State’s Initiatives for Strengthening Local Governance and Impact on Women’s Development and Empowerment

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Chapter 1
Introduction

Status of Panchayati Raj in India
The institution of Panchayati Raj in rural areas of India was accorded constitutional status through the 73\textsuperscript{rd} Constitution Amendment Act (CAA) 1992. This 73\textsuperscript{rd} amendment gave a constitutional mandate for the setting up of Panchayati Raj as follows:

(i) Establishment of a three-tier structure (village Panchayat, Panchayat Samiti or intermediate level Panchayat and Zila Parishad or district level Panchayat).
(ii) Establishment of Gram Sabha (village assembly) at the village level consisting of all adult members of the village as appears in the electoral rolls.
(iii) Regular elections to Panchayats every five years.
(iv) Proportionate seat reservation for Scheduled Castes (SCs) / Scheduled Tribes (STs).
(v) Reservation of not less than 1/3 seats for women.
(vi) Constitution of State Finance Commissions to recommend measures to improve the finances of Panchayats.

The 1992 Constitutional amendment seeks to give panchayats a new meaning and a fresh lease of life. The basic features of the amendment are as follows:
1. Article 243G defines panchayats as institutions of self-government meaning that they have the autonomy and power to govern in an exclusive area of jurisdiction.
2. The amendment defines the role of panchayats as instruments of economic development and social justice. Incidentally, earlier there was confusion about the role of panchayats. Thus this clarification through constitutional amendment is significant.

3. The amendment requires States to hold panchayat elections through the State Election Commission at regular intervals of five years. If a State Government dissolves a panchayat before the expiry of its full term, it is mandatory on the part of the State Government concerned, to hold election within six months from the date of dissolution.

4. The Act provides for the reservation of one-third seats and posts of chairpersons for women and weaker sections, i.e., Scheduled Caste (SC) Scheduled Tribe (ST).

5. According to the provisions of the Constitutional amendment the State Government shall constitute State Finance Commission, which will review the financial position and recommend the principles for fund devolution on PRIs and the distribution of funds between the State Government and the PRIs. (Datta: 2009)

The Act also envisages empowered Panchayats as institutions of self-government at the village level capable of:

- Planning and executing village level public works and their maintenance.
- Ensuring welfare of the people at the village level including health, education, communal harmony, social justice particularly towards eradication of gender and caste-based discrimination, dispute resolution, welfare of children especially of girl children.
- The Constitution envisages the Gram Sabhas (GS) as the Parliament of the people at the grass-root level to which the Gram Panchayats (GP) are solely accountable.

Different public institutions have taken measures to make panchayati raj institutions (PRIs) more effective by overcoming the hurdles that have been identified. In 1999, the Planning Commission appointed Task Force to review status of panchayati raj - transfer of administrative powers, provision of financial resources to the PRIs, the conceptual dimensions of PRIs - NGOs interface, in the matrix of autonomy and accountability foreffective functioning of the PRIs. In 2005-06, the Ministry had introduced the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS) with the aim of providing incentives to States to devolve powers to the PRIs. Funds under this scheme are allocated to States and Union Territories in accordance with their performance as measured by the Devolution Index (DI). The Ministry of Panchayati Raj (MoPR) appointed National Council for Applied Economic Research (NCAER) to develop a Devolution Index for the Panchayati Raj Institutions at the State Level. In 2008, the MoPR conducted a nation-wide survey to capture situation of elected representatives in PRI.

Though the 73rd CAA, 1992 aims at to establish democratic decentralized development process through people’s participation in decision-making, implementation and delivery; generating resources for self-sufficiency; partnering with Government - opinion / suggestions giving for the planning, formulation, implementation of plans and monitoring of various schemes and examining its impact on the beneficiaries; and managing and acting as an autonomous unit, any of the PRIs have no scope to alter any of these functions at any level independently.
The panchayats have been given tenure of five years, an election and a finance commission, 29 subjects to plan and execute and a wide based participation at the grassroots level. The 29 subjects given to panchayats include eradicating the poverty, to providing primary education as well as the other aspects of wellbeing of the villagers. In other words the panchayats have been involved in the task of fulfilling the Millennium Development Goals (MDG) in a participatory manner. (Mohanty: 2005)

From the planning to execution, the process of development has remained top down. The village panchayats are eternally dependent on higher authorities for funds, as each panchayat gets fund through centrally sponsored scheme (CSS) and state funds; untied funds are rare and generation of own funds through revenue and tax collection is negligible. There is no organic link between central and state finance commission; the recommendation of central finance commission does not carry much weight in providing funds to the village panchayat. In implementing any development scheme, the role of PRIs varies from scheme to scheme (centrally sponsored or state supported) as well as subject to subject (agriculture, women and child development, etc.) and in many functions like water resources and primary education, the PRIs are side-lined at the village level.

