Seeing PRIs in India and their History from a Gandhian Perspective

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Abstract (398 words)

Panchayati Raj Institutions (PRIs) in India are the rural part of decentralised democracy in India. They are an outcome of combined influence from three sources: (a) memory of the fact that Panchayats in some name or the other were there in India since the Vedic times, often informally, and that in spite of their chequered career and lack universal spread in India, they existed almost till India's independence; (b) Mahatma Gandhi's philosophy, moral principles for polity and his vision of Gram Swaraj; (c) government initiatives, which were partly influenced by (a) and (b) above, but mainly by modern liberal political thought and thinking of eminent contemporary Indian leaders and by the need for local rural development all over the country in all its dimensions. Though Gandhi was one of the three sources of influence, his perspective - if not in letter and actual design, but certainly in spirit – provided an important motive source for ushering in PRIs in India. Gandhi's main contribution lies in providing certain moral principles of governance, with which the PRIs in actual reality today can be judged. These principles based on his faith in Truth and Nonviolence also emphasised people's sovereignty, individual dignity and freedom, self-rule, equality, inclusiveness, commitment to welfare of *all* (*Sarvodaya*) and not just of a majority, non-discrimination, and last but not the least avoidance of hierarchy, authoritarianism and patronisation from above. As expressed in his seminal work – *Hind Swaraj,* first published in 1909, Gandhi sought an alternative to the prevailing political and economic system, and decentralised democracy in the form of PRIs was an integral part of this alternative. People's active participation in governance was seen as the very life-blood of decentralised democracy by him. Merely instituting local government institutions but dominated by and totally dependent on the state and central governments was not Gandhi's idea of Panchayati Raj. In Gandhis' perspective, instead of devolving functions from the top to the bottom, it is the bottom which devolved functions to the top. Power flowed from the PRIs to the state and central governments in 'oceanic circles', and not from the top to the bottom in Gandhi's vision.

The present article tries to see the PRIs from this perspective. If the PRIs come closer to the Gandhian perspective, they would be making our political system a much more genuine democracy in a deeper sense. Some suggestions are made towards this end.

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Abstact (in 191 words)

Panchayati Raj Institutions (PRIs) in India are the rural part of decentralised democracy. Gandhi's perspective provided an important motive for ushering in PRIs. His contribution lies in providing certain moral principles of governance, with which to judge the actual PRIs today. These principles derived from his faith in Truth and Nonviolence, emphasised people's sovereignty, individual dignity and freedom, self-rule, equality, inclusiveness, commitment to welfare of *all* (*Sarvodaya*)- not just of a majority, non-discrimination, and last but not the least avoidance of hierarchy, authoritarianism and patronisation from above. In his *Hind Swaraj* (1909), Gandhi sought an alternative to the prevailing political and economic system; decentralised democracy in the form of PRIs was an integral part of this alternative. People's active participation in governance was seen as its very life-blood by him. Merely instituting local governments but dominated by and totally dependent on the state and central governments was not Gandhi's idea of Panchayati Raj. In Gandhis' perspective, power flowed from the PRIs to the state and central governments - not from the top to the bottom. Suggestions are made at the end of the article to bring PRIs closer to Gandhian perspective.

Key Words: PRIs, Their History, *Hind Swaraj,* Self-rule, Character of the Modern State, Democracy, Decentralisation of both Polity and Economy.

Gandhian Perspective on PRIs

The Panchayati Raj Institutions (PRIs) are rural local government institutions. Though they were accorded a Constitutional recognition in 1992 following the 73rd Amendment to the Constitution of India, they did exist even earlier. The urban local governments also received the constitutional recognition through the 74th Amendment to the Constitution in 1992, and they too existed earlier. But the Amendments meant a significant advance over the earlier situation because they recognised the local governments as the integral part of the federal structure of the India's governance as its third tier, along with the Union or the central government as its first and the state governments as the second. It meant a quantum jump in their legal as well as the political status. Mahatma Gandhi, however, may have reversed their ranking, putting PRIs as the first and basic tier, the state governments as the second and the Union government as the third tier! In any case, the Constitutional recognition of PRIs meant that they could not any longer be ignored or side-tracked on the excuse of their being less efficient than bureaucracy or 'higher' political leadership in carrying out development tasks that concern people at the grassroots. The 73rd and 74th Amendments have deepened as well as broadened Indian democracy, in spite of the fact that local bodies do not have legislative powers of the kind which are invested in the Union and state governments.

