

# Panchayati Raj the Rural Local Governance in West Bengal: An Overview

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## ABSTRACT

In India, the **Panchayati Raj** generally refers to the system of local self-government in India introduced by a constitutional amendment in 1992, although it is based upon the traditional panchayat system of South Asia. This Panchayati Raj system was formalized in 1992, following a study conducted by a number of Indian committees on various ways of implementing more decentralized administration. In India, the Panchayati Raj now functions as a system of governance in which gram panchayats are the basic units of local administration. The system has three levels: Gram Panchayat (village level), Mandal Parishad or Block *Samiti* or *Panchayat Samiti* (block level), and *Zila Parishad* (district level). It was formalized in 1992 by the 73rd amendment to the Indian Constitution. Currently, the Panchayati Raj system exists in all states except Nagaland, Meghalaya, and Mizoram, and in all Union Territories except Delhi.

The Panchayat system of West Bengal, which was put in place in its current form in the year 1978, was the role model for the Panchayati Raj system introduced in the country through amendment of the Constitution. The existing system of Panchayat in the state has evolved over the years through several amendments of the relevant Acts as well as adopting various reforms in improving governance at the local level. This paper describes various aspects of the Panchayat system of West Bengal and how those bodies are functioning at present for proper appreciation of the rural local governance and the development of the rural area.

## 1. Introduction

The legal framework for the second generation of Panchayats was established through passing of the West Bengal Panchayat Act, 1973. The Act provided for establishment of three tier Panchayats. Thus, Gram Panchayat (GP) was to be constituted for a cluster of villages; Panchayat Samiti (PS) was to be constituted at Block level and Zilla Parishad (ZP) was to be constituted at the District level. The main features related to the legal framework of the Act were:- i) Members will be elected directly for each tier from respective constituencies. ii) Candidates may contest election with their party symbol. iii) The members will elect their Chairperson and Vice Chair-Persons for each Panchayat – to be called Pradhan and Upa Pradhan for the GP; Sabhapati and Saha Sabhapati for the PS and Sabhadhipati and Saha Sabhadhipati for the ZP. iv) Vertical division of power was made by assigning different duties and responsibilities to

different tiers of Panchayats. v) Within each tier responsibility was divided among various Standing Committees (for ZP and PS) and Upa Samitis (for GP) to deal with different subjects. vi) There has to be election after every five years. vii) Direct accountability to the people at the Gram Sansad level for ensuring their participation in functioning of the Gram Panchayat. However, election to the three tier Panchayats was conducted based on the new Act in the year 1978 only and elections are being held regularly after every five years. Many of the State Government employees were given dual role by giving them responsibilities for working for the Panchayats in their ex-officio capacities. The most important of which is to make the DM the Executive Officer of the ZP and the BDO the Executive Officer of the PS. The total number of GP, PS and ZP in the state as on the year 2011 are shown below district-wise.

**Table -1**  
**The total number of GP, PS and ZP in the state as in the year 2011**

Name of Districts	No of Subdivisions	No. of Block	No. of PSs s	No. of GPs	No. of Gram Sansads
Cooch Behar	5	12	12	128	1346
Jalpaiguri	3	13	13	146	1681
Darjeeling HC	3	8	—	112	1041
Siliguri MP	1	4	4	22	358
Uttar Dinajpur	2	9	9	98	950
Dakshin Dinajpur	2	8	8	65	781

Malda	2	15	15	146	1468
Murshidabad	5	26	26	254	3056
Nadia	4	17	17	187	2142
N. 24-Parganas	5	22	22	200	2603
S. 24-Parganas	5	29	29	312	3590
Howrah	2	14	14	157	1797
Hooghly	4	18	18	207	2320
Paschim.Medinipur	4	29	29	290	3086
Purba Medinipur	4	25	25	223	2535
Bankura	3	22	22	190	1896
Purulia	3	20	20	170	1635
Burdwan	6	31	31	277	3172
Birbhum	3	19	19	167	1610
Total	66	341	333	3,351	37,067

Source: Census of India 2011

## 2. Legal and Institutional Framework of the Panchayats in West Bengal:

Functioning of any form of government requires legal authority and institutional framework to exercise the authority and to discharge its responsibilities. The West Bengal Panchayat Act, 1973, as amended from time to time, provides the basic legal framework for functioning of the Panchayat system of the state. The West Bengal Panchayat Election Act, 2003 provides the legal framework for election to Panchayat bodies. The procedural details of the Acts are provided in the Rules and Executive Orders. Conducting election to the Panchayat (& Municipalities) is the responsibility of the State Election Commission. The Commission is a statutory organization and it functions independently. However, the Commission utilizes the services of the DM, SDO and the BDO and officials associated with them for all election related activities.

