

# Panchayati Raj and Weaker Section: Dilemma and Direction

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## ABSTRACT

April 24, 1993 is a landmark day in the history of Panchayati Raj in India as on this day the Constitution (73rd Amendment) Act, 1992 came into force to provide constitutional status to the Panchayati Raj institutions. The paper explores how the Constitution 73rd Amendment Act (1992), provided certainty, strength to the PRI's for the welfare of the weaker sections through Decentralization. Panchayati Raj is a three-tier system of administration for the development of rural areas, with the Gram Panchayat at the village level, the Panchayat Samiti at the block level and Zila Parishad at the district level. Reservation on rotational basis for SC's ST's in proportion to their population, both for membership as well as Chairpersonships of the PRI's. Not less than one third of the seats and offices reserved for women. The present paper discussed the participation of weaker sections in panchayat raj institutions in Gujarat state.

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## 1. Introduction

India is one of the largest democracies in the world. The experiment of Panchayati Raj has sought to provide firm and deep roots democracy and broad base to democratic structure so as to make the common man a real partner in the conduct of his own civic and political affairs. The Panchayati Raj Institutions (PRIs) have also been considered as important aspect of socio- economic structures. PRIs are expected to serve the interests and meet the aspiration of various sections of the Indian rural society. Democratic decentralization is not merely devolution of powers. It must also comprise devolution of responsibility. One of the important responsibilities is of protecting and safeguarding the interests of the weaker section of the society, i.e., the scheduled castes, the scheduled tribes, the minorities, the poor, women and other disadvantaged or potentially disadvantaged section. (E.A.Narayana:2005) An attempt is made in this paper to examine the extent to which it is possible for PRIs to meet the aspiration of the SCs, STs and OBCs in the light of the 73<sup>rd</sup> Constitution Amendment Act, 1992 and its operation in various states.

## 2. Some Fact, Figures and Findings of Participation in Weaker Section in Panchayati Raj:

Rajiv Gandhi had a dream that power should be decentralized and vested into the hands of the people. For this, Amendment in the article 73<sup>rd</sup> of the Indian Constitution was admitted on 24<sup>th</sup> April, 1993, which offers 33% of reserved seat to women candidates in local Panchayati Raj. This Amendment required a detailed analysis in the present context. This amendment is one of the milestones in women participation as representatives Panchayati Raj.

As a result of this constitutional step taken by the union and state government, India has moved towards what has described as 'multi-level federalism' and more significantly, it has widened the democratic base of the Indian polity. Before the amendments, the Indian democracy structure through elected representatives was restricted to the Indian polity. Before the amendments, the Indian democratic structure

through elected representative was restricted to the two houses parliament, 25 state assemblies' two assemblies of union territories (Delhi and Pondicherry). And just 4,963 elected members.

Now there are nearly 600 District Panchayats, about 6,000 Block Panchayats, at the intermediate level and 2,50,000 Gram Panchayat in rural India where 72.2 per cent of India's lives. Urban India, with 27.8 per cent of India's population, has city corporation, 1700 town municipalities and 1,900 Nagar Panchayats. In Gujarat condition of after 73<sup>rd</sup> Amendment 254 women participation in District Panchayat, 1274 women participated in Taluka Panchayat and 4435 women participated as a sarpanch of Gram Panchayat.

The 73<sup>rd</sup> Constitutional Amendment Act is bound to have far-reaching consequences in the political process of the country in the long run. It ensures a certain sphere of activity for the grass-roots democratic institutions in the government of the country. Local self-governing institutions would no longer exist at the mercy of those in power at the state level. They also provide for empowerment of weaker section and women who have hitherto could not get adequate representation in local councils.