PRIs as they exist today are an outcome of combined influence from three sources: (a) memory of the fact that Panchayats in some name or the other were there in India since the Vedic times, often informally, and that in spite of their chequered career and lack universal spread in India, they continued to exist almost till India's independence; (b) Gandhi's philosophy, moral principles for polity and his vision of Gram Swaraj; (c) government initiatives, which were partly influenced by (a) and (b) above, but mainly by modern liberal political thought and thinking of eminent contemporary Indian leaders and by the need for local rural development all over the country in all its dimensions Though Gandhi was one of the three sources of influence, his perspective - if not in letter and actual design, but certainly in spirit – provided an important motive source for ushering in PRIs in India. Gandhi's main contribution lies in providing certain moral principles of governance, through which the PRIs in actual reality today can be judged.

The present article tries to see the PRIs from a Gandhian perspective. A Gandhian perspective on PRIs is not necessarily limited to what he explicitly told or wrote about Panchayati Raj or Gram Swaraj as he called it. It also extends to others like Jayaprakash Narayan who were influenced by Gandhi and extended or applied his perspective to new things he had not attended to. Gandhi, for example, was almost wholly concerned with villages and making villages the base of his Swaraj. This was not only because the rural population was (and still is) the major part of India's population, but also because he thought that modernisation impoverished villages and took away whatever political power they had. The idea of his Swaraj was not only to restore the lost power to villages, but enhance it so as to achieve real democracy. He was not in favour of urbanisation as a way of development. But if in the course of economic development, cities do emerge and become more in number and if increasing number of people live in villages, Gandhian principles would not have denied the same self-governance to urban areas which he wanted to accord to the villages. However, the present article is confined to PRIs, since Gandhi had given his thought mainly and explicitly to them.

Gandhi's perspective on PRIs has to be understood in the context of his general political philosophy. He believed that politics without principle (morality) is a deadly sin to be avoided. Political systems and practices have to be based on the fundamental principles of Truth and Nonviolence. Principles derived from these fundamental values are the sovereignty of people, individual dignity and freedom, self-rule, self-reliance, equality, inclusiveness, welfare of *all* (*sarvodaya*), and avoidance of hierarchy, authoritarianism and patronisation from above. His ideal of a political system was Gram Swaraj, though he did not elaborate its details. Swaraj is self-rule, not just independence from foreign rule. By it, he meant a genuine democracy, where India's villages rule themselves, and not dominated, or dictated to, or patronised from above. A democracy, to be genuine, had necessarily to be decentralised along with all political power and sovereignty of the state.

Though there were panchayats in India at the grassroots level since very ancient Vedic times, Gandhi breathed fresh air into the whole concept, giving it a new significance. His idea of Gram Swaraj was a part of the alternative political and economic system, in preference over the capitalist democracy, in fact over the Western civilization itself. He

developed his idea of this alternative in his small seminal book – *Hind Swaraj,* published in 1909 (Parel Ed. 2010). The alternative political system he envisaged was the one where maximum possible participation by people could be ensured. People in the villages should have the power to elect and even change their representatives if found incompetent or corrupt. Gandhi elaborated his concept of Gram Swaraj later in a key article in *Harijan* dated July 28, 1946. Important excerpts from this are given below:

> "Independence must begin at the bottom. Thus, every village will be a republic or Panchayat having full powers. It follows, therefore, that every village has to be self-sustained and capable of managing its affairs even to the extent of defending itself against the whole world. ...Ultimately, it is the individual who is the unit. This does not exclude dependence on and willing help from neighbours or from the world. It will be free and voluntary play of mutual forces. ... In this structure composed of innumerable villages, there will be ever-widening, never ascending circles. Life will not be a pyramid with the apex sustained by the bottom. But it will be an oceanic circle whose centre will be the individual... . Therefore, the outermost circumference will not wield power to crush the inner circle but give strength to all within and derive its own from the centre"(Gandhi 1959: 8-9).

A few central ideas lie at the basis of this vision. They are: (i) all individuals have equal rights against other individuals as well as against the State, and corresponding duties; (ii) 'the State will be there to carry out the will of the people, not to dictate to them or force them to do is will' (CWMG vol.89: 297); (iii) all individual villagers form the village Panchayat, as equals and as its basic units, and as 'centres' of the whole polity; (iv) the villages are autonomous, having full powers; (v) but they are not isolated from each other, having links with other villages socially, economically, and politically; (vi) they are also linked with the wider State, not in a hierarchical relationship, but in a way that the wider circles derive their power from and are loyal to the inner circles, namely, the village Panchayats and ultimately to the individuals forming them; (vii) the State and the economy as a whole function in such a way that they are never detrimental to the autonomy and self-sustaining ability of villages; (viii) all individuals are guaranteed their fundamental rights including the right to freedom of association for peaceful purposes.

Gandhi had a problem with the basic character of the modern State including democracies. It was dominated by vested dominant interests, and used its authority with the threat of violence, the threat too often turned into reality. In an article in *Modern Review* in !935, Gandhi wrote:

> 'I look upon an increase in the power of he State with the greatest fear, because, although while apparently doing good by minimizing exploitation, it does the greatest harm to mankind by destroying individuality which lies at the root of all progress.

