



GSJ: Volume 10, Issue 1, January 2022, Online: ISSN 2320-9186

www.globalscientificjournal.com

**THE CONSTITUTION (SEVENTY THIRD AMENDMENT) ACT,
1992: OLD WINE IN A NEW BOTTLE**

Vaibhav Uniyal (Assistant Professor, Law College Dehradun, Uttarakhand University, Dehradun. Uttarakhand. India.)

E-mail: vaibhavuniyal29@gmail.com

Mobile no.: 7500806268

Prof. Dr. Rajesh Bahuguna (Dean, Law College Dehradun, Uttarakhand University, Dehradun. Uttarakhand. India.)

E- mail: deanlaw@uttarakhanduniversity.ac.in

Mobile no.: 9412975564

ABSTRACT

The groundbreaking quality of the Panchayat Raj framework in India can be understood from its commencement in essence. Injected as an arrangement of five individuals filling in as a legal body, the framework today is a totally altered one. Panchayat Raj framework in India is an arrangement of villages. The idea of Federalism as acknowledged in all popular governments of the world is given more force in India through this idea. Panchayat Raj framework is frequently named as the 'grassroots vote based system', and satisfies the possibility of Democracy at the doorstep of each person. The accompanying work is a consequence of a broad investigation of the Panchayat Raj framework in India with the expectation to investigate the framework inside and out and structure ideas to empower this arrangement of local areas. Though altered, the system is not new. It is rather finds its roots in ancient India and hence it would not be wrong to call it an old wine contained in a new bottle.

KEYWORDS

Panchayat Raj, Grassroots Democracy, Democratic Decentralization, Gram Sabha, Gram Panchayat, Local self Government.

INTRODUCTION

Federalism in modern day democracies around the world is an indispensable condition. India is no exception to the system of democratic decentralization. Development and well being in this nation is marked by a system which tends to focus on almost every single individual. Decentralization in India goes down to the local levels. The Constitution (seventy third amendment) Act, 1992 added part IX to The Constitution of India. This newly added portion showcases the bottom up approach of development. However, the system was not new at the time of its addition though the approach was new.

Panchayat Raj System in India is often wrongly termed as a newly added system. The origin can be traced back to ancient India. The system has just evolved and changed drastically with time. Panchayat Raj in India is a result of internal forces. Since times immemorial, rural areas in India were governed and administered by a group of five people who were termed as 'Panch'. The term Panchayat hence meant a body (autonomous) of five people comprised to settle disputes and decide about the betterment of the people residing in local rural areas.

Panchayat Raj system has also been termed as grass-roots democracy or democracy at the doorsteps. This, however, is in reference to the present day Panchayat Raj System in India. At present Panchayats and Panchayat Raj system are different from what they were. Though the idea is old, the evolution and growth of the system seems to have changed it completely. Article 40 of The Constitution of India and eventually part IX along with schedule eleven of the same empower the system to how it stands today. Panchayat Raj system is now a body of elected representatives at different levels (usually three). The duty conferred on this body is administration and governance of local rural areas. It complements democratic decentralization in India and also strives towards the goal of a welfare state and good governance in the nation.

THE CONCEPT: THEN AND NOW

In ancient India, by the term Panchayat was meant a body of five¹ elderly men responsible for settling disputes between the people. This body of elderly from among

the residents was not an elected one but rather constituted on the basis of common opinion of the village folk. The members were popularly known as 'Panch Parmeshwar'. By the term itself it hence gets clear that they were compared to god. The decision rendered by the Panchayat was taken to be final and was followed as a direction given by the god himself. The procedure followed by the elected five can be compared to the modern day alternative dispute resolution mechanisms. Writings of early Indian authors (example 'Panch Parmeshwar' and 'Nirmala' two very popular works of a genius of his time i.e. Munshi Premchand) along with the illustrations recorded in texts point out to a system whereby an entire village used to gather as an assembly. The parties to the dispute had a chance to present their part before the 'Panch Parmeshwar'. The final decision as to settlement of dispute had to be delivered before the entire gathering. The system hence made participation of every individual of the village a possibility. Participation could have been active or passive. People participated actively in case they had something to share before the Panchayat. Whereas, just being a part of the gathering made them a passive participant. This system of justice delivery and administration flourished in ancient India. It is, however, almost dead now. The system got replaced ultimately by the seventy third amendment of The Constitution of India in 1992.