The Panchayats, reinforced by the Amendment Act is bound to have far-reaching consequences in the aspirations of SCs, STs and OBCs to a greater extent. When analyzing the formal participation of different social categories as the members of Panchayats it is important to remember the baseline from which one is operating. Before the 73rd Constitutional Amendment Act came into force, there was no effective participation of the weaker sections. Earlier, in states like Andhra Pradesh, Bihar, Haryana, Himachal Pradesh, Karnataka, Orissa, Punjab, Rajasthan and Tamil Nadu reservation for SCs/STs was based on their population. In Uttar Pradesh there was a provision in the Act to specify the minimum number of SC and ST members in the Panchayats. States like Goa and West Bengal did not provide for reservation of seats for SC/ST candidates. Most of the states

did not provide reservation for SCs and STs for the posts of chairpersons at any level. Very few states had provided such reservations. Madhya Pradesh, for instance, provided reservation for the post of chairpersons at block level. Andhra Pradesh provided reservation for SCs, STs and OBCs for the posts of chairpersons at all levels including district level. These are now significant reservation in the Panchayats at all levels. The Constitution Amendment Act has a clear provision for providing reservation for SCs and STs for not only the seats but also for positions of chairperson under Article 243 D(4). The local depressed groups have a better chance of organizing themselves and of resisting the elite in Panchayati Raj elections because of increased reservations. As the panchayat elections are being regulated by the State Election Commission booth-capturing and similar strong-arm tactics mobilize freely during elections and exercise their franchise without any hindrance.

Indira Hirway's intensive study of the working of four village Panchayats in four different types of villages in Gujarat shows that the Panchayats serve the interests of mainly one group, namely, the group of big farmers and rich traders usually belonging to higher castes. The poor masses have practically no say in the decision-making process in the panchayat, with the result that the poor. The study by George Mathew has also show that the power in the districts is enjoyed mainly by dominant castes belonging to the top power groups, and the interests of the poor are sacrificed for strengthening the vested interest of the district leadership. In the same way, Gurumurthy's study in Karnataka also comes out with similar findings. Another study undertaken by the National Institute of Rural Development throws some light on the social background of the leaders of three gram Panchayats in West Bengal. Out of 45 leaders only 2.2 per cent belonged to the occupation category of labourers. The Panchayats were dominated by the farming and business communities. And other studies also clearly depict that the socio-economic power structure in rural areas does not allow the benefits of Panchayat Raj system to flow towards the weaker sections. The failure of PRIs in situations is almost inevitable.

A study conducted by the Institute of Social Sciences, New Delhi, during 1988-89 in 58 sample mandals in Karnataka, reveals that all the 58 Mandal Pradhans belonged to the dominant caste of group. Though there were members belonging to weaker sections and backward classes, their voice was unheard. Notwithstanding reservation for SCs, STs and OBCs in PRIs, their political mobilization at the grassroots level is minimum, and many of them are in the ranks of poor agricultural labourers, related to the rural gentry in a web of subordinate relationships. Besides, in several areas, they are widely dispersed, and hence, are unlikely to create any significant impact upon the functioning of the new PRIs. At village or territorial constituency level it had been relatively easy for vested interests to mobilize blocks of votes invoking the dependency ties of loans, tenancy, networks of kinship and caste and the wide range of other patron client ties that prevail. As the constituency size increases, extending beyond the immediate village context, the mobilization of political support among 'weaker sections' becomes clear. Hence, there is a need to introduce direct elections to the chairpersons.

The PRIs should work for awakening people, especially the weaker sections, and make them aware about their plight, rights and role in rural development. The powers of Panchayats today, however, are in the hands of those who have not only concern about the needs of the weaker sections but who are also exploiting them very badly. It is important to realize that representative participation may not lead to realize that representative participation may not lead to mass participation in our kind of socio-economic power structure. Changing this structure or at least strengthening the position of poor against exploitation is an important requirement for the success of Panchayati Raj. It fact, decentralization of power should be preceded by a series of measures to implement with determination land economic power as well as removal of inequality, discrimination and exploitation is social, cultural and economic life.

It is clear from the above discussion that we have yet to traverse a long way to make PRIs strong and make them serve the interests of SCs, STs and OBCs efficiently. The future of the country depends upon the effective functioning of Panchayati Raj and well-being of weaker section. If the government, both at the Centre and in States, initiate sustained effort in the direction suggested above, the Panchayati Raj would meet the aspirations of weaker sections to greater extent.

