previous chapter. In some unions, the expenditure has more or less kept pace with the allocation while in a much larger number it has lagged very much behind, particularly in items like the grama sahayak service (for multiplication of improved seed), demonstration plots and demonstration farms and fish nursery. Where the panchayat union commissioner is a promotee from the post of extension officer (agriculture), the union seems to be able to make some variations in the detailed allocations. Perhaps, this is facilitated because of better relationship and understanding between the union and the higher officers of the agriculture department that can be established through the commissioner. This may also be partly due to the keener interest which such a commissioner takes in the agricultural programmes. The feasibility of reallocating money from one detailed head to another is wholly interlinked with the instructions and attitude of the agriculture directorate.

The following extract from a recent report, 'Stepping up of Progress', from the director of agriculture to the state government, provides an instance of one such reallocation at the council level, along with the department's view of it:

Against a total provision of Rs.7,500 for supply of implements and plant protection equipments to individuals, a sum of Rs.11,364 had been spent which is in excess of Rs.3,864 above the amount provided. It was explained to me that the amount provided in the promotion of green

manuring by individuals had been utilised for supply of implements. It was found that out of Rs.5,000 provided for the promotion of green manuring by individuals only Rs.442 had been spent so far. It was learnt that the transfer of amount from one head to another had been permitted by the panchayat union council. This is an irregular procedure and it was pointed out. It seems as though because it had been easier to purchase implements and equipments, the union had spent large amounts on these, but did not concentrate on important projects such as: the promotion of green manuring by individuals which required some hard work. This was also pointed out to the union commissioner and the chairman.

It is possible that the views expressed above are more relevant than the decision of the particular panchayat union council. The point of the above illustration, however, is that such a view was not expressed or conveyed to the union on the basis of merit but on the basis that it was 'an irregular procedure' and that 'it was pointed out.'

#### *Village Industries*

The following paragraphs are based on observation of functioning of the village industries units in some of the selected unions and a few areas of Tirunelveli and Kanyakumari. What is stated below deals exclusively with the institutional arrangements and the relative utility of those units to the people in the particular areas and has little to do with the techniques employed.

Most of the panchayat unions started their industrial schemes rather late. Largely it is due to the late appointment of the extension officer (industry) and other requisite staff which alone could in the present arrangement have initiated anything. By 1963-64, however, most unions had set up a few of the industrial schemes of training or manufacture and a few had come nearly to the end of their industrial allocation of Rs.50,000 for the period 1961-66.

The most common of the schemes which have been set up are (1) tailoring and embroidery units, (2) carpentry or carpentry-cum-blacksmithy training and production units, (3) pottery units along with common facility centres in certain areas particularly in Tirunelveli district, (4) tannery units, (5) distribution of bee-hives, and (6) assistance through cooperatives for bullock-driven

ghanis (oil presses), husking of paddy by women, ropemaking and the like. Besides the schemes run through the panchayat unions, the Madras Khadi and Village Industries Board runs and provides assistance to several village industries through its district offices.

The persons directly benefited by the present programme conducted through the panchayat unions are small in number. A tailoring unit in two to three years of its existence provides training to about thirty to forty young women and girls. The training is imparted in one place or the unit is shifted to another area after each course which lasts about a year. There is little arrangement for any follow-up action to ensure that the trained women are able to use their learning after they leave the centre. Many of them being poor evidently cannot buy sewing machines on their own. So the training which they get cannot be utilised to the extent many of them would have wished. Here supply of machines on easy terms and in addition at subsidised rates in cases of need could do much to make the programme more effective and meaningful.

A wider aspect of the training programme is its educational value. With more freedom and facilities, the tailoring and embroidery centres can really become places of much mutual education and exchange of information and views amongst the trainees and their instructors. At present, a certain amount of education no doubt takes place imperceptibly. And if the instructors are provided with more facilities in their work and given greater freedom in their functioning as for instance in the curriculum etc., these centres can contribute much more to village life.

The carpentry and blacksmithy units also do not provide training to more than twenty to thirty persons during their existence and their employment potential is far less. At present many of these centres which have gone into production mostly cater to institutional needs of the panchayat unions by manufacturing furniture for offices, schools, etc. The benefits of training and employment or servicing facilities do not go beyond the locality concerned. Their impact on the general improvement in local technology is not discernible. This equally applies to the tanning and other such centres also.

The problems of the pottery units and the common facility centres for potters, cooperatives of oil pressers, of women employed in the husking of paddy and such other employment industries are different. Some of these cooperatives have fairly well



run offices, well maintained account books and the like. Yet most of them do not seem to have created a feeling of belonging amongst those who are their members and work in them. They seem to have remained craft centres and, though helping the worker, have more or less lost sight of him or her as a living being. The result is that though the particular institution or the cooperative society may continue showing larger quantitative output, the situation of the individual worker may be deteriorating. This, in fact, has happened in many of the cooperatives of oil pressers, paddy husking societies and such like. One of the causes may be that persons who manage or supervise these cooperative societies have been trained to look at their tasks in a quantitative and mechanical manner and to keep their records, charts, etc., similarly. So, even if the surrounding situation tells them of the growing hardship of persons with whom they come in daily contact, their charts and records tell a different story. Additionally, when they try to work out per capita income etc., as they increasingly are expected to do, they get into all types of blunders in calculation, in adding up dissimilar data and in working out actual results from hypothetical details. The result of such activity occasionally seems to lead to the opposite of what one initially undertook to attain: that is, the desire to provide meaningful employment to a substantial number of people through village industries.

Many other problems are faced by these employment providing industries. There is the problem of raw material as in the case of paddy which has become a controlled commodity in many areas, the problem of marketing particularly in regard to pottery and hand-made paper and various other problems of governmental regulations. A curious regulation provided that the products of oil-pressers' cooperatives which employed more than a specified number of oil pressers (something like twenty or more) would be liable to a sales tax. The result is that instead of getting the regulation amended or agreeing to pay the tax, the tendency is to keep the number of members below such levels and turn out any who are above the limit.

Somehow, the panchayat unions have not come forward to take greater interest and initiative in the village industries programme. This is largely due to their feeling that they are not expected to do more than what is provided in particular schemes. If at times a panchayat union has come forward to continue a programme like a tailoring unit out of its own general funds after the stipulated duration, this has been looked down upon if

not altogether vetoed by the technical and supervisory authorities. It should, however, be quite possible for a number of panchayat unions, particularly those which have surplus balances, to undertake various production and servicing projects quite on their own, given some encouragement and opportunity.

#### OTHER ACTIVITIES

Besides the above, the panchayat unions concern themselves with several other activities: programmes for women and child welfare, social education or maintaining rural dispensaries, maternity centres and the like. The amounts which are allocated from government grants to these activities vary from about Rs.1,000 a year to something like Rs.5,000. Still, it is possible for some of the unions to allocate some additional resources to any of these activities from the unions' central fund. Many of the unions have done so for one or other such activity. These allocations, however, are small, partly because of limited free, or uncommitted, resources and partly because of other restrictions like ceilings on expenditure on particular items which are laid down through governmental instructions.

#### DISTRICT DEVELOPMENT COUNCILS

Except the three selected panchayat unions in Ramanathapuram, which were all located in one development district, East Ramanathapuram, the rest of the nine panchayat unions were situated in both parts of the districts of Thanjavur, Coimbatore and North Arcot. The district development councils, as discussed in some detail in volume I, though created by a separate statute, are in the nature of advisory and recommendatory bodies. Ordinarily, the district development council meets every two months under the chairmanship of the district collector, and discusses the same group of main subjects at half-yearly intervals. Each council has six standing committees concerned with the following subjects, viz., (1) Food and Agriculture, (2) Industry and Labour, (3) Public Works, (4) Education, (5) Health and Welfare and (6) General Purpose. The members of the committees are elected by the district development councils and except the General Purpose Committee, which is presided over by the collector-chairman, the rest have non-official chairmen. Initially in 1960-61, most committees had members of the legislative assembly or the legislative council as their chairmen; but presently, the chairmanship of these committees, which are constituted every year, is more and more occupied by chairmen of

the panchayat union councils. The corresponding standing committees meet before each meeting of the district development council and items discussed and decided in such meetings are put before the district development council. The number of subjects discussed by the district development council in each meeting range from thirty to forty. Besides these subjects, there are some interpellations from members, their number varying from meeting to meeting and council to council. The interpellations are replied to by the collector-chairman or by the concerned officer on his behalf.

The business of the district development council is divided into two categories: (a) government prescribed and (b) non-official. The 'government prescribed business' is largely concerned with schemes of planned development, their targets, and review. Ordinarily, a meeting of the district development council lasts two to three hours, but sometimes a meeting may continue for a whole day. In the district of Ramanathapuram, many of the district development council meetings are held at the headquarters of panchayat union councils in rotation. The personal assistant to the collector (panchayat development) for the concerned development district acts as the chief executive of the council. There is fairly large staff working under him.

The following reply to a question by a member in the West Thanjavur district development council on 25th February 1964 gives the details of meetings held, subjects disposed of and similar information regarding the West Thanjavur district development council during 1962-63 and 1963-64.

*Question:* How many resolutions have been passed at the District Development Council so far? How many resolutions have been disposed of after the execution of works? How many resolutions are pending with the Government?

*Answer:* No. of resolutions passed in the District Development Council:

1962-63	164
1963-64 (upto December 1963)	181
Total	345

No. of resolutions disposed of:

1962-63	112
1963-64	128
Total	240

No. of resolutions referred to Government:	
1962-63	52
1963-64	53
Total	105

No. of resolutions on which orders received so far from Government:	
1962-63	25
1963-64	7
Total	32

No. of resolutions pending with Government:	
1962-63	27
1963-64	46
Total	73

Each one of the twenty-one district development councils in the state adopts 150 to 200 resolutions annually. Out of these, about 25 per cent to 50 per cent are requests or recommendations by the district development councils to the state government or the various government departments. There is little indication in the records of district development councils regarding the action taken on the references made during any particular period. (The total of such requests which have to be dealt with at the government level may be around one thousand annually. It is possible that many of these deal with identical points arising in different district development councils. No specific information on the response from the government is available either in the district development councils or in the R.D. & L.A. department. Similarly the number of resolutions which may be reaching the government from the panchayat union councils may possibly range about twenty-five to fifty per panchayat union annually, thus adding upto some 8,000-15,000 every year. Another 5,000-10,000 requests of one type or another may be reaching the government or government departments at various levels from the 12,000 and odd panchayats. The question of the nature of these requests and what happens to them needs to be looked into and could help in a better understanding of the problems of the panchayat system.) The North Tiruchi development council, for instance, had forwarded 78 resolutions for the consideration of the government during the period between March 1960 and December 1961.

The nature of these references varies. A few of them from two or three of the district development councils in the selected districts are cited below:

1. It was resolved to recommend to the government to abolish both the Young Farmers Club and Farmers Forum since they did not serve any worthwhile purpose.<sup>1</sup>
2. It was resolved to request the government to grant permission to pay a sum not exceeding Rs.5 per month by panchayats for buildings taken on rent by *Mathar Sangams*.<sup>2</sup>
3. It was resolved to recommend to the government that for the effective functioning of the School Advisory Committee and for proper supervision, the jurisdiction of the deputy inspector of schools should be co-terminus with the block and that no deputy inspector of schools should have jurisdiction over more than one block.<sup>3</sup>
4. The council resolved to accept the recommendations of the standing committee to address the government to permit the panchayats to incur an expenditure to a limit of Rs.10 for carrying out repair to the radio sets locally.<sup>4</sup>
5. Resolved to request the government that sewing machines may be supplied to those who have completed training in tailoring units just as supply of craft equipment to those who have completed crafts training.<sup>5</sup>
6. It was resolved to request the government to appoint three grama sevikas in panchayat unions where there are more than fifty panchayats instead of two.<sup>6</sup>
7. It was resolved to request the government to empower the district health officer to purchase medicines upto a limit of Rs.500 in urgent cases even without getting a certificate

of non-availability from the government medical stores, Madras.<sup>7</sup>

8. The district development council recommended to extend the mid-day meals scheme to poor students of VI to VIII standards of higher elementary schools also.<sup>8</sup>

9. The district development council resolved to request the government to fix the teacher-pupil ratio on the basis of students in each class in the school instead of on the total number of pupils in the school.<sup>9</sup>

Quite a number of resolutions, though initially moved, are either withdrawn or not pressed for decision. The reason for such withdrawal is ordinarily not given in the records. A few of these are also cited below:

1. To request the government to permit the panchayat union councils to divert the Rs.2 lakhs sanctioned under the agricultural production programme under various schemes according to their need and to permit the councils to divert more funds for construction of veterinary buildings.<sup>10</sup>

2. To recommend to the government to empower the panchayat union commissioners to adjust the contribution to be paid by the panchayats at the rate of 2 nP. as per G.O. 1231 of 28th May 1962 towards mid-day meals scheme from the funds available to the credit of the panchayats at block level as the panchayat presidents are delaying the payment of the amount.<sup>11</sup>

3. To recommend to the government to appoint the deputy inspector of schools who is in charge of elementary education, mid-day meals, etc., as an extension officer in the panchayat union.<sup>12</sup>

4. To request the government to amend the District Development Council Act so as to enable a non-official to become the chairman of the district development council.<sup>13</sup>

5. To request the government to implement the instructions (issued in *G.O. [Ms] 2496* R.D. & L.A., 16th September 1962) regarding the relationship between the panchayat union chairman and the commissioner.<sup>14</sup>

Except law and order, the district development councils discuss almost everything which has anything to do with administrative and allied public activity in the district. Topics frequently pressed through resolutions of the district development councils relate to conversion of panchayat union roads into district roads and extension of bus routes. In places like Thanjavur, considerable time is devoted to matters concerned with irrigation projects, availability of tractors and other problems related to agriculture. Questions concerning availability of cement, rice, etc., arise occasionally, as also suggestions that certain licensing powers may be entrusted to panchayat union councils. There are at times requests and resolutions for opening new high schools, veterinary dispensaries, a sub-treasury in specific places in a district. In 1963, there was a suggestion of entrusting cattle pounds to panchayats in Thanjavur. Similar to suggestions and decisions on conversion of panchayat union roads into district roads, there are occasionally suggestions regarding conversion of particular rural dispensaries (managed by panchayat union councils) into government dispensaries.

Under the present operational arrangement of the district development council, the method of reporting on past decisions

and keeping track of pending items of which there are many, are not helpful to purposive functioning. The annual reports which are compiled say little. The minutes of individual meetings, though useful as a record, also do not disclose the actual achievements. The consideration and review of programmes and schemes is still largely mechanical and review or formulation on the basis of local need and capacity is yet to begin in the district development councils.

In October 1964, a motion was given notice of in the Madras Assembly by a member suggesting the inclusion in the administrative report of the district development council of information regarding: (i) the number of questions raised by non-official members and number answered and (ii) the number of subjects given notice of by non-official members, the number of subjects implemented and the number of subjects pending consideration. The motion, however, was not considered as the member was not present at the time of its consideration.

Notwithstanding all such deficiencies and drawbacks as well as their advisory and recommendatory character, the district development councils do take public cognisance and are in most cases able to deliberate on most issues. Though such deliberation may also be true of the panchayats in a more informal and unrecorded manner, at the level of the panchayat union councils, such cognisance and deliberation is nowhere to be seen. Perhaps in the case of the district development councils, their mere advisory and recommendatory character, and in the case of panchayats, their face to face relations with real situations, account for their freer deliberations. The panchayat unions, on the other hand, while aiming and claiming to be the main centres of self-governance, have more or less converted themselves (or been made to by the statute and the behests of government) into mere executive agencies.

#### Note

1. By the North Vellore and South Vellore district development councils during 1964-65.
2. By the North Vellore and South Vellore district development councils during 1964-65. A similar resolution to empower the inspector (district collector) to grant permission in specific cases was adopted by the East Thanjavur development council on 31st August 1963.
3. By the North Vellore district development council during 1964-65, also by the South Vellore district development council during 1961-62.
4. By the North Vellore and South Vellore district development councils during 1964-65. The problem was also discussed by the Coimbatore West district development council on 30th October 1964.
5. By the Coimbatore West district development council on 24th August 1963.
6. By South Vellore district development council during 1964-65.



7. By North Vellore district development council during 1964-65.
8. By Coimbatore West district development council on 24th August 1963.
9. *ibid.*
10. Moved at the meeting of the East Thanjavur district development council on 23rd February 1963 but later not pressed.
11. Moved in the East Thanjavur district development council on 31st August 1963 but withdrawn as the council felt that there was no need to empower the panchayat union commissioners in this manner.
12. Moved in the East Thanjavur district development council on 31st August 1963. The district education officer felt that the post should not be merged with the union staff and the collector-chairman compared the job of the deputy inspector of schools with that of the auditor of the local funds accounts and felt that if he was appointed as extension officer, it will go against the very principle of independent scrutiny. The council thereupon felt that It would be sufficient if the deputy inspectors were to attend the meetings of the panchayat union councils. The resolution was not pressed. A similar resolution was also on the agenda of the West Thanjavur district development council on 24th February 1964. The district education officer in this case stated that as this involved state policy, he was not in a position to express any opinion on the matter. The subject was adjourned to the next meeting as the mover of the resolution was not present.
13. Moved in the West Thanjavur district development council on 24th February 1964 but it was decided to drop the matter.
14. Was on the agenda of the West Thanjavur district development council on 24th February 1964 but adjourned as the mover was not present.

### III

## ACHIEVEMENTS, WEAKNESSES AND POTENTIALITIES

The present panchayat system is a combination of two separate organisational, administrative and content-oriented arrangements. Both of these have been considered in detail in Volume I. Mention must now be made of the Community Development and National Extension Service before we can proceed to discuss the achievements, weaknesses and potentialities of the present panchayat system.

There are many elements which go into the making of the Community Development and National Extension Service scheme. Streaks of idealism and fervour mix with strong doses of governmental routine. Being only a small part of the governmental structure, and rather an intruder at that, it is no wonder that till today it operates no differently. But the surprising thing is that, though in some places in the field at times there may still be some effort to get out of the rut, even by circumventing and manipulating the rules and procedure, at the levels of direction there is little attempt even to sit back and visualise what could possibly result from what was directed. This is not new; it really starts at the beginning- as early as 1952- at the very commencement of the programmes. Talking of villagers' contribution, a communication from the secretary of Community Projects Administration states '...If we assume that people can contribute Rs.130 lakhs of their own effort and of surplus earnings, as against the sum of Rs.65 lakhs provided by the government, the estimate will not be unduly optimistic. This has to be done. This alone will provide the test whether the Community Projects are a people's plan or it is a plan foisted on the people...' How could there be foisting of any plan on the people in free and democratic India? It could not be (in the government records) even in the days of British rule. A People's Plan' it therefore must be, and a 'People's Plan' it became in this implied sense, in all the printed and duplicated material which issued from the new offices.

The above is only one instance of the manner things were handled. In addition, there were the problems of co-ordination among the various authorities, and problems arising from the role of the 'technical' departments in relation to the extension staff who handled their subjects on the spot; and from the formal and functional relationship between the field staff and the corresponding branch of the state government secretariat, as well as the secretariat of the central Community Projects Administration. These were problems common to all projects in every state and probably the situation in Madras was less complex and more hopeful because of its earlier Firka Development scheme and because of the relative soundness of its finances and the lesser gap between the Madras government servants and the people of the state. Also, the villages in this state in 1952, when the community development programme started, had far more education and amenities than their counterparts in other states.

It is in the context of such unreality and problems, as illustrated above, that the Government of India's Committee on Plan Projects appointed a team to review the working of the Community Development and National Extension Service programmes. The committees in Madras, set up earlier, deal with much larger issues concerning the very constitution of rural local bodies in addition to the problems raised by Community Development and National Extension Service.

The major conclusions of the central team and of Madras committees converge on several points, though many of the details vary. The main changes which were to be brought about by the new arrangement were stated by the government of Madras in the Statement of Objects and Reasons of the Madras Panchayats Bill 1958\* as follows:

...The most important among the changes proposed is the abolition of district boards at district levels and their replacement by panchayat union councils set up at the level of development blocks delimited under the National Extension Service scheme of Community Development. Two purposes are intended to be secured by this change.

First, the development block will be a much more manageable territorial charge than the district. The members of the new panchayat union councils will have much more intimate personal knowledge of the needs and resources of the

entire local area placed in their collective charge than the members of the district board drawn from a much larger area. The change will thus be conducive to improvement of the efficiency of local administration and more effective participation therein by the elected representatives of the rural people.

Secondly, the National Extension Service establishments have been organised and their members trained with reference to the requirements of service in development blocks, which are delimited on a broadly uniform basis in all the states of India. It is necessary that the services of these organised establishments should be made available to the elected representatives of the rural people. Re-organisation of local administration on the basis of the development block as a territorial unit will help in securing this result conveniently.

The functions which are proposed to be entrusted severally to panchayat union councils and to panchayats will be in the aggregate, the same as those at present entrusted to district boards and panchayats, subject only to the changes specified below:

First, district boards are, at present, maintaining high schools, hospitals, major district roads and travellers' bungalows. It is proposed that these institutions and works should be excluded from the scope of district board functions to be vested in panchayat union councils.

Secondly, various measures designed to develop the productive resources of development blocks are, at present, undertaken by official agencies in pursuance of the National Extension Service scheme of Community Development which are unrelated to district boards and panchayats. The Bill confers power enabling Government to devolve the responsibility for execution of the entire scheme upon the panchayat union council, with its consent and subject to agreed terms and conditions.

There is, at present, a large measure of overlap in the statutory specification of functions allotted to district boards and panchayats. It is now proposed to revise the allocation of functions so as to remove this overlap and demarcate clearly the respective spheres of responsibility of the panchayat union council and the panchayat.

An important result of the reallocation of functions will be the entrustment to panchayat union councils of undivided responsibility over the whole field of elementary education. They will be responsible not only for the maintenance of all public elementary schools (at present managed by district boards, panchayats or government departments) but they will also be entrusted with responsibility for the provision of grants for aided private elementary schools. The entire responsibility for organising planned development of elementary education on a free and compulsory basis will devolve in each development block, on the panchayat union council concerned.

There is a long standing complaint that the allocation of financial resources to district boards and panchayats at present in force is inadequate. The entire scheme of local taxation and finance, as well as of government grants for elementary education and other purposes, has been reviewed and revised. Estimates have been framed of the increased resources likely to be required by panchayat union councils and panchayats, with reference to the revised allocation of functions. The new system of local taxation and finance, including the revised system of government grants, is designed to make adequate resources available with reference to estimated requirements.

The switch over to the new set-up cannot be effected on a single day. The Bill makes provision for the new legislation being introduced in successive batches in development blocks, according to a phased programme, with 2nd October 1961 as the target date, for the setting up of panchayats in all villages where there are no panchayats at present; and in setting up of panchayat union councils in all development blocks of the state. The Bill provides for the continued functioning of special officers who are at present performing the functions of district boards until these are taken over by panchayat union councils.

All the changes embodied in the Bill have been evolved on the basis of general agreement reached in the course of examination of the White Paper on Local Administration, by the Legislative Committee set up by Resolution of both Houses. The proposals relating to local taxation and finance were formulated by a local Finance Sub-Committee appointed by the Legislature Committee and subsequently reviewed and confirmed by the main committee.