As such, each State Government has developed guidelines or norms for clarity about which role the PRIs has to perform under which function, the autonomy of any PRI is not observed in practice, as promised on paper. With this variety in functioning and taking up development work, there is a little commonality among different states for local governance.

In the situation where there is a wide gap between conceptual understanding and the ground reality about PRI, its functioning and autonomy; it is important to examine the impact of the initiatives taken by the State time to time in revitalising PRIs for women as a group, as well as, whether these initiatives are from ‘gender’ perspective has been equal importance at par with ‘governance’ perspective.

Till now, among different initiatives by the State for local self-governance, the following initiatives are considered to be directly linked with women’s development:

(i) Quota system and at least one-third reserved seats for women (73rd Constitutional amendment);

(ii) Devolution of powers, i.e. finance, function and functionaries – where the EWR as functionary can bring about women’s development; and

(iii) Special incentives are provided under the scheme like ‘samaras yojana’ in Gujarat state or unanimously selected candidates as sarpanch and panchayat body members at village level in Haryana state.\(^1\)

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\(^1\)The government of Gujarat and Haryana had launched a scheme / financial incentives for selection of candidates without election in village panchayat in 1990s; the results are mixed. On one hand, not many villages have opted for this scheme actively in Haryana while recent judgement by the High Court asked the government to pay the due money to the village panchayats under the scheme.
The major responsibilities of the GP are to administer local infrastructure (public buildings, water, roads) and identify targeted welfare recipients. The main source of financing is still the state, but most of the money that was previously earmarked for specific uses is now allocated through four broad schemes: The Jawahar Rozgar Yojana (JRY) for infrastructure (irrigation, drinking water, roads, repairs of community buildings, etc.); a small additional drinking water scheme; funds for welfare programs (widow’s, old age, and maternity pensions, etc.); and a grant for GP functioning. The GP has, in principle, complete flexibility in allocating these funds. At this point, the GP has no direct control over the appointments of government-paid teachers or health workers, but in some states (Tamil Nadu and West Bengal, for example) there are Panchayat-run informal schools. (Chattopadhyay and Dufflo: 2003)

The Panchayat is required to organize two meetings per year, called “Gram Sabha” in both the states, Gujarat and Haryana. These are meetings of villagers and village heads in which all voters may participate. The GP council submits the proposed budget to the Gram Sabha and reports on their activities in the previous six months. The GP leader also must set up regular office hours where villagers can lodge complaints or requests. Thus as such, except women’s component at cabinet level, no direct avenues for women’s development and empowerment is visible. In given situation, women’s development and empowerment as right, governance as a tool for development, and an essential for achieving equality are the integrated components of the ‘local governance’, which also is a thrust of the study.

The term ‘models of local governance’ implied study of law, policies, and catalysts for change, i.e. the policy makers, the implementers, and the elected representatives. Thus the study considers various aspects of governance, such as attitude and behaviour of the local administration as implementers; roles and responsibilities of the EWRs and how do they fulfil these; and goes beyond this discourse – probing all these aspects with women’s development and empowerment.

**Panchayati Raj in Gujarat and Haryana: Brief introduction**

Gujarat state came into existence on 1\textsuperscript{st} May 1960. Gujarat is one of the states that enacted Panchayati Raj Act and implemented since beginning of 1960s. After CAA 1992, Gujarat has reserved at least one-third seats for women in PRIs.

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2 As quoted in Chattopadhyaya and Duflo: According to the balance sheets we could collect in 40 GPs in West Bengal, the JRY accounts for 30% of total GP income, the drinking water scheme, 5%, the welfare programs, 15%, the grant for GP functioning, 33%, and the GP’s own revenue for 8%. GPs can also apply for some special schemes - a housing scheme for SC/STs, for example.

3 As MoPR study (2008) mentions: The presence of about one 1.2 million elected women representative in the institutions of local governance in rural India is truly an extraordinary phenomenon. However, it is not possible to appreciate either the potential of this initiative or its outcomes so far without situating it against the backdrop of (a) the position of women in Indian society, as well as the Indian polity and economy, and (b) the structural limitations in terms of the lack of effective devolution to the panchayats. Both represent important constraints that limit the potential of the quotas for women... Duality of control in development, with the elected bodies often paralleling the existing state structures, persists. Moreover, the absence of adequate financial provisions makes difficult the performance of even the few developmental functions that have been devolved... The obstacles faced by women as members or heads of panchayats tend to be evaluated independently instead of being related to the inherent inadequacies of the system. This amounts to flawed diagnosis of the problem as subjective generalisations dominate the discourse.
At present, there are 26 districts with 26 district panchayat, 224 blocks and 224 block panchayats, and 18,356 villages with 13,693 gram panchayats in Gujarat state. There are 36,400 women including sarpanch and ward members, 1,394 block panchayat members and 274 female district panchayat members.

