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Panchayati Raj System in Ancient India and in Modern India: A Comparative Study

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ABSTRACT

The Panchayat Raj system of India, established through the 73rd Amendment Act of 1992, decentralised a form of governance that aims to empower local communities by providing them with the authority and resources to govern their own affairs. This Article provides a comprehensive overview of the Panchayat Raj system, including its historical evolution, constitutional framework, functions and responsibilities, structure and composition, challenges, and impact on rural governance.

The Panchayat Raj system in India has its roots in ancient times, with the concept of self-governance at the village level. However, only after independence were efforts made institutionalised local self-governance through constitutional amendments. The 73rd Amendment Act, also known as the Constitutional Amendment for Panchayats, was a landmark legislation that brought about a significant shift in the governance structure of rural India.

The constitutional framework of the Panchayat Raj system is outlined in the 73rd Amendment Act, which provides for a three-tiered structure of local government at the village, intermediate, and district levels. The Gram Panchayat (village council), Panchayat Samiti (intermediate-level council), and Zilla Parishad (district-level council) form the three tiers of the Panchayat Raj system. These elected bodies are responsible for a variety of functions, including rural development, social justice, infrastructure development, and local administration.

The structure and composition of the Panchayat Raj system involve direct elections at the village, intermediate, and district levels, with reserved seats for marginalised communities such as Scheduled Castes (SCs), Scheduled Tribes (STs), and women. The system aims to ensure inclusive representation and participation of marginalised communities in local governance, thereby promoting social inclusion and empowerment.

Despite its potential, the Panchayat Raj system faces several challenges, including inadequate financial resources, lack of capacity-building and training, political interference, and low awareness and participation of local communities. Additionally, there are issues related to overlapping jurisdiction, accountability, and coordination with other levels of government.

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Keywords: *Panchayati raj, Constitution, Givernment.*

I. INTRODUCTION

The Panchayati system of governance has existed in India since ancient times and represents a self-governing institution with self-defined functions. It has been a part of the country's social and political fabric for centuries. However, in the ancient era, this system was more of a traditional system of local self-government prevalent in villages and rural areas. Derived from the Sanskrit word “Panch”, the term panchayat was used to connote the five eldest members of the society who were made responsible for taking decisions in matters related to local matters. These councils were responsible for resolving disputes, enforcing social norms and customs, and administering justice in their respective communities. The head of the Panchayat was the eldest of the five members or a respected member of the community who would make decisions in consultation with the other members.

The Panchayat system varied across different regions of India, with some areas having a more elaborate system with several tiers of councils, while in others, it was a simpler system with just one council at the village level. Despite its variations, the Panchayat system was an integral part of rural life in India and played an important role in maintaining social harmony and resolving disputes.

The modern Panchayat Raj system is based on the same principles of the ancient system and has been given Constitutional recognition under Article 243(a) to Article 243(zg) introduced by the 73rd and 74th Amendments of the Constitution.

II. PANCHAYAT SYSTEM IN MEDIEVAL PERIOD

The Panchayati Raj remained an important part of local-level management, institutionalised and strengthened during the medieval period. Some of the ruling kings gave Panchayats the authority to maintain law and order in their respective areas, along with overseeing the implementation of social norms and customs and the distribution of resources.

Whereas in some parts of India, they served as a forum for resolving disputes between individuals and communities. They also oversaw the implementation of social norms and customs and ensured that all community members followed them.

The Panchayats in medieval India were different in their composition as now the villagers elected members rather than members being appointed de facto. The elected members were usually chosen based on their knowledge, experience, and reputation in the community.

However, the basic principles of the Panchayat system remained the same. It continued to be a form decentralised governance that empowered local communities to manage their own affairs and participate in the decision-making process at the grassroots level.

III. PANCHAYATI RAJ IN THE BRITISH PERIOD

The panchayat system was permitted to remain during the early years of British administration with few alterations. The traditional village headman, or zamindar, was acknowledged by the British administration as serving as a liaison between the peasants and the British government. The British government selected a village headman who was in charge of tax collection, upholding law and order, and settling disputes in the community. The traditional village assembly, or panchayat, now only serves as an advisory body with minimal decision-making authority.