The Bill is drafted so as to provide self-contained legislation in place of the Madras Village Panchayats Act 1950, as well as the Madras District Boards Act, 1920. A large number of sections of these two enactments have, therefore, to be reproduced without change as clauses of this Bill.

The formation of the 12,500 village panchayats covering the entire state was completed in 1960. The conversion of the existing Community Development and National Extension Service blocks into panchayat union councils on a phased programme was also completed by October 1961. The total rural area of the state is divided into 375 panchayat unions, all of them treated alike with regard to governmental budgetary allotments—no distinction being made on the basis of 'shadow', 'stage I' and 'stage II' blocks. Each union, on an average, consists of some 34 village panchayats and includes one or two town panchayats. The presidents of the panchayats constitute the panchayat union council with provision for co-option of up to three women and three representatives of scheduled castes (and scheduled tribes wherever necessary). In addition to the usual Community Development and National Extension Service personnel of about 20 from the block development officer to the *grama sevak* paid directly by the government, the union has some office and field staff of its own. Besides, each union employs 200 to 300 elementary and higher elementary school teachers in the panchayat union schools. The union also distributes the education grants to the private aided higher elementary and elementary schools. In certain areas like Tirunelveli, the number of such aided schools and teachers would far exceed those maintained by the panchayat union directly. In some others, private schools are nearly non-existent.

By another Act, also passed in 1958, 21 district development councils were set up in the twelve districts. These bodies are advisory and have no finances of their own, and thus apparently no staff and no address. Yet there is a fair-sized staff at the district wholly devoted to panchayat development in the particular development district and presided over by a personal assistant for panchayat development to the collector. The personal assistant (panchayat development) is ordinarily an experienced deputy collector with background of work in the development field as a block development officer or similar position. So also at the sub-divisional level, there is fair-sized staff (including a divisional panchayat officer) to assist the revenue divisional officer (or the I.A.S. sub-collector in some of the divisions where

this post exists) in the discharge of his supervisory duties over the panchayat unions in his jurisdiction. The number of panchayat unions varies from sub-division to sub-division, the average being about nine. The oft-repeated appellation 'friend, philosopher and guide' is really aptly applicable to the role of the revenue divisional officer in the Madras panchayat system. In addition to the normal inspection, etc., he presides over a monthly meeting of the superior staff of the union within a taluk at the taluk headquarters and of the chairmen of these bodies at his own office every two months. Like other district officers, he is also expected to attend each bimonthly meeting of the district development council. All the chairmen of the panchayat union councils in the area, chairmen of the municipal bodies, concerned members of the legislative assembly, legislative council and the Lok Sabha and Rajya Sabha are equal members of the district development council. The district collector is the chairman.

Lack of resources cannot be said to be the major problem faced by the panchayat union councils. Not that each union has plenty or even sufficient for the tasks and commitments set before it. There were a considerable number of panchayat unions, 146 in 1963-64 and 126 in 1964-65, which had deficit closing balances. Largely, such deficits are due to the fiscal classifications and the manner of their implementation, and could be easily rectified. In contrast, 23 unions have budget surpluses of over Rs.1 lakh and 56 unions between Rs.50,000-Rs.1,00,000 in 1964-65. There were several unions whose total individual balances exceeded Rs.5,00,000 in 1965. The budget of a union normally ranges between Rs.6 to 8 lakhs annually. About half (or more) of this is allotted to elementary education, about 20 per cent to rural works and panchayat union road maintenance, about 3 per cent to 5 per cent to management (not including the salary of the extension staff which would be double this amount and is directly paid by the government), some 5 per cent to 10 per cent to health, welfare, social education and the like; upto 8 per cent to school meal programme with variations from union to union; and 8 per cent to 10 per cent on what is termed as the production fund budget, i.e. agriculture, animal husbandry, fisheries and village industries, the central programme of the Community Development- National Extension Service nexus. The share from the government grants in the total budget is around 75 per cent, while 25 per cent constitute the panchayat union's own income derived from taxes levied by it or in its name by the government and other miscellaneous sources. The total schematic

budget of the 375 unions for 1961-62 to 1965-66 is Rs.100 crores, of village panchayats Rs.37 crores and of the 400 odd town panchayats Rs.5 crores. The budgets of the village panchayats are more self-contained, their own income or income specifically collected in their name from taxes, etc., contributing a little over 50 per cent of their income.

A budget of Rs.6 to 8 lakhs, however, does not provide much freedom or opportunity to the panchayat union in terms of the use of quantitative resources for practically all of this money is committed to specified schemes and programmes. Most of it, nearly 60 per cent to 70 per cent goes on salaries. Even the rest, the money for works (road maintenance, village roads, water supply, school buildings), for production purposes and the school mid-day programme, is fairly strictly divided into various items of use and the manner of use laid down to the minutest detail and supervised by several categories of administrative and technical superiors. So the possibilities of varying achievement have little to do with the use of resources which are available with the panchayat union council and its staff. With the manner of use laid down and technical specifications provided, the utmost which could be done would be to use extra care and not allow a single paisa to go waste. The result of such care could, however, never amount to more than 10 per cent to 20 per cent of the results which would ordinarily follow from the utilisation of the quantities involved. Moreover, it would hardly make any real difference to the pattern of growth or development in a panchayat union if the Rs.2 lakhs which can be so manipulated can be made to do the work of Rs.2.20 or Rs.2.40 lakhs. This is desirable in itself, but hardly material to the issue of development.

The greater contribution, therefore, in the functioning of the panchayat union could only come from a greater utilisation of the technical abilities of its staff and the planning and decision-making qualities of the members of the panchayat union council and their ability to attract locally available technical talent in the service of its area. Of this, as matters are arranged today, there seems to be little scope. Both the staff and the elected are absolutely tied today, and the former ordinarily so very frightened of their superiors- of whom there are several to be attended to or to be approached warily- that each one of them is wholly involved in not doing what may be considered 'wrong'. There is no time or opportunity to even begin considering what one is doing, not to speak of finding better and more worthwhile ways of



achieving the end in view. What is being achieved today through the panchayat unions is really, both in its positive and negative aspects, wholly due to the quantitative resource inputs, and the arrangements and the instructions which have been provided by the state and central authorities.

It is not as if the elected bodies make no decision at all. They can certainly decide where to build a village road, construct a school building or dig a well. The panchayat union councils also decide on the recommendation of their committees the appointment of their school teachers, clerical staff, etc. Furthermore, they can decide the location of maternity centres (one for every 10,000 population) or dispensaries. And they certainly do all this. The staff would also, particularly the block development officer and extension officers, have a say in many of the above things— at least from what is termed as a 'technical' angle. The *grama sevak* can decide where to put a demonstration plot (for which he has a budget of Rs.4 annually), where to start the demonstration farm (for which he has an allocation of Rs.120 a year), whom to recommend or select as a *grama sahayak*, and pay the subsidy of Rs.2 per maund of improved seed distributed, whom to encourage to dig a compost pit to claim Rs.3 and several such matters. Similarly with the others— the two *grama sevikas*, the *mukhya sevika*, the extension officer (industry), the extension officer (animal husbandry), the extension officer (agriculture), etc. Additionally, the higher ones supervise the lower ones, keep track of the time-schedules for meetings, returns, reports, diaries and the miscellaneous requests for information which keep pouring in. All this probably leads to some improvement and some variation in the work of the unions, but mostly the job of the people in the union is to carry out instructions, to do the leg work or attend to the routine of their office desks or classrooms and see that there is no rebuff, no black marks of any type from the technical, administrative, disciplining and inspectorial superiors.

Such a situation need not necessarily be undesirable. In fact, if certain primary assumptions and decisions are agreed upon, this may be the only way in which one's agents in the field should function. But then it does not require the present elected superstructure— which, though not really very expensive in itself, is certainly far too heavy. A man who functions in the field would, whenever he requires it, consult the necessary people. That is a pre-condition for functioning anywhere. One does not have to create statutory councils and committees just for that. Advisory or consultative bodies could probably do the job better

and retain freedom of opinion for the body and of action for the worker.

A more serious requirement of functioning under central instructions would be the ability of the central directing and instructing agency or agencies to attend individually to the problems and requirements of every unit. This is something which cannot be avoided. The whole purpose, perhaps unstated, of linking the technical personnel with the people's representatives was just that. If it is felt— for whatever reasons— that these bodies cannot be entrusted with the making of basic decisions, such decisions should then be made elsewhere. They can be made at the state level or some other regional level, but should be made for each unit individually. The unit must know in what manner and to what extent it could depart from the norm, from the schematic plan. And the responsibility for results would be that of the level which provides the plan and determines the structural arrangements.

If this is not what is wanted for socio-political or other reasons, the question arises of what exactly are the specific shortcomings in the present arrangements. The problem may be stated as under.

The present manner of the allocation of resources— and probably it could not in the existing structure follow a very different pattern— between the different subjects bears little relationship with the staffing arrangements. Practically all the extension staff (except the block development officer, the social education extension officer, whose main charge now is administrative supervision of elementary education, and the three women workers) are concerned today with the specified utilisation of some Rs.40,000 to Rs.50,000 a year (which is less than 10 per cent of the block budget). This pre-occupation of theirs somehow overshadows everything else in the union. The result is that, on the one hand, there is a wastage of personnel in administering little resources; and, on the other, utilisation of larger resources getting much less attention and guidance. The main sufferers in this are the elementary schools and the panchayats. A lone extension officer (education)— to deserve his designation— can do very little in the way of extension for some sixty to seventy schools with a strength of 8000–10,000 pupils which each union has. The same is true of the village panchayat. The present extension officer (panchayats) is only an auditor of accounts. Wherever there are more than sixty panchayats in a union, an additional man is provided. But the job is the same and the area is

divided between the two. The present extension officer (panchayats), because of the nature of tasks assigned- and not because of his training and capacity- is in no position to help in the growth and strengthening of village panchayats, as his designation seems to require. In fact, his work may somewhat weaken them, make them unnecessarily cautious and frightened, and further lead them into a habit of fixing and falsifying accounts, minute books and the various other papers and documents they maintain. In fact, in certain situations, he has to act as some sort of surveillance man over the panchayat president.

This lopsidedness of staffing frustrates whatever little a panchayat union council or its officers may wish to do. Leaving aside whatever training they have in their particular profession- and it is really nothing very profound- one extension person in the union could easily be interchanged with another, at least for temporary purposes. This, however, no union can decide by itself. The staff is tied to a specifically defined job and if for some reason there is no scope of doing much in the particular field, he must idle away his time, with obvious consequences to every one else in the structure. There is much of this today.

If the extension man is not to do anything except his individual expert duty, the better arrangement would be to give him greater freedom to initiate whatever seemed to him more worthwhile, if necessary out of a specified list of items, and watch what he achieves. And if he could not be left on his own, he could be placed at the disposal of such panchayats which required his services, leaving it to them to derive whatever benefit they could from his talent. A third choice would be to put him under the direct charge and responsibility of his technical superior, who should be free to assign him work. In such a case, if a panchayat union or a panchayat wanted the technical assistance of a particular extension official, it would approach the superior concerned. The existing structure leads to the rusting away of whatever knowledge and skill possessed by each of these persons concerned.

There are some couple of hundreds of registers which are maintained in a panchayat union and its agricultural store. Further, a union submits over a hundred periodical returns everyday, week, fortnight, month or quarterly to various superior authorities. Additionally, the *grama sevak* maintains a number of registers on his own and submits a considerable number of returns about his various activities and movement. Yet, except to some extent from the panchayat union's budget or expenditure

and income statement, which is fairly detailed and elaborate, no picture easily emerges from any record about what is actually happening in a union in any particular field, or the total activity of union in its area of about 100 square miles. The ignorance about what is happening in smaller units, the panchayats, the hamlets and the individual beneficiaries is altogether dismal. Even in the field of agricultural development, which is so widely talked about by one and all, no unions or panchayats— except perhaps certain areas of the Intensive Agricultural Development programme in Thanjavur— can show in one register or chart, what has been done in toto in the field of agricultural development in any panchayat, let alone in smaller divisions like hamlets, etc. There are elaborate records of individual articles sold or distributed, and even individual registers of these records allotting a separate page to each panchayat are maintained. But no person, no record of any type, no file, chart, diagram and no register can show which of these articles together and in what quantities have reached a particular panchayat in any period. The question of having a similar statement about any agricultural family to whom various types of assistance have been provided, does not really arise. With so much talk of planning and development, the fact that this elementary thing has not even been thought of at the directing levels is the saddest aspect of the working of the Community Development and National Extension Service part of the panchayat system. It is not as if the extension and secretarial staff does not understand these matters. Many of them certainly do. Their attitude is that they need not and should not do anything that has not been prescribed. The situation has declined so low that one dare not even think of doing what one has not been asked to do. The superior technical officers are probably much too occupied with far more important activities to have time to think of or suggest this or similar visualisation and presentation which could have done much to enlighten their junior colleagues about the work they do, the achievements that are there and the shortcomings which need repair.

This is also true of the records of the *grama sevak*. Nobody has even time to look at them and to make him see the benefit he could derive from such labour. The result is that most of what he keeps serves little purpose; and at times is not even dependable. A large part of it he copies from elsewhere; and each copying adds more errors.

Each one of the extension staff has to maintain a diary and has to submit copies of it for the perusal of his superior officers.

Yet nowhere has anyone worked out what all this activity really means. It is said that these diaries are really not reliable, that they do not give a true account of the activities of the writer. It is also said that the people in the union, the council members as well as the commissioner, know exactly what is happening, what each extension officer and *grama sevak* is doing in the union. If that is so and the diaries are not really trustworthy or useful, why maintain them? If these serve no purpose, they should be discontinued. Yet the diary, even a fanciful one— and there is a limit to exaggeration in all such situations— if utilised along with the others and for a period of time, could really indicate the nature and frequency of the contact of the extension personnel with each panchayat, village or hamlet. It is not really very difficult to do this job and its purpose certainly should not be to show up any man. The purpose of such use of the diary material would be to understand the real usefulness of extension work, and find out which areas could do better with more attention by the concerned extension staff. A programme for the succeeding year could be based on the experience and work of the previous one. Of course, this assumes that the visit of the extension staff to a village and panchayat serves some purpose. If this is not so, perhaps one need not worry about such matters.

Presently, the contact of the extension officer (industry) and the union engineer is mostly in the panchayats where their particular programme operates. This would, in the case of the extension officer (industry), be at the most ten different villages; and of the union engineer, at the most one-half of the number of panchayats in the area in any one year. The extension officer (agriculture) and the extension officer (animal husbandry) reach a larger number of villages and panchayats, but seldom all; and usually visit a panchayat no more than two or three times a year. The extension officer (panchayats), who is expected to do quarterly audits and a final audit every year, can usually make only two or three visits a year to a panchayat. Even in his case, sometimes a few panchayats are left out. The extension officer (education) is expected to pay frequent visits to panchayat union schools. It seems that he pays two or three visits in a year to most schools but not really to all. The *mukhya sevika* and the *grama sevikas* obviously can move even less. They have good contacts with a few villages and panchayats and little contact with others. The two social workers who are recruited from amongst political sufferers or from among their near relatives, probably have more contact; but their job is practically like that of a salesman of literature and a manager of public gatherings

to celebrate the various prescribed 'days' and 'weeks' and little else. The commissioner's contact with the villages and panchayats is somewhat more. He may visit many villages more than six times a year, but some of them perhaps not even once. There would rarely be any person in the extension staff who would have visited every village and hamlet during a year, or even during his total stay in the union. Visits, of course, are largely cursory and may frequently only mean a few minutes' stay in the village. The *grama sevāk*, who is expected to live in a village and, who mostly lives there, is the only one who visits all the hamlets and villages in his area. His contact would extend to about 10 per cent to 20 per cent of the heads of households.

The concept of Community Development and National Extension Service scheme was formulated and their details worked out in the late 1940s and the early 1950s. Though its area coverage has increased manifold with consequent increase of total 'trained' personnel and total financial resources devoted to it, essentially there has been little change in the content of the schemes since about 1953. On the other hand, the personnel and financial resources meant for the Community Development and National Extension Service core have undergone a somewhat planned quantitative reduction. This would be true of all parts of the country, as the basic decisions about it are of an all-India nature and the Government of India's Ministry of Community Development (formerly the Community Projects Administration) prescribes the staffing and financial pattern. Looking at the allocations which have continued to be provided to the basic unit, 'the Community Development and National Extension Service block', one can only infer that this is one of India's depressed programmes. The total allocation for a state or the whole country, instead of enlightening, only hide the reality. It is at the level of the unit that the problem has to be understood.

The depression has set in two ways. *First*, strange though it may seem, the depression is due to the successful achievement of the programme itself and of the other larger changes in education, electrification of rural areas, better communications, extension and spread of urban-originated ideas, goods, methods of doing things through the various media which have had large expansion and influence at least in a state like Madras. The result has been that the knowledgeability, and at times the resource availability of those whom one used to and still continues to approach, is at least at par with one's own similar

capacities. Further, such rural people, not being in the strait-jacket of a predetermined set up, are open and receptive to ideas and influences from everywhere. The extension worker, in contrast, even in absolute terms, begins to know less and less—his environment having a corroding and rusting effect on him and making him more hidebound and far more subordinated. His situation today is such that, if not of an adventurous and pushy nature, he is resigned to his task and fate, and if adventurous and pushy, he is cynical of what he does, and his main effort is to get away out of this particular rut somehow, which many of the extension officers certainly achieve.

*Second*, the financial allocations made in terms of subsidies and matching grants, have stayed more or less at the quantitative figures which obtained ten years ago. Their subdivisions have become finer and much more bound by instructions and rules. A subsidy of Rs.2 or 3 on anything given in the early 1950s might have had some meaning then. Today it has very little. Its actual value has declined to one-half of that, and its persuasive value, however needy the person to whom it is offered, may be really nil. For the majority of rural people who are yet untouched by the favours of recent change and development, these amounts may still mean something—though not very much. But working amongst them and with them is a far tougher job. It was hard when these programmes started; today it is well-nigh impossible. The element of will and hope amongst the personnel and the quantitative inputs which are required for a new venture amongst such people are not traceable in the Community Development and National Extension Service set up at any level inclusive of the directing centres.

Such a situation has its inevitable consequences. With the instructions as they are and the fear of non-compliance which pervades the atmosphere, the extension personnel, particularly the *grama sevaks*, either keep on running after people they know, begging them to produce and supply a *maund* or two of improved seed, dig a compost pit here and there, buy some insecticide and various little items which are in their programme, and make them accept paltry little sums, and fill and sign on the various dotted lines. Sometimes it works, may be to some purpose also; at other times, lack of success leads to manipulation, to fixing of records and the like. While the system is becoming less and less workable, no one can speak to one's superiors today about the unworkability or ineffectiveness of the system; and cannot think of suggesting any drastic amendment or its total

abandonment. These topics do not figure in the innumerable meetings which the extension personnel have with their technical or administrative superiors. If ever any such query is raised, it is silenced by being told that others were doing the work and submitting the right reports, and to do as they do and not raise such irrelevant issues again. Probably one could persist; yet, there is a limit to persistence in a superior-subordinated relationship.

This trend does not limit itself to conforming to the prescribed use of resources only. It precludes and inhibits the extension personnel and even the panchayat union councils from bringing to the notice of those who are in a position to decide, the little additions or alterations which may be required to render a given scheme or programme more purposeful. Practically all such decisions lie not with the revenue divisional officers or even the collectors, but in the state secretariat and the offices of the heads of departments. As a result, one trains some people in a few village industries but can do little and suggest even less about what could be done to enable those trainees to put to use what they have learnt later on. At times this may only be a matter of some little loan assistance to buy some tools, to buy a sewing machine or some such equipment. Probably in many such cases, the suggestions would receive attention and acceptance. The climate, however, is such that one does not suggest anything or those who may still wish to, have no means of doing so, being at the bottom rung of the governmental hierarchy.

Regarding agriculture, animal husbandry and fisheries, it may be relevant here to compare the resources, financial and in terms of personnel, which are available to the concerned departments at the state level and to their subordinate offices with those which are at the disposal of the panchayat bodies.

The state expenditure on agriculture and some income pertaining to it (under ordinary) during the past few years has been as shown in *Table 52*

In the agriculture department during 1964-65, 341 posts of officers and 8,121 posts in the establishment consisting of 5,326 special and 2,795 ordinary categories were sanctioned. Neither the expenditure, nor the personnel given above includes any substantial amount or personnel who are available to the panchayat unions. The panchayat union allocations come directly from the Rural Development and Local Administration Department at the state level.



TABLE 52

\*It may be mentioned that similar amounts as income were shown in the Budget Estimates and Revised Estimates of previous years. Yet though the Expenditure estimates were invariably exceeded, the actual incomes were less than half of those estimated.

The staff which is now available in the panchayat unions has no officers as such as understood in the government. All the extension staff is classed as special categories. The clerical staff working in the agricultural store would be termed common category. The staff which is available in the 374 panchayat unions is shown in *Table 53*.

The average annual amount available to a panchayat union under agriculture is Rs.24,500. This, of course, does not include the salaries of the staff. If it can be fully utilised, which seldom is due to the various stipulations, it amounts to ninety lakhs of rupees yearly. The cost of the staff may be another one crore rupees. It may be seen that the total of the two is about 30 per cent of the ordinary net expenditure of the state Agriculture Department during 1963-64.

Similarly, the income and expenditure of the animal husbandry department was as under (*Table 54*).

The number of sanctioned posts in the animal husbandry department in 1964-65 were 131 of officers, and 3,053 of the establishment comprising 2,327 special and 726 ordinary categories. As in the case of agriculture, these resources were in no substantial degree transferred to the panchayat unions.

TABLE 53

The panchayat unions' allocations again arose in the Rural Development and Local Administration Department.

In comparison, the staff for animal husbandry in the panchayat unions was only 374, one extension officer per union. The five year budget for animal husbandry was Rs.14,000 as subsidies, etc., for pedigree bulls, cockerels, rams and as expenditure for poultry units, and another Rs.17,500 for construction of a veterinary dispensary. This latter can hardly be construed as a direct expenditure on animal husbandry activities through the unions; and moreover, these dispensaries have rarely been constructed at all. So the amount available is Rs.2,800 a year, which works out to Rs.10,47,200 for all the 374 panchayat unions. Taking into account the salaries of the staff which come under Rural Development and Local Administration, the total is

TABLE 54

only a fraction of the ordinary net expenditure on animal husbandry through the animal husbandry department in 1963-64.

There is a provision of Rs.36,000 for starting fish nurseries in the five year union budget. But this programme seems to have been started rarely and in most of the unions the amount is quite unutilised. There is also no specifically assigned staff allotted to the union. The net ordinary expenditure in the state on fisheries was Rs.33,69,193 in 1959-60 and Rs.64,00,000 (approximately) in 1963-64.

The object in examining these is neither to justify the relative lack of achievement in these fields through the panchayat bodies, nor to enter into any criticism of the state departments, but only to put the subject in a somewhat better focus for a purposeful consideration of the primary problem.

Several instances may be cited to show how unrealistic and unimaginative are government prescriptions and specifications with regard to works, etc. The estimates and designs for the elementary school buildings first worked out in 1950 were communicated to the people concerned some eight years later. The same designs, the same estimates, still hold true. Estimates for all major works all over the country have nearly doubled in the past ten to fifteen years. In the rural areas, the value of the rupee is supposed to stay unchanged!