## 3. Devolution of functions:

Article 243G of the Constitution provides for devolution of powers and responsibilities by the State Government to the Panchayats in preparation and implementation of plans for economic development and social justice including implementation of schemes relating to the 29 subjects listed in the 11th Schedule of the Constitution. Accordingly, the State Legislature inserted Sections 207A (in 1992) and 207B (in 1994) in West Bengal Panchayat Act, 1973 for placement of officers and employees at the disposal of PRIs and transfer of such powers, functions and duties as exercised, performed and discharged by the State Government. Transfer of 28 functions excluding technical and vocational education was completed through Activity Mapping exercise between November 2005 and October 2007. PRIs in West Bengal have played an increasing role in certain aspects of service delivery but their ability to influence the outcome has been limited. Lack of clear allocation of responsibilities, inadequate access to discretionary funds, lack of powers over state level functionaries and inadequate local capacity have been contributing to poor service delivery.

## 4. Fund of PRIs: Own Source Revenue of the PRI

Panchayats have the power to collect tax on land and buildings (only by the GP) and to levy tolls, fees, user charges etc and those bodies may also own economic assets like land, trees, markets, water bodies etc from which they may earn revenue. Panchayats may also receive donations. All such revenues collected by the Panchayats as tax or non-tax are known as the Own Source Revenue (OSR). Since OSR is the own collection of the Panchayats it is very valuable in the sense that such fund may be utilized by the Panchayats to meet their priority needs and there should be drive for augmenting OSR. Total collection of revenue (as reported in the Annual Report 2008-09 of the PRDD) from all sources by all the three tiers of the Panchayats during the year 2004-05 was Rs 64.43 crore which increased to Rs 130.97 crore during the year 2008-09 due to continuous efforts. Out of total OSR for the year 2008-09, collection of all GPs was Rs 70.74 crore (tax Rs 27.34 crore and non-tax 43.40 crore); collections (non-tax only as mentioned before) of all PSs and ZPs were Rs 20.72 crore and Rs 39.51 crore). Per capita OSR during the year was Rs 21.64 only (GP Rs 11.64, PS Rs 3.44 and ZP Rs 6.56).

## 5. Grants of the State Finance Commission

Article 243-I of the Constitution, introduced through the 73rd Amendment, makes provision for constitution of the Finance Commission in every state for deciding the principles to govern "the distribution between the State and the Panchayats of the net proceeds of the taxes duties, tolls and fees leviable by the State". The Finance Commission should also decide on allocation between the Panchayats of all tiers of the total share of fund to be provided to the Panchayats. This is based on the principle that whatever responsibility is assigned by the State on the Panchayats, the State should bear the responsibility of bearing the related expenditure by passing on resources and in order that such transfer of resources is fair the same should be decided by the State Finance Commission, which should be constituted every five years. So far three SFCs have been constituted in West Bengal and

recommendations of the 3rd SFC is under implementation from the year 2008-09 till the year 2012-13. The Commission recommended allocating an 'untied' fund to the tune of Rs.800 crore, constituting around 5% of the State's own net tax revenue, for the year 2008-09 and to progressively increase the same at the minimum rate of 12% p.a. on a cumulative basis for the subsequent four financial years. The total award is to be shared by the rural and urban local bodies in the ratio 76:24, keeping parity with respective share of population and the total allocation for the Panchayats is to be shared between all ZPs, all PSs and all GPs in the ration of 12:18:70.