The Panchayat Raj System in India as it exists today comprises of Village as the smallest unit. The block and the Zila Parishad are the other two units of a village Panchayat. The terms, however, differ from state to state but the functioning is more or less same throughout the nation. The Panchayat mainly comprises of delegates chosen by individuals of the village.² Delegates are chosen by way of elections that take place at an interval of every five years. Panchayat now is no longer a body of five elderly men trying to resolve disputes among the local residents but rather a whole governing and administering unit. Presently, the Panchayat Raj framework exists in every one of the States aside from Nagaland, Meghalaya and Mizoram and in all Union Territories with the exception of Delhi.³ The system gets recognition and derives power from Part IX and Schedule XI of The Constitution of India, 1950. Part IX and Schedule XI were added to the supreme law of the land by The Constitution (seventy third amendment) Act, 1992.

The Panchayat Raj system of India is comprised of institutions at three levels popularly termed as three tiers of Panchayat i.e.⁴:

- a) Village:

Village is the fundamental, the most basic unit of decentralization and administration in India. It is also the smallest unit of the Panchayat Raj system in India. The importance of villages in India and in the Panchayat Raj system in India can be well understood by the noble words of Mr. M.K. Gandhi that “India lives in its villages”. Mahatma Gandhi was a person who had a special place for villages deep down in his heart. His Gram Swaraj is still remembered and shall always be remembered. Apart from Mahatma Gandhi, Pt. Jawaharlal Nehru also had a stand in favour of villages. Moreover, Sir Henry Maine went up to the extent of bringing forth everyone his work on ‘village communities’.

b) Block:

The Block is the second stage of the Panchayat Raj system moving upwards in a bottom- up development approach. It is known by different names in different states across this nation, perhaps proving the point of unity in diversity. Popularly known as Mandal Parishad in Andhra Pradesh, the Block Panchayat is known as Anchalik Panchayat in Assam. In Jharkhand, Haryana, Tripura, West Bengal, Bihar, Maharashtra, Orissa, Himachal Pradesh, Punjab and Rajasthan it is termed as Panchayat Samiti. In the State of Uttarakhand however, it continues to be known popularly by the name of Block Panchayat.

c) District:

The District Panchayat also termed as the Zila Panchayat or the Zila Parishad forms the highest body of the three-tier structure of the Panchayat Raj system in India. The Village Panchayat and the Block Panchayat are headed by a Zila Panchayat popularly known as the Zila Parishad.

The three- stage set up of The Panchayat Raj system in India ensures a better development and prosperity at the grass-root level by effective working and implementation at its own specified sphere.

EVOLUTION, GROWTH AND DEVELOPMENT OF PANCHAYAT RAJ IN INDIA

The Panchayat Raj System in India is not new. It dates back to a period of 236 B.C – 324 B.C. The size of villages lay approximately from 100 to 500 families. Their limits were delineated based on regular assets like streams, lakes, lakes and so on In that period the town organization staff contained Headman (Adhyaksha), bookkeeper (Samakhaya), different authorities (Sthanikas), clinical official (Chikitsaka) and so forth with the goal of serving the entire local area. Be that as it may, this town

gathering lost its forces and utility in the system of Mauryan sovereigns as a result of their emphasis on brought together organization. Anyway for goal of struggles and other matter of questions, the town gathering included senior individuals of town. These town gatherings or Panchayats were additionally dynamic in the period of Harshavardhan in sixteenth century. The framework was in presence at the hour of Gupta heads for certain progressions in language. The towns were managed by Grampati helped by town congregations. Further, these town congregations were completely capable in procurement and offer of land, usage of normal land for income age and different purposes. The period of Mughals had imperialism to incredible degree and the desire of King (Sultan) was simply the law; therefore neighborhood administering foundations got denied. Their jobs were bound towards dealing with their own local issues. With the appearance of Muslims subsequent to vanquishing Sindh and Multan in 712 A.D, the circumstance of town congregations became terrible and their autonomy started to decrease. The Mughal heads were distinctly keen on income age by different ways and along these lines they supported Indian just as unfamiliar financial backers for foundation and range of their organizations. However, the advent and the rule of The British East India Company made hopes grow for the Panchayat Raj system in India. The rule of the company ultimately led to the formation of the British India often termed as the British Raj. The company when it came to India had no intention to rule or even administer India. The British East India Company was just a business organization who arrived in India with the sole purpose of doing business and earning profits. However, as time went by, the company started administration which caught a very high pace in times to follow. Incidents of mal-administration at the hands of the British East India Company and revolts being faced by it led to the interference of the British Crown directly in the affairs India. The British East India Company hence got its fate locked and died its death as a result of its own mismanagement and wrong doings. These events led to the rule of the British crown in India. During the British rule, the Village Panchayats got revived and again got full regard from the public authority. The real motive of the British though was to extract money from the farming land. It is an undeniable truth that India was a land of emperors which later on became a land of farmers. The British Government in India formed and popularized the system of Zamindari in India. The Zamindars were land owners in India and employed land tillers. However, the fact is that the owners got reduced to mere agents of the government. The Zamindars had a new duty at hand i.e. tax collection for the British in India. These powerful stake holders were the ones responsible for the administration of local rural