The most depressing example of this is in the provision for the school meal programme. Leaving aside the impossible instructions which, in the prevailing situation, could only lead to falsification of accounts and records, not for personal advantage but for public good- which should make everyone hang his head in shame- the provision of six naya paisa, first made as the government contribution for every meal served, has remained the same in 1965. Not only have prices for everything gone up in the period, even the state budget has grown three-fold, and the education budget more than twice in the intervening seven-eight years. Surely, there must be deterioration in the quality and quantity of the food provided for an amount fixed eight years back?

The school meal programme is really very old in the Madras state; the Madras Corporation provided a meal worth 1½ annas in the money of those days to the children in its schools even in 1930. This scheme, however well-intentioned when it was mooted, has by now become a pale shadow of what it might have been

some years ago. Further, the instructions which have been provided\* in the past few years have made most heads of schools, where the programme operates, into some sort of fabricators of records. The number of such schools being very large, some 30,000, its demoralising effect on the teachers and the taught must be very wide indeed.

The basic point on the school meal programme needs rather urgent attention. Why do we want these meals? As a bait for enrolment, it is no longer necessary in most parts of the Madras state. And the bait is no longer really a bait, having lost more than half its quantitative value. If it still serves as such in certain areas, it is a matter of shame, something to be perturbed about, and nothing to brag about or be proud of. If it is a programme which is meant to be continued for most school children who do not go back home in the school lunch-break, it has to be put on a sounder footing. Furthermore, however poor India may be, it certainly still has the capacity to look after its children. They may not be looked after in the manner children are taken care of in the more favoured areas of the world. Well, that is something which has to be put up with perhaps temporarily, perhaps for all time. Yet, it does no earthly good and brings in a lot of harm, blunting of the senses and increase in feelings of humiliation if the country has to approach for or accept petty contributions from all and sundry to distribute little bits of milk powder, of vegetable oil, of corn flour to the children and the teachers in the schools of India. The country having to seek or accept all types of other aid at the national level in no way justifies the seeking or receipt of external contributions for the school meal programme anywhere in India. Such

non-acceptance need be no offence to any of India's international friends or well-wishers.

Along with the expansion in school enrolment, there has, for a variety of reasons, been a deterioration in the quality of education imparted, in the upkeep of the school, and an increase in the load on the teachers. Some of it was inevitable due to enlarged enrolment with limited financial resources. The number of pupils to a teacher has increased considerably; in fact, it has been so decreed through orders and instructions. As there was never any provision at the elementary school level for a central reserve of teachers to fill in temporary vacancies— and there is bound to be some 10 per cent to 20 per cent of absenteeism due to leave, sickness, resignations, etc., in any system— the situation in many small schools with not more than two or three teachers can really become impossible for weeks and months on end. A school of any type— either for children or older trainees— is not an office, and things cannot be postponed for another day. Everything requires instant attention. With the added prescribed weight to the existing load, this is well nigh impossible. The more orderly solution really is a reserve of teachers and additional resources for equipment and similar other things.

There may be genuine difficulties about finding additional resources or considerable time lags may occur in receiving them. Here voluntary assistance has a great role to play. Voluntary assistance may be in terms of cash or goods or 'muscle' labour or may be in the form of volunteering one's talents and training for a common purpose. Today on an average, every panchayat area would have at least a dozen of young men and women who have just finished studying up to the S.S.L.C. standard. Many of them have little to do and are not really hard-pressed for money. Some of them probably would be happy to be asked to help in schools and similar other activities. It would help the schools, help these youths and certainly tone up the school atmosphere. Though none of such volunteers would have the requisite training, their education would be on par with most of the elementary school teachers. Nothing can be done by the people or the panchayat union councils about seeking such assistance unless the Education Department permits such a practice. Similar solutions could also be thought of in other village situations including the management of the school meal programme which could be much better organised by the *mathar sangam* than by the overworked school teachers or the village panchayat president who would have hardly any time to look after the daily routine

of the school meal or its budgetary details. Moreover by doing so, these *sangams* can certainly discover a channel of effective approach to village women.

Committees in the panchayat unions and even at the district level are least effective bodies. Wherever it is so stipulated, they do hold their meetings as frequently as required, at least in the records. Where it is not prescribed by governmental rules, the committees seldom meet. Perhaps it is a reflection of the fact that they have little to do. It appears that the continued practice of ignoring bodies in favour of individuals going on for half a century or even longer has taken deeper roots.

Madras has had the provision of interpellation of the chairman or the president of a local body by a member from the very beginning. Restricted in course of time, it, however, still obtains.

There are areas where meetings of village panchayats are more vigorous and better attended. In many areas, even a substantial number of villagers turn up at the meetings. In fact, from the very beginning of the century, meetings of all local bodies, at every level in Madras state, are ordinarily open to the public. But in some areas this is not encouraged by the elected or the employed; while in many other areas, such a provision in the rules may not be known even to the panchayat union staff. The provision that people of the area can attend meetings of the panchayat union councils is certainly either unknown or forgotten, or possibly not publicly revealed to the local people to avoid various types of embarrassments. The meetings of the district development council are attended by a few journalists, who perhaps live in the district town.

In quite a large number of panchayats, meetings are not well attended and in some it is even said that no real meetings are held at all. In certain areas the proportion of such panchayats is said to be as high as 50 per cent. Lack of resources for doing anything and factionalism are said to be the causes for this. But it seems that lack of a community place where the panchayat could meet is really a major reason for not holding meetings. In a large number of places, the residence of the president serves as the office of the panchayat. This discourages or keeps members away from a meeting. It is not as if the panchayat village has no communal place. Usually it has at least a school building. But a real problem is created by the government direction prohibiting meetings of the panchayats on Sundays and other prescribed holidays, and prescribing that

meetings should take place in offices. A school could easily be available on a holiday. Unless it is arranged that either the panchayat office can be situated there, or that the meetings can be held at any commonly agreed place and date, the problem unnecessarily created by outdated government regulations will remain unsolved.

In the relatively larger panchayats covering a large number of hamlets, it is pretty difficult to interest the people in panchayat affairs and keep such interest alive. The problem posed by the size is not really very complex. Creation of some sort of sub-panchayats or rotating the meeting of the panchayat in different villages and hamlets could be of considerable help. Bifurcation of the larger ones may in some cases help, but at times this may not be desired for reasons of financial adequacy etc., by those involved.

A few other suggestions, the first two of which should not cause much worry in implementation, may be made here. First, it would add to the utility and some more initiative even within the present framework if in addition to the services of the panchayat union commissioner the panchayat union council was allowed to have a secretary of its own. He may be an elected member of the union or someone who is appointed by the body to such a post. The job of the secretary should be to attend to the decision-making functions of the body; to prepare its agenda in consultation with the chairman and other members; to communicate the decisions of the body to those concerned; to keep the body informed about the needs and achievements in individual areas and the union as a whole and to do all that which the body may wish to be done, but which may obviously be embarrassing to the government-appointed panchayat union commissioner if such tasks were forced on him. The commissioner with all his competence, ability and capacity for initiative is still a very junior servant of the governmental structure. One cannot expect him to be the spokesman of the union in relation to the government. Such a task is also not possible for the chairman to undertake in an organised manner and through the formal communication channels, which alone can bring forth specific governmental response in most situations. His meeting the higher-ups, whether at the ministerial or administrative levels as a leader of his area, though pleasant, can and does achieve little. Having a secretary, if his tasks are clearly specified and demarcated, need cause no complications in the present functional set up which can continue to operate under the panchayat union

commissioner as it does at present. In fact, the arrangement could be a great support to the commissioner and eliminate many of his current worries and embarrassments.

The second suggestion relates to the area jurisdiction of such government officers within a district who, though outside the panchayat system, are mainly concerned with the provision of instructions, guidance or supervision to what is being done through it. Of such persons the largest in number are the deputy inspectors of schools, who are the technical and academic supervisors of the elementary and higher elementary schools. Their number today approximates the number of panchayat unions (374). Yet, in a substantial number of cases their jurisdiction is divided between parts of two or three unions. There are a few instances when the number of schools in a union is large and cannot be managed by one deputy inspector of schools. In such cases, two or even more persons may be needed. But the need is to revise the jurisdiction of the deputy inspectors of schools and make them coterminous with union jurisdictions, or a half or one-third of a union when there is such need as is being done in the case of the two extension officers (panchayats) in some of the unions with large number of panchayats. The step was contemplated by the government several years ago but nothing has been done so far. Such a decision probably would imply the creation of a few more posts of deputy inspectors of schools.

The issue of jurisdiction also requires some rationalisation with regard to the jurisdiction of some of the district officers in fields like agriculture, cooperatives, etc. and of assistant engineers who are concerned with the working of the Rural Works Programme in the panchayat unions. In the districts of Madras, a district officer of agriculture (except perhaps in the Nilgiris and Kanyakumari) is not in charge of a whole revenue or even development district. Some of these technical subjects have nearly as many district officers in a district as the number of revenue divisions. But the number of such officers and the divisions may not always be equal, nor their jurisdiction identical. In all such cases it would be more rational and administratively more useful if the jurisdiction of each district officer or assistant engineer is made coterminous with the revenue division. Wherever there has to be more than one such officer in a division, the division could suitably be divided without splitting a panchayat union area in the jurisdiction of different officers.

The jurisdiction problem also creates complications in relation to revenue villages and panchayats. The borders of a large



number of village panchayats (about 7,800) are coterminous with that of revenue villages. But about 1,250 panchayats cover less than one revenue village, while over 3,000 extend to more than one revenue village, thus resulting in the division of many revenue villages between two panchayats. The matter seems to have been under the consideration of the Madras government for an appreciable time, and matters seemed to have been moving towards some rationalisation in 1962. Yet somehow the subject seems to have been forgotten or has purposely been filed away. The question, perhaps, is connected with a re-organisation of the whole structure of revenue administration at the local levels and the relationship which has yet to be established between the two different categories of subjects termed as 'revenue' and 'self-government and development' respectively. Much thinking is already there on these subjects in the records of the Madras government; only it requires some decision and a workable public expression.

Some data on the number of the various categories of what are termed as village revenue servants may be given here (*Table 55*). The data is taken from papers on the Madras State Budget for 1961-62.

The average of this village based revenue staff would work out to 158 persons of various categories per panchayat union. It may be noted that this is about seven to eight times the number of extension personnel in a panchayat union and nearly 50 per cent to 60 per cent of the number of elementary teachers, who also are public servants. In comparison to the total number of elected members of panchayats (1,17,629), the number of

Table 55

village servants is just about one-half. Their emoluments however bear no relationship with the emoluments of any other paid public servants having been fixed in the early years of the nineteenth century and having undergone little change thereafter. In this at least, the village servants are comparable to the members of the Board of Revenue, whose salaries have also remained stationary at far more elevated levels fixed some 180 years ago.

Probably an equally thorny question on which there may be several view points would be with regard to the functions and jurisdiction of the Community Development and National Extension Service personnel in the panchayat union. In terms of extension, because of the prevailing circumstance, most of the personnel has outlived their utility. They are still useful, but hardly in the promotional or technical fields. It may yet be possible to make them useful and take interest in the promotion of technical know-how by furthering their intellectual and technical equipment, reorganising their jurisdiction and rearranging their functions. The jurisdictional problem here would be that the technical person, like the present extension officers, who can be expected to do certain jobs on his own should have a much smaller jurisdiction, something like that of one or two *grama sevak* circles where he can personally do, or at least certainly supervise, a technical job. To have such persons in every one or two *grama sevak* circles for every individual subject may be too big a task to be adopted immediately. What can be attempted under the existing conditions is to give to the extension officers, besides special training in one field, a general orientation in the various other subjects which are handled by the other extension officers. After this, the several extension officers could be dispersed to live and work in the different areas of a union. The posting could be made on the basis of either the need of an area for a person with particular specialisation, or some other locally derived criteria. Whenever a problem about which the particular extension officer knows little arises, he can consult the specialist extension officer through correspondence or a special visit. While this would make life more rational and work more meaningful, to derive additional advantage through mutual contact it would be advisable if the extension officer has his office or residence in the vicinity of a high school or some other similar educational institution. As stated elsewhere, most union areas today can boast of four to six high schools.

The present 'cash-book-voucher-audit rules', though in themselves of some use in keeping track of the expenditure of

money, serve little other purpose. In fact, a large part of the wastage and purposeless application of resources today is due to antiquated tests in expenditure. The criteria in the use of expenditure have to change. Much could be adopted from criteria used in industrial, manufacturing and commercial enterprises. Others have to be newly created and must serve the purpose of productivity in its varied sense, or public good— as understood by the people in whose name all this is being done and to whom ultimately one is accountable. Today there is not even a notion of this and certainly no accountability.

A rather ridiculous and somewhat tragic situation in this regard prevails in the citadels of the government itself. The department which looks after and administers the panchayat system, for instance, would be issuing some 3,000–4,000 government orders every year. In addition, a large number are recorded for future reference. Further, countless more, may be some 10,000–20,000, of memoranda are also sent instructing these bodies and others what to do and what not to do. A very large number of these and probably somewhere around 80 per cent to 90 per cent of the issued Government Orders really deal with trivialities, like making exceptions in permitting an expenditure of Rs.10 or Rs.20 on this item or that or providing sanction for various other little items where the routine instructions have been somewhat overstepped or are unworkable. Even the collectors have to be provided such sanctions. It is not that the government department is cruel, mean or dictatorial. It is not. Largely it is very paternal. But the whole point is whether it for this purpose that India requires its Departments and Secretariat? Is it for this that talented people are taken away from the field and put at the directing levels? What colossal waste this involves— not really so much in terms of money expenditure (even there the procedure for sanctioning a sum of Rs.10 or Rs.20 may cost many times that amount in terms of the sheer time consumed at various levels), but in the diversion of attention and thought from what really was the main job. This department is no isolated phenomenon; it follows the pattern set up by the older government departments. And what are termed as technical departments do no differently. A government technical officer today does little else, except watch that the rules are not breached, that things are sanctioned according to instructions in the book or the file, and sign the various travelling allowances and daily allowances and other bills and accounts which pertain to him. Of course, he also maintains the personal files of his subordinates!

Something requires to be done quite independently of everything else with the accounting system in these offices. The present system was provided a century or more ago. It consists in the maintenance of some 8–10 feet wide cash registers, and probably a large number are kept for various purposes and items in each panchayat union and even in the panchayats. The system was probably very simple when it started; today it is no longer so. It does not help one find out, (experts in accounts would be able to give the proper judgement) with a little labour of a couple of hours, the income and expenditure position of the institution under the various heads at any particular time. The double entry system should really have been adopted years ago. May be there are some insurmountable difficulties. But accounts in these institutions can in no way be more complicated than in industrial or commercial establishments. And at least in Madras, the persons who maintain the union accounts are pretty competent and, knowing accounts as they do, it could not be very difficult for them to switch over to a more manageable and rational system.

There is a terrible 'status-consciousness', mainly based on the money factor in the governmental structure of India. It is no new creation of the post-independence era but is an inheritance from the earlier period of British rule. However, with the larger functions of the government today and the much larger number of persons who come in its contact, particularly through the local government system, this status-consciousness has been very much accentuated. It manifests itself in many ways, most of them ridiculous. For instance, differentiation is made even between non-official members of the same body in reimbursing them for travelling and incidental expenses. This prevails all over India. Perhaps in a state like Tamilnadu, with its comparatively egalitarian and equal society— at least in the money sense— it looks more annoying, irksome and anomalous. What earthly reasons can there be to treat elected non-official members of the same body at different footings, the law-makers alone can tell. Perhaps being clothed with power and authority, they really do not have to look back at what they have produced. It saves no money anywhere, but tends to build a truly hierarchical society, where each man is higher, or lower than the other and no two are equal even in such mundane matters. One hears of discrimination by the rural people against the less fortunate amongst them. Any discrimination practised by them is nothing in comparison to what is sanctified and enforced by governmental

legality and practice. It is really a wonder that faced with such models, the rural people do as well as they do today at least in the Madras state.

A subject which perhaps consumes the most time and causes constant headaches and alterations in decisions at the state level relates to matters of administrative, technical and supervisory control— particularly over the extension personnel placed at the service of the panchayat unions. The problem is in no sense concerned with the question of official versus non-official relations as in this respect, the elected bodies have no direct control on any of the extension personnel. The problem arises from within the official administrative structure itself. What seems to require constant resolving and readjustment is the nature of relative control to be exercised by the block development officer, the revenue divisional officer and the collector on the one hand and the technical officers at the district and the state levels on the other.

Another problem is one of lack of focus in viewing the present situation and acting according to it. The focus is still in the year 1920, or at the most 1947 or 1950. The same emphasis, the same advice, the same data accumulation. Things, taxes, effort which had meaning half a century or more ago or even perhaps in the year of Independence need no longer have much meaning. This realisation does not dawn easily. For instance, one still emphasises the collection of the vehicle, profession and house tax in the village panchayats. Though the house tax still produces an appreciable amount after much labour, the total collection of the vehicle and profession taxes is, on the average, not even 2 per cent of the total income of most village panchayats. Most probably, the cost of the record-keeping and stationery for these two would be much more than the collection. It is also a psychological and social load on village society. Yet, such is the state of the mind that the performance of the village panchayats is judged by a 'Demand, Collection and Balance Statement' of these three taxes or the number of street lights which any or a group of village panchayats have put.

In the few spheres in which they can operate, the panchayat union councils have done fairly well. It is possible that this is due to advice and suggestions which they have received from their own staff or the superior officers, like the revenue divisional officers, collectors, etc. Their treatment of the village panchayats in their areas seems to be fairly equitable in allocation of funds for rural roads, drinking water facilities, opening

of schools, and constructing school buildings, viewing their job over 3-4 years. Furthermore, many of them which could afford this have given the panchayats in their areas a larger share than that prescribed, from the amount of the local cess and other general income.

Further, all things considered, the performance of the village panchayats in Madras in terms of quantitative achievements is quite good; and their efforts to raise additional resources by self-initiated tax effort are appreciable. This is ordinarily not much known or appreciated. Partly, the fault is of the higher coordinating and directing machinery. In the old days, till about 1958, there used to be fairly detailed annual administration reports on the working of village panchayats and the district boards. These were ordinarily available within a year of the year under report. Since 1958, there is no such report at the state level, except a solitary report on the advisory district development councils for the year 1960-61, which has statutorily to be placed on the table of the Madras legislature. Part of the reason is that by the 1958 Act, the collector is the inspector of the panchayats. But even at the district levels, no such report or information seems to have been compiled and made publicly available. The result is that information on panchayats is to be gathered only from hearsay. For instance, it is not really much known, much less realised even at the directing and instructing levels, that over 600 village panchayats have levied development tax in their areas. This is an optional tax which panchayats can levy but its levy is really hedged in by a lot of rules and instructions which have been added during the past four years. Five hundred and fifty of these panchayats are in the district of Coimbatore alone, and some fifty in Tirunelveli. Other districts have only one or two panchayats which levied such tax. The total amount of this tax collected is not known. But in two or three panchayats in the study sample, the amount is as high as Rs.5,000 annually.

The quantitative achievements of the panchayats are not all due to their own efforts. Certain taxes have been levied in their name by the state government and the proceeds made over to them; and a few direct grants from the government (like the House Tax Matching Grant), and several others from or through the panchayat unions are given to the panchayats. The achievements are to be seen in the construction of roads, improvement in drinking water supply and in the ability to construct a building for the school. Depending on the fiscal category of the panchayat union in which the panchayat is situated, except for

works meant solely for the scheduled castes, the contribution of the panchayat or the people in its area varies from 20 per cent to 50 per cent of the total cost of the project. This arrangement has probably been detrimental to poor panchayats in what are classified as prosperous panchayat unions. There is a provision that the panchayat union can vary the contribution of a panchayat somewhat, and fulfil the specified contribution quota from the union funds. This is adopted at times, but not as often as required. In the present rigid arrangements of the structure, such relaxation by the panchayat union council would usually be not popular with the majority of members.

Many more jobs have been done by the village panchayats besides the works programme. These relate to the usual traditional items like sanitation, street lights, etc. Not all places have these, but many have. A popular item has been panchayat plantation. This is partly because of the effort of the union agricultural staff. Some panchayats, which have the common land, have brought in as much as fifty acres under panchayat plantation. A variety of fruit and other plants are planted. In areas where vacant land is scarce, as in most parts of Thanjavur, the areas under plantations are in cents of acres. Sometimes such plantations are on the boundaries of roads and lanes.

Many panchayats— perhaps not a great proportion— take up several other activities in the form of health measures, welfare, social education programmes and centres, and some even contribute the optional 2 paisa per school meal they are allowed to contribute. But panchayats are also as much hedged by the statutory and executive instructions as the unions are. Perhaps only a little less so. An instance may be mentioned of a district development council having to pass a resolution requesting the government to allow panchayats to contribute Rs.5 per month to the *Mathar Sangam* from their own funds. Yet the *Mathar Sangam*, though quite purposeful, is itself a creation of a government instruction. Instances of such curious laws and provisions abound in the records of the panchayat bodies.

In an arrangement which is functional and alive, the possibilities in the rural areas of Tamilnadu are large. Practically all panchayat areas have electricity today. This can, and perhaps will, be extended in a few years to practically all villages and most hamlets. Every panchayat union area today has five to six high schools. The boys and girls who study there come largely from the peasant families and about one-third of them are girls. Every union area on an average today has about 450 to 600

persons paid from public revenues. Of them, 300 to 400 may be teachers in schools, about 100 of them women. Village officers number about 150. Though paid very lowly allowances and rather tough and grabbing in their jobs due to a century old tradition, the latter have yet much know-how and experience in the matter of record-keeping and maintenance of accounts. About fifty would be the Community Development and National Extension Service type personnel engaged in extension, technical and engineering work, and another fifty consist of fairly competent clerical and other staff.

With so much talent already available in each area, it is certainly possible to do far more than what goes on. The need is to apply the mind to the problems, to various little innovations which would encourage people to contribute a lot more without additional labour or strain and to be alert to the demands of the situation. One of the things which is perhaps easy to do is to make it possible for the educated people (like school teachers, etc.), to live in the village where they work. The need is of houses and amenities. Today, in every panchayat union, two houses have been built in some distant villages for two women teachers. Two houses, though welcome, solve little. It cannot be always expected that a system which employs a person should build a house for him or her. What is required is to encourage local people to do so by guaranteeing a fair return on their investment. Some village people themselves will come forward to build the house if they know it would be regularly rented and paid for. An allowance towards rent (equal to what would be a fair return for the house to be rented) and some loan, etc., to buy certain items of amenities— like a radio set and the like— would bring most teachers to move from the crowded small towns into the villages where they work. The additional expense involved would be only a fraction to all that is spent today on the salaries of such persons. The good could be immense.

Various other little innovations will have to be thought out or will occur when the system and the people in it really begin to function. In a non-functioning situation, as of today, this is really impossible; or worse, the innovations will be at the level of make-believe. Another question which needs attention is the practice of transferring people from place to place and from job to job. This practice of transferring people was necessary in a colonial administration as the men concerned would either have become so hated as to be useless as agents, or so merged in the given society that they could not be depended upon. As the



objective today is no longer a colonial objective, no transfer need be done except on a request of the man himself. Transfers for reasons of promotion have little meaning. If a man is capable of undertaking more responsibility, there is no reason in most cases to move him somewhere else, unless he is to be elevated to the top position in his hierarchy either in his state or in the nation. Why the village or the field is to have those who are considered to be less competent in executive positions and the secretariats and urban centres those who have proved their ability is not clear. In fact, it is detrimental to everything which one aspires to do and professes to do.