## 6. Poverty Alleviation Programmes and the Panchayat

In West Bengal the Panchayats have been made responsible for implementation of poverty alleviation programmes, particularly which are implemented by the PRDD. Rural employment programme for providing wage employment, which are being implemented in various names and forms for several decades has been one such programme with which the Panchayats were involved from the beginning. After passing of the NREG Act 2005 the Panchayats are statutorily associated with implementation of the Scheme made under the Act. Section 13 of the Act provides that the Panchayats of all the three tiers will be the principal authorities for planning and implementation of the Scheme made under the Act and the GPs have been given specific responsibility under section 16 of the Act for identification of projects to be implemented within its area under the Scheme in consultation with the Gram Sansad (Gram Sabha), prepare a development plan and maintain a shelf of works to be taken up under the Scheme as and when demand arises. The section also provides that the Programme Officer shall allot at least 50% of works to be implemented in the GP area, in terms of the cost involved, to be implemented by the GP. Organizing the poor in Self Help Group (SHG) and building their capacities for taking up income earning activities and participating in various social development programmes under the SGSY (Swarnajayanti Gram Swarojgar Yojana) is an important programme which is implemented by the Panchayats. At the district level the programme is implemented by the District Rural Development Centre, which is a unit of the Zilla Parishad. The PS and the GP are also associated with the programme in mobilizing the poor, particularly the women; building their capacities and coordinating various activities. Till the end of the year 2010-11 more than three lakh SHGs have been organized out of SGSY more than 80% have been formed exclusively by women. Legal provision has been made for their representation in the Gram Unnayan Samitis. Also, all the SHGs within a GP are being organized further in Clusters and all the Clusters are being federated in bigger bodies known as Federations in each Block. Orders have been issued for representation of the Clusters and the Federations in the Upa Samitis and Standing Committees related to women development of the GP and the PS respectively, as invited members, so that they can express their problems and press

promote their interests and whatever decision is taken can be communicated to their members for wider knowledge and participation. Implementation of the rural housing scheme, such as the India Awas Yojana is another important poverty alleviation programme assigned to the Panchayats. The other important programmes being implemented by the Panchayats is the National Social Assistance Programme (NSAP) for providing pensions to the elderly persons, the handicapped and the widows belonging to the BPL families. The Panchayats are also associated in identification of the BPL families. Other schemes like PROFLAL (Provident Fund for the Landless Agricultural Landless Labourers) and the SAHAY for feeding the destitute are also implemented by the Panchayats. The Panchayats are also associated with development of economic infrastructure related to construction of roads, irrigation etc. and one important programme in this respect is the PMGSY (Prime Minister's Gram Sadak Yojana) which aims at providing allweather connectivity to all the habitations. The same is implemented by the ZP.

## 7. Role of Panchayat in Development of Human Resources:

Development of human resources is one important thrust area in developing countries like India, which are lagging in human development. People living in rural area generally lag behind their urban counterpart, which is to be bridged as fast as possible. Also, human development concerns every individual and, therefore, requires participation of the entire population, particularly those belonging to the weaker sections and living in remote areas in the programmes. Panchayats can play a very important role in reaching out to the entire population and to mobilize them. Keeping that in mind the Panchayats have been given important role in facilitation of delivery of services related to human development as well as directly delivering some of the services, as mentioned below.

## 8. Elementary Education and the Panchayats:

Promotion of elementary education through mobilizing parents in sending their children to school, preventing drop out, supporting the very poor families to allow their children to complete school education and proper functioning of the Mid Day Meal programme etc are the important activities with which the Panchayats are associated in West Bengal. The Right of Children to Free and Compulsory Education Act 2009, passed by the Parliament clearly specify certain responsibilities (under section 9 of the Act) of all local bodies. However, the State Government has to provide fund and clearly assign responsibilities to the Panchayats for taking appropriate steps. Responsibilities assigned to the Panchayats in this regard vary widely across States. In West Bengal the Panchayats have been given the responsibility of implementing the Sishu Siksha Karmasuchi, which is an alternative education system with more flexibility to cater to the special needs of the children, who are first generation learners and are residing in difficult locations. The programme is essentially a community managed initiative with strong

support of the Panchayats. Primary and upper primary level education is imparted by organizing the Shishu Shiksha Kendras (SSKs) and Madhyamik Siksha Kendras (MSKs) respectively. Total number of SSKs and MSKs in the state till March 2009 were 16,109 and 1900 respectively with enrolment of 14.93 lakh and 3.83 lakh learners respectively. Panchayats also help in improving physical infrastructure and providing some of the non-academic support for the Sishu Shiksha Karmasuchi as well as the formal system of education. However, there has been very little formal devolution to the Panchayats of functions related to formal education in West Bengal and the Panchayats mostly play facilitating roles.