The samaras yojana in Gujarat is in fact a new wine in old bottle, a populist measure in practice, in the name of ‘peace and harmony in the village’. The Government of Gujarat (GoG) announced the “Samaras Yojana” (‘of common interest’ or ‘all substances submerged in to one form’) through a government resolution (GR) in 1992 that encourages nominating representatives to the village Panchayats through consensus in the pretext of creating a positive environment for development in the villages. Under this scheme, financial and other developmental incentives are given by the State Government to the villages from 2002 onwards, more actively from 2006 election. The encouragement and incentives for samaras panchayat has shown upwards trend since 2006 in Gujarat. All-women panchayats have increased from 20 in 2006 elections to 254 in 2011 elections. Out of total the 2,147 panchayats opted for Samaras, 800 panchayats have been declared Samaras for the first time, 472 for the second time and 621 panchayats have been declared Samaras for the consecutive third time. Prior to election in December 2011, the GoG announced special incentives through a GR for samaras panchayat Rs 2 lakhs and for all-women samaras panchayat - Rs 3 lakh for villages having under-5,000 population, and Rs 3 lakh for samaras panchayat and Rs 5 lakh for all-women samaras panchayat for the villages with above-5,000 population respectively, and additional 25 per cent funds for second and third time samaras panchayat in a row.

Haryana State came into existence on 1st November, 1966 and the Punjab Gram Panchayat Act, 1952 was made applicable to the PRIs in Haryana. Pursuant to the 73rd Constitutional amendment in 1992, the Haryana Panchayati Raj Act, 1994 was framed which came into force with effect from 22nd April, 1994. Thereafter Haryana Panchayati Raj Election Rules, 1994 were formulated on 24th August, 1994 followed by Haryana Panchayati Rules, 1995, notified on 16th February 1995. Subsequently the Haryana Panchayati Raj Finance Budget/ Accounts/ Audit/ Taxation and works rules 1996 were also notified on 14th August, 1996. Under the Haryana Panchayati Raj Act 1994, the Panchayati Raj Institutions have been entrusted with duties & functions related to all the 29 subjects listed in Eleventh Schedule of the Constitution.

There are 21 districts, 124 blocks and 6754 villages in Haryana; having 21 Zila Parishad (district panchayat), 119 panchayat samiti (bock panchayat) and 6,083 (gram panchayat). As per 2011 data provided by Haryana government, of total 6,083 gram panchayats, 2,022 are women sarpanch and 21,739 are panchs (female ward members); 956 women members of block panchayat and 132 women Zila Parishad members. Mewat (Nuh) district has 308 panchayats.

Elected Women Representative in Panchayati Raj
There are 2,32,278 panchayats at the village level, 5,905 panchayats at the intermediate level and 499 panchayats at the district level have been constituted in the country. These Panchayats are being manned by 2.92 million elected representatives at all levels, of which one-third are women (i.e. about a million). (Task Force, Planning Commission: 2001)

From the outset, women’s participation in PRIs was governed by two inter-related subjects: representation of women in these bodies and effectiveness and outcome of their participation. Co-option of a few women was the only available option for women to participate and it was pretence for it could not construct the desired and verify no results at all. The co-option system of course provided one convenient scope for the dominant caste/class leaders to mount their family women such as wife or mother as their yoke and the very rationale of the policy was laid to rest. It took 43 years to realize and recognize that women are yet another disadvantaged group and they also require a solution to their discrimination. Women have received preferential consideration and that too only in the sphere of political representation and that again in local governments. (Singh: 2012)

Different initiatives by the Government of India to improve the status of women in India can be characterized as ‘Women in Development’ (WID), ‘Gender and Development’ (GAD), and ‘Rights – based development’ (RBD). The woeful situation of women in India, which has been reflected in Human Development Index (HDI) has mandated many to initiate proactive measures through political opportunity and political representation of women in improving socio-economic situation. The quota for women in PRIs is actually an enabling factor, characterised as the facilitator to all the three approaches for empowerment of women in India, as political representation of women is closely linked with development of women in all spheres of life.