Certain questions, which are neither central to problems of democracy nor the functioning of self-governing institutions, have much preoccupied both the exponents and the critics of the panchayat system. These have generated much heat and overshadowed practically everything else in discussion of the present system. Corruption, the problem of election and place of the officers in the panchayat institutions are the three issues which excite great heat.

*First*, the problem of corruption is not integral to the panchayat system. It did not start with its creation and it operates in the panchayat system, as it operates elsewhere in Indian society. In a few places, it may be as rampant as is claimed and dramatised. In small doses, it perhaps exists in a large number of panchayat bodies. The solution to the problem, however, does not lie within the system, at least today. The present system can only adopt the remedies which are adopted elsewhere in the larger society. An attempt has been made to assess the possibilities of corruption and graft in the present panchayat unions and the village panchayats in the next chapter.

*Second*, the question of elections and adult franchise. On one extreme, elections are the soul of democracy; at the other, they are leading Indian society to ruin. Much is said about the growth of caste feelings and factionalism. In a way, elections may also have something to do with these. But it is too much of a simplification to endow elections alone with such great devilry. The main issue really is, if a choice is to be made in a deliberate manner by the people to choose a representative, how is such a choice to be made by any individual? How is such a choice made anywhere even in the homeland of the parliamentary system? It is a rare individual who decides such things on his own, even in the 'homeland'. One decides with one's fellows, the groups or the clubs one inhabits. One normally votes as one's

friends do: those equally concerned with the particular issue. The situation in the Indian village is that the people have so far little opportunity to belong to the group(s) of their choice. By belonging to one and one predetermined group only, one mostly does what the group decides. This is really the basis of the caste vote. If the aim is to reduce the influence of caste in such matters, one must create more centres of interest and attraction in rural society. The present remedies which are usually advocated in the way of unanimity, etc., may be good in themselves but are really no solution. When people wish to be unanimous, they do not wait for someone to tell them so.

*Third.* the manner of constituting these bodies. This is not however much discussed openly. A habit seems to have grown that the more serious problems are discussed in private only. It is often said with reference to those who are chosen for these bodies, that they should have a certain minimum educational qualification, the assumption being that such qualification makes one more competent for the job to be done. But the fundamental question is never discussed. Having initially constituted elected bodies and provided the system of adult franchise, why are these bodies and people's representatives tied down by innumerable rules leaving them absolutely no freedom to adjust the system to suit their own inclinations or situations? This question is nowhere discussed, not even by the elected people. The sounder policy should be to grant real 'self-government' in as many spheres as it is considered to be 'safe', and in other spheres to allow some freedom to these bodies to adapt the given system if necessary, after compulsory prior consultation with a more knowledgeable body, may be at the sub-divisional level or at the district. This will of course make the task of those who maintain election records, etc., who prepare annual departmental reports on a stereotype pattern and who collect and compute data somewhat more complex and arduous. But surely all these bodies do not exist for the sake of the recorders of data. They exist for other larger purposes pertaining to the people in their areas and they must begin to operate, the sooner the better, in ways which seem more reasonable and workable to themselves.

Another aspect of panchayat raj that is frequently discussed is the inter-relationship between the officials and the elected members of these bodies. As these bodies are constituted today, there are probably no officers in them at the village and the union (*samiti*) level anywhere in India. In certain areas, officers have some sort of ex-officio membership in the district body.

In a few states, collectors happen to be their ex-officio chairmen. In some others, collectors preside over the standing committees of the district body. In Madras state, the collector is the chairman of the district development council and the personal assistant (panchayat development) to the collector (though not so designated) its secretary.

There is much worrying over this problem even in Madras, where relationships between the collector-chairman and elected members are generally cordial. The problem seems to be getting rather disproportionate attention at the cost of more basic and urgent issues. If the body really functions democratically and members speak up their mind, and everything is recorded, it hardly matters who is the chairman. The only point is that whoever it is, the chairman must act as such and not as a representative of an outside agency. Even when it is not an elective office, the presiding officer, official or non-official, is the chairman of the house over which he presides and has no other role, responsibility, authority or function while in the chair. In Madras, to the extent one can judge from the district development council records, the collector-chairman has filled this role admirably. It is possible that in meetings his presence or manner is somewhat inhibiting. But so could it be even with some elected non-official chairmen. The solution in these matters is to assert one's membership right in the performance of one's functions. The restrictive trend or too many safeguards lead really nowhere.

The same could be said about the alleged inhibiting influence of members of legislature and members of parliament in bodies at the district or the union level. The bodies and their members are to be helped and enabled to feel and become adults. Treating them as infants may satisfy the protectors but can do no good either to them or to Indian society.

By the usual standards of the country and within the structure provided, the present panchayat system in Madras, whether at the village, union or development district level, has not really done too badly. The credit for this is due to both the elected and the officers. The relations amongst them, in spite of some petty differences, squabbles, etc., are on the whole fairly smooth and cordial. They are probably better than anywhere else in India. And the bossing around and arbitrariness of officials by the elected and vice versa is certainly much less at the local levels.

But most of the achievements really did not much require this elaborate structure. With the quantitative provisions which

have obtained, the services on their own could have done nearly as much. The district development council or the panchayat union council is not the only mechanism in Madras through which the officials and the non-officials communicate. The communication channels between most of those who can get elected and most members of the local official hierarchy are varied and pretty old. The culture barrier between the local officer and the people is not of such dimensions as to require their meeting in a body to settle questions. This is probably required in certain other states in India, where the distance between the official and the non-official is considerable.

But a serious culture gap, however, is still there. Only it is at a different level. It is the culture gap between the detailed policy making and directing agencies on the one hand and the traditional executing officers and the people on the other. Instead of coming closer, it has widened considerably in recent times. It is this gap which is at the root of the various troubles in the panchayat structure.

At the time of the 1958 enactment, the Minister piloting the Madras Panchayats Bill had stated that after four-five years of the working of the new system, the government would appoint a committee of the legislature to review the working of the system. Such a committee is yet to be appointed. It is perhaps time to constitute such a committee to give a close and detailed look in all aspects of the present panchayat system.

## IV

### CORRUPTION AND THE PANCHAYAT SYSTEM

(AN ATTEMPT AT MEASUREMENT)

Much is said about the prevalence and increase in corrupt practices amongst those who are concerned with the panchayat system. It is really difficult to vouch for or against such statements, as there is no way to verify all that is said or alleged. A question regarding the number of cases involving embezzlement of panchayat funds was raised in the legislature in 1963. It was found that, on an average, there were ten cases in each district. The question was not replied to, as it had lapsed.<sup>1</sup> In brief, what is alleged may be summed up as under.

#### MALPRACTICES IN ELECTIONS

It is stated and generally agreed that normally a voter in panchayat elections receives and accepts for going to the polls to record his vote an amount of one or two rupees in village panchayats and Rs.5 to 10 in town panchayats. It is, of course, not claimed by even the most vehement opponents of the panchayat system that this happens in every village and town and to every voter. But what is implied is that it is common and perhaps happens in something like 50 per cent of the contest situations. Even when there are no contests, some money may have passed from the selected individual to the persons who may have to be persuaded to withdraw and/or to their supporters. The actual money transaction is said to be not between the contestant and the voter directly, but through the group leader of the group to which the voter belongs.

The next stage for the play of undue influence and money is claimed in the elections of presidents and vice-presidents of panchayats. The contestants for these positions are supposed to influence the votes of the elected members of panchayats (5-15) through various means. One way obviously would be to appeal

to the group and other affinities and loyalties. The cruder form, which is also claimed to obtain and is said to be on the increase, is to bundle together one's potential but uncertain supporters and take them on a somewhat gallivanting tour (or a pilgrimage if the group is so inclined) for the duration between the filing of nomination papers for presidential election and the actual time of election itself. The amounts involved may ordinarily be Rs.100 to Rs.200 per member. Again, it is admitted by those who vehemently believe in such occurrences that this does not happen in every panchayat. The estimate of such occurrences would be in 20 per cent to 50 per cent of the concerned situations. (One principal argument in favour of direct election of the panchayat chiefs is elimination of this practice of 'kidnapping'.)

Yet another stage is the election of the chairman and vice-chairman of the panchayat union. The voters are the panchayat presidents. The charge here is similar to that involving election of panchayat presidents. The amounts involved, however, are said to be far larger. It is said that a successful candidate may spend as much as Rs.40,000 for being elected as the chairman of a panchayat union council. The more normal amounts are said to be Rs.10,000 to Rs.20,000. Again, it is admitted that not all the 375 councils are involved. Yet, the prevalence is supposed to be in larger proportion than in panchayats.

#### CORRUPTION AMONGST THOSE ELECTED

The main charge of corruption amongst those elected is directed at the presidents of panchayats and the chairmen of panchayat union councils.

##### *Panchayat Presidents*

The major avenue of corruption is said to be 'the management of rural works' in the panchayat area by the president. The average annual amount of money spent on works like rural roads, water supply projects, school building, etc., is around Rs.2,500 per panchayat. The charge is that the panchayat president makes a margin of around 10 per cent to 20 per cent in this programme. There are also some other minor avenues like managing of panchayat plantations, etc., where the panchayat president is supposed to make some personal monetary gain. However, it is agreed that normally the total amount which may thus be appropriated by a president would not exceed Rs.500 in

a year. It is also admitted that this may not be the practice in more than half the number of panchayats.

#### *Panchayat Union Council Chairmen*

The charges against the chairmen are more indirect, though varied. The chairman handles no executive functions and thus no council money. The major charge is of taking advantage of his position as chairman of the council's Appointments Committee and seeking 'money gratification' when any appointment is made. The overwhelming number of such persons is amongst school teachers. Even here new appointments are not very large. The number involved may be about 20 to 30 teachers annually. The average total yearly salary of a teacher is Rs.1,200.

The other charge is concerned with the transfer of teachers within the union. This function is ordinarily performed by the panchayat union commissioner who should keep the chairman informed. Annual transfers, once a year, are handled by a committee composed of the chairman, the commissioner and the deputy inspector of schools. The number of transfers vary from union to union but normally 5 per cent to 15 per cent of the teachers are affected. The point which is made is that the chairman as the more influential person has an opportunity of seeking and receiving monetary gratification in such situations.

Another charge which is surreptitiously made against the chairman and also other elected persons is misbehaviour with the women employees of the union. As quite a large proportion of teachers (about one-third for all rural areas) are women, the implication is of misbehaviour with women teachers.

The other charges against the chairman are concerned with the use of the jeep, etc, undue attention for his own area and his own agricultural fields from the panchayat union extension staff.

Yet another charge is concerned with travelling allowances. The chairman is now allowed a fixed travelling allowance upto Rs.1,200 a year, the exact amount to be decided by the panchayat union council. The total annual expenditure on travelling allowance and daily allowance paid to the elected members in a union ranges between Rs.1,800 and Rs.3,000 including the chairman's fixed travelling allowance. So the misuse can only be in relation to an amount of Rs.600 to Rs.1,800 in each union.

## CORRUPTION AMONGST EMPLOYEES

The village panchayats really have little staff and the executive authority there is the panchayat president himself. So charges of corruption there do not apply to such staff.

The school teachers are the largest group of staff. On the average, there are 800 teachers distributed in about sixty to eighty schools in the direct employment of each union except in Kanyakumari, West Ramanathapuram and the Tirunelveli districts. It is only in two matters that the head teacher would have to handle money. One is the school meal programme, involving a government grant of about Rs.600 a year, and the other in the matter of school equipment for which the sum involved would really be paltry Rs.100 a year or so. The charge would be of misappropriation of a portion of these amounts.

The other staff is some twenty-five to thirty persons from the commissioner to the *grama sevaks* who are concerned with the execution of the panchayat union's programmes in the field. Most of them handle small amounts, and a few of them supervise such handling either by their official subordinates or by others over whom they happen to have some supervisory or other technical authority. The charge, which is made usually in a vague but insinuating manner, would be that most of those persons are somehow managing to secure large amounts of 'monetary gratification' through insidious means. The *grama sevaks*, who are the largest in number amongst this group, are supposed to wangle parts of the amounts at their disposal; the extension officers, particularly the extension officer (panchayats) and extension officer (agriculture) are assumed to receive varying amounts from those they come across in their official transactions, the former from the presidents of the panchayats in the course of audit work and the latter in varied situations. There are the usual charges against the engineering personnel. Even the other extension officers, industry and education, the *mukhya sevika*, and other field personnel are supposed to be able to make varying 'packets'. It is believed that the commissioner would be able to get a cut in bigger deals. Then, there are the usual charges of misuse of the jeep.



## AN ATTEMPTED MEASUREMENT

As said before, it is difficult to make out the reality of corruption in any particular place. In a climate of corruption, it is really impossible to prove the contrary. Possibly, all that is said is based on facts and is really as widely prevalent as alleged. Still granting this, what could all this amount to quantitatively? A guess at this is being made in what follows.

However, one thing may be said here. Behind all these charges is the assumption that the mere fact of having some authority over money (however small the amounts), material or men, implies some misuse, some appropriation for one's own personal ends. This is an assumption which is on a level with fundamental beliefs. No counter-arguments can convince those who subscribe to such assumptions.

### *The Teachers*

As said earlier, on the average a school annually handles a government grant of about Rs.600 for school meals and about Rs.100 or so for odds and ends. The school meal grant from the government is only a part (60 per cent or less) of the amount meant for school meals. The rest, 40 per cent or more, is to be collected from within the village, (up to half from the panchayat and the rest from the people) and the government grant is really dependent on this collection. It may be noted here that such schools and panchayats where this sum can be collected to the stipulated extent are rare. In some few places, the panchayats do contribute their own share. In still fewer places, the panchayat president and the teacher are able to collect the balance of requirement from the people. In most places this is not so. Even when the panchayat or the panchayat union may wish to meet the whole of the balance, it is not allowed to do so. As the 60 per cent grant is dependent on the prior receipt of the 40 per cent contributions, there is a large scale fixing of accounts. This can only happen with the willing or tacit approval of all concerned at every level who are in any way directly connected with the sponsoring, directing or the administration of the school meals programme.

In such a situation of enforced, and by now deliberate, fixing of accounts and records, any misappropriation would really be a small matter. Even the prevalence of such misappropriation is doubtful. What probably does happen in some places is some recorded inflation in the number of those fed. Largely this is to

help in increasing the quantity of the meal to somewhat near the intended quantum of 10 paise worth. It is possible that there are a few instances of some little money, at the most Rs.10 a month, being misappropriated in any such school.

#### *The Grama Sevaks*

Much is said for and against the *grama sevak*. Yet, these very claims and counter claims so distort his image that one expects all sorts of impossibilities from his situation. One such is the charge of making money on the sly. Yet the *grama sevak* at the most on an average handles an amount of Rs.700 in subsidies and some Rs.160 annually in expenses in laying demonstration plots and running a demonstration farm in his area. Out of this amount of Rs.860 which passes through his hands, how much the most avaricious of them could make is not too great a job to guess.

#### *The Extension Officer (Panchayats)*

The designation extension officer (panchayats) would seem to imply some one who is concerned with the promotion, strengthening and expansion of panchayat activity, but the person so designated is in fact a mere auditor. He is supposed to do quarterly audit for each panchayat and a final audit annually. The average number of panchayats in a union being some thirty-five, he is hardly able to do the quarterly audits. Besides, other higher-ups also have claim on his time and in fact, he is a sort of 'surveillance man' to keep track of such panchayat presidents who have drawn 'large' amounts from their own particular panchayat accounts. Considering the significance of his position over the panchayat presidents, it would be small wonder if he is offered and accepts any little sums from panchayat presidents for all his trouble. How often this happens it is difficult to guess. A sum usually mentioned is Rs.25 for each annual audit.

#### *The Other Extension Officers*

The total recurring amount which is spent on the village industries programme in a union is less than Rs.10,000 annually. About a third of this goes on salaries of the technical staff, another one-third on stipends, etc., and the rest Rs.3,000 to Rs.4,000 on contingencies, rents, minor equipment and the like. Similarly out of the Rs.24,500 which can on the average be

annually spent on the agricultural programme, some Rs.7,500 is in direct subsidies through the grama sevaks (referred to above), up to some Rs.9,300 for and usually through panchayats on panchayat plantations, etc., and something like Rs.10,000 on indirect subsidies on purchase of pesticides by the cultivators and of equipment from outside for the union office, workers, etc. It is only in a few unions that all this can be spent. Because of the stipulations or the lack of local need for particular schemes, some money invariably remains unspent. The animal husbandry man has a still lesser normal allotment (Rs.2,800 a year), mainly on indirect subsidies for purchase of bulls, etc.

The *mukhya sevika* and her two assistants have still lesser amounts to handle, the government grant for this programme presently being just about Rs.1,000 annually. The lone extension officer (education) has a large territory and still much larger expenditure for his main subject, elementary education. Yet his control over it is nominal; the worst he could do is to frighten some poor teacher; but his load and his depressed position in the Community Development and National Extension Service hierarchy would not much help him even in that.

#### *Engineering Staff and the Commissioner*

The only others who are left amongst the officials are the union engineer and his assistants, and the panchayat union commissioner himself. The union engineer is a part of the engineering fraternity, though a very junior member of it. What applies to them could equally apply to him. The panchayat union commissioner being a more stable member of the governmental apparatus— many of them being tahsildars undergoing a minimum of one year service in the panchayat unions before they could expect to be promoted to gazetted rank— must be assumed to operate and behave in a manner similar to any other governmental official at his level. The fact of being in the panchayat union could in no possible way make any difference to whatever is the norm.

Another person who functions through the union, though not exactly on its staff, is the special deputy tahsildar, loans. He helps scrutinise and process the applications for various loans from cultivators which are disbursed by the commissioner in his capacity as the block development officer. Here also, the usual processes must operate. In fact, the union structure has little to do with the loans programme, and the loans disbursed do not enter the budget and accounts of the union.

From the above, it may be inferred that even if, assuming the worst, everyone on the staff of the union is interested and prone to the acceptance of monetary gratification, quantitatively the problem is not colossal as it is usually presented. Even if everyone is making whatever one can, the amount would not be beyond Rs.10,000 to Rs.15,000 a year. This would be out of a total budget of Rs.6 to 8 lakhs, some two-thirds of which is accounted by salaries. Ethically, of course, it is another matter. Its moral consequences on society are not so easily measurable. But there one cannot really complain. The root sources of any corruption do not lie in the offices of the panchayat union councils or of panchayats. At least some of its roots originate in the arrangements which have been determined by people outside these bodies. The fiscal arrangements for the school meal programme is only one such, though rather glaring, instance.

#### THE ELECTED REPRESENTATIVES

Now one must return to the representatives of the people. Starting from the assumption of large scale expenditure in getting elected, it is an easy walk over to the deduction that each one who is so elected must consequently be trying to get as much as he could through the position he holds. If not, how could he afford it, or why would he wish to be in these bodies? Further, the usual sentiment which is also much voiced by those who adorn these bodies (that they have little power and authority to do anything) only reinforces the conclusion that in the absence of other power such people must be making money. The conclusion, in a way, is rather tempting and on the surface is in tune with the popular assumptions of the present.

To take certain specific changes first- according to the critics, a president of a panchayat spends a considerable amount for obtaining his office. The amount may roughly be Rs.2,000. According to the same critics, the president who would have backed a successful chairman in the panchayat union council would have received a more or less similar amount for his support. This probably balances the expenditure. The president who backed the defeated contestant in the panchayat union council race, would evidently be the sufferer. Unable to balance his expenses, he must make money by other means. On the other hand, the president backing a successful chairman is also supposed to make a monetary gain out of his office, either because of opportunity, or because everyone else is also supposed to be making money. Still the amounts handled by the panchayat

president are not really so very large and most of the income is committed. The works programme does provide some opportunity. Yet how much one could make, if so inclined, out of works which average about Rs.2,500 a year is easy to work out. In any case, it would not be any more than what would be made quite lawfully by a contractor. And to make that much one must have been nearly as competent and work pretty hard.

Now remains the chairman. An appreciable number of chairmen of the panchayat unions are men of means. Many of them own personal cars or other vehicles. It is possible that some of them accept monetary gratification for services rendered to those who are under their control, like the school teachers or others who may somehow be able to derive benefit from whatever authority they have. Yet, it is really far-fetched to believe that a chairman who has spent Rs.40,000 for his election, or even half that sum, can make it up by collecting or forcing bribes in a period of five years for which he is elected. And one has to remember that ordinarily the aim of any such person would be to get elected again. A chairman who enforces a cut of even Rs.50 a year from all or most persons who come under his purview from time to time can hardly expect to be a chairman next time. If he does, the acceptable norms or the sense of terror must be such that one knows little about them.

It is possible that most men who get elected to these positions by incurring great expense in the process must somehow make up what they have spent. (It may incidentally be stated that in the 1965 panchayat election, 40.5 per cent of the panchayat members, 64.2 per cent of the panchayat presidents and 22 per cent of the panchayat union council chairmen were returned without an open contest.) This would be true of such men here as of men anywhere else. But this axiom does not really mean that they do it in the institutions under their charge. This analogy, if taken a little further to state and national levels, would indicate its absurdity. Men who can afford to incur such expense are evidently men of influence, if not exactly of means, in their own rights. Such elected status would further enhance their standing and consequently the area of influence. Influential men, when so inclined, can and do make money today; or better still receive money from their supporters and allies and patrons. Nothing different would happen to them simply because they belonged to these bodies. The mere fact that these bodies are called panchayats makes no difference.

## CAUSES AND POSSIBLE REMEDIES

Misuse of authority and proneness to 'monetary gratification' no doubt exist in the present panchayat system, as they exist elsewhere in public life. Still it is probably much less not only quantitatively but also proportionately to the business transacted in these bodies than elsewhere at more elevated levels. Certainly it is no more. Not really due to any special virtue amongst people who function in the panchayat system, though they certainly may be more virtuous or their vices at least more bound. The situations and the circumstances in which they operate do not encourage limitless vice. Much of the misuse really derives from the external bindings which abound in the system and deaden more immediate and local correction and vigilance. The way the system is bound, thus killing any scope for initiative, enterprise and ingenuity is a sure way of driving it to absorb the prevalent urban public norms. The norms and the social control of its own society are rendered practically impotent by the alien idiom which governs these bodies.

It could be said that if the system is so bound and does offer little opportunity either for initiating what one may wish to do in the way of public good or for amassing wealth, why is it that many rural people wish to get into these bodies? Nobody asks them to be there! They are not employees; they are not like the school teachers or the staff of the Community Development and National Extension Service who have to eke out a living, however much they may be indifferent or even at times detest what they have to do! It is very simple. They can leave these bodies! But can they?

However bound, these are the bodies which exist. And they are certainly bodies of status even in the present. It must be realised that it is not possible for those who aspire either to status— family or personal— or public life to shun any such place. If they do, others with whom they are not so friendly would be there. And this could never be allowed without a challenge. Letting go a position of status would be sheer social suicide. One could only afford to ignore such bodies if one could aspire to greater status by ignoring them. Such occurrences of course have happened in this country, but quite in another time. Further, the situation today is perhaps not as compelling to initiate such boycott.