As British influence in India grew, the British government tried to consolidate its power and implemented a number of financial and administrative changes. The ancient land revenue system of splitting the crop with the village community was replaced with a set revenue demand, which frequently resulted in higher taxes and land expropriation. The traditional village assembly's influence was diminished and more marginalised.

The previous customary laws that prevailed in Indian communities were superseded by English law and the court system, both of which were brought by the British authority. As a result, the power of the village panchayats to settle disputes and deliver justice was reduced.

The Panchayati system of government was established in the country by the Village Panchayat Act in 1953, allowing the communities to resolve their issues through self-governance.

The three-tier system will be used at the village, block, and district levels, the government has decided. When the first elections were held on October 2, 1959, Pandit Jawaharlal Nehru, India's then-prime minister, inaugurated the governance structure that would eventually come to be known as the Panchayati Raj. The government may now operate at the district, tehsil, and village levels thanks to this approach. The panchayat system is currently in place in all states with the exception of Nagaland, Delhi, Mizoram, and Meghalaya.

After the constitution was written (1947–1955), the Panchayati Raj underwent a significant transformation. The system of local self-government was formally established in 1992, and Article 40 assigns the task of setting up village panchayats and grants them the power and authority necessary to enable them to act as self-government. In order to provide recommendations on how the Panchayati Raj operates, several committees were formed,

including the following:

IV. COMMITTEES SETUP FOR PANCHAYATI RAJ

The development of a formal panchayati raj in India was done over a period of time extending from 1957 with the setting up of the Balwant Rai Committee and kept developing till the year 1986 with the setting up of L M Singhvi Committee which resulted in the coming into force of Articles of the Panchayati Raj in the Constitution of India. The Four committees setup during this period are -

- i. **BALWANT RAI COMMITTEE** - The head of this committee was Mr Balwant Rai Mehta, which mainly recommended “Democratic Decentralization.”
- ii. **ASHOK MEHTA COMMITTEE** - The head of the committee was Ashok Mehta Committee, and the main recommendation of this committee was to reduce the Panchayat Committee from a three-tier body to a two-tier body.
- iii. **G.V. RAO COMMITTEE** - Headed by Mr G.V. Rao, the committee mainly suggested giving more emphasis to the District level panchayats, whereas the village and state-level panchayats were put on a secondary position.
- iv. **L.M. SINGHVI COMMITTEE** - Headed by L.M. Singhvi, the main recommendation made by this committee was set up of NYAY PANCHAYATS for a group of villages. The committee also recommended Constitutional recognition of the Panchayat System.

V. COMPOSITION OF PANCHAYAT

The membership of Panchayats varies based on the nation, state, or area in which they are found. Panchayats, the lowest level of governance, are mainly found in South Asian nations like India, Nepal, Bangladesh, and Pakistan. They are in charge of overseeing rural areas and fostering local development.

For instance, the 73rd Amendment to the Indian Constitution, which strives to advance democratic decentralisation and strengthen local communities, establishes Panchayats in India.

In India, panchayat members normally consist of the following:

- 1) **Gram Panchayat (Village Panchayat):** The Gram Panchayat is the basic unit of Panchayati Raj and is responsible for governing a single village or a group of villages. The composition of Gram Panchayat members includes:
- 2) **Gram Pradhan (Village Head):** The elected representative serves as the head of the Gram Panchayat.

