

Unfinished Agenda of Gandhi's Gram Swaraj- Present Status of Panchayati Raj in Assam

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Abstract: The successful working of Democracy demands association of the people at different levels of administration. Panchayati Raj aims at associating the people with administration at grassroots level. Though the Father of Nation, Mahatma Gandhi, advocated for a village based political formation for the creation of Gram Swaraj, the idea of Panchayati Raj did not find a place in the Draft Constitution of India. The working of the Panchayati Raj in different States in Post colonial India is not satisfactory. Gandhian ideal of Gram Swaraj remains an unfinished agenda even after fifty years of implementation of the Panchayati Raj on the recommendation of the Balwantray Mehta Study Team and two decades after the enactment of the 73rd Amendment and its implementation by various States. In this paper I would like to analyse Gandhi's concept of Gram Swaraj, unsatisfactory working of Panchayati Raj system and factors responsible for it with a special reference to present status of Panchayati Raj in Assam.

Key words: Gram Swaraj, Panchayat, Decentralisation, Democracy.

1. Introduction

The dawn of 21st century marks the emergence of an era where the futility of centralized experience of governance has been conceded and decentralized governance has unequivocally been advocated, both as strategy and philosophy of bringing about reforms and changes in democracies which invariably lead to virtues of transparency, responsiveness and accountability and ensure good governance. Gandhi advocated Panchayati Raj as a decentralised form of government where each village is responsible for its own affairs, as the foundation of Indian democracy (P Kumar 2009). His term for such vision was Gram Swaraj.

Swaraj can mean generally self-governance or "self-rule", and was used synonymously with "home-rule" by Gandhi, but the word usually refers to Gandhi's concept for Indian independence from foreign domination. Swaraj lays stress on governance not by a hierarchical government, but self governance through individuals and community building. The focus is on political decentralisation. Since this is against the political and social systems followed by Britain, Gandhi's concept of Swaraj laid stress on India discarding British political, economic, bureaucratic, legal, military, and educational institutions (R Sharma 2005).

2. Gram Swaraj: Gram Swaraj, or village self-rule, is a pivotal concept of Gandhian thinking. We know that the village (and villager) was at the centre of Gandhi's thought in so far as India's social and political organisation was concerned, at least, the type of social and political organisation that he wanted to see for India. According to Gandhi Village is the soul of Indian state. As with all of Gandhi's ideas, Gram Swaraj should be understood and viewed within the context of the twin beacons of Truth and Non-violence. However, put simply, the fundamental concept of Gram swaraj is that every village should be its own republic. Mahatma Gandhi, advocated for 'a village based political formation fostered by a stateless, classless society' for the creation of Gram Swaraj'. According to Gandhi, each village should be basically self-reliant, making provision for all necessities of life - food, clothing, clean water, sanitation, housing, education and so on, including government and self-defense, and all socially useful amenities required by a community.

Gandhi's vision was that democracy through peoples participation could be ensured only by way of Gram Swaraj. He wanted Gram Swarajya in villages where there will be a village republic and the management of the affairs would be done by the people themselves. They would elect their president and common decisions would be taken unanimously by the Gram sabha of all villages. According to Gandhi, in Gram Swarajya "every village should be a democracy in which they will not depend even on neighbour for major needs." (Gram Swarajya 2000). They should be self sufficient. For other needs, where cooperation of other would be necessary, it would be done through mutual cooperation. There no one should be without food and clothing. Everybody should get sufficient work to meet ones necessities. This ideal can be achieved only when the means of production to meet the primary needs of life are on the control of the people (Joshi, Narain 2002)

3. Gandhi's Gram Swaraj and Indian Constitution: Although the Father of Nation, Mahatma Gandhi, advocated for 'a village based political formation fostered by a stateless, classless society' for the creation of Gram Swaraj, the idea of Panchayati Raj did not find a place in the Draft Constitution of India. This happened because the Congress Constitution Committee rejected the idea 'believing that the Congress could neither forgo its political role nor become so utterly decentralised' as envisaged in the Gandhian concept of Gram Swaraj (Austin 1966). So much so that the Chairman of the Drafting Committee of the Indian Constitution and the Minister of Law, Dr B.R. Ambedkar, did not care to reply to the letter from Dr Rajendra Prasad, the President of the Constituent Assembly, as to why the Draft he had circulated did not even use the two words 'Panchayati Raj'. Instead, the reply came four months later from the Secretary of the Law Ministry saying that the Draft had already been circulated and that it was far too late to make any changes and if any amendments were desired, the same could be moved on the floor of the House (Sing 2009).