To get into these bodies one must adopt all the usual means which are available to a contestant. Having decided to be

in the contest, one operates the way others operate in one's area. Else, one retires in disgust. So follow the group influences, the bundling of one's possible supporters to what is termed as 'Bharat Darshan' tours, the spending of even Rs.40,000 for some chairmanship. It is all part of a larger and much more powerful pattern. Because of some rather romantic ideas associated with the terms 'panchayat' or 'simple rural people', one seems to cling to the hope that here at least things would happen differently, that a new haven would arise. But how could that really be? If such were the situation, the laws and the procedure would not be what they are today. These would have been the first things which the rural leaders and people would have altered and remoulded. They would then have also told those who instruct them about what to do and how to do and when to do and where to get off. They have not done so. They accepted to play the game according to the rules and the idiom which were provided. If the implementation of such rules and idiom looks rather ugly on a rural landscape, this is certainly not their fault. Their fault may be in their agreeing to play the game at all, but this is what really one wanted them to do.

The foregoing does not imply that there is no problem of corruption, misuse of status and influence or misbehaviour amongst those who function in the panchayat bodies, either as officials or as the elected. It also does not condone instances of such practices as may prevail in the present. Nor is it the intention to assert that none of this could be cured or reduced without a fundamental re-organisation. The foregoing is only an attempt to quantify what is said to exist, and to indicate some of the factors which encourage or assist such occurrences.

The major cause of such occurrences and the remedy thereof is related to the problem of accountability. If there were clear channels of accountability, and such persons to whom one was legally and procedurally accountable exercised their authority, there can be little doubt that much of today's corruption will disappear. The position today is that the accountability of every person in the panchayat system- be he an elected or an official- is really outside the local situation. Even where it lies it is really not very clear or specific.

There are two ways in which a change could be brought about. One is to streamline the present channels, inculcate firmness and a sense of right and wrong amongst those who have to exercise such authority. This, of course, is in the manner of centralised functioning. Yet if nothing different can or should

happen this need be no bad way out of the present situation. Whatever corruption, etc., would still continue would either be due to failings in the exercise of such authority or due to the nature of the human beings concerned.

The other way out is to create accountability at the local levels themselves. In the theory of the panchayat system, such local accountability is indeed an assumption even today. But the reality is not so. Accountability (if it were to operate) would imply that the officials are wholly accountable to the elected head of the institution or its appropriate committee. They would be free to note their dissent, but would follow the given instructions. The head or the relevant body would be accountable to the next larger body, and this latter body to still wider bodies. If this were to obtain both the elected and the officials would operate within the local limits of permissibility. In such an arrangement, the aggrieved would also have an easy opportunity to express his or her grievance. And whatever is socially agreed to as a grievance would undoubtedly receive redress.

Yet the risk of the latter arrangement is that many of the dealings which are termed as corrupt today may no longer be so treated by particular areas. Or realising the futility and unreasonableness of particular definitions, certain areas may decide to legitimise certain modes of behaviour hitherto branded as corrupt. For instance, a village panchayat where the president of the panchayat is allowed or asked to execute the construction of a road or some other work, may decide to give him an honorarium in consideration of the loss to his personal occupation or as compensation for the extra effort he has to put in. Elsewhere, instead of giving a money honorarium, such a person may be rewarded in some other manner: for instance, in carving his name on some building or writing it on some roll of honour. The end result of such decision would be that certain things which are considered illegitimate today may not be so considered in some or all areas.

Regarding issues of misbehaviour, local accountability would certainly give the best possible opportunity to the aggrieved against the offending person. This would be true whether the aggrieved and the offender both belong to the same group, (i.e., either the officials or the elected) or to different groups (one to the official and the other to the elected). In the case of misbehaviour with a teacher, such a teacher would have all the opportunity to see that justice was done and that such misbehaviour ceased. All this assumes that the ordinary rural people also have their own codes of right and wrong, they know how to



differentiate between ethical and non-ethical behaviour, and that the aggrieved accepts them. If this is not so, any such arrangement would certainly be futile.

Regarding favouritism and manifestation of personal preferences, the problem may be more intricate. It is possible that what may be considered as favouritism—like helping someone from one's kin or caste or class group—may not be so considered in many rural areas. It may, in fact, initially be termed as a duty and the only right conduct for a person in authority. Still, by the canons of local values, justice would be done. If the wish were to change such values and make them uniform in all areas the need is of patience, alertness and of a continuing dialogue in functioning situations. A change may come if in practice the change appears desirable to the larger society.

Note

1. *G.O. 1321*, R.D. & L.A., 8th July 1963.

## V

### THE PROBLEM

Much is known and said about the ancient nature of the panchayat system in rural India. But it is much less realised that such village bodies, though ancient in origin, existed as functioning entities in most parts of India- both north and south- till recent times. Notwithstanding all the political and economic changes which had disturbed Indian society in the thirteenth to eighteenth centuries, these bodies were in every sense, in matters of all internal management relating to their respective areas and populace, governments of their areas around the year 1800.<sup>1</sup> Their conduct was based on customary usage, and so in many respects differed from one area to another. Their sovereignty was bound internally by *Dharma*, and externally by the political power which held sway over the larger territory. To the extent that the political power conformed to custom and obeyed *Dharma*, these bodies and the people in their areas felt more free, were economically prosperous and lived in relative harmony. At times when such political power became more demanding, grabbing or oppressive (due to external pressures or because of its alien origin) and became less certain of its rule, these bodies became correspondingly depressed and consequently rather rigid and people in their charge less free. Even then the bodies stayed, governed their areas, and looked after all functions- including the overall management of land and its occasional redivision where such practice prevailed<sup>2</sup>- which required to be looked after publicly.

The custom and the *Dharma*, as understood and applied around 1800, is vastly different to what prevailed in the latter part of the 19th and the early 20th centuries. For instance, the rights of the actual cultivator were far superior both over the produce and the land than what these were in later decades till the present. Similarly, the economic repression and exploitation of what are termed as the lower castes seems to have been rare. A constant economic or group exploitation of certain castes appears to be of somewhat later date.

The material on the state of Indian society in the years 1750–1830 or so is scattered in voluminous records relating to that period. This has to have a fresh and careful unbiased look. Far too many things have been taken for granted on the authority of historians and writers, most of them dating from about 1860.<sup>3</sup>

It would be claimed by most scholars that, even if one could find material in the British Collectorate and other records of the late eighteenth and early nineteenth century seeming to disprove or seriously to alter notions, beliefs and views which have been held for a century past, how is one to accept what such records indicate. The scholars' point here is that the writings and observations of mere administrators who had no training of any sort in the modern disciplines of social science cannot be acceptable in such matters. The scholars, however, seem to have forgotten the origin of the writing of current Indian history. The history, the beliefs and the notions which prevail amongst the scholars and the intelligentsia themselves are based on a particular selectivity of these very records. The only other contributory records which have led to the presently held deductions about the nature and state of Indian Society in the eighteenth and early nineteenth century are the scriptural texts of which the Brahmins were the guardians. But practically all these Brahminical texts are works of theory and ideology, or commentaries on them. Like all theories and ideologies, these presented what was considered as 'desirable' by their authors and limited followers. Even if these had really become reality in any large areas— and this is a very doubtful 'if' keeping in view the nature

of change and alteration which comes in all theories and ideologies as time passes– it would be self-deception to believe that such reality had existed unaltered for several centuries and millennia. The reality of the eighteenth century was based on its own ideas and requirements. Even where the Brahmins ruled, as the Peshwas effectively did in Maharashtra for many decades, the social reality did not flow from the Brahmins, but from usage.<sup>4</sup>

The village in 1800, both in south and north India, though varied in its land management— from the *Samudayam* to specific individual proprietorship, and other institutional and technological practices— had at least this much in common: that it maintained its own land records and had the village *karnam* (the *patwari* in the north) and several other professional persons known as ‘village servants’, to render it professional service. Their number seems to have varied from area to area, and some villages had more than one person in a particular professional category and some others shared one or two of the servants with another nearby village. All these persons were maintained and paid by the village according to somewhat differing arrangements,

the more usual practice being their individual share— in terms of revenue or proportion of produce being treated as the first charge on revenue and all agricultural produce.

Starting from relatively disturbed political conditions and consequent tyranny around 1750, the years 1750 to 1840 were the years of disruption and decline; and in most areas the village panchayat system disappeared for all practical purposes. The two main causes were the taking over of the total revenue along with the village *karnam*, the village land records and the village police by the overall political power of the time, i.e., the British rulers of India in the areas under their direct control, and by their dependent native rulers in their own areas in due time; and the second, the determining and fixing of the land tax (now called as land revenue) at around 50 per cent of the gross agricultural produce in most parts of India and in all areas coming under the control of the Madras presidency.

Within a few years after such determining and fixing of the tax, the land revenue is commuted into a money tax on the basis of officially determined average prices, etc. Such commutation took place throughout the country— in certain areas a little earlier, in others somewhat later.

It may not be correct to suggest that the taking over of around 50 per cent of the gross agricultural produce as land revenue by the political power was an altogether new innovation introduced in India by the British rulers. The practice and its basic theoretical formulation is claimed by British researchers of the late eighteenth century to be earlier than the British rule and is said to have its origin during the reign of Allahuddin Khilji (1300 A.D.).<sup>5</sup> Whatever may have been the assessment imposed on land by Allahuddin Khilji or other late rulers of Delhi, in the Tamil areas of the Madras presidency and even in most other districts, such an exaction was unheard of till the mid-eighteenth century. The southern districts of Tamilnadu, like Ramnad and Tirunelveli, did not have much taste of it even till 1800.

One of the major contributions of the British to India was to give this exaction legality, to work out its details for practically

every village, hamlet and most fields and to enforce it rigorously, in the language of British rule 'without fear or favour'. This they did after great and profound deliberations which ended in favour of 'what the natives were accustomed to' and what were assumed to be the rightful share of the sovereign political power 'as the supreme landlord' of each patch of land and field in India. Controversies certainly raged, even after the decision and continued along with its implementation in the field. Some modifications in the rates of assessment began to be made around 1860, after it was established that the land revenue should, on the average, be equal to half the net produce and not to exceed 33 per cent of the gross produce for dry lands and 40 per cent for wet lands.<sup>6</sup>

A land revenue of 50 per cent had its inevitable consequences. Accompanied by the need to subordinate the people to the will of an alien political power, it depressed society in every conceivable manner. Economic depression followed as a consequence. The 50 per cent land tax became at times 70 per cent to 80 per cent of the gross produce.<sup>7</sup> Wholesale desertion of land took place; the condition of the labourer seemed somewhat more bearable as he was less bound and could more freely migrate from place to place. Agriculture fell into ruins. Economic depression resulted and was again and again followed by famines and unheard of rise in prices. This persisted in the Madras presidency for a century and more.

The ancient village system disappeared under such destructive impact. Still, remnants of the *samudayam* (meaning community) villages continued here and there till the beginning of the present century. But these were *samudayam* in form only, which also disappeared by 1940 in the remaining villages in the district of Thanjavur. The *samudayam* concept and manner of functioning for limited purposes, however, are still traceable in the form of *Mahimai* groups and associations in some areas like Ramnad and Madurai and in the form of more varied caste assemblies and village groups around local temples. An account,

from a recent study, of the functioning of such residual community institutions is given at Appendix 5.

The present governmental structure in India originated some 180 years ago in the presidencies of Madras, Bengal and Bombay. As years passed and experience accumulated, the structure came to be defined in the minutest detail by written instructions and orders of the government, which were from time to time classified into the various manuals, standing orders and the like. Legislative enactments (earlier known as the regulations) also grew but their bulk and weight was still manageable till the end of the nineteenth century. Most of the basic principles and the resulting structure and procedure of governance in India were well settled by about 1840 or 1850. The primary provisions of documents like the standing orders of the Board of Revenue in Madras, really date back to this time. Since then, it has largely been a job of refinement, rationalisation, additions and subtractions to what was laid down over a century and more ago. The basic regulations regarding the job of the district collector, or the village *munsif* or *karnam* were enacted in Madras in the years 1800–1820. With minor variations— and little of these after 1900— these still hold the field. Similarly the secretarial system which India has today is a product of the earlier part of the nineteenth century with some variations and rationalisation here and there in the years before 1900. After that the main change is only in the personnel, the Indians replacing the British over a period of fifty years. Being by nature rather cautious, at times a hair-splitter, the educated Indian, by the time he came to occupy positions of authority in the governmental structure, was much more alienated from his society and his contribution to the system has been largely in the plugging of 'loopholes' making the structure even more restrictive.

The structure, however, to begin with had a specific purpose. It was to enable an alien nation to rule over this country in relative peace and quiet and also to present a facade of fairplay and justice between man and man to the ruled. Not being really able or willing to understand the relationships and structure of Indian society<sup>8</sup>, the British, once in India, wholly subjugated, stratified and legalised the situation which had come into being after their occupation or conquest. It is this badly



mauled and disrupted society that they tried to preserve as some exotic being with their law and administration for over a hundred years.

But even this disrupted society was no exotic creature, no mummified corpse. It was still living, at least its living men and women still tried to operate in the manner of human beings. This, however, became difficult for a great many. The structure provided them no leeway to feel human, to express themselves. Such inability and frustration led to the usual behaviour patterns of people so situated which are fairly familiar to modern times. Society ate its own children, certainly those who could not much protest. The wholesale uprooting of people from their homes and their lands either due to direct governmental assessment or because of rack renting, has already been referred to. The land and the houses, at least the house sites, did not disappear from the country; only these went to other people, those who survived the general cataclysm. This is really not to blame anybody, neither the British nor the Indian people. It is only an attempt to understand present-day Indian dilemmas against the historical background of a two hundred year old legacy.

By the beginning of the present century, the situation began to change. The hold of the British slackened, the possession of India became less worthwhile though still prestigious, and the temper of the country warmed. Other ways of pacification were tried, attempts made to import newer ideas of the West, even concessions made to political and other demands. The present-day local statutory bodies, the various developmental departments, the cooperatives, the registered voluntary associations are all really a product of this later time. Initially though free to coin their idiom and procedure, yet all these had an unbreakable link with the governmental structure. The governmental structure, as separate from the legislatures, however, underwent little change. Whatever change there was as in the 1930s and 1940s, was towards further restrictiveness in every sphere not only in its relationship with the local bodies.

The Indian political movement, however, of which the Independence in 1947 is an offspring, did not worry about such restrictiveness. To it, the whole British imposed system was an evil, something like a design by the Devil. In its view, when India attained independence, the whole had to go lock, stock and barrel! This is what the country thought and believed when it believed in the possibility of the achievement of independence at all. Many people continued to believe this even after 1947.

The problem of the panchayat structure is really intertwined with the problems of the governmental structure. So are the problems of development. It should have been possible if the country had handled one problem at a time to put some sense in the situation. A mixing together of what really can never mix, given the existing constituents, has led to limitless mess. Each of these now is like a stone round the other's neck, making most functioning, if not well nigh impossible, at least terribly slow and wasteful of human talent and capacity.

Left to itself, it may have been possible for the governmental structure, when whipped sufficiently by public opinion and consequently its elected masters, to deliver in time some bits of development. To achieve this, had there been sufficient pressure, it would have strained itself to the utmost. Such straining would have led to its own enlightenment with a consequent reform or replacement of the structure. If it had failed, it would have gone anyway. The problem would have been solved one way or the other.

The other way out was to change the structure by a conscious decision, if not in 1947 when one could claim the country was much too occupied, at least in 1950. It is not as if the people in the structure stood in the way. Perhaps the nation's will had failed.

Then the country started on the road to development. In the field of rural development, it started with the Community Development and National Extension Service scheme. The programme after a little while seems to have lost any moorings it ever had. The political apparatus got panicky. Committees were appointed and studies were initiated. The recommendation was made for statutorily associating the people with the Community Development and National Extension Service. In itself that might not have been too bad a decision. But there it ended. It would not be fair to imply that the august committee which advocated this arrangement and those who pursued its report and recommended it to the nation were oblivious of other road blocks. They could not really have been so, being men of eminence and experience. Yet they left all that to the course of events. In comparison, the Commission on Decentralisation in 1909 and the then Government of India had shown more care and foresight in specifying the enabling nature of the law which they recommended for the local bodies.

But it is not as if foresight was so absolutely lacking. It was not really so. In Madras itself, two very responsible sections of

opinion had in their differing manner expressed doubt about the arrangements which were being made. One of the groups was of the officials of the Madras government who, expressing their views on the committee on Plan Project's recommendations, thought that in the beginning 'productive development' (meaning Community Development and National Extension Service) should stay with the government and only advisory association of panchayat unions was desirable in the matter, while 'social service development' (education, health, welfare, communication, etc.) should go to the panchayat unions wholly. The other group, that of the legislative critics of the government, like Sri C.N. Annadurai, expressed similar views though from differing angles of preservation of the initiative and freedom of these bodies.

The major failure of the political structure in India today is at the level of responsibility and accountability. If this is realised, everything else may correct itself. Responsibility does not really mean an obedience to orders and instructions and conforming to the laid down paths. Responsibility implies fulfilling the purposes in view or the task assigned.

The failures today, particularly in the panchayat structure, are in the matter of arrangements and not due to those who work in them. Had the arrangements been appropriate, even the most rusted and indolent set of people could accomplish a fairly good job. Most of them today are doing what they are asked to do and allowed to do. And the whole amounts to very little. Whatever is happening today is largely a function of the quantitative input and terribly wasteful at that. Of course, the structure preserves the *status quo* and maintains law and order.

However, if maintenance of the *status quo* and the defence of the country alone are the job of the structure, it may have carried on with it, with *ad hoc* deviations and amendments, perhaps indefinitely. But the nation aspired for other things or was persuaded to. But to reach these aspirations, one requires the right instrumentalities. This India did not create. Having committed a grievous error, its rulers also lost patience a little too quickly and did not give the old instrumentalities or the new cadres, which were in certain situations created, time enough to adjust themselves, to modify their methods and procedures to fit the tasks. Instead, it mixed up the whole thing, the old instrumentalities, the new cadres, the people's representatives and put them in the vice of the 150-year-old superstructure. Wherever the persons involved are more agitated and flushed, they come to blows or curse one another; where they are

resigned to everything (and the doses of cynicism are rather large, as in many places in the north) nothing ever moves; and where they are more practical and plodding, they bend the instrumentalities to the extent they can, without smashing the thing altogether, or circumvent it mutually so that at least something is done, things at least keep on the move. This latter is more or less the position in the Madras state. A shared common idiom amongst most people at the local levels and the lack of a major culture gap between the agents of the governmental structure and the people alone makes this possible. But this is really no workable arrangement.

As said earlier, there is no real harm in directing and doing everything from a central place. Only it assumes the presence of the right instrumentalities, the capacity of the centre to use them in the manner desired and to attend to each situation individually. If the quantities involved make direction and attention from one central place cumbersome or impossible, one can split the centre or create sub-centres— as many as one wishes— and man them with those in whose capacity and judgement one can lay trust. Nobody— at least not the people of India and not certainly the people of Madras— hinders the making of such arrangements. It is due to their own will or failing that the rulers in Delhi or the rulers in Madras and other states do not think of such arrangements.

If for some compelling reasons— political, spiritual, sentimental or any other— statutory local bodies are an inevitable part of the landscape of India, then they have to function as such. They will do all that they choose and which is not specifically prohibited by the basic laws. They will be bound by their good sense and the first few pages of the Indian Constitution. All else, though useful as a model and as suggestions born out of wisdom and experience, can have no binding value. That is, if the bodies, true to the basic principle of their existence, are self-governing bodies within their sphere. Their responsibility is to the people in their area to whom only they are accountable for everything they do within their unprohibited domain. If they encroach beyond them only the central authority has a right to intervene.

Self-government at any level can function in no other way. All other ways are either only to reduce the institution into an agency of the outsider or to make it irresponsible. Self-government assumes accountability to the people to whom it refers. Otherwise it has no meaning.

The internal problems of the panchayat bodies today are

wholly due to indecision in this sphere. What one so much hears today about malpractices here and there, arbitrariness, or non-functioning of panchayat bodies arises from a misunderstanding of the nature of these bodies and their role. Furthermore, many of their problems today are because of the thrusting of an alien idiom on them. Either it paralyses or it leads them to make a mockery of themselves. If they are to function, they can only function with the idiom of their own society. This alone will make them accountable to people whom they represent. The people in their areas today cannot hold them accountable not only because they are not so accountable in the Acts and the rules and the executive instructions, but also because they have no comprehension of the manner of their functioning. To them everything these bodies and their masters do is a bit of a riddle, if not wholly wrong. To expect them to take these bodies to task in the present situation is unthinkable. The people can do that only when they know they are the final arbiters in the particular situation.

But if such self-government were to operate, the 'leaders' of opinion, the trainers and the educators would not like it. It may not seem to them right. This is the alienation in Indian society. So far those with power and influence have handled such situations by not allowing people to engage in any open social or community activity. Also at times, they have tried to train them. Consequences both ways have been disastrous. Instead of making them free such training has made them more subordinate and inhibited or altogether crafty. Most of the training part of the panchayat system in Madras and elsewhere in fact has done more harm than any other comparable aspect of the panchayat programme. It has helped in the crushing of whatever little interest and initiative any of the persons had before they got engulfed in the everlasting confusion, do's and don'ts and exhortations for carefulness and caution which has constantly poured from the trainers. The result today is that in the Madras panchayat system, even the panchayat union council chairmen are not sure if they can really sit down in their councils and consider and review what has been achieved and what not in terms of the basic objectives of the Preamble of the 1958 Act itself and to locate and state the reasons thereof. They feel and they are told that this really is not their domain. Perhaps it is unlawful too. (Such a view and impression is not limited to a few chairmen. It is widely shared by even such persons who are amongst the founding-fathers of the present Madras panchayat system. The situation really is in no way different in other states.)

Such state of affairs really needs sitting back and looking into by those who are competent and have some say in the taking of decisions regarding the affairs of the country.

To conclude, over a hundred and fifty years ago the British rulers in India tried to create a governmental superstructure on the foundations of a society, to whose disruption they had contributed in no small manner and one which has since been in much agony. They built the structure brick by brick and added all the imperial trappings. The agony in course of time became almost a part of the life of the Indian people and occasionally burst its bounds here and there. Healers of all types applied their remedies on the wounds. It probably gave relief to a few. Then out of somewhere there arose a hope in the person of Mahatma Gandhi, a promise that the ordeal was soon going to be over. Half-believingly, many found succour in this promise.

Such newly found hope had little to do with this or that philosophy of government; it even did not much worry itself over the sentimentality which has been poured day in and day out over words like panchayats. When such promise was symbolised or expressed by someone whom they loved, admired and believed in, it only signified a society where people were free and relieved of the unbounded suffocation, and restrictiveness which the alien idiom had perpetrated. They did not much mind whether they were to be governed and administered from one capital or 5,00,000. What they certainly did care and understood was that it would be governed by what was considered to be right and good by the standards and values of their society and that the administrators and the governors would be amenable and responsive to public opinion and accountable for the functions entrusted to them.