Majority of writings on EWRs in PRI has covered women’s empowerment in form of individual struggles of EWRs, vis-à-vis social hierarchies and hostilities, bureaucratic and administrative hurdles, and oppositions form various quarters of the society. It is interesting to know and understand how women as political representatives despite constraints like illiteracy, lack of experience, family responsibilities, restrictive social norms, lack of enabling environment and violence. How EWRs are reach out to the government agencies; negotiation and get enlightened and efficiently performing through her political space; how do they deal with political actors like bureaucrats, elected representatives, political parties, etc; and how EWRs use their political power as a weapon for women’s development and empowerment. On the other hand, how the State or the government treats EWRs with the mandate of reservation and her political authority. How the government officials facilitate them for effective local governance, in order to ensure people’s rights and development processes, especially that guarantees women’s development and empowerment.

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4 On three of the sub-indexes of Human Development, India’s ranking is lower than its ranking of 114 on the composite index. On economic participation and opportunity for women, for example, India’s ranking is 122. On educational attainment it is 116, and on health and survival it is positively abysmal – 126 – above only two countries, Azerbaijan and Armenia. In sharp contrast is India’s ranking in terms of political empowerment of women: 21 out of 128 countries, higher than even Australia, Canada and the United States. (GoI: 2008)
**Objectives of the study**

a. To examine inter-linkages between different models of governance under Panchayati Raj Institutions (PRI) in the state of Gujarat and Haryana and its impact on women’s development and empowerment; and

b. To examine how and which policy, procedure, mechanism and processes of the government are able to bring about development and empowerment of women in the village.

The term ‘women’s development’ refers to infrastructure (construction of small irrigation structures, source of drinking water, roads, repairing of community buildings, primary schoolbuilding, etc.), and welfare (old age and widow pension and maternity benefits) support to women. The term ‘women’s empowerment’ refers to as process as well as an outcome, that is, women’s participation in the process of planning, decision-making, implementation, delivery system, raising political consciousness, and women become end beneficiaries of development initiatives, politically aware decision-making, participation and representation, which then becomes a foundation to roll the ball for betterment of women in different spheres of life.

The second and third model of governance offer avenues to men and women sarpanchs for women’s development and empowerment. Thus not only women can bring about women’s development and empowerment but the sarpanch as head of the village panchayat can exercise his or her powers to ensure women’s development and empowerment through these models.

**Research Questions**

A number of cross-national comparative studies on women’s political representations and role of different system have highlighted that having strong electoral system enhances women’s political representation. Indian electoral system follow constitutional mandate, that is, quota for women in PRIs. The executive has to facilitate the elected women representatives (EWRs) for their effective functioning; overcoming the hegemonic factors like socio-economic stigma, elites’ dominance and majoritism that push them back to household regime. The performance of these systems from governance and political participation perspectives have been examined but need to be enunciated in the context of women’s development and empowerment.

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5 One of the logics of comparison between two states is, though both the states are economically developed, women’s issues and women development index (WDI) are very similar. For instance, the sex ratio of male and female among 0-6 years (2011 census) in Gujarat is 1000:881 while in Haryana is 1000: 830 and general sex ratio is 1000: 914 in Gujarat and 1000: 877 in Haryana. The crimes against women were recorded by the National Crime Record Bureau (NCRB) - 8,815 in Gujarat and 5,491 in Haryana during 2011. The female literacy level is 69% as against total 81% literacy in Gujarat and female literacy is 59.61% as against total literacy 67.91% in Haryana. The IMR in Gujarat is 44 per 1000 infants (the national average is 47 per 1000) and MMR is 148 per 1000 in the year 2012; the IMR in Haryana is 51 per 1000 infants and the MMR is 153 per 1000 in the year 2009-10.

6Electoral systems can be understood as the rules determining how votes should be assigned to seats, and these rules have been shown to favour elites and men in majority-plurality systems. (Goetz: 2003)
The central inquiries of the study are:

(a) Role of the government officials in fulfilling the Constitutional mandates for women, such as, quota for women; facilitation processes initiated for EWRs; engendering processes and avenues created; for instance, women component in the budget, etc.

(b) Whether the ‘critical mass’ created through quota system can be effective if the external factors, mainly the institutions and structures, are not supportive? Can this critical mass transform these structures and the system to make them more receptive to women’s needs and concerns? Can the critical mass of women having decentralised structures that assign them powers and authority be effective in bringing about women’s development and empowerment?

(c) If we look at empowerment as a process and as an outcome, what are the direct and indirect impacts? are we able to see and document? The EWRs could be role models for other women to be active for political participation and representation. Is this process taking place?