Not only this, Ambedkar's response to the criticism by Gandhians like H.V. Kamath, Arun Chandra Guha, T. Prakasam, K. Santhanam, Shibban Lal Saxena, Alladi Krishnaswamy Ayyar, N.G. Ranga, M. Anathsayanam Ayyangar, Mahavir Tyagi, K.T. Shah and others was: Village Republics (Panchayats of Village Communities) were a cause of the "ruination of India". They were nothing but "sink of localism and of ignorance and communalism" and "I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit". His stance on Panchayats was perhaps based on his apprehension that the Panchayats shall be dominated by upper castes and exploit and repress the Scheduled Castes. But, the then Prime Minister of India and the leader the Congress Parliamentary Party, Pandit Jawaharlal Nehru, chose to remain silent on this issue; perhaps, he favoured a centralised polity for making India a modern and developed state (Sing 2009).

They were not ideas that inspired, or even interested, Nehru and most other Congress leaders. Whereas for Gandhi true independence for India meant a comprehensive transformation of Indian society and polity, for Nehru, it meant no more than the political independence of India from Britain. Though Jawarharlal Nehru was acknowledged as political successor of Gandhi, but they visioned future independent India from different ideological setup. Of course, Nehru wanted to make India a modern, industrialised and democratic socialist nation-state. He believed that for the development of India centralised, large-scale, heavy industry were very much essential. His theory of Modernisation, mostly dominated by western ideas advocated that centralised, large-scale, heavy industry will increase its wealth and become India a modern state. He did not see the virtues of "small is beautiful". He had not thought of devolving significant governmental powers to individual villages and clusters of villages. Nehru sympathised and agreed with some of Gandhi's programme, such as abolition of untouchability, but he never thought of devolving political power to grassroots (villages) as Gandhi advocated. And such we see that there was no such institutional arrangements in that period to implement Gandhian Gram Swaraj.

It is seen that there was no such constitutional setup and institutional arrangement for implementation of Gandhi's agenda on Gram Swaraj. It was because of this philosophical gulf between Gandhi and virtually all of India's top political leadership at the time of independence that Gram swaraj was not incorporated into India's constitution. India's political, social and industrial organisation was to be generally "top down" rather than "bottom up". For Gandhi political and industrial life should be focused on villages organised as countless oceanic circles, as he called them, not as a pyramid with the millions of villagers at the bottom supporting an elite at the apex. However, Nehru and the other top level politicians - though all great patriots - were quite comfortable with their positions at the top.

But, the passionate pleas of the Gandhians like Prof N. G. Ranga and others virtually forced Ambedkar to accept an amendment moved by K. Santhanam which later on got incorporated into Article-40 of the Directive Principles of State Policy in the Constitution of India. It directed the state to set up Village Panchayats and endow them with the authority to function as units of self-government.

This did lead to the enactment of Gram Panchayat Acts by various States; these were no more than half-hearted attempts for the creation of rural local government institutions. But the failure of the Community Development Programme, which had been launched for bringing a silent revolution in rural society by awakening the dormant forces of progress, led to the appointment of Balwantray Mehta Study Team. It was the scheme of democratic decentralisation suggested by this Team (1957) that led to the creation of the Panchayati Raj which was inaugurated by the then Prime Minister of India, Pandit Jawaharlal Nehru, at Nagaur in Rajasthan on October 2, 1959.

It was the Panchayati Raj that set up local democracy at the district, block and village levels. However, the Panchayati Raj proved to be the proverbial God that failed on account of several reasons. The main among these was the hostility of political leaders and the bureaucracy. Consequently, the Panchayati Raj, developed during 1959-1964, became stagnant during 1964-1971 and the decade thereafter. The attempt of the Ashoka Mehta Committee (1978) failed to revitalise the Panchayati Raj Institutions. However, the States of West Bengal, Karnataka and Andhra Pradesh did take the lead in this direction.