areas and were also the dominating forces either directly or otherwise in the Panchayats at local levels. The idea of local self government, therefore, is not a new one. It rather has its origin in ancient India.⁵

POST INDEPENDENCE PATH TRAVELLED BY THE PANCHAYAT RAJ SYSTEM

After independence, the first task at hand was to frame a Constitution for free India. The object behind a document that could monitor the working of the nation was welfare of the people at every level. The task at hand was not easy at all. It took two years eleven months and eighteen days in all to frame the Supreme law of the land. The Constitution of India in a document framed out of a seemingly never ending research. Almost every democratic nation was studied in depth and provisions most well-suited for the nation were encapsulated. Mr. Mohandas Karamchand Gandhi did not become a part of the assembly. His absence however was not felt because his spirit was always there in the form of his words and ideals through other eminent members. Mahatma Gandhi was a strong believer of village republics and advocated Gram Swaraj as much as he could. He strongly believed in giving autonomy to villages and making them work as independent units of self- development. His dream was to strengthen the village Panchayats to an extent where these small republics can serve the immediate local needs. The self- help groups were perhaps the result of the strong gandhian motivation. Nonetheless, there was no notice of town Panchayat in the draft Constitution arranged by the Drafting Committee headed by Dr. Ambedkar.⁶

A pertinent point to be noted at this juncture is that it was the effort of Dr. Rajendra Prasad, Dr. B.N. Rau and others jointly which reopened a place for Panchayat Raj in The Constitution of India. Dr. Rajendra Prasad was a strong follower of the principles of Gandhiji. Absence of even a small mention of the village republic led him to discuss the matter with Dr. Rau (the Constitutional adviser). Dr. Rau supported Dr. Rajendra Prasad on the point under consideration. Other members of the assembly were also in favour of inculcating an idea which was absent in western systems around the world. Further, Panchayat Raj was observed as an ancient Hindu model and its presence in The Constitution of India received support.⁷

However, the chairman of the drafting committee and perhaps one of the most important persons behind the framing of The Constitution of India had no interest in village Panchayats. Dr. B.R. Ambedkar went up to the extent of calling villages 'a den of ignorance'. He out rightly rejected the idea of a provision for village Panchayats in

the supreme law of the land. Very sarcastically Dr. Ambedkar remarked that some people do not want central or provincial governments and they rather want India to be a lot of villages. He also said that the intellectuals love village Panchayats infinitely because of the words of Metcalfe who had called villages as republics. Metcalfe had also said that villages have survived everything possible i.e. change of empires and emperors and even the change of dynasties. But according to Dr. Ambedkar survival cannot be enough and people in favour of village Panchayats should have looked into the other side as well. Dr. Ambedkar pointed out that the role of villages in the struggle of independence should also be kept in mind and questioned. He said that, when armies used to pass villagers used to gather their cattle inside their houses. The Chairman of the drafting committee even expressed his joy on the fact that the draft Constitution did not contain the villages and village Panchayats as its component.⁸

Dr. Ambedkar had to face a lot of opposition on his notion. He finally gave up his fight against a provision for village Panchayats in The Constitution of India. The Draft Constitution was henceforth amended and Article 40 got inserted. The provision for village Panchayats thus finally found place. However, words such as self-sufficient were not used. The Panchayats were left in the hands of the State under Article 40 of The Constitution of India.⁹

This however was not the end but just a beginning of the struggle for the system which gained importance, and the voice in favour of which grew up yet again with time. This time though it gathered more strength eventually leading to The Constitution (seventy third amendment) Act, 1992.