(d) The devolution of powers facilitates the EWRs to bring about development through building infrastructure and bringing public goods. But the experiences have shown that there is no special women’s component at planning level or engendered budget. The State Finance Commission (SFC) in the state is not functioning effectively and its recommendations are not implemented by the state administration. Thus in absence of necessary finance and authority, how EWRs are able to bring about development?

(e) Are the EWRs concerned about development in a somewhat different way than men? How do they look at equilateral norms and the larger issues of self-governance for sustainable development?

(f) Are we able to derive lessons from issues of EWRs and their achievements? What kind of support available to the EWRs from the social institutions? How, through EWRs, women have begun to demand their rights, raise their voice, to question unjust situations and gaining access and control over material and knowledge resources with almost two

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7There are a number of myths about women and their participation in governance in India particularly when the question relates to rural women who have low literacy rates, and numerous social restrictions and other socio-economic handicaps. (Buch: 2005) Some studies have shown that most of the EWRs remain proxy candidates, especially coming from privileged kinship group, continue to be commanded or manipulated by male family member or powerful patriarchal elites. The phrases like 3SP – sarpanch pati, sarpanch pita and sarpanch putra – have been used freely to express criticism and scepticism that the EWRs cannot be successful in public role or as political leaders. The EWRs also been described as having low self-esteem, lack of confidence, confined due to her household responsibilities, lack of information and negotiation skills and so on. However, the political power and authority provide opportunities to the EWRs to be in commanding positions and with leadership qualities; they can bring about changes through dealing with change catalysts such as panchayat secretary, primary school teachers and anganwadi workers at village level.

8The survey of literature reveals steps taken from time to time for revitalisation of panchayats in India as well as on panchayati raj (PR) as a system of local governance, its impact, experiences and performance and hurdles that contribute to its failures but a very little has been written on the inter-linkages between the local governance and women’s development and empowerment.

9With context to EWRs, several case studies share that how they have fought multiple battles against authorities at different levels to remain in power. Majority of their energy goes in for survival battle and there is little change observed in the system. Thus each EWR’s struggle has remained individual and not been able to promote engendering processes or has impacted the political, administrative and patriarchal structures and women at large to overcome the constraints.
decades. We need to see and understand beginning of process and the direction of change. Does this support enhance women’s political participation and representation and does this cycle further strengthen the agenda of women’s development and empowerment? 

**Research methodology**

As the study is conducted as part of post-doctoral fellowship, it aims to theorize based on available empirical data and to discuss and describe lesser explored and lesser known aspects of the subject, i.e. panchayati raj from gender and governance perspective. Mainly three initiatives of the government in this context are mainly three: reservation for women, devolution of powers and samaras yojana, i.e. forming panchayat body without election, along with financial incentives for all women panchayat (AWP). It is also a comparative study for two states - Gujarat and Haryana.

As per the nature of the study, the research design stressed on qualitative methods to generate qualitative and descriptive data with different techniques and methods to be employed for generating data from various categories of respondents.

Research methods and techniques for primary data collection and target groups for generating qualitative data:

- Snowball technique
- Techniques for documenting and analysing panchayat documents
- In-depth interviews of the panchayat members, woman sarpanch, talati (revenue secretary of the village) and village leaders
- Group discussion with wards residents, women groups
- Resource mapping
- Survey of existing literature for secondary data, and
- Workshop with male and female elected representatives, social activists working on the issue of women’s empowerment through representation of women in PRIs.

Primary data is generated selectively with a set of following respondents in both the states:

- Total 12-15 elected representatives including sarpanchs, both men and women (belong to samaras panchayat and panchayat with reserved seat for women); panchayat body members at village or block or district level
- Subject experts –
  - For financial devolution (state finance commission, fund flow to village panchayat, etc.) and women’s development and empowerment
  - For political devolution (political processes, institutions, and avenues for women’s development and empowerment)

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10 In a review of 53 national legislatures in 1999, national assemblies in PR systems were composed of on average nearly 20% women, compared to nearly 11% in majoritarian systems. These studies revealed that the political representation of women is effective when supported by the political party, especially in contexts of gender equity. (Goetz:2003)

11 See annexure 1 for list of the respondents.
- For administrative powers and women’s development and empowerment (analyse administrative structures that support or contribute to women’s development and empowerment)
- Samaras panchayat and women’s development and empowerment – its strengths and weaknesses
- Impact of reservation as an affirmative action for women’s development and empowerment
- Government officials – talati or patwari (village secretary), Block Development Officer (BDO), District Development Officer (DDO), retired IAS officers, etc

