

THERE IS HARDLY ANY AUTONOMY AT THE PANCHAYAT LEVEL

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'The devolution of power to local governments remains limited in the absence of administrative decentralisation' File | Photo Credit: The Hindu

A few weeks ago, Balineni Tirupati, an up-sarpanch in Telangana's Jayashankar Bhupalpally district, died by suicide due to indebtedness. He had taken out a loan to undertake development works in the village and was unable to bear the burden after the State government's inordinate delay in releasing bill payments.

A few days before the incident, a few sarpanchs from the incumbent Bharatiya Rashtra Samiti (BRS) — Telangana's ruling Telangana Rashtra Samiti now renamed as the BRS — resigned from office and voiced their anger at not receiving government funds for nearly a year.

Sarpanchs alleged that the failure of the State government to release funds in time has forced them to utilise either private resources or borrow large amounts to complete panchayat activities and meet various targets.

More than three decades after the 73rd and 74th Amendment Acts, which gave constitutional status to local governments, State governments, through the local bureaucracy, continue to exercise considerable discretionary authority and influence over panchayats. In India, the powers of local elected officials (such as these sarpanchs in Telangana) remain seriously circumscribed by State governments and local bureaucrats in multiple ways, thereby diluting the spirit of the constitutional amendments seeking to empower locally elected officials.

We analysed statutory provisions of Panchayat Acts in various States and spoke to several sarpanchs and local bureaucrats to assess the extent of decentralisation of powers to panchayats. It quickly became very clear to us that sarpanchs need to have administrative or financial autonomy for meaningful decentralisation.

Gram panchayats remain fiscally dependent on grants (both discretionary and non-discretionary grants) from the State and the Centre for everyday activities. Broadly, panchayats have three main sources of funds — their own sources of revenue (local taxes, revenue from common property resources, etc.), grants in aid from the Centre and State governments, and discretionary or scheme-based funds. Their own sources of revenue (both tax and non-tax)

constitute a tiny proportion of overall panchayat funds. For instance, in Telangana, less than a quarter of a panchayat's revenue comes from its own sources of revenue.

Further, access to discretionary grants for panchayats remains contingent on political and bureaucratic connections.

Even when higher levels of government allocate funds to local governments, sarpanchs need help accessing them. An inordinate delay in transferring approved funds to panchayat accounts stalls local development. In Telangana, this has forced sarpanchs to use private funds for panchayat activities to fulfil mandated targets and avoid public pressure. Delays in the disbursement of funds by the local bureaucracy have led to pressure on sarpanchs leading some to end their life.

There are also severe constraints on how panchayats can use the funds allocated to them. State governments often impose spending limits on various expenditures through panchayat funds. This could include quotidian activities such as purchasing posters of national icons, refreshments for visiting dignitaries, or distributing sweets in a local school at national festivals.

Moreover, in almost all States, there is a system of double authorisation for spending panchayat funds. Apart from sarpanchs, disbursement of payments requires bureaucratic concurrence. The sarpanch and the panchayat secretary, who reports to the Block Development Officer (BDO), must co-sign cheques issued for payments from panchayat funds.

State governments also bind local governments' through the local bureaucracy. Approval for public works projects often requires technical approval (from the engineering department) and administrative approval from local officials of the rural development department, such as the block development officer, a tedious process for sarpanchs that requires paying multiple visits to government offices. It is also not unusual to find higher-level politicians and bureaucrats intervening in selecting beneficiaries for government programmes and limiting the power of sarpanchs further. We surveyed sarpanchs in Haryana's Palwal district and found that they spend a substantial amount of time visiting government offices and meeting local bureaucrats, and waiting to be seen or heard. Sarpanchs reported that they need to be in the "good books" of politicians and local bureaucrats if they wanted access to discretionary resources, timely disbursement of funds, and be able to successfully execute any project or programme in their village.

The ability of sarpanchs to exercise administrative control over local employees is also limited. In many States, the recruitment of local functionaries reporting to the panchayat, such as village watchmen or sweepers, is conducted at the district or block level. Often the sarpanch does not even have the power to dismiss these local-level employees.

Unlike elected officials at other levels, sarpanchs can be dismissed while in office. Gram Panchayat Acts in many States have empowered district-level bureaucrats, mostly district Collectors, to act against sarpanchs for official misconduct. For instance, Section 37 of the Telangana Gram Panchayat Act allows District Collectors to suspend and dismiss incumbent sarpanchs. On what grounds can Collectors act against sarpanchs? Apart from abuse of power, embezzlement, or misconduct, the conditions include mere refusal to "carry out the orders of the District Collector or Commissioner or Government for the proper working of the concerned Gram Panchayat".

This is not merely a legal provision. Across the country, there are regular instances of bureaucrats deciding to dismiss sarpanchs from office. In Telangana, more than 100 sarpanchs have been dismissed from office in recent years. In one such case, the official reason was a

protest (by boycotting an official programme) against the denial of land for an electric substation.

The situation in Telangana is a reminder for State governments to re-examine the provisions of their respective Gram Panchayat laws and consider greater devolution of funds, functions, and functionaries to local governments. State-level politicians and government officials resist giving sarpanchs power because they feel that sarpanchs will misuse funds allocated to a village. This is a case of the pot calling the kettle black. India has limited decentralisation because if local governments get genuine autonomy to allocate the monies, power will shift from the MLAs and State government-controlled bureaucracy to the sarpanch.

(Assistance for overcoming suicidal thoughts is available on the State's health helpline 104, Tele-MANAS 14416 and Sneha's suicide prevention helpline 044-24640050. Those in distress could also seek help and counselling by calling helplines from this [link](#).)

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