PANCHAYAT RAJ IN THE CONSTITUTION OF INDIA: 1950- 1992

Article 40 of The Constitution of India lays down the provision for Panchayat Raj System in India. In 1950, when the supreme law of the land was brought into force, this was the only provision for the system. Article 40 is enshrined in part IV of The Constitution of India. Part IV has been borrowed from the constitution of Ireland. Distinct from Ireland, The Directive Principles of State policy are unenforceable in India. However, another fact is that these are fundamental in the governance of the nation. The idea of a welfare state is enshrined in part IV is yet another fact which points out towards the importance of the Panchayat Raj system. The real object, however, of this Article is to present majority rules system at the grass roots.¹⁰

Article 40 of The Constitution of India puts the duty on the state to take steps to organize village Panchayats. The States were also duty bound by the same provision to empower and authorize the village Panchayats so formed to such an extent that they work in the manner of a self- government. The word 'self- government' used in Article 40 is extremely important as it puts a duty on the state to work for autonomy of village Panchayats. However, where on one hand autonomy is being talked about; whole Article 40 vests with the state at the same time. Moreover, Article 40 enshrined in part IV is not enforceable. The struggle for Panchayats therefore did not end in 1950.

Gandhiji's idea proved correct yet again in 1952. A strong need for an administrative set up through which the government could reach the rural areas was felt. A community development program was hence initiated. The inauguration date (2nd October) of the community development program is the proof that Gandhiji's dream was still alive. All of the districts of the country got divided into development blocks. The blocks were kept under the charge of Block Development Officers for all of the blocks. Further, village level workers were appointed to work under the BDOs. The entire structure was an effort to make the government reach the rural areas. The community development program however became an overburden due to another important challenge arisen in India. Due to bad monsoon in India, the food production witnessed a sharp fall. This was a threat for a nation almost wholly dependent upon agriculture. The focus hence got shifted from community development program to Intensive Agriculture Development Program (IADP).¹¹

In 1957, a committee was formed to evaluate the working of the community development program. The Balwant Rai Mehta committee, 1957 suggested in favour of Democratic Decentralization and hence set a platform for Panchayat Raj in India. Later, through the joint efforts of V. T. Kridhnamachari committee 1960, Takhatmal Jain study group 1966, Ashok Mehta committee 1978, GVK Rao committee 1985, Dr. L.M. Singhvi committee 1986 and P.K. Thungon committee 1989, the system got revived in 1992 by the passing of The Constitution (seventy third amendment) Act, 1992.¹²

THE CONSTITUTION (SEVENTY THIRD AMENDMENT) ACT, 1992: A ROADMAP FOR THE PANCHAYAT RAJ SYSTEM

The date 24th April 1993 is a red letter day for rural India. The seventy third amendment 1992 of The Constitution of India, 1950 came into effect on this day.

Village Panchayats in India left with the state by Article 40 of The Constitution of India did not seem to be a good Idea. Incidents of even elections not being held in proper manner were reported. One of the objects thus of The Constitution (seventy third amendment) Act, 1992 was to regularize the elections at the local levels.

The sixty fourth amendment bill on the lines of the recommendations of the various committees on Panchayat raj was thus introduced in the Lok Sabha in 1989. The bill had to face defeat in the Rajya Sabha. The states claimed an interference and bypass at the hands of the central government. The then Prime Minister of India Mr. Rajiv Gandhi had called a series of meetings with the district collectors of various states pertaining to the introduction of Panchayat Raj in India. After this the bill got introduced endorsing the Panchayat Raj system. This act of the Prime Minister was called as bypass of the states and direct intervention by the central government in state matters. The defeat of the bill still could not defeat the spirit. The bill was introduced again subsequently by Mr. Narsimha Rao (the Prime Minister of India after Mr. Rajiv Gandhi). The concerns raised earlier which had led to the rejection of the bill by the Rajya Sabha were taken care of. Thus, in 1993 the nation finally witnessed a remarkable change in the administration and governance. Part IX along with Schedule XI was added to The Constitution of India. Some essentials of the likes of regular elections, a three- tier system and reservation for women were mandated by the amendment. The women reservation was one of the most cherished and celebrated outcomes of the seventy third amendment. The women reservation bill in India had faced defeat for one reason or the other repeatedly. Even in 1966, when the bill was passed by the Rajya Sabha, it got rejected at the hands of the Lok Sabha. The fact that in 1993, thirty three percent reservation was implemented for women at grassroots level made the step being called a 'signal contribution'.¹³