In Gujarat, a state level network – Mahila Swaraj Abhiyan (MSA) and two women’s organizations – Kutch Mahila Vikas Sangathan (KMVS) and Society for Women’s Action and Training Initiatives (SWATI) are extensively working on panchayati raj and women’s empowerment. I started talking to the women’s activists and the subject expert in Gujarat, especially the persons who have studied panchayati raj thoroughly and have written books and have advised several social activists to make panchayati raj more effective. One of the ideas generated during the discussions was to organize a workshop in which elected women representatives (EWRs) and social activists participate, working in different parts of Gujarat and they can share their views, experiences and vision about women’s development and empowerment based on their work. A day long workshop was organised with EWRs and social activists from different parts of Gujarat.

Extensive reading and survey of literature has been carried out in the initial stage of the study, which helped in devising tools for each type of respondent. One of the differences in both the states is around samaras yojana and therefore special tools were developed for the respondents and subject experts in Gujarat and efforts were put in to get more information for the same.

An interview schedules were devised for each type of the respondent. The tools were revised as and when required, i.e. with the type of respondents as per the government rules applicable, and also in different states and its administrative structure.

Two workshops were organised in Gujarat. The state level network, MSA hosted a workshop with elected women representatives (EWRs) of Gujarat on 19th June 2012. One of the objectives of the workshop was to understand their experiences and views on panchayati raj and avenues for women’s development and empowerment; and to document how and what of women’s development and empowerment done by the EWRs in Gujarat. The second workshop was organised KMVS on 6th October 2012 with elected representatives in Kachchh district of Gujarat. As the issues of local governance are well known and the hurdles faced by the elected representatives of the Panchayati raj are also well-documented, this workshop elaborated gender concerns, issues and initiatives.

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See annexure 2 for list of participants of the workshop.
In Haryana, the focus of the study has remained where IRRAD works actively, i.e. Mewat (Nuh) district. The elected representatives, government officials and IRRAD team members from the Mewat district as well as IRRAD team members from main office are interviewed. Three meetings with women in different villages in Haryana were conducted.

**Structure of the report**

The introductory chapter shares background information about PRIs in India as well as both the states, Gujarat and Haryana, followed by brief note on women in PRI and government’s approach to women’s development and empowerment, leading to identification of the objectives, research questions, and research methodology for the study. The second chapter is on the first model, that is, reserved seats for women in PRIs and impact on women’s development and empowerment. This chapter overviews the existing literature and identified issues for discussion and sharing of findings based on primary data generated for the study. The third and the fourth chapters follow the pattern of second chapter, i.e. focuses on the second initiative - whether devolution of powers contributes to women’s development and empowerment or not, and third initiative - ‘samaras yojana’ and its impact on women’s development and empowerment followed by discussion and sharing of findings based on primary data generated for the study. The fourth and the last chapter covers the shares highlights of the study.

**Chapter 2**

**Reservation for Women in PRI**

This chapter is on ‘women’s reservation through Constitutional amendments in 1992 and its impact on women’s development and empowerment’. After review of literature, the chapter contextualises the debate with reference to women’s development and women’s empowerment through local self-governance, i.e. focusing on the following critical questions:

(a) Functioning of reservation system for women in PRI;
(b) Impact of reservation on EWRs;
(c) Impact of reservation – whether it is effective in involving women at large in the decision making process and raising the issues related with women community and getting them integrated with the mainstream of decision making; and
(d) What are the avenues that ensure women’s development and empowerment through PRI?

The chapter begins with brief introduction of the ‘reservation provisions’ for women in PRI. It is presented with two sections: the first section is on ‘Describing the existing situation and impact of reservation on women’s development and empowerment based on existing literature’; and the second section covers ‘Impact of quota system on women’s development and empowerment, based on findings of the study in two states – Gujarat and Haryana’. It
also covers similarities and disparities in both the states in the context of reservation and its impact on women’s development and empowerment.

**Reservation for women in PRIs: Past and present**

As per the legal provision, the clauses (2) and (3) of Article 243(d) of the Constitutional Amendment Act (CAA), not less than one-third of the seats meant for direct election of members at each tier of the Panchayats are to be reserved for women.