> The State represents violence in a concentrated and organised form. The individual has a soul, but the State is a soulless machine, it can never be weaned from violence to which it owes its very existence.' (Gandhi 1954: 74).

Democracy was no doubt devised to eliminate the arbitrariness of the state, and to subject the state itself to the rule of the law, in making which the people would have an important and decisive voice. Democracy accepted as its basic postulate that all the citizens of the State are equal, with equal voting power to send representatives. It did not, however, mean that all have equal participation or equal voice in decision making. The comparatively few elected representatives, in whom people expressed confidence periodically – say, once in five years, decided everything on behalf of people. There was a serious gap between the voting citizens and their representatives, involving lack of access to political decision making for the former.

Another major problem of western democracy, in Gandhi's view, was the undue weight given to majority opinion, implying that the interests and concerns of the minority could be ignored. He said: 'Let us not push the mandate theory to ridiculous extremes and become slaves to resolutions of majorities. … Swaraj will be an absurdity if individuals have to surrender their judgement to majority.' (Gandhi 1961:45). He felt that majority rule went against the principle of non-violence or *Ahimsa.* The majority rule was given even a philosophical basis by Utilitarianism. He was explicit in the criticism of this philosophy. He wrote in *Young India* in 1926: 'A votary of Ahimsa cannot subscribe to the utilitarian formula (of the greatest good of the greatest number). He will strive for the greatest good of all … .' (Gandhi 1954: 4). Gandhi advocated the philosophy of *Sarvodaya* (welfare of all) to replace utilitarianism. He felt that only Sarvodaya could be a true democracy, in which 'we would regard the humblest and lowest Indian as being equally the ruler of India with the tallest in the land' (ibid: 5). He said again in 1940, 'My notion of democracy is that under it the weakest should have the same opportunity as the strongest. That can never happen except through nonviolence' (Gandhi 1961: 11). Gandhi would concede that there could be differences of opinion and interests, but one should arrive at a consensus which hurts none, and none is deprived by any decision. It is the duty of the majority to persuade the minority and take it along. For Gandhi, it is important that a democracy respects and accommodates plurality of interests, cultures, faiths, and languages, and ensures equal participation of all in the polity and economy.

Gandhi thought of Gram Swaraj as an alternative that will rid the state of these limitations. Decentralised democracy holds the hope of a better alternative for several reasons in Gandhian perspective for several reasons. First, it gives much more power in the hands of ordinary people, and more scope for real 'self-rule'. Writing in *Young India*, dated August 6, 1925, Gandhi said: "Self-government means continuous effort to be independent of government control, whether it is foreign government or whether it is national. Swaraj government will be a sorry affair if people look up to it for the regulation of every detail of life" (Vyas ed. 1962: 4). Self-rule means that people take up more responsibilities on themselves, reducing the need for a government control or regulation from above. Second,

even if decentralised democracy does not establish self-rule in the full Gandhian sense, it can nevertheless hold the role and power of the state in greater check. It means more freedom and greater role for people at the grassroots. Third, decentralisation promotes political education and consciousness, civic responsibility, and leadership qualities among common people. It creates better awareness of one's own as well as others' rights. Fourth, decentralised democracy brings into open hidden and innate social evils in villages, including caste discrimination, paving the way for confronting and mitigating them. Fifth, decentralisation facilitates openness or transparency, which can be a powerful factor in favour of significantly reducing corruption. This means that political accountability is much easier to ensure. Mutual and frequent contacts between people and their representatives makes the system more responsible as well as responsive. Sixth, this reduces transaction costs, improves informational basis in several important spheres, - infrastructure building, provisioning public goods and services, and helps more accurate targeting of schemes like anti-poverty measures. Local governments can more effectively and efficiently handle such functions. Experience gained from handling such tasks generates greater creativity in the political system for problem solving in the public and collective sphere at the local levels where it matters most. Finally, funds get distributed much more widely in the hands of people or their representatives under decentralised democracy as they should be. Together with more transparency and vigilance on the part of people, such a political and administrative system reduces the scope for misuse and corruption significantly than in a centralised system beyond the watch of common people. It is centralisation of power which leads to greater corruption.

Gandhi never advocated *laissez faire* or a free market economy as a way of checking the power of the state. *Laissez faire* meant handing over power to market forces, not to people. He was not a market-liberal, but a *demos*-liberal. He was aware that a policy of *laissez faire* may benefit a few but would exploit many and accentuate inequalities. Nor did Gandhi ever support the idea of state socialism where the state takes over the economy to run it through bureaucracy or technocracy. State socialism went against the grain of his political philosophy of keeping the state power in check to the minimum necessary. For Gandhi, people are the source of all political power, and for people's power, 'ultimately it is the individual who is the basic unit' (*Harijan,* 28 July, 1946; quoted in Iyer 1993:347). Dr Ambedkar was wrong in thinking that in advocating *Gram Swaraj,* Gandhi believed in the primacy of villages as the basic unit of the State. For Gandhi, the basic and ultimate unit of the State was the individual.