But the real rejuvenation process started as a result of the moving of the 64th Amendment Bill in Lok Sabha in 1989 by then Prime Minister of India, late Rajiv Gandhi, who appears to have been inspired by Mahatma Gandhi's vision of Gram Swaraj. It was passed by the Lok Sabha by a two-thirds majority but failed to get the same in the Rajya Sabha and was rejected in the Upper House. This vision was, however, subsequently institutionalised in the form of the 73rd Constitutional Amendment Act (1992). This led to the establishment of the new system of the Panchayati Raj in the States in 1994 through the enactment of conformity legislations. Though the 73rd and 74th amendment of Indian constitution brought lots of imagination for Indian people, but its functioning has not been proved satisfactory. It is mainly because of the political unwillingness to devolve power and thus Gandhi's dream of "*Ram Rajya*" through Gram Swaraj remained unfinished.

4.Panchayati Raj in Assam

Assam, which is the eastern most State of India, has a very strong historical background of local self government. The villages in Assam had a strong Panchayat in different names or forms since long past. Assam was one of the pioneer States in India to enact Panchayat Act and established Panchayati Raj in the State when the Assam Rural Panchayat Act, 1948 was passed. This Act was amended and replaced by the Assam Panchayat Act, 1959, the Assam Panchayati Raj Act, 1972, the Assam Panchayati Raj Act, 1986 and finally the Assam Panchayat Act, 1994 which incorporated the provisions of the 73rd Amendment Act, 1992 of the Constitution of India. The Assam Panchayat Act, 1994 received the assent of the Governor on the 22nd April 1994 and elections were held in October 1996, for establishing a three-tier Panchayati Raj system in the State at the village, intermediate and district level. The district level Panchayat is known as Zilla Parishad, Intermediate level as Anchalik Panchayat, and the Village Panchayat as Gaon Panchayat. At present there are 20 Zilla parishad, 188 Anchalik Panchayats and 2223 Gaon Panchayats are working there in Assam (State Profile 2011).

The Assam Panchayat Act 1994 devolved several individual functions that to the three levels of Panchayats as follows: (State Profile 2011)

4.1 Gaon Panchayats:

a. The planting and preservation of trees on the sides of all public roads in the village subject to mutually agreed terms and conditions between the village Panchayat and the authority which maintains the road in case the road is not maintained by the village panchayat itself;

- b. The lighting of public roads and public places in areas other than built-up areas;
- c. The opening and maintenance of public markets other than markets which are classified as Anchalik Panchayat markets;
- d. The control of fairs and festivals other than those classified as Anchalik Panchayat fairs and festivals
- e. The opening and maintenance of public landing places, halting places and cart stands and of public cattle-sheds;
- f. The opening and maintenance of public slaughter-houses;
- g. The opening and maintenance of reading rooms;
- h. The establishment and maintenance of wireless receiving sets, playgrounds, parks, sports clubs and centers of physical culture;
- i. The opening and maintenance of literacy centers and centers for imparting social education; and
- j. the construction of works of public utility and the provisions of other facilities for the safety, health, comfort, convenience, culture or recreation of the inhabitants of the village:

4.2 *Anchalik Panchayat:*

Subject to the provisions of this Act and the rules made here under, an Anchalik Panchayat council may, within the limits of its funds, make such provision as it thinks fit for carrying out the requirements of the Anchalik Panchayat in respect of measures of public utility other than those specified in Section 112, calculated to promote the safety, health, comfort or convenience of the inhabitants of the Anchalik Panchayat: Provided that nothing in this section shall apply to water supply for non-irrigation purposes and to sewerage.

4.3 *District Panchayat:*

1. The district Panchayats shall advise the Government on all matters concerning the activities of village Panchayats, Anchalik Panchayat councils in the district as well as on all matters relating to the development of the economic resources of the district and the services maintained therein for promoting the culture and welfare of the inhabitants of the district.
2. In particular, it shall be the duty of the district panchayat to perform the following functions, namely:
 - a. advising the Government on all matters relating to the services maintained by and all development schemes undertaken by all village Panchayats and Anchalik Panchayat councils in the district as well as those agencies in the district, which are under the administrative control of the Government;
 - b. Watching the progress of the measures undertaken by the Government, village Panchayats, Anchalik Panchayat councils and departmental agencies in respect of the services and development schemes aforesaid;
 - c. Advising the Government on matters concerning the implementation of any provision of law or any order specifically referred to by the Government to the district Panchayats such as-
 - (i) Classification of markets as village panchayat markets and Anchalik Panchayat markets and fixing rates of contribution payable by one authority to the other;
 - (ii) Classification of fairs and festivals as village panchayat fairs, village panchayat festivals and Anchalik Panchayat fairs and Anchalik Panchayat festivals;

(iii) Classification of public roads (other than roads classified by the Government as National Highways, State Highways and major district Roads) as Anchalik Panchayat roads and panchayat village roads;

d. Advising the Government on all matters relating to development of road and transport.