The implementation of reservations, or reserved seats in a legislature for certain under-represented groups, has a relatively long history in South Asia. There are three distinct phases in the debates that have led to different provisions of reservations in India. As early as the 1940s, India began implementing caste-based reservations in the parliament under the 9th Schedule (articles 330 and 331)\(^{13}\) of the Indian Constitution in the first instance for 50 years, but under the 62nd Amendment Act of 1989 were extended for another 40 years, demonstrating the political sensitivity of the removal of reservations once they have been established. However, there were no quotas for women at any level of government. In India, the first Commission on the Status of Women in India, established in 1972, recommended the constitution of statutory all-women panchayats (village councils) at the village level to promote the welfare of women, although this recommendation was not implemented by most provincial governments. The National Perspective Plan for Women (1988–2000) recommended the reservation of at least 30 percent of the total seats for women in the local government institutions. The provision of reserved seats in local government for women under the 73rd and 74th amendments to the Indian Constitution was a key initiative during this phase. The Women’s National Commission was established in 1995 and has overseen the expansion of the quota system in India. In post Beijing World Conference on Women in 1995, the debate on the extension of reservations for women to the national parliament in India has become stronger. (Mahanta, 2007) In India there is a system of ward rotation for the reserved seats (the constituencies reserved for women are changed at every election in order to circulate the benefits of reservations geographically, although arguably this also leads to problems of continuity for women representatives).

In India, panchayati raj institutions (PRIs) function at three tiers - village panchayat, block panchayat and district panchayat. The size of a panchayat depends on the population of an area and varies across the different regions from 18,000-20,000 to 500-1,000. The 73rd and 74th constitutional amendment acts from 1992 strengthened the role of the PRIs as well as introducing reservations for women in urban and rural local government. The panchayats have five-year tenures, have direct elections, and must include not less than 33 per cent reserved seats for women and other marginalized sections of society. The election of the chairpersons of block and district parishadis is indirect, with the mode of election at the village panchayat level left to the states to decide. The reservation of seats for women was done on a rotation basis, which means that those seats that were reserved in the first term were ‘de-reserved’ in

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\(^{13}\)Article 331 stipulated a reservation of seats for the Anglo-Indian community for two years if the president thought it to be under-represented in Parliament.
the second term, thus causing discontinuities for women representatives, their development of experience and their building up a power base. (Rai: 2005)

The following table shows the provision of women’s reservation in the state / union territory (UT) legislation(s).

**Table -1: Provision of Women’s Reservation in the State/UT Legislation(s)**

<table>
<thead>
<tr>
<th>SN</th>
<th>State / UT</th>
<th>Provision in the State/ UT Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Arunachal Pradesh</td>
<td>1/3rd of total seats are reserved for women.</td>
</tr>
<tr>
<td>3.</td>
<td>Chhattisgarh</td>
<td>Chhattisgarh Panchayati Raj (Amended) Act. 2008 reservation has been enhanced from 33% to 50%.</td>
</tr>
<tr>
<td>4.</td>
<td>Bihar</td>
<td>50% as per the Bihar Panchayati Raj Act 2006.</td>
</tr>
<tr>
<td>6.</td>
<td>Gujarat</td>
<td>Provision of one third reservation against total number of seats in Gujarat Panchayat Act. 1993 vide</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Section 9, 10&amp; 11.</td>
</tr>
<tr>
<td>7.</td>
<td>Haryana</td>
<td>1/3rd seats of the total seats are reserved for women.</td>
</tr>
<tr>
<td>8.</td>
<td>Himachal Pradesh</td>
<td>1/3rd seats of the total seats are reserved for women.</td>
</tr>
<tr>
<td>9.</td>
<td>Kerala</td>
<td>33% as per the Kerala Panchayati Raj Act.</td>
</tr>
<tr>
<td>10.</td>
<td>Madhya Pradesh</td>
<td>As per amendment in Madhya Pradesh Panchayat &amp; Gram Swaraj Act. 1993, 50% reservation for women has</td>
</tr>
<tr>
<td></td>
<td></td>
<td>been made in all three tiers of PRIs.</td>
</tr>
<tr>
<td>11.</td>
<td>Maharashtra</td>
<td>As per the reservation policy in Maharashtra State, 1/3rd of the total number of offices in the</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Panchayati Raj Institutions are reserved for Women candidates.</td>
</tr>
<tr>
<td>13.</td>
<td>Rajasthan</td>
<td>The reservation for women in the State of Rajasthan was 33% which has been increased to 50%.</td>
</tr>
<tr>
<td>14.</td>
<td>Sikkim</td>
<td>40% seats are reserved for women. The State Govt. enhanced seat reservation from 33% to 40 % in 2007</td>
</tr>
<tr>
<td></td>
<td></td>
<td>only. No proposal to enhance further.</td>
</tr>
<tr>
<td>15.</td>
<td>Tripura</td>
<td>1/3rd seats are reserved for women.</td>
</tr>
<tr>
<td>16.</td>
<td>Uttarakhhand</td>
<td>Up to 50% as per Uttar Pradesh Panchayat Raj Adhiniyam 1947.</td>
</tr>
<tr>
<td>17.</td>
<td>West Bengal</td>
<td>Not less than 1/3rd of the total number of seats reserved for women.</td>
</tr>
<tr>
<td>19.</td>
<td>Lakshadweep</td>
<td>Lakshadweep Panchayat Regulation, 1994 provides reservation of not less than 1/3rd of seats in</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Panchayat for women.</td>
</tr>
<tr>
<td>20.</td>
<td>Puducherry</td>
<td>Section 11 (4) of the Pondicherry Village and Commune Panchayats Act 1973. Provided further that 1/3rd</td>
</tr>
<tr>
<td></td>
<td></td>
<td>of the total number of seats in Panchayats at each level shall be reserved for women.</td>
</tr>
<tr>
<td>21.</td>
<td>Orissa</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: Annexure-2, Lok Sabha Starred Question No.424 (answered on 26-04-2010)\(^{14}\)