- 3) Panch (Panchayat Members): Elected representatives who assist the Gram Pradhan in decision-making and policy implementation.
- 4) Panchayat Samiti (Block Panchayat): The Panchayat Samiti is a higher-level Panchayat that is responsible for governing a group of Gram Panchayats within a block or a taluka. The composition of Panchayat Samiti members includes:
- 5) Pramukh (Block Head): The elected representative who serves as the head of the Panchayat Samiti.
- 6) Upa-Pramukh (Deputy Block Head): Elected representatives who assist the Pramukh in decision-making and policy implementation.
- 7) Panchayat Samiti Members: Elected representatives from each Gram Panchayat within the block or taluka who are also members of the Panchayat Samiti.
- 8) Zilla Parishad (District Panchayat): The Zilla Parishad is the highest level of Panchayati Raj and is responsible for governing a district. The composition of Zilla Parishad members includes:
- 9) Zilla Parishad Chairperson: The elected representative who serves as the head of the Zilla Parishad.
- 10) Panchayat Samiti Members: Elected representatives from each Panchayat Samiti within the district who are also members of the Zilla Parishad.

VI. DURATION OF PANCHAYAT SYSTEM

In India, the duration of Panchayat system terms is generally five years. The Panchayat system in India, as introduced through the 73rd Amendment to the Constitution introduced in the year 1992³, established a three-tier system of Panchayats: Gram Panchayat (village level), Panchayat Samiti (block level), and Zilla Parishad (district level).

The term of office for members of Gramme Panchayats, Panchayat Samitis, and Zilla Parishads is five years, according to the norms set by the Ministry of Panchayati Raj, Government of India. Elections are held to form a new Panchayat body after the five-year term has expired. However, it's important to note that the precise length of Panchayat terms may vary from state to state in India as states have some latitude in establishing their own laws and regulations pertaining to the Panchayat system while adhering to the general tenets set forth in the Indian Constitution and the pertinent legislation.

³ Introduced by the 73rd Constitutional Act 1992, Constitution of India

VII. HOW THE ELECTIONS ARE CONDUCTED

Here is an overview of how elections are conducted in the panchayat system in India:

Electoral Constituencies: The village is divided into electoral constituencies called wards or constituencies, depending on the population and size of the village.

Electoral Rolls: Electoral rolls are prepared for each ward, which contain the names of eligible voters who are residents of the village and are 18 years of age or older. These rolls are updated periodically to include new voters and remove ineligible voters.

Reservation of Seats: A certain percentage of seats in the panchayat are reserved for Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) as per the constitutionally mandated reservation policy.

Candidate Nomination: During the nomination period, candidates who wish to run in the panchayat elections must submit their nomination papers to the designated election officer. Individuals must meet the qualifying requirements, which include age, place of residence, and, if applicable, educational requirements.

Examining Nominations: The election officer examines the nomination papers for inconsistencies or violations of the election's procedures. Elections are open to candidates whose nominations have been verified as legitimate.

Campaigning: Politicians can engage in electoral campaigning by speaking at public events, handing out campaign literature, and interacting with people to win their support. Nonetheless, there are laws and standards controlling how campaigns must be run, including limitations on the use of loudspeakers, processions, and spending caps.⁴

VIII. PANCHAYATI RAJ IN THE MODERN INDIA

The most recent committee appointed to look into the administration of villages through self-governance via the Panchayati Raj system is the L.M. Singhvi Committee. It was set up in the year 1986 by the Rajiv Gandhi Government under the chairmanship of

Mr Laxmi Mall Singhvi to develop a concept paper on "Revitalization of Panchayati Raj Institutions for Democracy and Development." The committee observed that the Panchayati Raj Institutions declined in India for several reasons, such as a lack of a clear concept, a lack of political will and a poor research, evaluation and monitoring system.

This committee recognised the "Gram Sabhas" as the "incarnation of direct democracy."

⁴ <https://www.sscadda.com/>

IX. RECOMMENDATION OF THE COMMITTEE

The committee made the following recommendations -

- The PRIs should be recognised and protected by the Constitution by adding a new chapter to the Indian Constitution. This chapter should enshrine the provisions of fair, regular and free elections in the PRIs.
- Regarding revenue, the Committee recommended having optional and compulsory levies entrusted to the PRIs. However, for the initial years, the State Government may levy on behalf of the PRIs and disburse the money to them.
- A Nyay Panchayat should be established for a cluster of villages for their Jurisdiction.
- The committee also recommended the establishment of Judicial Tribunals in the states to tackle the issues related to elections in the Panchayati Raj Institutions.