Gender bias exists at all level and in rural area most even in the State of Rajasthan, which was the first to inaugurate the Panchayat Raj system. Kamini Devi, who was elected in 1996 from Alwar district in Rajasthan, was made to understand from the day one that "she was just a prop and the show would be run by the male members". This she told publicly at a seminar organized in Constitution club by Institute of Social Sciences among at the least 260 elected women representatives. Similarly, Savithri from Karnataka and Kiran Bala from Haryana too felt helpless when it comes to decision-making. Also, many a times, women Pradhans are given a choice either to keep marriage or Pradhanship.

Besides this, there have been instances of insinuation for women leaders being of "loose character", and allegation that they have "illicit relationship" with a member of their husbands' family, a local official or friend. The plight of lower caste/Scheduled Caste and tribal women Panches and Sarpanches is even worst. Many a times they are reported to have been humiliated badly by even their family members. Kumbi Bai in Betul district was paraded with a garland of shoes around her neck. In an another incident in Betwal, Bhopalin Iltiya Bitiya village a tribal Panch Sanota Bai was beaten up by family members after allegedly being raped by another man. Rape is a heinous crime, a social evil and that too committed on a woman Sarpanch shows sheer jealousy of men for women leaders. Of recent, women's rule in Panchayats is increasingly being described as rule by proxy wherein husband or other male family member manages Panchayats affairs on behalf of women Sarpanches. A general campaign in being held to create awareness among women leaders to exercise their own powers and thus not depend on men folk. Women are encouraged by NGO's to use their own powers as Sarpanches

and in this task other village females have started helping them.

In the chairpersonship of Jinabhai Darji, in 1972 Gujarat government established a higher class committee to study Panchayati Raj. Darji committee got many complains about injustice to weaker class due to Panchayati Raj. Many dalit leaders said to the committee that they would prefer to go to collector or mamlatdar rather than any leader of Taluka Panchayat or District Panchayat. According to them at rural level dalits had to suffer more due to Panchayati Raj. Darji committee recommends constructing 'social justice committees' to strengthen weaker classes at all the levels of Panchayati Raj. Gujarat government accepted the recommendation. The members of these committee were from weaker classes itself and also provide some financial help so that they can work for betterment of weaker classes. From 1976 onwards these committees came into existence at rural, taluka and district levels. Study revealed that social justice committees did not achieved the desired objectives. At rural level they are only on the paper, and in some regions they are not even constructed. Educational level of the members of social justice committees at Gram-Panchayat was low than taluka and district level, farming was main occupation of majority of the members and 31% of members were working as agricultural labour and the proportion of agricultural labour was comparatively higher in Gam-Panchayat, 46% of members did not have land, and 13% of members owned more than 10 acres of land. In nutshell, the members of social justice committees were poor and majority of members joined the committee to become MLA of MP. (Shah, Ghanshyam: 1989: 27-33)

The research shows that the main problems of dalit people were of shelter and drinking water and unemployment was secondary problem. Rural members have view that Dalit and Adiwasties have enough employment opportunity. Only three members described injustice and discrimination as the problem. Not a single case of outrageous act was investigated by the committee. Majority of the members complained that they rarely discussed about cases of outrageous act and discrimination. It can be concluded that the members of social justice committee were only interested to achieve their personal motives and worked accordingly. After getting political position and authority even dalit leaders did not serve in an effective way. Today, in Gujarat, even after giving authority to such committees, injustice toward dalit is not solved. Dalit have to face problems of discrimination by higher classes of the society which leads to exploitation and outrageous acts. They have to migrate from one village to another due to all these problems.

Although the constitutional amendment has reduced untouchability with time. In 1971, I.P. Desai initiated to study untouchability in 69 villages. In 1996 Ghanshyam Shah re-studied in the same village to evaluate the changes. In 1971 SCs and STs were not allowed to use public roads in 60% villages but in 1996 it was only 23%. There is not any sort of prohibition to use public roads in dalit they could have the danger of physical harassment. In 1996, problem of untouchability in Panchayat was observed in 30% villages

whereas in 1971 dalits could not enter into the shop of Bin-dalits in 85% villages which decreased up to enter into the house was 90% which decreased up to 80% in 1996. In 1971 the prohibition to enter into the temple was 89% while in 1996, the prohibition was 69%. Thus during these 25 years untouchability decreased but not at all level. The problem is serious in 565 villages of 11 states. In 29% of village dalits are prohibited to enter in the village- Panchayat offices or they have to stand outside the Panchayat office. In 23.5% of villages the postman does not deliver postcards in dalit area. The entry of dalits was prohibited in shops (35.8% village), in hotels or restaurants (25.6% villages), in private hospitals (21.3% villages). In 48.6% villages, discrimination was found for dalits in the services of harbers. In 45.8% of villages there is discrimination in the services of washer men.