If the country has chosen to adopt the panchayat system for matters of local governance, then the panchayats must be given freedom to operate in the manner of their individual choice and they must be helped to feel and become adult. It is likely that when this is allowed, they may at times and places act arbitrarily. Ordinarily this seldom happens; a locally-based system which has to function and deliver certain results to a local community cannot afford to be accused with arbitrariness by those to whom it is accountable. Arbitrariness would lead to stagnation. Yet such a situation can arise. The way out is a socio-political educative programme where there can be a dialogue between the educators and the people. The present stress on concepts

like duty, due procedure and proper channels have to change in the direction of assertion, action and responsibility. The word 'duty' really implies assertion, action and responsibility but somehow it has been so twisted in recent usage that it has begun to be synonymous with 'obedience'. It is such distortion which has corroded practically all the social checks. These have to be reconstructed. But unnecessary protection and restrictiveness all-round is no way to build social checks. The habit of a sheltered life of the middle-classes and urban society have little in common with the principles and assumptions of local government. Its affinity is with the peasant sturdiness. And that can only happen when it is allowed to grow according to its nature and not as a cultured hot-house plant.

The combining of local self-government with national and state sponsored schemes, as it has turned out, was an unwise governmental decision. One or the other must be modified in the process of functioning. If no major modification is desirable in the developmental scheme, it must be entrusted to an actual subordinate and qualified unit. To thrust it on the self-governing unit as a scheme is to destroy both. That certainly cannot be the aim in view. The self-governing unit in addition to what is termed as 'social development' in Madras, may do productive development also. But that is its own lookout and its own ultimate decision. Regarding the structure of law which has to be their frame of reference, the first must be the principles of the Indian Constitution. These bind them in the same manner as they bind the government in the centre and the states. The second can be some specific enactment which provides them legality, defines their sphere and specifies the sources from which they will derive their major income. The present Madras Panchayats Act of 1958 does specify the financial arrangements fairly well. In terms of the enactment, a simplified version of the present Act, removing the restrictive provisions which have crept into it during the last thirty-five to forty years of decline, can serve to start with. Perhaps the Act of 1920 and the rules framed under it at that time with the deletion of any anachronism and phrases, which no longer have any relevance, may do equally well. What prevails at the present is not a workable arrangement. It cannot stand still and has to move either towards greater freedom and initiative to the bodies or to its further whittling down. The only way to keep it still is a tricky game between the government and the bodies where no side wins. Such a game may be absorbing but then one must confess that that is now the

only purpose of what has begun to be called the 'panchayat raj' structure.

It must be added that if a decision was to be taken to permit self-government, in however limited a sphere, to the panchayat bodies such a decision could only be taken after understanding its full implications in terms of policy and operation and the impact of consequent functioning on the larger governmental structure. A clear shared realisation of this at the levels of the government authority has been conspicuously absent even in the days of the Decentralisation Commission and in the debate and the enthusiasm which it fostered. Perhaps isolated individuals in the governmental hierarchy, like Montagu, did visualise the primary and urgent contradictions which would arise from such a step. Yet nothing was specifically laid down which could have been adopted to resolve the contradictions as they arose. The result was that the very functioning of the panchayat institutions under the Madras legislation of 1920 in a period of ten years laid bare the impasse which had arrived. That particular impasse was resolved against the panchayat bodies by a series of mostly well premeditated steps and through a process of stunning these bodies; the stage finally reached has been assumed to be one in which the system had existed all the time. Yet even if the impasse had resolved in their favour, because of their own individual and collective strength and vigour, the consequences though perhaps happier would have been no less complex.

In any country, most of the primary governmental forms must flow from a central theme and principle. In whatever fields there is permissibility of varied forms, those fields have to be demarcated from the governmental structure in a manner that the organisational and administrative arrangements in them do not unduly impinge on the mode of functioning of the central governmental machinery. In most countries where the governmental forms have been arrived at through a continuously evolving process, and where they are based on native genius and principles, this does not cause any great worry. Even there, there may be various shifts in the functional or power relationships between the central government and the local authorities. But in essence such an occurrence is something very routine, and would hardly cause a ripple in the ordinary life of the people and consequently there is little talk of decentralisation in such countries outside the portals of the government and the local bodies. In India it is not so.



In India the present governmental forms, notwithstanding bits of native trappings which are found attached to them, have flowed from altogether alien themes and principles and imperial or colonial needs. This is not to pass any judgement on what exists. But one thing needs to be realised.

If self-government is allowed in any institution and if those who have to manage it as people's representatives or as staff are not very effectively brought up in the idiom of the central structure, they will from the day they begin to operate do most things very differently. This in time may create, even when there was general agreement between the self-governing institutions and the central authority on priorities and major purposes, a great chasm in their functioning processes. (It may perhaps be possible to demarcate areas in a way that no harm can come to either and the society which they serve.) If instead, those who run these institutions have been brought up in the idiom of the central structure, though there may be disputes in the matter of power and resources, they will more or less operate in the manner of the central structure. But the fact of their doing so, even when it gives more substantial quantitative results, would imply that self-government of the institution is limited to them and has little to do with the people whom they are expected to represent. Hence their real accountability would lie elsewhere, and not with the people, till such time that the people themselves have been brought up to understand and appreciate (and have as a corollary totally forgotten their own) the idiom and manner of these bodies, of those who run them, and thus have achieved an unfettered emotional and intellectual link with the running of the country itself.

Whether it is the people who have so to change or it is the superstructure which has to get in tune with the people is the dilemma of self-government in present day India. In this, there are no short cuts and drawing room arrangements. Practically all these have been tried. Whatever decision is made to break the impasse has to be very clearly conceived and sharply defined.

#### Note

1. *Memorandum of the improvements in the Administration of India during the last thirty years*— Prepared at the instance of the Court of Proprietors of the East India Company, January 1858. See also various proceedings and minutes of the governments of Bengal, Madras and Bombay presidencies, particularly the minute of the Governor General (20th January 1832) on the question of the village system, the several variations in different parts of the country, the question of the rate of assessment, etc.
2. The practice even continued in some areas of the Madras state till the end of the nineteenth century. See Appendix 4 for a description of such distribution details in villages in the Thanjavur district.
3. For an account of how Indian History began to be written, the reader is referred to 'James Mill, Monstuart Elphinstone and the History of India' by Professor C.H. Philips in *Historians of India*,

*Pakistan and Ceylon*, Oxford University Press 1961. Also *Sketches of the Hindoos* by Q. Craufurd (1790) may be read for a description of South Indian Society around this time.

4. The opinion that 'the power of the Brahmins is doubled since they lost the country' told to Elphinstone (Minutes 26th March 1825) by a Maratha peasant, though in no sense conclusive, is perhaps nearer the truth than the present-day prevalent notions. Around the same time (1826), the people of Sattara and Khandesh believed that 'new [social] rules can be established' in consultation with elders and Brahmins; and the Sattara people went as far as to say that 'custom has sanctioned many things in opposition to the Sastras.' It is true Poona differed from this view. But Poona was a purer citadel of Brahminical scholarship and custom.

Another point regarding the present notions may be mentioned here. The custom of *Sati* much exercised the mind of many Indians and the British in the early nineteenth century. Since then a whole mythology has been created and is believed in regard to its wide scale prevalence in the early years of the 19th century. But in a period of some 40 years, 1772–1813, only some three cases of '*Sati*' can be traced in the records of the Madras Presidency. No doubt in the Bombay presidency in the four years 1824–1827 there were 158 cases, but 114 of these occurred in Concan South, 17 in Dharwar, 11 in Ahmedabad and 10 in Khandesh. Other districts of the Bombay presidency reported one or two cases or nothing at all. It is possible that the recorded cases were not the total reality. Probably not. But these must have borne some relationship to what existed. In Bengal of course the practice was fairly widespread but its intensity was mainly limited to Calcutta division with some 250 to 500 cases every year, with Benares and Dacca following with 50–140 annually during 1815–1825.

Yet another much believed notion amongst the scholars and ruling circles is about the age-old submissive nature of the ordinary Indian and his child-like attitude to his rulers. Discussing the tendency for flattering the British and harshness to those in their power amongst the Madras native officials, while the Maratha Brahmins were 'more civil to their inferiors, polite to their equals and less cringing to their superiors' than the inhabitants of the British governed old provinces (Bengal and Madras) one of the senior officials who had had experience of both Madras and Bombay areas had this to say: 'In our old territory, the nature of our institutions has in great degree confounded all ranks and distinctions of persons, reducing the whole to nearly one common level, with the exception of the few whom we employ in office.' Another official suggested that the reason for such behaviour might be inherent in the situation of British power. He said: 'The position of the *Mamlatdars* (the Indian revenue officials of the British) was now secure from the influence of the "gentry" of the country; therefore the *Mamlatdars* no longer troubled to conciliate them.' Elphinstone who was Governor of Bombay at this time (1820–22) also noted this difference and in commenting on the statement of a senior Bengal Officer that there was scarcely a Bengali in his district who would sit down in the presence of an English gentleman' remarked: 'Here every man above the rank of a Hurcarrah sits down before us, and did before the Peshwa; even a common ryot, if he had to stay any time, would sit down on the ground.' (The quotations and facts in

this para and the quotation from Elphinstone's Minutes in the para above are taken from Mr. Kenneth Ballhatchet's book *Social Policy and Change in Western India*.)

How the submissive attitude developed may perhaps be illustrated from an incident described in a book, *Sketches of India* by C.E. Kenway published in 1858. While recommending that 'we must awe by power whilst we attack by kindness', the author reproduces an account of an incident in 1764. According to him, 'shortly after the battle of Patna, Major Hector Munro came up with reinforcements of British troops and assumed the command of the whole army. To put down a mutiny of the sepoys whom he found clamouring for higher pay, Munro determined to blow 24 of the ring leaders from the mouth of his cannon. The victims were selected from a whole battalion, who, after threatening the lives of their English Officers, had been caught marching off by night to join the enemy. They had been tried by a Field Court Martial of their own black officers, who had found them guilty of mutiny and desertion. When four had suffered, and the fifth was tied to the gun's mouth, the sepoys tumultuously declared that the execution should stop there. Munro ordered the artillery officers to load with grape, and turn their guns on the native regiments: he drew up his Europeans in the intervals between the guns, and called on the sepoys to ground their arms. The men obeyed, and the executions went on. This extreme measure was attended with complete success. There was no more mutiny from that day forward.

The need for the Indian scholar is to do a little probing of the facts and beliefs which have been taken for granted for so long, and in the extension of which he has had a large share.

4. The opinion that 'the power of the Brahmins is doubled since they lost the country' told to Elphinstone (Minutes 26th March 1825) by a Maratha peasant, though in no sense conclusive, is perhaps nearer the truth than the present-day prevalent notions. Around the same time (1826), the people of Sattara and Khandesh believed that 'new [social] rules can be established' in consultation with elders and Brahmins; and the Sattara people went as far as to say that 'custom has sanctioned many things in opposition to the Sastras.' It is true Poona differed from this view. But Poona was a purer citadel of Brahminical scholarship and custom.

Another point regarding the present notions may be mentioned here. The custom of *Sati* much exercised the mind of many Indians and the British in the early nineteenth century. Since then a whole mythology has been created and is believed in regard to its wide scale prevalence in the early years of the 19th century. But in a period of some 40 years, 1772-1813, only some three cases of '*Sati*' can be traced in the records of the Madras Presidency. No doubt in the Bombay presidency in the four years 1824-1827 there were 158 cases, but 114 of these occurred in Concan South, 17 in Dharwar, 11 in Ahmedabad and 10 in Khandesh. Other districts of the Bombay presidency reported one or two cases or nothing at all. It is possible that the recorded cases were not the total reality. Probably not. But these must have borne some relationship to what existed. In Bengal of course the practice was fairly widespread but its intensity was mainly limited to Calcutta division with some 250 to

500 cases every year, with Benares and Dacca following with 50–140 annually during 1815–1825.

Yet another much believed notion amongst the scholars and ruling circles is about the age-old submissive nature of the ordinary Indian and his child-like attitude to his rulers. Discussing the tendency for flattering the British and harshness to those in their power amongst the Madras native officials, while the Maratha Brahmins were 'more civil to their inferiors, polite to their equals and less cringing to their superiors' than the inhabitants of the British governed old provinces (Bengal and Madras) one of the senior officials who had had experience of both Madras and Bombay areas had this to say: 'In our old territory, the nature of our institutions has in great degree confounded all ranks and distinctions of persons, reducing the whole to nearly one common level, with the exception of the few whom we employ in office.' Another official suggested that the reason for such behaviour might be inherent in the situation of British power. He said: 'The position of the *Mamlatdars* (the Indian revenue officials of the British) was now secure from the influence of the "gentry" of the country; therefore the *Mamlatdars* no longer troubled to conciliate them.' Elphinstone who was Governor of Bombay at this time (1820–22) also noted this difference and in commenting on the statement of a senior Bengal Officer that there was scarcely a Bengali in his district who would sit down in the presence of an English gentleman' remarked: 'Here every man above the rank of a Hurcarrah sits down before us, and did before the Peshwa; even a common ryot, if he had to stay any time, would sit down on the ground.' (The quotations and facts in this para and the quotation from Elphinstone's Minutes in the para above are taken from Mr. Kenneth Ballhatchet's book *Social Policy and Change in Western India*.)

How the submissive attitude developed may perhaps be illustrated from an incident described in a book, *Sketches of India* by C.E. Kenway published in 1858. While recommending that 'we must awe by power whilst we attack by kindness', the author reproduces an account of an incident in 1764. According to him, 'shortly after the battle of Patna, Major Hector Munro came up with reinforcements of British troops and assumed the command of the whole army. To put down a mutiny of the sepoy whom he found clamouring for higher pay, Munro determined to blow 24 of the ring leaders from the mouth of his cannon. The victims were selected from a whole battalion, who, after threatening the lives of their English Officers, had been caught marching off by night to join the enemy. They had been tried by a Field Court Martial of their own black officers, who had found them guilty of mutiny and desertion. When four had suffered, and the fifth was tied to the gun's mouth, the sepoy tumultuously declared that the execution should stop there. Munro ordered the artillery officers to load with grape, and turn their guns on the native regiments: he drew up his Europeans in the intervals between the guns, and called on the sepoy to ground their arms. The men obeyed, and the executions went on. This extreme measure was attended with complete success. There was no more mutiny from that day forward.

The need for the Indian scholar is to do a little probing of the facts and beliefs which have been taken for granted for so long, and in the extension of which he has had a large share.

5. The Fifth Report from the select committee of the (British) House of Commons on the affairs of British East India Co., 1812 particularly the report of James Grant, *Political Survey of the Northern Circars*.

Also see, *Land Tax of India— According to Mahomedan Law— translated from Futawa Alumgeeree* by N.B.E. Baillie, London, 1853; *The Present Land Tax in India* by Lt. Col. John Briggs, 1830.

6. *Standing Orders of the Madras Board of Revenue 1820–1865*, No. 127(3) of 18th September 1858.

7. Various reports of the Madras Board of Revenue for the years 1852–55. Also (a) *Papers relating to reduction of assessment in North Arcot, 1855*, (b) *Salem— An Indian Collectorate* by J.W.B. Dykes, 1853, (c) *The condition and requirements of the Presidency of Madras—* as a letter to Joint Secretary, Board of Control, London by J.B. Norton, Madras 1854, and many other documents of the period.

8. Reference may here be made to (a) *Memorandum of the improvements in the administration of India during the last thirty years* (referred to earlier); and (b) to various despatches from the Court of Directors of the East India Company to the Governor General during the period 1815–35 particularly the dispatch of January 2, 1829.

*Appendix 1*

PHYSICAL ACHIEVEMENTS\*

(Under the R.D.L.A. Department, Madras)

\*From Review of Panchayat Development in Madras State, 1964–65.



m.t. – Metric Tonnes  
k.m. – Kilometers



*Appendix 2*

TIRUPPUVANAM PANCHAYAT UNION  
STAFF POSITION (November 1964)



MADRAS PANCHAYATS BILL 1958  
SEPTEMBER 2, 1958

---

Statement of Objects and Reasons

This bill is intended to provide the statutory basis for reorganising local administration in the rural areas of the State. The need for re-organisation has arisen recently because of the progress made in the implementation of the National Extension Service Scheme of Community Development. The relevant considerations of policy are set out fully in the preamble. A brief resume of the principal changes involved in the proposed re-organisation is furnished in this statement.

2. The most important among the changes proposed is the abolition of district boards at district levels and their replacement by panchayat union councils set up at the level of development blocks delimited under the National Extension Service Scheme of Community Development. Two purposes are intended to be secured by the change.

First, the development block will be a much more manageable territorial charge than the district. The members of the new panchayat union councils will have much more intimate personal knowledge of the needs and resources of the entire local area placed in their collective charge than the members of the district board drawn from a much larger area. The change will thus be conducive to improvement of the efficiency of local administration and more effective participation therein by the elected representatives of the rural people.

Secondly, the National Extension Service establishments have been organised and their members trained with reference to the requirements of service in development blocks, which are delimited on a broadly uniform basis in all the States of India. It is necessary that the services of these organised establishments should be made available to the elected representatives of the rural people. Re-organisation of local administration on the basis of the development block as a territorial unit will help to secure this result conveniently.

3. At present, the district boards are constituted by an elective process which is entirely unrelated to panchayats. It is proposed that the panchayat union councils which will replace

district boards should be organically related to panchayats. To that end, the Bill provides that every panchayat should be individually and separately represented on the panchayat union council by a member elected by the members of the panchayats concerned. This change is intended to bring (the panchayats concerned) about intimate understanding and unity of purpose between the panchayat union council and the panchayats, and consequently, bring about better co-ordination of their activities in their representative fields.

4. The functions which are proposed to be entrusted severally to panchayat union councils and to panchayats will be in the aggregate the same as those at present entrusted to district boards and panchayats, subject only to the changes specified below:

First, district boards are, at present, maintaining high schools, hospitals, major district roads and travellers' bungalows. It is proposed that these institutions and works should be excluded from the scope of district board functions to be vested in panchayat union councils.

Secondly, various measures designed to develop the productive resources of development blocks are, at present, undertaken by official agencies in pursuance of the National Extension Service Scheme of Community Development which are unrelated to district boards and panchayats. The Bill confers power enabling Government to devolve the responsibility for execution of the entire scheme upon the panchayat union council, with its consent and subject to agreed terms and conditions.

5. There is, at present, a large measure of overlap in the statutory specification of functions allotted to district boards and panchayats. It is now proposed to revise the allocation of functions so as to remove this overlap and demarcate clearly the respective spheres of responsibility of the panchayat union council and the panchayat.

6. An important result of the reallocation of functions will be the entrustment to panchayat union councils of undivided responsibility over the whole field of elementary education. They will be responsible not only for the maintenance of all public elementary schools (at present managed by district boards, panchayats or Government Departments) but they will also be entrusted with responsibility for the provision of grants for aided private elementary schools. The entire responsibility for organising planned development of elementary education on a

free and compulsory basis will devolve in such development block, on the panchayat union council concerned.

7. There is a long standing complaint that the allocation of financial resources to district boards and panchayats at present in force is inadequate. The entire scheme of local taxation and finance as well as of Government grants for elementary education and other purposes has been reviewed and revised. Estimates have been framed of the increased resources likely to be required by panchayat union councils and panchayats, with reference to the revised allocation of functions. The new system of local taxation and finance including the revised system of Government grants is designed to make adequate resources available with reference to estimated requirements.

8. The switch over to the new set-up cannot be effected on a single day. The Bill makes provision for the legislation being introduced in successive batches in development blocks, according to a phased programme with 2nd October 1961 as the target date, for the setting up of panchayats in all villages where there are no panchayats at present and in setting up of panchayat union councils in all development blocks of the State. The Bill provides for the continued functioning of special officers who are at present performing the functions of district boards until these are taken over by panchayat union councils.

9. All the changes embodied in the Bill have been evolved on the basis of general agreement reached in the course of examination of the White Paper on Local Administration by the Legislative Committee set up by Resolution of both Houses. The proposals relating to local taxation and finance were formulated by a local Finance Sub-Committee appointed by the Legislature Committee and subsequently reviewed and confirmed by the main committee.

10. The Bill is drafted so as to provide self-contained legislation in place of the Madras Village Panchayats Act, 1950, as well as the Madras District Boards Act, 1920. A large number of sections of these two enactments have, therefore, to be reproduced without change as clauses of this Bill.

The notes on clauses, which follow, are limited to those clauses of the Bill which give effect to the changes referred to above.

## Notes on Clauses

Clause 1. This clause contains the short title, extent and commencement of the proposed measure. As the Bill deals not merely with village panchayats but also with town panchayats, 'The Madras Village Panchayats Act, 1950', which is the short title of the existing Act has been replaced by the short title 'The Madras Panchayats Act, 1958,' in the Bill.

The clause enables the Government to bring the Act into force in different areas on different dates. The Act is to be brought into operation throughout the entire State before the 2nd October, 1961 although as a measure of caution, a provision has been inserted for extending the above target date by one year at a time.

Under the Madras District Boards (Amendment) Act, 1957 (Madras Act XIII of 1957) special officers of district boards can continue in office only up to the 31st October, 1958. Provision has been made in clause 196 of this Bill for the continuance in office of those special officers until the constitution of panchayat union councils for panchayat development blocks as after the panchayat union councils are constituted, the Madras District Boards Act, 1920 will cease to be in force in the panchayat development block concerned. The above provision has therefore to come into force immediately the Bill becomes law and this intention is given effect to in clause 1(3).

Clause 3 provides for the declaration of local areas as panchayat villages and panchayat towns. The present nomenclature of Class I Panchayats and Class II Panchayats has been altered into town panchayats and village panchayats respectively in the new set-up of panchayat administration.

Clause 5 provides for the constitution of town panchayat areas as municipalities in certain circumstances, the transfer of the assets and liabilities of the panchayats in those areas to the municipality and other consequential matters.

Clause 7 authorises the Government to declare any local area forming a development block for the purposes of the National Extension Service Scheme of Community Development to be a panchayat development block and to constitute for every such panchayat development block a panchayat union. Power has also been taken for the exclusion or inclusion of any village or town from a panchayat development block and for the cancellation of declarations already issued. The procedure to be

followed before issuing declarations under the new clause and the consequential matters to be provided for in those declarations are also set out in the clause.

Clause 11 provides for the constitution of panchayat union councils for panchayat unions.

Clause 12 specifies the strength of the panchayat union council and provides for the election thereto of members by panchayats and townships and for the representation therein of members of the State Legislative Assembly, members of the Scheduled Castes and women.

Clause 12 provides for the repeal of the Madras District Boards Act, 1920, the Madras Village Panchayats Act, 1950, and the Madras Land Revenue (Additional Surcharge) Act, 1955, in areas for which panchayat union councils have been constituted and specifies the consequences which will follow as a result of such repeal, such as, the cessation of duties of special officers, the transfer of assets and liabilities of district boards, the transfer of elementary schools, choultries, dispensaries, markets and roads now vesting in district boards to panchayat union council, the transfer of hospitals, rest-houses and travellers bungalows to Government, and the transfer of district board secondary vocational and industrial schools to such authority as may be specified by the Government in that behalf.

Clause 19 specifies the tenure of office of members of panchayat union councils and the manner of filling ordinary and casual vacancies. According to this clause, the term of office of members will be five years beginning at noon on Tamil New Year Day.

Clauses 25 and 26- According to the existing provisions, a person who is a servant or employer of the official subordinate or official superior of a member is prohibited from standing as a candidate for membership of a panchayat and similarly a person will cease to be a member if he accepts employment under or becomes the official subordinate of any other member. This disqualification is removed in the Bill.

Clauses 37 and 38- These clauses provide for the election of chairman, vice-chairman for every panchayat union council, the filling up of vacancies in their offices, the devolution and delegation of their functions, etc., and specify their duties and powers.