X. PRESENT SITUATION OF PANCHAYATI RAJ IN INDIA

The 73rd Amendment of the Indian Constitution resulted in the development of the Ministry of Panchayati Raj in 1992 to strengthen the PRIs. This Ministry was created in May 2004 to ensure that the state governments and union territories' administration devolve funds, functions and functionaries on the PRIs, keeping in tune with the provisions of the Constitution. It was also responsible for the advocacy for the provisions of the Panchayat Act 1996, with an extension to the scheduled areas.

However, due to a budget cut in 2015, the Ministry had to be merged with the Ministry of Rural Development in 2020.

The Prime Minister of India, Mr Narendra Modi, spoke at all the Gramme Sabha across the country on the occasion of the country's 75th anniversary of independence and focused on the function of panchayats in national development. The PM emphasised that any project relating to the development of villages should strengthen the role of the panchayat in its planning and execution.

To enhance the effectiveness of Panchayati Raj, the Indian government has implemented a number of programmes and programmes. The most important of these are:

- **RASHTRIYA GRAM SWARAJ ABHIYAAN** - The main objective of this scheme is to develop the governance capabilities of the PRIs, which allow them to achieve the Self Development Goals.

- **GRANTS BY FINANCIAL COMMISSION** -The State has provided more funds to the PRIs through the Finance Commission according to the need of the time.
- **Survey of Villages and Mapping with Improvised Technology in VillAreasreas (SVAMITVA)** - This reformative step aims to establish a clear ownership right of [property in the rural areas. Land mapping is done using drones, providing a "Record of Rights" to the household owner and issuing a legal right card or title card.
- **Campaign PEOPLE'S PLAN (PPC) YOJANA SABKA VIKAS SABKI**

The Gramme Panchayat Development Plan (GPDP) will be prepared as part of this Yojana in a campaign-style. At the same time, it gives the GPDP project sustainability. It guarantees that the process will always be open to participation.

- **ABIYAAN GARIB KALYAN ROZGAR (GKRA)**

This programme, which was introduced in six states—Bihar, Jharkhand, Odisha, Madhya Pradesh, Rajasthan, and Uttar Pradesh—aims to give gainful employment to the employees who had to return to their communities because of the COVID-19 outbreak. The two primary tasks of this mission are as follows:

1. Building Gramme Panchayat Bhawans.
2. Operates under grants from the Central Financial Commission.

XI. AN ANALYSIS OF THE PRI SYSTEM IN INDIA

The fundamental goal behind the introduction of the multi-layered administrative structure was to:

1. Decentralise the democratic setup by increasing the political representation of all societal groups, with a focus on women.

The 73rd and 74th Amendments mandate that at least one-third of all seats be set aside for women. It should be noted that the PRI is the only level of government that discriminates against women. One advantage of providing women with particular accommodations is that it gives them a voice and empowers them to denounce societal crimes. Additionally, it has been shown that PRIs led by women are more likely to concentrate on matters important to womFurtherally, experts have noted a noticeably larger expenditure in the provision of safe drinking water.

The fundamental rationale for implementing a multi-layered administration At all levels of Panchayati Raj Institutions, one-third of the Chairperson positions are also reserved for women, in addition to the entire number of seats. States with legal provisions reserving 50% of seats for

women include Andhra Pradesh, Chhattisgarh, Kerala, Jharkhand, Maharashtra, Odisha, Rajasthan, Tripura, and Uttarakhand.

However, it should be emphasised that the Panchayati Raj does not reserve any seats for OBCs and does not make any particular accommodations for women who fall into either the OBC or minority category.