The above study shows the condition of untouchability from 1971 to 2010 but still the mentality of upper-class people hasn't changed towards dalits. Although the government has passed a resolution, that the Panchayats which don't allowed dalits to take water from public wells, would not be given any kind of grants but untouchability and discrimination still persist in villages and not a single panchayat's grant has been stopped. Civil Right ACT 1976 also passed by government having provision of strict actions against person or a group who supports untouchability and this kind of act will be considered as a criminal offence but in villages, social laws are considered to be greater than the government laws and dalit have to face untouchability, discrimination, prohibition and outrages. (Joshi, Satyakant: 2002)

Today the persons have not been given full wages of their labour but the government or the Panchayat rarely takes action against the persons who disobey the laws. In spite of implementation of many government schemes for weaker classes, there isn't any notable change in their conditions. One or two persons get benefit but the condition of group hasn't improved yet. It is provide from lot of studies and from the reports of Government committee and SC/ST commission. In Gujarat, where Panchayati Raj is performing well and where many Social Justice Committees existed, Prof. Indira Hirve notes in her study about Gujarat that the elected candidates of upper-classes create obstacles in the progress of Panchayati Raj. In fact, she believes that the organizations of Panchayati Raj should not be included in implementation of development-projects of government because the upper-class people have monopolized these organizations.

Patel Vithal (2010) study revealed that in Ahmedabad and Mehsana districts of Gujarat, out of 116 Dalit Sarpanch studied, only 56.89% constructed the Special Justice Committees, 10.34% did not construct the committees but knew about it, and 32.75% did not know about these committees. On the other hand 53.44% out of 56.86% who constructed the committee did not work, 41.37% Sarpanch did not know the working process of committee, only 25.86% Sarpanch know the working process of committee. 55.17% Sarpanch thought that the committee not work. There were no regular meetings of committee in 50.86% of 166 villages. 50% of Sarpanch did not know the committee members and all dalit Sarpanch accepted that other dalit villages did not know about the

committee. In a way, where the existence of committee is, it is just for the sake of provision. We can understand that in the village where authority is in the hands of dalit Sarpanch the situation is poor, we can assume the condition of the village where the authority is held by Sarpanch of higher classes.

Social exclusion relates to the experiences of certain groups of segregated from participation in the social, economic and politic life of the mainstream society. It involves systematic and pervasive discrimination ranging from economic forms of injustices at one end to socio-cultural forms at the other. Economic injustices deal with exploitation of labour, marginalization from means of livelihood and deprivation from adequate standard of living. At the cultural end, injustices stem from social patterns of representation. These are manifested in the ways in which dominant social group devalue or disparage certain categories of people. Often economic disadvantages are bound up with cultural-valuational disadvantages. In the Indian context, caste system embodies economic as well as socio-cultural devaluations, which define lowest caste (SCs) as a despised category (Kabeer: 2000:86).

According to recent studies on Dalit Leadership in the Panchayats conducted by PRIA and its affiliates (Kumar & Rai 2006), education, economic independence, political consciousness enabled SC elected representatives to act their agency. For instance, because literacy rates were high in Himachal Pradesh (HP) and SCs have taken up horticulture and improved their economic condition, the SCs as elected representatives have show confidence in exercising their agency. They have worked for their community such as providing basic facilities. The economic independence gave them the confidence to initiate a process of reordering of relationship within the Panchayats. Majority SC elected representatives in Uttar Pradesh (U.P.) and Madhya Pradesh (M.P.), on the contrary, was illiterate. Widespread illiteracy made them dependent on government functionaries and higher caste representative sitting in the same elected body. SC elected representative in U.P. and M.P. were cultivators or landless agricultural labourers. Daily pressures of occupation as well often prevented them to undertake additional governance related responsibilities. Continued economic hardships and absence of secure livelihoods pushed them to make compromises with their roles as elected leaders of local bodies.