Gandhi's solution to the problem of providing an alternative economic system to complement to the decentralised political system of Gram Swaraj was a decentralised economy. A centralised system of economy with concentration of economic activity in a few areas and of economic power in a few persons cannot go with a decentralised system of Panchayati Raj, because the panchayats will not then be able to generate their own financial resources under such a system. They will be forever dependent on transfer of funds from the higher tiers of governance, resulting in weak political power for themselves. Gandhi, therefore, thought of a democratised economy which is possible only with decentralised economy. Under a decentralised economy, productive economic activity will be scattered

throughout the length and breadth of the country and economic power also will be distributed more evenly among all people. He sought to achieve this through encouraging labour intensive small scale industries. Universalising capital intensive large scale production units tends to exclude many able-bodied from work and opportunities of making a living. It alienates workers from capital and also the meaning, purpose and unity of the production process. It leads to economic centralisation. On the other hand, 'economic decentralisation means that both capital and tools are in the hands of actual producers' (Ela Bhatt 2013: 109). Economic activity has to be to the best extent possible both small scale and labour intensive, because otherwise the worker will not be able to raise and own capital for it. Charkha was was the symbol of this approach. Gandhi, however, was not opposed to the use of machinery and largescale production absolutely. He would accept it where it does not lead to unemployment and if care is taken to absorb labour in another activity rendered surplus in one industry. He used to often say that he was not opposed to machinery but to craze for machinery. He said, 'I am not against machinery as such but I am firmly opposed to it when it masters us' (CWMG Vol. 64: 118). Ela Bhatt explains: 'He [Gandhi] wanted technology to adapt to human needs and energise them [people] and not overwhelm them and lay human lives to waste' (Bhatt 2013: 109). The spread of industries to villages was as important to Gandhi as their small scale of production. This was logical since decentralised village industries had necessarily to be small. He wanted every village to be a hub of economic activities within the easy reach of all, and in turn should be such that people should be able to take up productive activities of their choice at places of their choice, much more than in the present system of industrialisation and economic development. People should not have to migrate to great distances in search of work in his model of home- or cottage- and village- based industrialisation. Gandhi asserted: 'Under my scheme nothing should be produced by cities which can equally well be produced by the villages' (quoted in Datta 1986:13). He wanted production by the masses, - not mass production. Survival of villages as economically viable centres alone can give meaning to decentralised democracy in Gandhian perspective. Gandhi's economic alternative would also contribute immensely to reduce economic inequality both across persons and regions. He was seriously concerned with the problem of inequality, whether it was economic, social or political. His solutions were designed to reduce it to the minimum, without having to opt for communism.

A Brief History of Transition to the Present[1]

Historians Venkatarangaiya and Pattabhiram had observed that 'almost every village in the country in ancient times had a self-governing body of its own' (1969: v). Gandhi was aware of it. It may not have been of an ideal type, however. Most likely, it was not representative of all sections of people in the respective villages, and upper castes and landed gentry may have dominated it. These village bodies continued their existence in the medieval period also, since they suited the convenience of the rulers including Muslim rulers to use them as basic units of administration and for tax collection. These bodies performed several functions: managing community lands, keeping track of changes in ownership of lands, collection of revenue, maintaining peace and order, looking after village temples and their needs, and even taking up construction and maintenance community tanks and wells. However, a situation of anarchy is said to have prevailed over wide areas of India,

particularly in the north, after the breakdown of the Mughal rule, seriously affecting - if not totally destroying - the local institutions. But even amidst the changes, a power structure emerged in the villages which tried to restore order to protect life and property. This may have made the position of village headman and village accountant-cum-record keeper more important and strong. At some stage, these positions became hereditary, instead of being elected.

The British could not fail to take note of the existence of the local institutions, which were called as 'little republics' by Sir Charles Metcalfe, who was a civil servant in the East India Company and also Acting Governor General of India (1835-36). In one of the Revenue Papers, he famously wrote:

> "The village communities are little republics, having nearly everything they want within themselves and almost independent of any foreign relations. They seem to last when nothing else lasts. Dynasty after dynasty tumbles down, revolution succeeds revolution; … This union of village communities, each one forming a little state in itself, has, I conceive, contributed more than any other cause to the preservation of the people of India… ." (quoted in Rodrigues Ed. 2004: 324)