The Government of Assam, Department of Panchayat and Rural Development issued a Notification No. PDA.336/2001/Pt/80 dated 26.7.2002 which was published in the Assam Gazette on 13.8.2002. The notification stated as under: "The Governor of Assam is pleased to devolve the functions of 29 subjects to be assigned to the Panchayati Raj Institutions as follows in the first phase of the process of devolution.

The activities of 29 subjects as per mapping of activities among Zilla Parishad, Anchalik Panchayat and Gaon Panchayat and as contained in Annexure 1-29 are transferred to Panchayati Raj Institutions with immediate effect. The activities, sources of funds and the functionaries required to assist the Panchayati Raj Institutions at the three tiers, Zilla Parishad, Anchalik Panchayat and Gaon Panchayat are also specified in Annexure I-29" (State Profile 2011).

"There are good legal framework on Panchayati Raj existed in the state. As the state Panchayati raj act 1994 is very clear towards decentralization. However, decentralization policy and strategy was not clear till early 2002. There was no supportive policy framework in place and time bound action plan for its operationalisation. For example first election after 73rd CAA took place in December 2001, which was due in 1997, while many states already conducted two rounds of Panchayat elections. Even after conducting election, the first financial allocation comes on November 2002 almost one year after the election (PRIA 2005)."

We have seen that the Panchayati raj system in Assam has failed to fulfill the expectations of people. A number of factors may be pointed out leading to the dismal picture of Panchayati raj in this state. The Gram Panchayat under the various acts has been entrusted with wide range of functions, which are well beyond the capacity of the great majority of the Panchayats (SIRD 2011). The lack of the capacity has two facets, financial and managerial. Attitude of the Assam State Government towards Panchayats is not satisfactory. The State Government has shown step-mother attitude towards their development. There has been widespread arbitrariness in superseding Panchayati Raj institutions and elections have not been held for years as mentioned above. Again another factor which hampers the functioning of Panchayati Raj in this state is lack of commitment on the part of officials and non officials. Most of the representatives of the institution are ineligible and inefficient to represent the institution. They are also unaware of the various power and functions bestowed on this institution and therefore it is seen that plans and programmes of this institution are not properly implemented. Ineffective functioning of panchayati Raj can also be attributed to the absence of cordial relationship between non-officials and officials. Another most important factor hampering the success of Panchayati Raj system in this state is corruption among the officials and non-officials.

5. Conclusion

Although the Father of Nation, Mahatma Gandhi, advocated for 'a village based political structure fostered by a stateless, classless society' for the establishment of Gram Swaraj, but the present scenario of Panchayati Raj in different States lead us to conclude that the Gandhian ideal of Gram Swaraj remains an unfinished agenda even after fifty years of the implementation of the Panchayati Raj on the recommendation of the Balwant ray Mehta Study and even two decades after the enactment of the 73rd Amendment and 17 years after its implementation by various States in 1994 through conformity legislations for several reasons. The foremost among them is the lack of political will in most of the governments of the States. The working of the panchayati Raj in Assam is also not satisfactory. Besides political unwillingness of the state government, inefficiency of the Panchayat leaders, absence of cordial relationship among the officials and non-officials, corruption among them, political unawareness of the local people are other factors that hinder the proper development of this institution. Therefore, concerted, systematic and sustained endeavors are needed on the part of those for whom Gram Swaraj remains a cherished dream for the empowerment of people and for making India a participatory democracy.

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Table.1 Popular terms of Panchayats at different levels in Assam

Level of Panchayat	Name used
District Panchayat	Zilla Parishad
Intermediate Panchayat	Anchalik Panchayat
Village Panchayat	Gaon Panchayat

Table: 2 Numbers of Panchayats at different levels in Assam

1.	Zila Parishad	20
2.	Anchalik Panchayat	188
3.	Gaon Panchayat	2223
	Total	2431

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