The studies on SC leadership have revealed that the SCs elected representatives were not able to articulate group specific interests of exercise their own judgments in decision making. They did not take part in deliberations or contribute to major decisions. A number of SC representatives were stoically dependent on elites of the village and remained answerable to these elites. Both SC male and female elected representatives, being under education and inexperienced, were often not allowed to carry out their mandate. Their efficacy was always under scrutiny, their views were not considered significant and they were not included in the meeting. The upper or dominant caste and male elected representatives and government officials had doubts about their potentials to govern, as they were by and large ignorant of administrative proceedings. SC elected representatives, on the contrary opined that improved

economic situation, education and literacy, training, personality development and honorarium for sarpanch could strengthen their role in PRIs. The insensitivity, indifference, vested interests, abusive language and non-cooperation of other elected representatives, functionaries and officials constrained the ability of many to perform better. Due to these factors, they deliberately did not attend meetings. These constraints have led to their being less informed on the issues related to governance (Kumar & Rai 2006)

Rotation of seats, on confidence motion and two child norm are some of the major institutional barriers to their effective participation. Instances of bringing no confidence motion against SC leaders were common. In Chhattisgarh over the last year, there have been 34 no-confidence motions in Dalit headed Panchayats. According to a Dalit Mukti Morcha activist, 'The Panchayat has two major means of discrimination. One is to keep Dalit away from Panchayat proceedings and development work, the other is to target Dalits whenever they are in power and to declare their posts null and void after a period of time.' This has barred many Dalits from exercising their right in the Panchayat institution. Those who survive are usually those who work according to the dictates of the caste masters of by applying corrupt politics (George 2008). Women representatives are particularly very vulnerable to such practice and tactics. The two child norm for Panchayat members is likely to discourage women in general and SC women in particular from being candidates. The likelihood of puppet candidates in place of real candidates would increase, reducing further the agency of women.

### 3. Conclusion & Ways Forward

- A substantial number of scheduled caste (dalit) persons have been elected to the Panchayats. Nearly half a million such elected Panchayat representatives, at the three tiers, get elected in every round of Panchayat elections. Nearly 40% of these are women scheduled caste persons. Over the three rounds of elections to the Panchayats since 1994, this number adds up to nearly one and a half million elected representatives from such excluded communities countrywide. This indeed is a very impressive achievement by any account.
- Provision of Social Justice Committee at different tiers of the Panchayati Raj system have had a reasonable positive effect towards empowerment of scheduled caste elected representatives in particular. As experiences from Sabarkantha in Gujarat show, the potential for such Social Justice Committees can be even better realized when civil society engages with such mechanisms proactively.
- However, it is also true that caste discrimination and atrocities on scheduled caste household continue unabated in different region of Indian society. Despite various constitutional provisions and legislative measures, subjugation of dalits, in economic and socio-cultural practices, continues, and in some cases, has even further intensified. Thus, elected Panchayat representatives from scheduled caste communities face enormous discrimination and harassments in performing their public roles

effectively. The experiences of women elected Panchayat representatives from scheduled caste households are even worse, physical and sexual harassment and violence against such women Panchayat leaders is widespread. Provisions of no-confidence motion are very deviously used to further dominate elected Panchayat representatives from scheduled caste households.

- While continued discrimination in society has a very complex reality, what is really worrisome is that government officials also treat such elected Panchayat representatives with disdain neglect and apathy. Thus, upper caste domination and harassment of scheduled caste elected Panchayat representatives get support from lower level government functionaries on the ground. Such attitudes and practices further limit the effectiveness of elected Panchayat representatives from scheduled caste households.