THE GRASS ROOTS DEMOCRACY: CRITICAL ANALYSIS

Pundits of local government bring up that it limits the standpoint of individuals. Rather than intuition as far as the country all in all, individuals begin thinking as far as local interests only. The parochial demeanour isn't useful for the country. Regionalism, whenever taken in limits, will undoubtedly hurt the public interests. Energy of the people at the grass-roots is a thing to be censured on the off chance that it's anything but connected up with enthusiasm for the country. It is additionally called attention to that the devolution of power to nearby bodies duplicates the staff to be utilized and that is liable for a great deal of waste and luxury. The officials of the

local bodies are privately chosen, privately coordinated and privately controlled and much can't be anticipated from them. They don't have the elevated expectations of productivity which their work requests. They figure out how to go on by affecting and going along with the nearby managers and holding hands with the deceitful lawmakers. Frequently, the nearby bodies are the focuses of defilement and shortcoming. Gathering competitions consistently disrupt the general flow of productive working of the local bodies.¹⁴

In spite of the positives like institution of State Panchayat Raj Acts, Setting up of State Election Commission and State Finance Commissions, and holding of customary Panchayat decisions giving reservation to SCs/STs/Women in Panchayats, the consequences of execution of the Constitution (73rd Amendment) Act, 1992 at the ground level have missed the mark concerning assumptions. Expressing explicitly:

1. Although the political decentralization can be plainly found in the standard Panchayat races with great investment of individuals, the authoritative and financial decentralization have remained rather restricted. The State Governments have neglected to surrender their control on issue of nearby organization and money.
2. Panchayats have not been conceded enough powers for income age. Accordingly, they just have restricted practical self-rule.
3. Recommendations of State Finance Commissions (SFCs) are for the most part not viewed appropriately.
4. Powers given to the State Election Commissions additionally shift from one State to another. They ought to have been offered forces to manage all matter identifying with Panchayat races to be specific, delimitation of voting demographics, turn of held seats in Panchayats, finish of discretionary rolls, and so on
5. Gram Sabhas have not been engaged and fortified to guarantee more noteworthy individuals' interest and straightforwardness in working of Panchayats as conceived in the Panchayat Act.¹⁵

CONCLUSION

The path travelled by the Panchayat Raj system in India has been an arduous one since its inception. The report on local governance submitted in 2007 by the second administrative reforms commission was titled 'An Inspiring Journey into the

Future'.¹⁶ Villages have often been termed as 'indestructible units' and have been so correctly. So many challenges at hand and yet the noble vision of Mahatma Gandhi could not be destroyed whatsoever.

The future may still be difficult but the system has to essentially survive if the dream of welfare has to be realised. It is evident from the look into the past that the Panchayat Raj system is inevitable even today and will be so in future as well. There is a separate ministry for the system at present. The Ministry of Panchayat Raj is focussed in empowering the units of local self- governance through various means. The efforts of our present Prime Minister can also be seen through innumerable policies and schemes being launched regularly for rural areas. The most recent one is The Gram Panchayat Development Program (GPDP). The Gram Panchayat Development Program is a flagship program of the government of India based on the slogan "Sabki Yojna Sabka Vikas". The GPDP commenced in the year 2018 and continues with the same enthusiasm with which it was started by the present government. Moreover, a separate portal has also been provided. The GPDP is conducted from 2nd October to 31st December every year under the People's Plan Campaign (PPC). The Gram Panchayats have been mandated to prepare a GPDP. The citizens and their elected representatives hence get an opportunity to come together for the social and economic development of their respective localities. A Village Poverty Reduction Plan (VPRP) is then prepared by the joint effort of self help groups and their federations under the Deendayal Antyodaya Yojana- National Rural Livelihoods Mission (DAY- NRLM) as a mandate. This has been made possible by the PPC guidelines and advice of the Ministry of Panchayati Raj and the Ministry of rural development. The VPRP is integrated with the GPDP and presented in the Gram Sabha meetings every year. All this has been made possible by the presence of Article 243G in The Constitution of India.