2. A Panchyati Raj setup facilitates the building of efficient local institutions that would plan, execute and monitor the development of their communities through a participatory approach. The PRIs are also responsible for developing rural industries and establishing or improving the available social-overhead facilities and infrastructures like schools, roads, water supply, markets and others. A good example of this is the Pradhan Mantri Gram Sadak Yojana (PMGSY), under which the state governments have taken steps to improve the capacity of the District Panchayats' endeavours to devolve the funds and functionaries to the Panchayats and enable them to manage and maintain the rural roads. The PMGSY provides two approaches which the PRIs can use to participate- the first is for planning the entire rural road network, and the other is for selecting the road alignment through the system of a "transect walk." The PRIs have also been made responsible for the maintenance of these roads.

3. The PRI system is also responsible for improving the political awareness of the rural people. They are now involved in the decision-making process, enabling them to make laws focusing on the main problems that are being faced by the villages. Participation of villagers in the elections either as voters or contestants has resulted in them being aware of their rights and duties. It has infused a sense of being responsible for their own development. The PRI has inculcated a civic sense amongst the rural population and made them aware of their well-being.

4. The presence of Panchayats has also provided the villagers with a way to attract the attention of Government officials to their problems. Giving a Constitutional status to PRIs has made it mandatory for Government officials to pay attention to the problems of village people, which was not the case earlier. Along with this, the Panchayati system has also resulted in higher welfare activities taking place in villages as they have been made responsible for providing facilities like clean drinking water and education.

5. PRIs have provided proper sanitation facilities in the villages. They are responsible for building good sanitation infrastructure for the rural population. They have developed proper toilets and washing facilities for the use of the common people, thus removing the major problem faced by the villages of defecating in the open. Nowadays, most villages have "Sullabh

Shauchalaya” or community toilets for the general people. The PRIs are also responsible for educating the village population about properly using these facilities.

6. PRI has also increased literacy levels in villages by building primary and secondary-level schooling systems. Schemes like the Prime Minister Rural Development Fellowship (PMRDF) initiated by the Ministry of Rural Development in collaboration with State Governments. It has dual goals of providing short-term support to the district administration in the underdeveloped and remote areas of the country and developing competent and committed leaders and facilitators who can serve as a resource for longterm. Some of the PRIs have also started schools and educational facilities for educating elderly people.

7. Many states are now focusing on engaging PRIs in health programmes. The Ministry of Health and Family Welfare has supported the development of a training module for community health. The Ministry has also implemented the community needs assessment, the National Maternity Benefit Scheme and the Referral Transport Scheme through the PRIs.

XII. CONCLUSION

To conclude, the differences between the ancient and modern panchayat systems are vast and significant. While both systems involve local self-governance and community decision-making, they have evolved and transformed over time to adapt to changing societal, political, and economic contexts. In ancient times, panchayats were small, informal assemblies of village elders and leaders who played a crucial role in resolving disputes, maintaining social order, and making decisions for the welfare of the community. The ancient panchayat system was primarily based on traditional customs, caste-based hierarchies, and religious practices. It had limited scope and was often exclusive, catering to specific sections of society. On the other hand, the modern panchayat system emerged as a result of decentralisation efforts by governments to empower local communities and promote grassroots democracy. Modern panchayats are formal, statutory bodies established by law and have a broader mandate, including functions such as planning and implementing local development projects, managing local resources, and delivering public services. They are based on the principles of democratic representation, with elected members from diverse backgrounds and communities. Another key difference between ancient and modern panchayat systems is the role of women marginalized groups. In ancient times, women and lower-caste individuals were often excluded from panchayats, whereas modern panchayats emphasize inclusivity and affirmative action to promote gender and social equality. Modern panchayats also operate within a legal framework that ensures transparency, accountability, and checks and balances, which were largely absent

in the ancient panchayat system.

In conclusion, the evolution of the panchayat system from ancient times to the modern era has brought about significant differences in terms of form, function, inclusivity, and governance principles. While the ancient panchayat system was rooted in traditional customs and had limited scope, the modern panchayat system is a formal, statutory institution with a broader mandate, aiming for inclusive and democratic governance at the local level.

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