#### 4. Suggestion

1. First, Social Justice Committees should be legislated to be an integral part of each tier of the Panchayati raj system in all states. This will create the enabling sub-structure in Panchayati raj institutions in all the states of the country. This is consistent with the constitutional mandate where Panchayati raj institutions have been explicitly given the twin purposes of economic development and social justice. A consensus among state governments to this effect has already been secured through the roundtable discussions convened in 2004.
2. Ministry of Panchayati raj, Government of India, can target its BRGF grants to those Gram Panchayats and Panchayat Samitis, which are headed by scheduled caste elected representatives. Such Panchayats can be give priority in allocation of BRGF grants; to enable such elected representatives to their responsibilities effectively.
3. Every state government has Scheduled Caste sub-plan funds, as per the budgets provided for by the central government. Much of these funds remain under-utilised. It should be possible to make such SC sub-plan funds available to the Gram Panchats, Panchayat Samitis and Zillaparishad headed by scheduled caste elected representatives. Ministry of Panchayati Raj may use its good offices to persuade central ministries and state governments to devolve all such funds to the Panchayats at appropriate levels. This will further improve the performance of the Panchayats headed by scheduled caste elected representatives.
4. The institution of SC Commission, at the central and state levels, has not been activated to bring synergy to the efforts towards empowerment of scheduled caste Panchayat leaders. Such SC Commissions could be requested to investigate cases of harassment of the elected Panchayat leaders belonging to scheduled caste households. This may also create an organic channel of solidarity actions against societal discrimination and that carried out against the elected Panchayat representatives. Ministry of Panchayati Raj can initiate a dialogues in this regard as well.
5. Violence has also come to dominate the PRI elections in many states thus making participation of women more difficult. Most such violence seems to have been resulting from the existence of 'caste war' (Panchayati Raj Update 2001) where people belonging to lower castes are tortured and murdered for daring to stand against upper caste candidates. In such a situation, participation and performance of women belonging to SC or ST become absolutely impossible. Moreover, in places that suffer from armed conflicts, booth capturing and bloodshed is common in panchayat elections thus marring the participation of women. Further, societal restrictions require that women do not venture into public spaces alone. The traditional concept of women's real place being within the four walls of the house is strongly prevalent in rural India. PRIs are mainly regarded as political entities that are associated with power; and power is traditionally a masculine concept, women are not associated with it. Women who mix around openly with their male counterparts in political meetings are looked down upon as women of dubious.
6. Finally, at the Panchayat level, social workers should be encouraged to create awareness on the issue of domestic violence and sexual harassment. The action groups should be empowerment to register and pursue cases of violence against women and to solve their problems through counseling if possible by making the male family either husband, father or anyone else realize his miss doings and mistakes. The victims too must be empowered to resolve disputes with their family member and other through conciliation and mediation. NGO's can also help in creating awareness of rights, duties and entitlements of these women. To help rural women discard false for practices and must Endeavour to spread awareness on the consequence of child-marriage, purdah, ill-treatment of widows which still prevails in many villages. The barbaric customs of sati, witchcraft, i.e., belief in prevalence of Dayana, etc., among villagers must be condemned. This can be done only through literacy. Till women remain illiterate and go to Ojhas and saints so that they may be blessed with a child, empowerment has no meaning. The question is whether age old religious beliefs make these women accept all this. There is thus need to rewrite reinterpret the scriptures and explain the real meaning of the texts and what is most needed is rationalistic approach. The education system in fact should be such to train male as well as female from the primary level itself so that one feels proud enough to judge what is right and what is wrong.
7. At the political level what is required is amendment to the Panchayati Raj Act, with provision that whenever a woman sarpanch is removed she should be succeeded by a women member and not necessarily the deputy sarpanch. Training of women in Panchayats for real political empowerment at the

grass-root level too is very essential. What female leaders need is practical education in political, legislation and everyday working of the Panchayati Raj to make them more vocal and confident. Moreover, enlightenment of fair sex on the one hand and change in attitudes of male family members and society on the other is what is important so that when

they (Village Pradhans/leaders) go back home tired, the angry husband will not cast accusations. NGO's voluntary organisations, media, distance education can together help in creating such awareness by disseminating knowledge in the area of rural women's health and economic security.

## References

1. Lima Hazel D. (1983), Women in Local Government, Concept Publishing, New Delhi.
2. Rashmi Arun, Role of Women in Panchayati Raj", The Administrator, Vol. xill, April- June 1996.
3. Chauhan, Abha, 'The Status of Tribal Women in India' Trends in Social Science Research, Vol. 3, No 2, December 1996.
4. Gopalan, Sarla, Women in Panchayati Raj, Advisory Planning Commission, New Delhi. 1993.
5. Institute of Social Sciences, Panchayati Raj Update, Issues of 1995, 1996 and 1997.