Clauses 44 and 45 provide for the appointment of commissioners for panchayat unions and specify their duties and powers. It has been laid down that ordinarily Block Development Officers will be appointed as Commissioners.

Clause 47- This clause contains the necessary provisions relating to the conduct of meetings of panchayat union councils.

Clause 53 enables panchayat union councils to appoint committees for the efficient performance of their duties and functions.

Clause 55 requires the panchayat union council to submit to the District Collector a consolidated administration report as regards its own administration as well as the administration of all panchayats in the panchayat union.

Clauses 57 to 62 contain provisions relating to the establishment of panchayats and panchayat union councils, appointment of common officers by two or more panchayats or panchayat union councils, transfer of officers and servants, etc.

Clauses 63 and 64- The lighting of roads and public places in built-up areas within the jurisdiction of the panchayat has been made a mandatory duty of the panchayat while the lighting of roads and public places in areas other than built-up areas has been made a discretionary duty of the panchayat. Among the discretionary duties of the panchayat, the establishment and maintenance of parks, literacy centres and centres for imparting social education have also been included.

Clause 65 specifies the mandatory duties of panchayat union councils. These include the construction, repair and maintenance of public roads classified as panchayat union roads, the establishment and maintenance of dispensaries, maternity and child welfare centres, choultries, etc., the construction and maintenance of elementary schools, control of fairs and festivals, improvement of agriculture and the promotion and encouragement of cottage industries.

Clause 66 authorises the Government to entrust to a panchayat union council the execution of National Extension Service Schemes of Community Development including in particular all measures relating to the development of agriculture, animal husbandry and village industries organised on an individual or cooperative basis.



Clause 67 empowers the panchayat union council to make provision for carrying out the requirements of the panchayat union in respect of measures of public utility calculated to promote the safety, health, comfort or convenience of the inhabitants.

Clause 68 enables two or more panchayats to construct and maintain common water works and burial and burning grounds and to entrust to the panchayat union council the management of any institution or the execution or maintenance of any work.

Clause 69 empowers the Government to direct any panchayat or panchayat union council to provide for the lighting of public roads and public places.

Clause 70- Under this clause, two or more panchayat union councils may establish and maintain common dispensaries, child welfare centres and such other institutions.

Clause 71 authorises panchayat union councils to transfer immovable property to panchayats.

Clause 74 confers a general power on the Government and their subordinate authorities and officers to transfer to a panchayat union council the management of any institution or the execution or maintenance of any work or the exercise of any power or the discharge of any duty whether within or without the panchayat union and whether provided for in the Act or not.

Clause 77 declares that all public roads in a panchayat union which are classified as panchayat union roads shall vest in the panchayat union council.

Clause 78 specifies the duties of the panchayat in respect of roads excluded from the operation of the Act and placed under the control of the Highways Department of the Government.

Clauses 79 to 98- As a result of the proposed abolition of district boards, some of the duties of these boards will hereafter devolve on the panchayats and panchayat union councils. These clauses specify some of those duties, namely, precautions to be taken in case of dangerous structures, dangerous trees, dangerous tanks, wells, etc., the fencing of buildings or lands and the pruning of hedges and trees, power to order the closure of places of public entertainment in the event of the prevalence of any dangerous disease and to prohibit children suffering from any dangerous disease from attending school, enforcement of vaccination, removal of filth or noxious vegetation from lands and buildings, etc.

Clauses 99 to 105 relate to the duties of panchayats and panchayat union councils in respect of public and private markets. A panchayat union council may with the sanction of the Inspector open or close a public market. A panchayat or panchayat union council may levy fees for the use of the market and for the use of the shops, stalls etc., in a market. A new private market cannot be opened without a licence obtained from the panchayat or the panchayat union council. The opening of unlicensed private markets and the sale of animals or articles on the public road are prohibited. The Government may classify public and private markets, revise such classification, apportion the income derived from markets or the contributions payable to them and decide disputes as to whether places are markets or not. Provision has also been made enabling a panchayat union council to acquire the rights of any person to hold a public market, such acquisition being made under the Land Acquisition Act, 1894. The provision in existing section 81 of the Madras Village Panchayats Act, 1950 which prohibits any person from opening a new private market or continuing to keep open a private market has been declared to be ultra vires by the Madras High Court and so has not been reproduced in the Bill.

Clauses 115 to 143 comprise the chapter relating to Taxation and Finance. According to the provisions in this Chapter a local cess and a local cess surcharge will be levied in panchayat development blocks and a house-tax, a profession tax, a vehicle tax and duty on transfers of property in panchayat areas. Subject to such rules as may be prescribed and with the sanction of the Inspector, a panchayat may also levy a tax on agricultural land for a specific purpose. The local cess levied in the panchayat development block will be in lieu of (i) the land-cess leviable under section 74-B of the Madras District Boards Act, 1920; (ii) the taxes leviable under any head of taxation mentioned in section 34(2) of the Madras Elementary Education Act, 1920; and (iii) the land revenue surcharge leviable under the Madras Land Revenue (Additional Surcharge) Act, 1955.

In order to augment the resources of the panchayat union councils and panchayats, specific provision has been made for the making of certain grants to them by the Government. The Local Education Grant, the Local Cess Surcharge Matching Grant and the Local Roads Grant will be paid to the panchayat union councils and the Village House-tax Matching Grant will be paid to the village panchayats. In addition, the Government will pay to each panchayat union council every year a specific sum out

of the land revenue collections with reference to the population of the panchayat development block concerned. The sums thus credited to the accounts of panchayat union councils will be known as Land Revenue Assignments. For the purpose of sanctioning grants, the Government will classify panchayat development blocks in such manner as they may deem fit.

Every panchayat union council will have two funds, one the Panchayat Union (General) Fund and the other Panchayat Union (Education) Fund. Every town panchayat will have a Town Panchayat Fund and every village panchayat will have a Village Panchayat Fund.

Necessary provisions have been included in the Bill as regards the items of receipts which should be credited to the Panchayat Union (General) Fund and those which should be credited to the Panchayat Union (Education) Fund, the manner in which the funds should be expended, the appointment of auditors, the preparation and sanction of budgets, etc. Provision has also been made for the grant of exemption from payment of taxes, writing off of irrecoverable amounts, the utilisation of the land revenue staff for the collection of taxes and fees, the making of a contribution towards any expenditure incurred by the Government or by any panchayat union council, panchayat or other local authority if the expenditure is likely to benefit the inhabitants of the locality and for the recovery of loans and advances made by the Government.

Clauses 144 to 158- These clauses relate to the powers of Government, Inspector, Collector and other controlling authorities and mainly reproduce the corresponding provisions in the Madras Village Panchayats Act, 1950, with necessary modifications as a result of the inclusion in the Bill of provisions relating to the proposed panchayat union councils. Some modifications have been made in regard to the procedure for the removal of presidents and vice-presidents of panchayats. According to the existing provisions, the president, vice-president or member of a panchayat may be removed from office by the Inspector, even without any resolution from the panchayat in that behalf. If the Bill becomes law, the Inspector can remove a president or vice-president of a panchayat only if the panchayat, presided over by the Tahsildar of the Taluk, passes a resolution in that behalf. The provision for removal of a member has also been omitted. A new provision has been inserted for the passing of no-confidence motions against the president or vice-president of a panchayat, the meeting concerned being presided over by the Tahsildar.

Similar provisions have also been inserted as regards the removal of chairmen and vice-chairmen of panchayat union councils subject to the difference that the meetings concerned will be presided over by the Revenue Divisional Officer and not the Tahsildar and the authority to remove the chairman or the vice-chairman will be the Government and not the Inspector. Provision for dissolution and supersession of panchayat union councils has also been made on the lines of the existing provisions for the dissolution and supersession of panchayats.

Clause 169. This clause relates to the according of sanction for prosecutions and reproduces the existing section 106 of the Madras Village Panchayats Act, 1950, with the addition of reference to the chairman, vice-chairman and commissioner. An additional provision has however been made that when according sanction, the Government may order that the president, executive authority, chairman, vice-chairman or the commissioner as the case may be shall not discharge his duties until the disposal of the case.

Clause 178 deals with the rule making powers of the Government in respect of the several matters dealt with in the Bill. Specific power has been taken among others for the making of rules as regards the principles to be followed in regard to the exclusion of any local area from or the inclusion of any local area in a panchayat village or panchayat town or in regard to the inclusion of any local area in a municipality, as to the period within which a panchayat union council may co-opt women and members of the Scheduled Castes and the manner of filling vacancies if no woman or member of the Scheduled Castes is co-opted, as to the principles to be followed by the Government in making grants and contributions to panchayats and panchayat union councils.

Clause 181 and Schedules II and III provide for the imposition of penalties (ordinary penalties and penalties for continuing breaches) relating to panchayats and panchayat union councils.

Clause 189 provides for the extension of the Act to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district as soon as a panchayat union council is constituted for these areas and for the repeal of the Travancore-Cochin Panchayats Act, 1950. Necessary saving provisions have also been included.

Clause 190 and Schedule IV- The necessary transitional provisions for first giving effect to the provisions of the new measure are enumerated in Schedule IV. Sub-clause (2) of clause 190

authorises the Government to amend, add to or repeal the rules mentioned in Scheduled IV.

Clause 191– According to section 132 of the Madras Village Panchayats Act, 1950, every panchayat has to be deemed to be a panchayat court under section 9(1) of the Madras Village Courts Act, 1888 and may exercise powers under that Act. The Government may also confer on any panchayat court any civil or criminal jurisdiction not provided for in the Madras Village Courts Act, 1888. As it is considered that panchayats should not be saddled with the powers of village courts, section 132 referred to above has not been reproduced in the present Act, but provision has been made for the transfer of pending suits and proceedings if any to the appropriate courts constituted under the Madras Village Courts Act.

Clauses 192 to 195– These clauses make consequential amendments to the Madras District Municipalities Act, 1920, the Madras Elementary Education Act, 1920, the Madras Motor Vehicles Taxation Act, 1931 and the Madras Entertainments Tax Act, 1939.

Clause 196 provides for the continuance of Special Officers of District Boards up to the constitution of panchayat union councils for each panchayat development block by amending the Madras District Boards (Amendment) Act, 1957 suitably.

LOURDHAMMAL SIMON

*Minister-in-charge of Local Administration*

Clauses 14, 15, 26(1), 30, 34(4), 35, 36, 37(2), 39(2), 41(5)(b), 44(3), 47, 50, 51, 52(2), 54, 57(3), 58, 59, 61, 63, 64, 65, 67, 68, 70, 72(4), 74, 84(2), 85, 86, 93, 99, 106, 109, 113, 117, 119(3), 120 to 123, 124(3), 125, 126, 138, 139, 162, 167 and 178 of the Bill authorise the Government to prescribe the manner and method of giving effect to certain provisions of the Bill by making suitable rules thereunder. Clauses 3, 6, 16 and 57(3) empower the Inspector to exercise powers to give effect to certain provisions of the Bill. Clauses 51 and 180 empower the panchayats and the panchayat union councils to frame regulations or by-laws for carrying out any of the purposes for which they are constituted. Clause 157 empowers the Government to delegate the powers exercisable by them under the proposed legislation to officers subordinate to them. Clause 188 empowers the Government to do anything which appears to them necessary for the purpose of removing any difficulty in first giving effect to the provision of the Act, etc. The powers delegated are normal and not of an exceptional character.

## FINANCIAL MEMORANDUM

Clause 118 of the Bill provides for payment to each panchayat union council a sum representing one rupee for each individual of the population of a panchayat development block from out of the total land revenue (including water cess) collected in the state during the year. Clauses 128 and 129 provide for payment annually to every panchayat union council of a Local Education Grant and a Local Cess Surcharge Matching Grant respectively. Clauses 131 and 132 provide for payment of grants called the Local Roads Grant and Village House-tax Matching Grant respectively. Clause 141 provides for the appointment of auditors of the accounts of the receipts and expenditure of the funds of the panchayat union council and of the panchayat and clause 144 provides for the appointment of officers to supervise panchayat union councils and panchayats. The legislation, therefore, involves expenditure from the Consolidated Fund of the State. It is not possible at this stage to estimate, with any degree of accuracy, the expenditure connected with the administration of this measure, since the increase of expenditure from year to year will depend upon the phasing of the programme, as well as the local resources. The Local Finance Sub-Committee of the Legislature Committee on Local Administration reviewed the financial implications embodied in this Bill with reference to the targets and phasing that the Sub-Committee had in view. The views expressed by that Committee are reproduced below for the information of the legislature:

Earlier in this report we explained that the assigned Local Revenues and Government Grants amount at present to 275 naye paise per capita in all the panchayat villages of the State, and that on an average this is proposed to be raised to 600 naye paise per capita. We drew attention to the existence of a gap to be filled of the order of 325 naye paise per capita and raised the question, 'Wherefrom will this money come from?' It is convenient to set out the answer to this question at this stage.

To begin with 100 naye paise per capita out of the 325 naye paise is accounted for by our proposal about the 'Land Revenue Centage'. This is not a question of raising new resources; it is a transfer of existing resources from the State Government to Panchayat Unions. The State Government is relieved of its present commitment in respect of grants to private elementary schools substantially to a corresponding

extent. We may also ignore for the present the new resources which will be raised in villages where no panchayats exist at present, merely as a result of constituting village panchayats as elsewhere. We may then treat as Village Panchayat Development Expenditure an amount representing 225 naye paise per capita over the entire village population of the State. This will be something between  $4\frac{1}{2}$  crores and 5 crores per annum for the State as a whole.

So far as Town Panchayats are concerned, we do not envisage any particular increase or decrease in the present level of expenditure per capita, except in relation to elementary education. Making an allowance for this purpose, we may conclude the total amount of Panchayat Development Expenditure for the entire rural (i.e. non-municipal) population of the State will be about Rs.5 crores per annum. Out of this total, a little less than  $3\frac{1}{2}$  crores per annum are required for the development of elementary education including provision of schools, meals for poor children and rather more than  $1\frac{1}{2}$  crores per annum for raising the standards of local amenities in villages.

According to the financial scheme recommended by us, we expect about  $1\frac{1}{2}$  crores to be provided by increased local taxation; rather more than half a crore per annum as local contribution to the development of elementary education and rather less than one crore per annum for local amenities. The higher level of expenditure will have to be brought about according to a phased programme of establishment of Panchayat Administration, year after year in successive batches of Development Blocks.

The foregoing calculation shows that the net effect of our Financial Scheme will be to require that over two-thirds of the Panchayat Development Expenditure (nearly  $3\frac{1}{2}$  crores per annum) will have to be provided out of State Government Funds. We wish to state clearly that we do not envisage the imposition of any new taxation at the State Level (other than the one already announced, viz., the Agricultural Income-tax). It is well known that Madras State has done its best already to raise financial resources needed for implementing its Development Plan. The increase of local taxation which we expect the new Panchayat Administration to undertake through the exercise of enlarged powers will be considerable. It is essential, therefore, that the

resources already allocated under the relevant heads (i.e., elementary education, roads, etc.) under the Second Five Year Plan will be sufficient (after taking into account the Central Government Grants which are forthcoming under the pattern of assistance laid down under the plan) to meet the expenditure of Government Grants which we have recommended. The position is thus safe enough for the remaining years of the Second Five Year Plan.

But the scheme we have proposed for financing Panchayat Administration is of a permanent nature. The increase in the level of expenditure envisaged by us will proceed steadily and stabilisation at a higher level will be reached only after the mid-year of the Third Plan period. It is absolutely essential for the implementation of the Financial Scheme recommended by us that Central Government Grants to the State Government should continue to be available throughout the Third Five Year Plan period so as to cover a specific proportion of Panchayat Development Expenditure as defined by us. We think it would be a fair distribution of the burden of raising new resources for Panchayat Development if the burden is distributed about equally at three levels, one-third on Panchayat Administration, one-third on the State Government and one-third on the Central Government. The proportion to be borne by the Central Government during the Third Plan period should not, in any case, be smaller than during the Second Five Year Plan period.

We recommend that the State Government should take up this question with the Central Government straightaway. In view of specific provisions of Article 36, 40, 45, 46, 47 and 48 of the Constitution and in view also of the various pronouncements of the Prime Minister and other high authorities of the Central Government on the imperative need for the development of Panchayat Administration, we trust that the Financial Scheme recommended by us (including as an essential part thereof the provision of Central Government Grants) will be accepted and embodied in the Third Five Year Plan.

(By order of the Governor)

A. ALAGIRISWAMI

*Secretary to Government, Law Dept.*

Reproduced from the Fort St. George Gazette, Part IV-A Extraordinary, No. 27, Madras, Tuesday, September 2, 1958 (Pp. 405-416).



Appendix 4

THE CUSTOM OF 'KAREIYID' OR PERIODICAL  
REDISTRIBUTION OF LAND IN TANJORE  
(From the *Manual of the District of Tanjore in the Madras Presidency*, by T. Venkasami Row, Madras, 1883: Appendix C, by  
H.J. Stokes, C.S. Negapatam.)

---

In 1807 a Committee appointed to report on the project of making a permanent settlement in Tanjore found that there were three classes of villages in the district, which were named according to the tenure on which they were held. These were:

1. Samudayam, of which there were	1,744
2. Palabhogam, of which there were	2,202
3. Ekabhogam, of which there were	1,807
	---
Total villages	5,783
	---

We are not now concerned with the two latter, which are villages the lands of which are possessed by several or by one holder but need only speak of the Samudayam holdings. This class, which I conceive to be the most primitive, must be subdivided into two, namely, those in which the land itself was temporarily apportioned. The word Samudayam is Sanskrit, and means 'Common'. The villages to which this term specially applies are those in which the members of the community, or mirasdars as they are now styled, cultivate the lands in common, and divide the produce, according to each man's pangu or share. That is, there are no separate allotments of land to individuals, and the property was a right to a certain share or a number of shares in the produce. In such villages each holder possessed his proportion of the common stock, and contributed his share of the labour. The only separate land he could hold was the garden or backyard attached to his house and situated within the limits of the village site. There are hardly any villages now remaining in which this tenure still exists, and it will doubtless soon die out. There are, however, lands in many villages, generally waste or inferior fields, of which the cultivation is precarious, which are called 'Samudayam', and held and tilled in common by the landholders; they are such lands as it was expedient to hold in common,

or such as were not worth dividing, and in them the ancient tenure, which was probably at one time universal, is found to survive. But as under this system, there is little encouragement to individual industry, and as therefore the cultivation is slovenly and the yield poor, there inevitably arises the necessity for the next step in agricultural improvement, namely, that of allotting to each shareholder in the village a certain portion of land to cultivate. A village in which this arrangement has taken place is called in Tamil a 'Pasun-Karei' or 'Kareiyid' village. The word 'pasun' is an old Tamil word cognate with the Kanarese verb pasu, 'to divide' and both names mean 'Field Division'. At first the allotment was probably made anew each year, at least such would be the natural commencement of the change, and we find that such was actually the case in some of the richest villages in what used to be called the Jaghir, and is now the Chingleput district around Madras; but in Tanjore I am unaware of any instances being known where the changes were so frequent. The periods usual in this district vary from eight to thirty years, according to the pleasure of the mirasdars.

The manner in which the redistribution of lands takes place will best be described by an example. In a village, say, of twenty velis (1 veli = 6.6 acres), a certain unit is fixed one which is called a pangu or share, and is in some villages 1 veli, and in others varies from  $1\frac{1}{4}$  to 3 velis. The village is divided, according to its extent, into from four to ten 'Kareis' or blocks, to each of which so many shares are allotted. Thus in a village of 20 velis, there might be 15 shares apportioned to 4 blocks of land among 12 shareholders, each block containing the land of three shareholders.

In the month of June, July or August, before the seed is sown, the operation of division, or 'Kareiyid' commences. First of all, the whole area of the village is measured, and a measurement account prepared. Then for each karei (block) a headman is chosen from among the landholders, who is known as the (Also called Kareisvan or Shettikaran; the latter name being obviously from the Hindi 'shet', Sanskrit 'kshetra') Karei Karan or Kareisvami, the manager or master of the karei. He is generally one of the largest shareholders in the village; though nowadays if he cannot read and write, the larger holder is passed over in favour of the smaller who can. He is appointed by the common consent of the sharers who are allotted to the karei of which he is to be the head, and retains his position until the next division takes place. If he dies before that time, or sells

his property, his office does not pass by inheritance nor sale to the purchaser. No new appointment is made; and the name of the original karei karan is attached to the karei throughout the time during which the distribution of the land is to remain in force. When he has been chosen and when certain shareholders have been allotted to each karei, an agreement is executed by them to abide by the karei karan and the allotment, and binding themselves to execute the necessary repairs and improvements, and to carry out certain other usual arrangements. Then the lands of the village are divided, without reference to previous enjoyment, into so many shares, 15 in the case we have taken; these again are embodied in 4 kareis. Then a slip of Kadjan (palm-leaf), called 'kareiyolei' is prepared for each of the four kareis, and on it are written the names and extent of the fields composing the karei. Four other smaller slips are inscribed with the names of the karei karans, each bearing one name; and then all the eight slips are thrown down together on the ground. A child of four or five years old, who cannot read, is sent to pick out a large and a small slip, and this decides the karei and the karei karan.

The lots are drawn in some public place, either before the temple, or at the math or at the village choultry. An auspicious day chosen according to the position of the star of the villages (which is determined by the first letter of its name), is appointed for the allotment; and the proceedings are to some extent of a religious character. If the drawing takes place at a temple, it is done in the presence of the deity; or if elsewhere, a new figure of the favorite village god Pilleiyar is made with saffron powder; as many coconuts are broken before it as there are mirasdars in the village, and after betel has been presented, and worship is over, the drawing of the lots takes place. After the lottery the slips of kadjan are deposited with the karei karans; and the agreement executed by the shareholders and measurement-account, are entrusted to the village priest, or schoolmaster, or astrologer, who is supposed to be a common friend to all parties. To make matters more secure, each mirasdar (shareholder) can have a copy of these documents for himself.

Within a week or so of this ceremony, which is properly the Kareiyid, each karei karan divides the lands of the block which has fallen to him among the mirasdars who have agreed to abide by him. This division is made either by the same process of casting lots, or by common consent. It need not be conducted in any particular place, nor is it attended with any ceremony. Each

mirasdar receives, and keeps by him, a slip of kadjan on which his lands are entered.

In order to place more clearly before readers who care to examine the subject closely, the details of the working of this kareiyid tenure, I shall here introduce a translation of a kareiyid agreement. This document is one of those abovementioned which are executed by the mirasdars before the lots are drawn.

This is the agreement which we, Devayyan and others, the undersigned mirasdars of the village of Nannilam, have made with one consent on the 22nd of Ani in the year Raktakshi (4th July 1864).