Henry Maddick, however, observes that 'Metcalfe's description could apply only to the area round Delhi where villages established themselves as self-supporting units which withstood invaders and tax gatherers alike. … It can hardly apply to the majority of that vast number of villages making up rural India… .' (1970:15). Maddick does not, however, cite any source or support as the basis of his observation. Metcalfe's description of the self-rule by villages did not prevent the Company rule from nearly destroying the earlier system of governance. It happened first through making the village Patwari, who used to keep land records and collect taxes for the Mughal emperor, and the village Daroga who was a police functionary, own employees of the Company. Thus they were made responsive and responsible to the Company government and not to the village people whom they had served. This tempted them towards depredations to enrich themselves at the cost of villages. Secondly, the Company merged neighbouring villages depending on their size, affecting their traditional identity. The British developed a bureaucratic apparatus down to villages which superseded and overwhelmed village institutions. Thirdly, the British also developed a parallel judiciary which made judicial functions of the Panchayats redundant. Fourth, the British created the Zamindari and similar systems, allowing intermediaries between the cultivator and the government to collect revenue. This made the rural society more feudal and unequal. Fifth, the British nearly killed village handicrafts particularly handlooms, by freely importing mill made cloth from England and disrupted the village economy and weakened or even destroyed local self government. This also led to a lot of discontent in the countryside, leading to the Mutiny of 1857. Village self-government broke down not only in the areas directly under the British rule but also those under princely states. This was because these states were not independent

and were subject to the same forces which were at work in British India. Even in urban areas, there was some self-government under aegis of guilds of merchants and artisans when the local economy was strong, and this was also destroyed under the Company rule.

However, the Company administration took some initiatives to start urban municipalities even before the battle of Plassey in 1757. They had a settlement in Madras (now Chennai) where they started a Municipal Corporation in 1688. Similar corporations were started in Bombay (Mumbai) and Calcutta (Kolkata) both in 1726. They had only nominated members, and not elected ones. Under the Government of India Act of 1850, several more urban municipalities were established on similar lines.(Tinker 1967: 25-26, 29). The 1857 Mutiny created significant financial stress which led to the doctrine that the cost of police in the cities and towns should be borne by the residents, which led to the necessity of raising local funds. The Resolution issued in 1864 by Lord Lawrence stressed that whatever service could be performed by local civic bodies should be left to them. (Tinker 1967: 36). This doctrine came to be known as the Principle of Subsidiarity later. The 1864 Resolution led to the formation of several more urban municipalities. As much as possible, the expenses incurred on civic services were also expected to be borne by the urban local bodies. However the elective principle was held in abeyance, but the members were expected to have meetings with important residents (ibid: 37). It was only after Lord Mayo's Resolution of 1870, that some efforts were made to introduce an element of representativeness in the urban local bodies, but control was firmly in the hands of government servants (ibid: 37).

Mayo's Resolution induced initiatives in rural areas too. The first step in the direction was the Bengal Chowkidari Act 1870, which empowered district magistrates to set up village panchayats, though with nominated members. These panchayats were expected to levy and collect taxes to pay for the village chowkidars or watchmen. (Mathew 2013-a: 4). But the progress in establishing village panchayats was very slow, and the Famine Commission 1880 remarked that the absence of local bodies in rural areas was a major impediment in reaching relief supplies to famine-stricken people (ibid: 4). It was through Lord Ripon's Resolution of 1882, that a bigger stride was taken. He introduced the principle of having a majority of elected members in the local bodies, in the name of promoting 'political and popular education'. The Resolution attended to forming not only municipal boards in urban areas but also rural boards. There were to be District Local Boards and also Tehsil/Taluka Boards to cover the whole countryside. All Boards were to have more than two-thirds of non-official members, who should be elected wherever possible. (Tinker 1967: 44, 45). India's then political leaders like S N Banerjee, Gopal Krishna Gokhale, and Phirozshah Mehta who were fighting for a share in power for Indians at all levels including the national and provincial welcomed the proposals of Lord Ripon (ibid: 58). In pursuance of the proposals, different provinces passed Local Government Acts to create rural boards. The Acts did not officially provide for panchayats at the village level, but a few provinces tried to start them. The system did not work well even at the board level, because these local boards had great difficulties in getting adequate financial

support, and could not afford to provide for village level panchayats even where they existed (Tinker 1967: 55,56). A Royal Commission on Decentralisation in India submitted its Report in 1909, in which it recommended re-establishing village panchayats for local governance, in addition to retaining the district and taluka boards. The Panchayat members were to be elected by village people. They were to be entrusted with the functions of petty civil and criminal jurisprudence, sanitation, minor public works, and building and managing village schools, but not with the task of taxation. The Government of India, however, went very slow about the suggested steps. Mahatma Gandhi who had come on the national stage by then appeared to have been too involved in national issues, and did not appear to have lent his weight to expedite the implementation of the recommendations of the Royal Commission Report of 1909 whether as they were or improved. National politics of self-rule was the main issue that engaged the attention of nationalist leaders then than local self-government. Not that the issue was completely ignored. The Congress Party did strongly support the idea of re-establishing village panchayats, but Gandhi advised against giving judicial functions to these panchayats as he was well aware of the caste and other factions within villages. He, however, advised that village panchayats should attend to ensuring education for boys as well as girls, village sanitation, meeting health care needs, and uplift of untouchables and ensuring that their daily needs are met. (Sharma 1994:115-7). But at that stage, village panchayats were yet to become a concrete and formal reality; they were mainly in the people's memory of the past, though there were informal groups of village elite in most villages.