### 9. Public Health & the Panchayat:

The Panchayats play a very important role in delivery of public health services and improvement of various health determinants like availability of safe water and proper sanitation facilities. To build capacity of the Panchayats in this regard the PRDD runs a programme called the Community Health Care Management Initiative (CHCMI). The GP plays an important role in coordination and convergence of all activities related to public health within its area in which the people are also involved. In order to do so the Health & family Welfare Department has made the office of the GP as the Sector office for monitoring functioning of the Sub Centres and it is the location of the office of the Supervisor. This helps the GP to monitor performances of the health Sub-Centres through the Supervisors and compile GP-wise data related to various services delivered through the Sub-Centres. The Sub Committee on public health in each GP meets on the last Saturday of every month in the GP office where health functionaries like Supervisor and the ANMs working within the jurisdiction of the GP, the ICDS Supervisor etc also participate to ensure convergence of all public health related activities and establishing proper coordination by the Gram Panchayats. The meeting, commonly known as the "Last Saturday Meeting" reviews the performance of different departments in delivery of various public health related services like immunization, anti-natal and post-natal services, registration of birth and death, status of nutrition of the children, water supply and sanitation etc and encourages the GP to chalk out their action plan for improvement with local interventions. Other tiers also play appropriate coordinating roles among various agencies including with the Health & FW Department. In order to improve the access to primary level curative health services the Health & FW Department decided to strengthen the dispensaries being run by the GPs with the help of Homeopathic and Ayurvedic doctors. At the end of March 2009 there were 930 Homeopathic and 154 Ayurvedic dispensaries being run by the GPs (Source Annual Administrative Report 2008-09 of the PRDD). The Panchayats are also involved in organizing Village Health & Sanitation Committees (VHSC) for interventions in improving public health within Gram Sansad area and facilitating Village Health

& Nutrition Day (VHND) for reaching nutrition and Sub-Centre related services to the rural people under the NRHM.

### 10. Water Supply & Promotion of Sanitation and the Panchayats:

Supplying drinking water is an important activity of the Panchayats and Panchayats have been entrusted with installation and maintenance of the spot sources of water through tube wells. Panchayats also play a very important role in surveillance of water quality by collecting water samples and sending the same to the laboratories established for testing water. Steps are also to be taken by the GPs for disinfecting the source or taking other appropriate actions in case the water appears to be unsafe for human consumption. Total Sanitation Campaign (TSC) has been launched in the entire country for providing safe toilet facilities to every citizen as well as improving environmental sanitation and hygiene for prevention of diseases. The Panchayats are actively associated in this process and their ability to mobilize the people and providing related support is an important determinant in ensuring making the area free from open defecation, accomplishment of which is rewarded by the Nirmal Gram Puraskar by the Government of India. One important task of the GP in this regard is to provide conservancy services and hygienic management of solid and liquid waste, particularly in areas with high population density and which have acquired urban features. Governance is the establishment of Common Service Centres (CSC) as per the National E-Governance Plan in the rural areas of the state. In West Bengal, CSCs were to be established in 6,797 locations to provide access to all the villages in partnership with private agencies. Those are basically Kiosks with internet connectivity for providing e-enabled services. What is unique in the state is locating such Kiosk in every GP and PS so that apart from providing various e-enabled services of Government and other service providers the CSC will be in a position to provide some of the services of the GP to the citizen and the GP/PS will be able to outsource services of the CSC for any IT related work. As on 31.8.2011, total 5,822 CSCs have been established in the state out of which 1,481 CSCs have been established at GP premises and another 179 CSCs have been established in the premises of the PS.

### 11. Conclusion:

It can be observed that the democratization of our pluralistic society can't be ensure merely through the administrative action of the state . These enabling provisions will require massive mobilization support and nongovernmental organizations academics and professional bodies political parties and other groups should involve themselves in exerting pressure to restore power to the place where it belongs. For the entire exercise of decentralization, people like school teachers, progressive farmers, social workers and professionals should involved. The Panchayati

Raj system is at the cross-roads. We are to choose a path for progress and development, avoid corruption, nepotism and venality. A strong and holistic, honest leadership at the top is

necessary condition but it is not sufficient to attain the goal without Panchayati Raj.

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