The government of India has worked and is still working positively in the direction of empowering the Village Panchayats. The government like Mahatma Gandhi, realizes the true meaning of development i.e. development from beneath.

SUGGESTIONS

Panchayat Raj framework is an extraordinary thought in making the Nation rise, but time requires certain upgrades in it. The fantasy of Mahatma Gandhi eventually appeared to go to reality with the 73rd Amendment Act. But then, that fantasy is half done. Gandhiji visualized local self-governance to guarantee his 'Sarvodaya' and 'Ram

Rajya'. Part IX no doubt provided for individuals a self-governing framework, yet it didn't remain to the assumptions.

1. It is well-established that democracy runs through three wings, i.e. the Legislature, the Executive and the Judiciary. Democracy at the grass roots is the best way a nation can grow. But a Democratic setup without a judiciary cannot be imagined. Part IX remains silent about any sort of judicial establishment for the local bodies. As a result, the decision is left at the sake of the States. Gram Nyayalayas were established in many States but they don't seem to exist even. The reason being their existence at the mercy of the States. The success story of the higher Judiciary is out of their regulation by the Constitution. Whereas, the pitiable condition of the district courts even, is quite evident in various States. Leave aside the Gram Nyayalayas. Time has hence arrived that new dimensions be given to these courts and provisions for them should be enshrined in the Constitution as a mandate. The Judiciary of the country is often quoted to be overburdened. Whereas, it is to be noted that more than half of the pending cases in courts belong to the residents of rural local level. The 114th report of the Law Commission of India was out of the view that increase in the number of judges has not helped the nation to the extent that it was supposed to. Increase in the number of courts and judges in therefore not enough, but effective increase surely is. Strengthening of judiciary at lower levels by getting them Constitutional recognition, regulation and mandate is an effective measure and tackles issues at grass roots itself. It is an effective way of maintaining the Independence of Judiciary, stopping malpractices of the sort of illegal possession and misuse of government resources (especially Panchayat land by the so called real estate businessman), and thereby maintaining law and order and ensuring a civilised life. This measure shall also lead to awareness among the local masses as well as generation of employment, which is in National interest. Dr. Ambedkar has been of the view that villages are, but a den of ignorance. The question, however, how should the condition be improved? Is it by ignoring them, or should they be strengthened by effective measures as suggested above?
2. The judges of the Gram Nyayalayas should be elected by the State Public Service Commission on the basis of an examination. The eligibility for appearing in the above said examination should be on the basis of experience as a practising advocate at the district court or higher judiciary. It is to be

noted that the judges to the District Courts are selected on the basis of merits. The judges so selected are hence sound intellectuals in the field of law and capable to ensure that things go in accordance to the law. However, these intellectuals lack practicability of situations occurring at the Grass roots. As a result, they are dependent upon the maps and reports of the patwaris which are often incorrect. Selecting Judges in Gram Nyayalayas on the basis of experience along with the merit shall ensure a unique combination of intellect and practical knowledge. Legislations of the likes of Arbitration and other ADR techniques shall be revived. Also, the law of equity shall gain importance and hence speedy justice delivery. Disposal at grass roots shall ensure only appeal, review and reference cases at the District Courts and hence the overburdened Judiciary shall not remain so.

3. Panchayats, as they originated, no longer mean the same. The system that started as an adjudicatory body of five persons is dead in time. Panchayat Raj of present is a governmental administrative body. This system, however, seems much like a puppet in the hands of the State government.

With the growth in population in villages and reduction in agriculture, village community is changing and can no longer be neglected. It is hence required that provisions for Panchayat Raj system be provided in the Constitution. The present provisions i.e. part IX are only establishing ones, leaving the procedure and conduct in the hands of the State. Such a system no longer stands justified in time. A separate part for the Panchayats (owing not only to substantive nature which is already there, but in fact procedural in nature), is hence required. This shall filter the Legislature, the Executive and the Judiciary from the grass roots to the leaf tip of the democratic tree.