On the whole, the focus of the British policy on self-government was on strengthening the local boards at the district and taluka levels. Village communities were not actually the basic units of local government. The British attempt at creating local democracy thus proved hollow as it did not provide for direct participation of village communities. Only the tax payers constituted the electorate. It is clear that what the British tried to do was not in terms of Gandhian perspective at all. Gandhi's vision of Village Swaraj covered the country as a whole; the Swaraj that the British agreed to provide was hardly representative and democratic even at the restricted local level, though it is at that level they were willing to provide some self-rule.

At the time of drafting a Constitution for India after independence, Gandhi's model of Gram Swaraj faced a serious criticism not only from Dr B R Ambedkar but even from Jawaharlal Nehru who was Gandhi's protégé and was designated by Gandhi himself to become the future Prime Minister of India. In Ambedkar's view, giving power and autonomy to villages was to strengthen the very feudal forces which had kept India backward. Ambedkar felt that while a typical Indian village was one of a 'cess pool' of orthodoxy, superstition and caste oppression, urbanisation meant an escape from these social evils particularly for the oppressed castes. The very basis of a liberal democratic society was the individual as in a parliamentary democracy, and not village as in Gandhi's village Swaraj, he argued. (Rodriguese 2004: 158-9). Nehru felt that the Indian economy cannot be based merely on traditional village industries, that modern technology was essential for India's progress including progress in agriculture, but village Swaraj was to be

based on the continuation of traditional village based technology. Though Gandhi was not a member of the Constitution Drafting Committee, there were a few Gandhians in it. They argued that Dr Ambedkar's view was erroneous, since for Gandhi also the individual was a basic unit and it is the individual adults who would elect village representatives, that a western democracy model would lead to neglect of villages if adopted in India, and that freedom was won because of the participation of vast numbers of rural population and they should have participation in governance. Finally, M Ananthasayanam Iyyangar intervened in what appeared to be an impasse in the Constituent Assembly Debates. He asked, 'Where are the [village] republics? They have to brought into existence'. He suggested that the Gandhian alternative did not seem possible at the national and state levels, but a clause could be introduced under the Directive Principles of State Policy advising the state governments to establish village panchayats in their respective states. It was thus that Article 40 was added in the Directive Principles,[2] which meant to reconcile what appeared then were constitutional opposites. It meant that at the national and state levels there were to be institutions on parliamentary lines, but at the local levels of villages, taluks and districts there would be PRIs.

In a situation of a very inadequate presence of village panchayats all over the country, the district and taluka (local) boards had to continue for some time after independence, but the state governments started forming and empowering village panchayats and urban municipalities, through state level legislations. The National Development Council and the Planning Commission provided some guidelines and indicators to states so that a broad if not a rigid common national pattern of PRIs could emerge. The principle of adult franchise and direct election was adopted not only at the national and state levels, but also at the local government level. This was a tremendous democratic advance since voters were tax payers only before independence. Another advance was that the principal aim of the government henceforth was economic and social development, and not just one of maintaining law and order. A holistic development of the whole economy and infrastructure – both physical and social – was considered necessary for village communities. Towards this end a Community Development Programme (CDP) was initiated for the whole country on October 2, 1952, - the Gandhi Jayanti day, as a homage to Gandhi, and a Ministry of Community Development was started in the Union (Central) government, in which Nehru took a great personal interest. It was felt, however, in the course of time that the CDP was dominated by bureaucracy and was not giving the desired results. The Programme was running against the Gandhian principle that villagers be involved in planning and implementing their own development.