All the mirasdars (This word, so well-known here, may require explanation elsewhere. It means a possessor of 'miras' or holder of land in the village with all the rights attached to ownership.) of the pangus (shares), nine in number of the above village, have enjoyed the nanjei (wet) lands, etc., in the village by dividing them according to Kareiyid, without achandrarkam. (When redistribution is abandoned for permanent tenure, the village is called 'achandrarkam' or 'as long as sun and moon endure', perpetual. The compound is a-chandra-arka.) They have agreed with Government some years ago for 'amani' management, some years on the estimate system, and some years for grain or money rents. From the Prabhava (year) before last to Ishvara (11 years), a kareiyid of nine kareis (was in force). From Vikrama to Saundari (Sarvadhari ?) - 8 years - , there was a kareiyid of six kareis; and from Virodhi to Vilambi (9 years), a kareiyid of nine kareis. But whereas during this space of making kareiyids for short periods, they did not prosper, thinking that if a kareiyid were made for a long period, they might attain prosperity, they made one of six kareis for twenty-five years from Vikari to the 30th of Chittrei in the year Raktakshi. But there was great loss, as by reason of the lands being (split up) into various little holdings, the customary repairs by the villagers, and construction of banks (were neglected), and the dams and boundaries were not repaired; the channels and sub-channels were not properly cleared; and no matter how much manure or leaves were put on the nanjei (wet) fields, it did no good to the crop. The mirasdars were for the most part badly off, and suffered hardship and distress. So, having considered the necessity of obtaining ordinary prosperity

without the recurrence of such (misfortunes), and of the Government revenue being paid without the least trouble or deficiency; and whereas now in this present year the time has come for making kareiyid, we have essayed to make a kareiyid for a long period, and in accordance with the division now prevailing. Towards that end we have made a petition in the taluk that the necessary assistance may be granted, and all the mirasdars have voluntarily assembled in the presence of the Tahsildar and have asked him. Besides the undersigned, (who form) the majority of the mirasdars, Kanagasabhei Chetti, Appu Chetti, Bama Sami Chetti, and Vengappayyan who has obtained land from the mirasdar Chinna Kishnayyan on tenancy, these four persons only owning th of a pangu (share) refuse to act in concert with all in the village. With the intention of causing embarrassment and strife, just as they please, the above four persons, in a dissentient spirit, have declared that contrary to custom or voluntary agreement (i.e. as opposed to decision by lot) an allotment must be made to them four alone of good land, without reference to its various qualities in one part (of the village) or of various detached portions to be measured off for them from the several fields. In default of this, they will not agree to make kareiyid, and will keep the same lands as they have held hitherto. And whereas permission has been given for all the mirasdars who are willing to unite and make a kareiyid, all the mirasdars who have signed this have united, and, with a view to the proper execution of the customary repairs above specified in order that prosperity may be attained, have measured and classified the low- and high-level and other lands; and excluding the low-assessed service lands, which are held by right of purchase, and the lands shown in the account as set apart for temples, Brahmans, artisans and others, as entered in the former agreement and enjoyed by the several persons and institutions from the time of their ancestors, have classified such of the remaining lands as are nanjei (wet), and have allotted the shares (pangus) in four kareis. And the following is the account of the division :

1. Sundarappayyan's karei.

Name	Shares in eighths
The above Sandarappayyan	6½
Venkatachalayyan	¼
Subharayyan	½
Gopal Krishnayyan	½
Suppu Kutti-Ayyan	½
Krishnayyan	2
Amman Subhayyan	1
Chinnammal	1
Ramaswami Ayyan	
Venkatachala Chetty	2½
	-----
Total	16 eighths
	-----

2. Aneyappayyan's karei.

Total (ten shares)	16 eighths
--------------------	------------

(and so of the other two kareis in which there were respectively eight and five shares.)

Total for all four kareis 64 eighths of a share or pangu.

Out of the common land the above four kareis have been divided and distributed. Suri Davayyan's younger brother Shivaramayyan has half an eighth share (pangu). Altogether there are 65½ (64½ ?) eighths. In this way, following the pangu (share) method, the division has been effected. And so for the four kareis, when lots have been thrown, according to the kareiyolei(\*A slip of kadjan on which the specification of the lands is written.) which falls to them, the sharers shall enjoy the nanjei (wet) lands of their respective kareis, on a just and proper distribution, for twenty-five years commencing from this year.

Moreover, as it is necessary to provide for the repair and restoration of the temples in the above village which have fallen into disrepair; for that purpose 15 mas 31 gulis in the wet land called Shembadayan on the east, 12 mas 40 gulis in the Deevadanam wet land, 9 mas 80 gulis in the

Angalamman Kovilpattam- these lands(\*1 veli = 6.6 acres. 1 ma- 0.33 acre. 1 guli- 0.0033 acre.) 1 veli 17 mas 51 gulis in common shall be rented out for seven years, and after deduction of the tenant's share each year, the remainder shall be applied as follows :-

Two years' income to the temple of Ramaswami.

" " " Krishnaswami.

One year's income to the temple of Ishvaran.

" " " Ayyanar.

" " " Pillaiyar.

In such manner must the income of the several years be employed in the service of the said temples. The Government revenue on these lands is to be paid rateably on the  $64\frac{1}{2}$  eighth shares. Hereafter from the year Prajotpathi, the common land set apart for the service of the aforesaid temples shall be enjoyed in a just and proper division for the rest of the present kareiyid by the several sharers to whom it may fall in the present distribution. The income obtained from the abovementioned lands set apart for the restoration of the aforesaid temples shall not be spent in any other way. As 180 gulis of land belonging to the eighth-share of the aforesaid Krishnappa Nayak, are in possession of Kanagasabhei Chetti, an equivalent deduction will be made from Krishnappa Nayak's share, and he may sue Kanagasabhei and get the land. The other sharers have no interest in it.

The punjei (dry) lands were formerly divided permanently (Achandrarkam) and the mirasdars of the aforesaid  $64\frac{1}{2}$  eighth-shares have made wet cultivation in some of those lands; those who have so done shall continue to enjoy those lands and pay the wet land assessment on them. Of the remaining dry lands, that on the outside of the river-bank, and that inside and outside the bank of the Kavali channel shall be measured, and inequalities are to be adjusted in the division of the outside lands only; and the land is to be enjoyed according to the former kareiyolei.

The (land called) kilveli, the Kavali channel bank water-spread lands, the Puducheri-veli dry lands, the dry lands

entered in the other perpetual (Achandrarkam kareiyolei of the dry lands formerly divided.) distribution account, are to be measured, and their inequalities adjusted. He who has less is to take of that which is given up by him who has more (than his fair share).

The Kilveli river-bank, the river-bed lands, the dry lands and others are to be measured as entered in the former agreement, and redivided in the month of Tei of the present year in compact blocks. The Adi crops which now stand in the aforesaid lands are to be rented, and the rent divided among the mirasdars according to shares. The tree-tax which may be assessed on trees growing in dry, river-bed, and waste lands as yet unassessed shall be paid rateably according to share.

In accordance with what is proper for cultivating tenants and others, the Pariah street, the Chucklers' street, and the house-sites on the far side of the Puttar (a river) shall be measured according to the former perpetual division, and inequalities which have (arisen) adjusted. He who has too much shall give up to him who has too little in the Kilveli lands, and in the dry lands on either side of the Kavali channel.

The common boundary banks which are established for the wet fields, both banks of the Kavali channel, the channel for supplying the tank, the common banks in all the other lands, and the irrigation and drainage channels shall be cleared, strengthened, and maintained at the common cost.

And whereas now, in the manner aforesaid, the lands have been divided, their Government assessment is to be paid according to share. The Government assessment on waste dry land, and on waste fit for cultivation, which is now assessed on individual mirasdars, shall be paid according to the above share.

For the lands now distributed, the entry in the Government accounts shall be made according to enjoyment.

The lands allowed to tradesmen and artisans shall be divided and enjoyed according to the above shares, and the Government assessment on them paid in the same way.

And for all the lands as aforesaid, the irrigation and drainage shall be maintained according to custom.



If a scarcity of water occurs, an agreement must be drawn up (specifying the turn of each cultivator for taking water from the channel, and the length of time he may so take it), and the irrigation shall be conducted accordingly. A double dam shall be made east of the Kidaran Kondan sub-channel and the water led on to the wasted Kadamban field.

A sub-channel shall be cut from the Muleimangalam channel, and the water led on to the aforesaid field. In all other places the irrigation shall be carried on according to agreement. An aqueduct shall be put over the Kavali channel and the water led on to the temple lands.

None of the aforesaid lands can be sold outright by any sharer; and even if so sold, the sale shall be null and void. In all other affairs which have to be carried on in the village, the practice laid down in former agreements is to be followed. To this effect have we all with one consent agreed.

I have thought it best, at the risk of being tedious, to give this curious document in full, as it illustrates so completely the system of redistribution. It points, too, to the causes which led gradually to the abandonment of the system. These are the neglect of banks, channels, and other repairs and improvements, owing to the short and uncertain tenure each cultivator has of his land; and the intrusion of outsiders into the community. It will be observed from the names, that three of the landholders who refused to consent to the proposed redistribution were Chettis, that is, tradesmen; and they may be presumed to have acquired their portions of the village from persons to whom they had advanced money. These outsiders would have no respect for the customs of the village, and little sympathy with the community into which they had thrust themselves. Hence doubtless the provision in the end of the agreement forbidding all sales of land.

TEMPLE ASSEMBLIES AND VILLAGE COUNCILS

(This account of community life in a village in Tanjavur is taken from Chapter VIII (pp.107–116) of a recent study of a village in Tanjavur District, *When Caste Barriers Fall* by Dagfinn Sivertsen (Institute for Social Research, Oslo), published by George Allen and Unwin 1963, pp.137. The study was made during January 1957–January 1958 and the village described had a population of 786 (177 households). The number of the two main castes referred to in this account was Infantry– 398 and Palli Infantry– 93.)

PUBLICATION OF THE ABOVE IS MADE POSSIBLE BY KIND PERMISSION OF THE AUTHOR.)

---

Within the non-Brahmin castes relations of authority concerning a caste as a whole are incorporated in the organisation of jural and moral affairs. The organisation of these affairs has a sacred basis, in the Temple Assemblies which primarily deal with ritual activities.

The rules which govern this organisation are established by tradition and are not themselves subject of dispute, but their operation constantly requires decisions and sanction for which leaders have been chosen.

As will be shown in this chapter the temple assembly is a very important instrument of political control. The new association seeks to gain control of this instrument in order thereby to secure a more enduring basis for its influence.

Among non-Brahmins jural and moral affairs are dealt with by the temple assemblies which have the custody of the temples in the non-Brahmin streets and are the centres of the social and ceremonial life of these castes...

At both ends of the Infantry street there is a temple. One end of the Infantry street joins the Palli Infantry street. Associated with each temple is an assembly. One comprises all married men living in the one half of the Infantry street, and the other, the Infantry men living in the second half of the street including all married men of the Palli Infantry caste. The assemblies have separate leadership and hold meetings separately but join together in the major festival processions.

The assemblies work according to the same rules and deal with similar matters, so for practical purposes they may be

described as one. Each assembly is headed by a group of wealthier, senior persons about five to six in number, all of whom occupy the most expensive looking houses in the streets. Their local title is Nathanmaikarar: one who wields power. A leader may also be referred to as Machevithekerar: one who occupies a 'fine house'. Meetings are held outside the temples every new-moon night and during calendar festivals. Attendance is obligatory, but a member may send an elder son or brother as deputy.

The Nathanmaikarar is held in high esteem by all castes including Brahmins. His chief function may be described as guarding the custom, or as the villagers say, looking after good and evil on behalf of his caste. His authority extends over all the most important activities in the social life of the people. He presides at marriages and ear-boring functions where he supervises the exchange of gifts between relatives. As a token of honour he is always served first at such functions. He arranges funerals and the distribution of payment of village servants. He also acts as guardian for orphans and widows. Disputes between relatives and neighbours are referred to him for conciliation. The Brahmins also rely to some extent on his authority for disciplining smaller tenants and servants and negotiating cultivation contracts and the sale of land to tenants in the village. The Nathanmaikarars themselves hold considerable portions of land let to them by Brahmins.

A Nathanmaikarar is elected by ballot but does not hold his position for any fixed term and the elections are not periodic. These leaders are all nearly equal in wealth, have had at least a few years schooling and may thus regard each other as co-equals. In the village they are the 'big men'. But there are two obvious limitations to their power. One is the need for the assent of the rank and file of the assembly. The other is the degree of unanimity between the Nathanmaikarars themselves. The latter is particularly important. There have been times in the past when village festivals were not held, on account of disagreement between these leaders.

The affairs and activities managed by the Nathanmaikarars are as follows:

1. He conducts and presides over meetings and ceremonies;
2. Collects funds for expenditure on village festivals and temple repairs;

3. Organises auctions of loans from the caste funds;
4. Auctions fishing rights in the village tank;
5. Negotiates, adjudicates disputes, levies fines and acts as a small banker, etc.

Each member or household pays a monthly contribution to the temple fund, the amount being equal to about a quarter of a day's wages. The two shopkeepers in the village pay more. Greater amounts are contributed on special occasions like harvest festivals, etc. Loans are auctioned for a certain interest which is added to the fund. Fishing rights are sold on the condition that the buyer undertakes to join a collective catch. On the occasion of the catch the Nathanmaikarars are presented with the largest fish.

All the proceeds, including the amounts collected from fines, will be devoted to the temple funds. For the construction of public amenities there are separate collections. In the meetings which are held outside the temple there is strict observance of order. The leaders sit apart in a group in front of the temple with the others in two rows facing each other. Since the assembly is seated on sacred ground nobody is allowed to smoke or use indecent language. When an especially important case is being discussed no one is allowed to leave the session, one may do so only by pledging something for one's promise to return. There are also standard procedures for the swearing in of witnesses.

The following are examples of subjects discussed in some of these meetings:

Fixing of dates for the ceremonial ploughing and the arrangement of a village festival; construction of a village well and repair of the village tank; planning construction of a panchayat hall. Agreement was readily obtained on most issues but not on the question of building a panchayat hall where the contribution to be levied on each member would be higher than many of them thought they could afford.

I have been present at meetings when more controversial questions were brought up and the debate was more heated. When, for example, the proposal to abolish poultry keeping was made the prospect of reaching agreement seemed small. On this occasion the leader would not attempt to impose his will against an expressed majority but sought to avoid this particular issue

in the beginning and instead opened his speech with a statement on the value of unity in general. Having exhorted them at length on the advantages of concord and united action he finally came around to dealing with the poultry question but did not press for an immediate decision.

He encourages discussion in the meetings, and tackling each in turn, urges every one to voice his opinion. Discussion of a particular issue may be continued over several sessions. Free and open discussions of the affairs of the caste in which all adult males participate is not thought inconsistent with general discipline and the authority and prestige of the Nathanmaikarar. Contending views as expressed in the traditional assembly are not regarded as opposed to the Nathanmaikararship as such, but as expression of disagreement between members of the group in general which it is the task of the leader to reconcile. In these meetings, then, the leader exercises his influence not so much by enforcing his own will as by attempting to bring about unanimity in the group as a whole and to evoke feelings of solidarity. His position is firmly anchored in the realm of custom, and the fact that he has been entrusted with its welfare by consensus of his caste gives his opinions and arguments weight. As his function is given in traditional terms, e.g., up-keep of custom and of the ceremonial life of the caste, etc., his position stands and falls with the traditional order as a whole. During a period of radical changes, however, he may still preside at ceremonies while being opposed by his castemates in other contexts.

In the past no one has ever appealed to any outside authority against the verdict of the assemblies. But recently one of the Nathanmaikarars complained to the police about being forced to attend meetings which were then directed by the communists in the village. In disputes, for example, between a Brahmin lord and his tenant the Nathanmaikarar of the Infantry caste is often called upon to arbitrate but in many cases he has not been able to restrain the parties from bringing of dispute before the court.

Other castes excepting the Brahmins have similar organisations and institutions of leadership, but there I was not able to study in detail.

*Appendix 6*

LIST OF PERSONS EMPLOYED IN THE STUDY

*Note:*

1. Dr C.N. Bhalerao, Dr J.S. Rao and Shri Krishnamurti were also associated with this study during its initial stages. Shri S.R. Tiwari, Organising Secretary of the A.I.P.P., also assisted at the time of the opinion survey during October-December 1964.
2. A few other persons also provided assistance on a part-time or ad-hoc basis particularly in the latter period of the study.
3. Persons marked thus <sup>(a)</sup> have been mainly engaged in work connected with the study from records at the State level.
4. Persons marked <sup>(b)</sup> have been wholly engaged with work connected with the opinion survey and those of them who continued with the unit after December 1964 also with the collection of some additional data.

## Index

- Committee on Subordinate  
Legislation 131–134  
Community Development and  
National Extension Service Scheme  
201–206, 213, 258  
    causes of depression 213–214
- dharma* 247–250  
District Development Councils 194–  
200
- Gandhi, Mahatma 261  
Gokhale, Gopal Krishna 104, 105
- Iyer, Sir C.P. Ramaswamy 104
- Kareiyid* 284–292  
Khilji, Allahudin 253
- Madras Panchayats Act (1958)  
  
108, 114, 202–205, text of 270–283
- Panchayat(s)  
    accounting rules 225–227  
    administrative arrangements  
    110–114  
    agriculture 125–126, 215–216  
    animal husbandry 126, 216–  
    217  
    area jurisdiction of officials  
    223–225  
    Commissioner, role of 180,  
    182  
    Consultative Committees, role  
    of 136–138  
    corruption  
        causes and remedies 245–  
        248; elected  
        representatives 243–244;  
        engineering staff 242;  
        Commissioners 242;  
        Extension Officers  
        (Panchayats) 241; *grama*  
        *sevaks* 241; in elections  
        232–233; other Extension  
        Officers 241–242;  
        Panchayat Presidents  
        237–238; Panchayat  
        Union Council Chairmen  
        238; teachers 240–41
- Development Administration  
    District Level 153; State  
    Level 152–153  
    education 129–130  
    elections (1965) 147–151  
    expenditure 183–188  
    financial arrangements 115–  
    123  
    financial regulation 106–109  
    fisheries 126, 129  
    governmental control 137–143  
    judicial processes (matters in  
    courts of law related to  
    panchayat system) 134  
    links with the legislature 130–  
    134  
    meaning of word 101  
    meetings 221–222  
    minor irrigation 129  
    programmes  
        agriculture 190–191;  
        elementary education  
        189–190; public works  
        187, 189; village  
        industries 191–194  
    school meal programme 218–  
    221  
    Special Provisions for certain  
    panchayats 143–147  
    staff & administration 121–123  
    staff (delay in appointment of)  
    182–184  
    staff position 216–217  
    taxation 130  
    training  
        (of panchayat mem-bers)  
        134–135; (of staff) 135–136  
    Panchayat Legislation (1884) 103  
    Panchayat Legislation (1920) 105  
    Panchayat Union Councils  
        finances 206  
        planning & decision-making  
        207–209  
        record-keeping by staff 210–  
        212  
        staffing 209–210  
    Peshwas 251  
  
    revenue staff 224–225  
    Ripon, Lord 102  
    Royal Decentralisation Commission  
    103

sample panchayats, description  
date of formation 169  
education 174–175  
finances 169–174  
meeting(s) of council 175,  
177–180  
sample survey results  
opinions re. education system  
163–167  
opinions re. Panchayat  
elections 157–162  
opinions re. Panchayat  
finances 167–168  
*Samudayam* 252, 254  
Structure of Government 255–264  
  
Tamil Nadu Panchayat Union  
(TNPU) 134–137  
Temple Assemblies 293–296  
  
Village Councils 293–296



## **DHARAMPAL: LIFE AND WORK**

Born in 1922, Dharampal had his first glimpse of Mahatma Gandhi around the age of eight, when his father took him along to the 1929 Lahore Congress. A year later, Sardar Bhagat Singh and his colleagues were condemned to death and executed by the British. Dharampal still recalls many of his friends taking to the streets of Lahore, near where he lived, and shouting slogans in protest.

Around the same period, there were excited discussions, especially in school, about whether the British should leave India. Some were against *swaraj* because they feared invasion of the country by Afghan tribesmen and others. With many others his age, Dharampal tended more and more towards the *swaraj* option. Though he underwent western education throughout school and college, his animosity to British rule grew year by year. By 1940, he had started to wear *khadi* regularly— a practice he follows even now— and even tried to take to spinning the *charkha* for a while.

In 1942, he was present as a fervent spectator at the Quit India Session of the Congress in Bombay and he thereafter joined the Quit India Movement. He was active in it till he was arrested in April 1943. After two months in police detention, he was released but externed from Delhi.

Dharampal recalls he was one of countless people who believed that once the British were gone, India would be rid of its misfortunes, particularly its state of disorganisation and impoverishment.

In August, 1944, he was introduced to Mirabehn by his friends. He joined her soon thereafter, at what came to be known as the Kisan Ashram, situated midway between Roorkee and Haridwar. He stayed with Mirabehn, with occasional absences in Delhi (1947-48) and England (1948, 1949) till about 1953 when she retired, first to the Himalayas, and a few years later, to Europe. But the contact stayed. Dharampal met her again for the last time in July 1982 in Vienna, about two weeks before her death. On that day, they talked together for some 6-8 hours in the quiet of the Vienna woods.

Earlier, during 1947-48, Dharampal had come in close contact with Kamaladevi Chattopadhyaya, Dr. Ram Manohar Lohia, and with numerous younger friends in Delhi. He was then associated with an attempt at cooperative rehabilitation of refugees from Pakistan. (He was a member of the Indian Cooperative Union which was founded in 1948 with Kamaladevi as its president.)

The following year, while in England, Dharampal got married to Phyllis who was English. Afterwards, they both decided to live in India. On their way back, they spent some time in Israel and visited a few other countries as well. In 1950, the community village of Bapugram in the Pashulok area, near Rishikesh, began to be formed. Dharampal and Phyllis lived in it till 1953. He returned to England with his family in 1954.

He was back in Delhi again from early 1958 to 1964 with his wife, son and daughter. He now took up the post of General Secretary of the Association of Voluntary Agencies for Rural Development (AVARD); Kamaladevi was its first president. Soon thereafter, Jayaprakash Narayan agreed to be the president of AVARD. (He remained president till about 1975.)

For about two years (1964, 1965) Dharampal worked with the All India Panchayat Parishad (A.I.P.P.) as Director of Research and spent

more than a year in Tamilnadu collecting material that was later published as *The Madras Panchayat System*. Earlier, in 1962, he had already published a smaller book containing the proceedings of the Indian Constituent Assembly relating to the discussion on the subject of "The Panchayat as the Basis of India's Polity".

From Madras, for family reasons, Dharampal once again moved to London in early 1966. His son had met with a serious accident.

By then he was also keen on a detailed study of the Indo-British encounter during the 18th and 19th centuries. This time he stayed on in London till 1982, but visited India in between. In England, he did not have much of an income. There was also a family to support. But notwithstanding all this, he became a regular visitor to the India Office and the British Museum and spent most of his time poring over the archives. Photocopying required money. Oftentimes, old manuscripts could not be photocopied. So he copied them in long hand, page after page, millions of words, day after day. Thereafter, he would have the copied notes typed. He thus retrieved and accumulated thousands of pages of information from the archival record. When he returned to India, these notes— which filled several large trunks and suitcases— proved to be his most prized possessions.

From around 1958, Dharampal had developed an association with Sevagram, especially because of Annasaheb Sahasrabudhe. He spent around a month in Sevagram in 1967, where he did his first writing based on the 18th-19th century data he had collected. His next long stay in Sevagram was from December (1980) to March (1981) when he completed *The Beautiful Tree*. From around August 1982 to 1987, he was mostly in Sevagram with occasional sojourns in Madras.

Dharampal was president of the Patriotic and People-Oriented Science and Technology (PPST) group. He was also closely associated with the Centre for Policy Studies located in Madras.

His wife died in London in 1986.

From 1993, he has been living largely at Ashram Pratisthan in Sevagram.