4. Political gatherings and their projects and governmental issues straightforwardly or by implication impact the considerations of the Panchayats. At the point when questions concerning schooling, agribusiness, industry, water supply, street and so forth come up before them, what is attractive is that the conversations ought to be free and straightforward and not politically one-sided. Further it is concurred that party governmental issues will obliterate solidarity and the soul of agreement. Political associations are essential for the preparation of general masses if there should be an occurrence of parliamentary and authoritative races, since individuals are straightforwardly chosen in any case, unexpectedly, the individuals from Block Samithi and Zila Parishad are chosen in a roundabout way on Panchayat

premise. In this way, obstruction by ideological groups in their working isn't called for. It is from now on recommended that ideological groups be kept out of the structure of the Panchayat Raj framework. This should be possible just through a communicated arrangement as to banish the gatherings from mediating or engaging in some other manner in the Panchayat Raj framework. Leaving everything for the court to choose is a remedial measure and not a preventive one. Another problem that arises at this level and must be discussed is the irregularity in the meetings of the Panchayat. The issues discussed and evolved in these meetings are of a great importance and deal mainly with eradicating evils of the sort of deforestation, child labour, education, women education, health and medication etc. and yet, little or no interest is shown by the Panchayat members towards them. Moreover, it is to be stated here that most of the Panchayat ghars are seen locked throughout the year. Here my intellect fails to understand as to why is there no mandate and punishment on not following such a mandate. There should be put some sanction behind such sort of activities or else the purpose behind establishment of village Panchayats shall fail.

5. Though a lot has been done and is still under doing for the empowerment of women, it does not seem enough. The condition of women at the grass roots has not yet shown improvements as was expected. The majority of women are still uneducated in the rural areas. Moreover, even the members and Pradhans in some places are mere stamp holders without even knowing the meaning of it. Women members at some places are not in actual members even but only a means of the ambitions of their husbands. While these members sit at home, their husbands go around the area working, work which is in most of the cases, illegal. Incidents of selling of government property through illegal means of course are the most often heard and experienced ones. On inquiry and questioning the pradhans dust off their hands contending to be ignorant of such a situation. Hence, while the husband of the women pradhan becomes a real estate businessman (dealing in government property) the pradhan remains ignorant of the situation. What do we call it? Ignorance of one and wilful disobedience of the other? It is therewith suggested to have educational programs or awareness camps whatsoever for elected representatives of people at the grass roots. In places where such practices are already being availed their effective implementation should be guaranteed through legislative norms of preventive nature.

-
- ¹ [http://www.britannica.com/EB checked/topic/440944/panchayat](http://www.britannica.com/EBchecked/topic/440944/panchayat) (visited on June 30, 2016).
- ² Puja Mandal, "The three tier system of Panchayat Raj in India": <http://www.yourarticlelibrary.com> (visited on June 30, 2016).
- ³ Lakhimi Dutta, "The three tier system of governance in rural India": <http://www.civilservicesias.com> (visited on June 30, 2016).
- ⁴ *Supra* note 3.
- ⁵ Puneet Kumar, Dharminder Kumar (2013): "ICT in local self governance: A study of rural India", *International journal of computer applications*, vol. 83, no 6, pp 41- 50.
- ⁶ Dr. Raghuvinder Singh (2016): "Decentralisation of economic powers under Panchayat Raj institution in the State of Himachal Pradesh", *Chotanagpur Law Journal*, vol.4, no 7 pp110-117.
- ⁷ Basu, D.D. (2018): *Commentary on the Constitution of India*, Delhi: Lexis Nexis.
- ⁸ Vol. VII, CAD 38-39.
- ⁹ "Evolution of local self-government (Panchayat raj institutions)": <http://www.finance.mp.gov.in/rlb4e.pdf>. (visited on June 21, 2016).
- ¹⁰ Pandey, J.N. (2019): *The Constitutional Law of India*, Delhi: Central Law Agency.
- ¹¹ "Community Development Program": <https://www.gktoday.in/topic/community-development-programme/>.
- ¹² "Panchayati Raj in India": https://en.wikipedia.org/wiki/Panchayati_raj_in_India.
- ¹³ Mathur Kuldeep (2018): *Panchayati Raj (Oxford India Short Introductions)*, Delhi: Oxford University Press.
- ¹⁴ Mahajan V.D. (2018): *Political Theory (Principles of Political Science)*, Lucknow: S. Chand and co.
- ¹⁵ "Panchayat Raj system in India": <http://socialissuesindia.wordprocess.com/2012/09/06>.
- ¹⁶ *Supra* note 14.