A Committee was therefore appointed in 1957 under Balwantrai Mehta, a Member of Parliament, to go into the working of CDP and National Extension service and make recommendation to improve the situation. The Committee observed that the Programme did not succeed in evoking popular initiative. It called for a genuine decentralisation involving devolution of power and responsibilities to elected local bodies. The Committee recommended three levels of PRIs – the village panchayats at the village level (or a cluster of villages if they were small), panchayat samitis at the block level, and zilla parishads at

the district level. Only the village panchayats were to be directly elected by people. But it was the panchayat samiti which was envisaged to be main local body with the responsibility of all development work at the local level like agricultural and irrigation development, schools, public health and local industries. The village panchayats were to be responsible for water supply, sanitation, lighting, roads, and welfare of backward and scheduled castes. The zilla parishads were meant to achieve co-ordination between panchayat samitis especially for large development projects which covered more than one taluka or block. The Balwantrai Committee took care to recommend earmarking of certain sources of revenue to panchayat samitis like land revenue, water rates for minor irrigation works, tax on professions, trades and employment, surcharge on the duty on the transfer of immovable property, pilgrims tax, entertainment tax, and a share in motor vehicles tax. The recommendations also covered reservations for SCs, STs and women. The recommendations were approved by the Union government (National Development Council), and different state governments starting passing legislations to implement the proposals. Some states like West Bengal and Kerala which had leftist governments saw an opportunity for mass mobilisation also to give real political power to people, looking at PRIs as something more than agents of economic development alone. These states proved more effective in decentralising governance. A major shortfall of the Balwantrai pattern was that more power and functions were envisaged for the indirectly elected block level panchayat samitis than for village panchayats which were directly elected by people. This was not consistent with the Gandhian perspective.

The Janata Party government which came to power in 1977 not only accepted the principle of decentralised democracy, but also announced that it would try to introduce decentralised economic planning at the district and block levels. PRIs were looked upon not merely as development agencies but more as institutions of self-rule by people at the grassroots. The Ashok Mehta Committee appointed in 1978 identified a few problems like ambiguity in the role of and status of PRIs, domination by rural elite, and lack of involvement of PRIs in planning. Strangely, it did not favour panchayats at the village level, but recommended that the zilla parishads and samitis should have a mix of directly elected members, ex-officio members and nominated members. More importantly, the committee recommended an amendment of the Constitution of India to give a clear constitutional status to PRIs. Following the recommendations of Ashok Mehta Committee, a few states introduced direct elections to PRI. For the first time in the history of PRIs, Karnataka reserved 25 to 30 per cent of seats in PRIs for women. L M Singhvi Committee of 1986 reiterated Ashok Mehta Committee's recommendation for a constitutional mandate for PRIs which had to wait till 1992.

The Present PRIs in terms of Gandhian Perspective

Gandhi himself had not worked out the details of how his Gram Swaraj is to be organised; he left the task to others. He had not specified how the inner circles of village panchayats would be linked to wider circles or any details of the constitution of the whole system of his Gram Swaraj in the country. The Constitution of India accepted parliamentary

democracy at the national and state levels, with its Directive Principles of State Policy requiring states to organise village panchayats.

A fairly uniform and systematic pattern of local governments in the country emerged only after the 73rd and 74th Constitution Amendments were passed in 1992. Both the Amendments came into effect on I June 1993. The 73rd Amendment dealt with PRIs in rural areas, while the 74th dealt with urban municipalities and corporations. The Amendments have deepened as well as broadened Indian democracy, in spite of the fact that the local bodies do not have legislative powers of the kind which are invested in the Central and State Legislatures. Indian democracy is deepened because it now operates right down up to the grassroots. It is also now more broad-based because sections of people hitherto neglected like the SCs, STs and women are now accommodated through reserved seats.

The village community expected to operate in the present system, needs at least two formal institutions to operate – the Gram Sabha (village assembly) and Gram Panchayat (village executive). Gram Sabha is where *all* women and men of the village above the age of 18 years, are members. It meets as often as its members wish, but at least twice a year. The Gram Sabha is not merely a deliberative body, but would also decide what steps are necessary to secure and promote village welfare in all its dimensions – education, public health and hygiene, drinking water, electricity, culture, sports and entertainment; plan what rural works to take up with what budget, how to raise revenues, monitor the progress of various welfare or development programmes, identify the poor and the deprived who need special assistance and plan the steps needed to provide for it; approve the annual budgets, monitor the expenditure and subject it to audit. Besides, Gram Sabha - a smaller formal body - is also needed, corresponding to the executive wing of the state – the Ministry forming the government. Such a body has always existed in Indian villages traditionally, going by the name of village panchayat. It consisted of at least five (*panch*) persons, and that is how it became known as Panchayat. The exact number is left to convenience or need. It has to be large enough to represent all sections of the village. The Gram Sabha may or may not have existed formally in the past or traditionally, but the Panchayats almost always existed. Gandhi did not explicitly draw a distinction between the Gram Sabha and Panchayat, but implied it when he said that the latter has to be elected by all the adults of the village in a meeting.

The 73rd Amendment introduced a three-tier system within the PRIs themselves, signifying some amount of uniformity in the country – the village, intermediate (mandal) and the district. Small states with less than 20 lakh population need not have the intermediate level. A main weakness of PRIs earlier was the absence of regularity in the elections to the panchayats. Now every state ought to have a State Election Commission with the task of conducting elections to panchayats every five years regularly. Independence of the State Election Commissioner is assured by requiring that the person shall not be removed from service in the same way as a High Court Judge. The Amendment also mandated a system of reservation of seats in panchayats for SCs and STs in the same proportion of their share in the total population of respective states, and for women to the extent of one-third. The reservation for women, however, was raised to 50 per cent later by

the states. The massive entry of women into PRIs has been a spectacular success, drawing them out of their kitchens and restrictions, and has contributed to their empowerment.

The panchayats were to be genuinely empowered through devolution of appropriate powers and responsibilities. They are the main agencies for planning and implementation of economic development, provided with necessary funds along with functions and functionaries with due help from states. To ensure some autonomy and certainty in funds, the Constitution provides for State Finance Commissions (under Article 243-I Amendment) every five years in each state to recommendations for transfer of funds in the same way that the Finance Commissions at the federal level allot resources to the states. Under Article 243-H, the Constitution empowers the panchayats 'to levy, collect and appropriate' taxes, duties, tolls and fees subject to limits set by the laws made by respective states for the purpose. These two provisions are intended to secure the self-governing character of panchayats and enable them to act relatively freely.

Due to constraints of space, a detailed assessment of PRIs in India is not attempted here, particularly as it is already done by the author elsewhere. [3] Nor is it relevant here, since this article is concerned only with seeing whether and how far they are in conformity with Gandhi's vision and principles. An exact or cent per cent conformity with Gandhi's vision is not expected, because Gandhi gave only a broad vision without essential details. His idea that there would be no hierarchy between village panchayats and states and the Centre, but only horizontal and equal relations, is good as a principle to keep in mind to avoid the states lording over and interfering at will in village panchayats, and similarly the central government lording over and interfering in the matters pertaining to states. In practice there are difficulties. All subjects cannot be demarcated in water-tight compartments and allotted in mutual exclusiveness. Often the scope and coverage of several subjects cuts across village and state boundaries. A subject like environment or climate change has to tackled both collectively at the national level and disaggregated state and village levels, and even at household level. All such matters have to be worked or managed in a spirit of constructive co-operation and not hegemony. The situation at the time of independence in India was such that village panchayats could not have created the state and central governments by devolving powers and functions to them, simply because the village panchayats hardly existed in any formal or operational sense. They had to be first brought into existence.

On the whole, however, Indian democracy is fairly effectively decentralised and is unique. The village panchayats may still be dependent on the states, but there is also a significant amount of self-rule. There is a lot of vibrancy and even inclusiveness in village panchayats and they have emerged as a vital part of the Indian federation. To that extent, Gandhi's vision is met.

There is however an important shortfall in the present structure of Indian democracy from the point of giving proper representation to village panchayats at the state and central levels. To give effect to Gandhi's vision, it is necessary that the voice of local governments should be heard at the state and central levels too. There is at present a representation of local bodies in the state legislative councils up to one-third, but there is no such provision for

representation in the Rajya Sabha at the central level. But this is necessary. It will be mutually beneficial. At the national level, there would be a greater appreciation of the problems at the local level, and similarly there would be a greater appreciation of national problems at the local level. [4]

A few changes are needed at the state level too. Presently, the total strength of the Legislative Council cannot exceed one-third of the number of MLAs, and the representatives of local bodies in the Council cannot exceed one-third of its total strength. This is hardly adequate to give proper voice to local bodies in the Council, and the size of the Council has to be enlarged. Further, according to the present system, the candidate for the election as a representative of local bodies need not be a member of these bodies, and can well be an outsider. This is not a proper representation. The candidate has to be a member. Further, the voters in the election for representatives in the state legislative councils or Rajya Sabha (as proposed above) should be members of the village panchayats only, and not members od zilla parishads or mandal panchayats. These proposals will induce greater respect for local self government in the body politic, which is presently given the status of a 'poor cousin' at the best.

[This article has developed from the author's earlier work Nadkarni et al (2018), especially chapters 1 to 4 and 11 by the author. For details, this book has to be consulted.]

Notes

1. The historical account in this section is based mainly on chapters 3, 4 and 5 in Nadkarni et al (2018), pp. 95-174. For a more details, these chapters may be referred.
2. Article 40 reads: 'The state shall take steps to organise village panchayats and endow them such powers and authority as may be necessary to enable them to function as units of self-government.'
3. Chapters 6 and 7 in Nadkarni et al (2018: 175-253) present a detailed critical review of PRIs in India on the basis of (a) self-governance in decision making and autonomy in finance, (b) how far they are inclusive, (c) performance in development programmes, and participation in planning, (d) regularity of elections, (e) how far they are environment-friendly including care for sanitation.
4. For details of this proposal, see Nadkarni et al (2018: 77-79, 353-355).

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