\(^{14}\) As quoted in Singh, Rakesh K., 2012.
Section 1: Existing situation and impact of reservation on women’s development and empowerment based on overview of literature

There are different studies, conducted at different point of time, covering different aspects of quota system for women in PRI and its impact – success, constraints and failures. All the studies\(^{15}\) are mostly based on empirical data (largely region specific) and aimed to find out about the EWRs and their performance; identifying barriers and expressing future concerns and some important articles\(^{16}\) based on literature review and regional studies have portrayed EWRs in PRI. The review of literature is presented with reference to four aspects of women and reservation system:

A. Discourse on quota system for women and number of EWRs
B. EWRs and its impact as ‘Critical Mass’
C. Reservation, EWRs and its linkages with women’s development and empowerment
D. Issues, concerns and follow up actions

A. Discourse on quota system for women and number of EWRs
Drude Dahelrup (2002)\(^{17}\) has captured debate on quota system and women’s political representation in the international perspective. The article in the beginning mentions that the core idea behind quota systems is to recruit women into political positions and to ensure that women are not only a few tokens in political life. “Most quotas aim at increasing women’s representation, because the problem to be addressed usually is the underrepresentation of women; this is particularly relevant since women constitute 50 per cent of the population in most countries.

\(^{15}\)The studies are – (i) Buch, Nirmala, 1999, ‘Women’s Experience in New Panchayats: The Emerging Leadership of Rural Women’, Centre for Women’s Development Studies, Occasional Paper no. 35, New Delhi. This study covered a total of 1,199 elected representatives (843 women and 176 men) of village level panchayats, district level panchayats and intermediate or block level panchayats as well as 180 members of the village community from three stats – Madhya Pradesh, Rajasthan and Uttar Pradesh.(ii) A Study on EWRs in Panchayati Raj Institutions (2008), Ministry of Panchayati Raj, Government of India. This study covers 23 states, 114 districts, 228 blocks and 1368 Gram Panchayats during the field survey. In all, 1,368 Pradhans (168 were ex-Pradhans and 1,134 were ex-Ward Members) were covered across India (one from each Gram Panchayat), of which 907 were female. The responses of male Pradhans acted as a moderating factor in this study. A total of 5,350 Ward Members were also interviewed during the field survey, of which 3,973 were elected women representatives and 1,377 were male. The findings are presented with four dimensions – all India scenario, difference by state, difference by gender and status like sarpanch, ward member, etc. (iii) Two studies by Indian Social Institute have shared important insights in this context - A longitudinal study of 235 elected women representatives in panchayats in 22 panchayats spread over three districts of Orissa, and a survey was conducted among more than 800 elected women representatives (EWRs) from fourteen states who had come to attend an annual programme to celebrate the Women’s Political Empowerment Day to New Delhi. (iv) MARG. 2005, They called me membersaasb, Haryana; (v) Chattopadhyay Raghvendra and Esther Duflo, 2004. (vi) Rai, 2005. (vii) Dahelrup, 2002 (viii) Mahanta, 2007.


Quota systems may also be constructed as gender-neutral, which means that they aim at correcting the underrepresentation of both women and men.

(i) Quotas: Pros and Cons
Various arguments have been set forth for and against the introduction of quotas as a means to increase the political presence of women.

**Arguments for Quotas:**
- Quotas for women do not discriminate, but compensate for actual barriers that prevent women from their fair share of political seats.
- Quotas imply that there are several women together in a committee or assembly, thus minimizing the stress often experienced by the token women.
- Women have the right as citizens to equal representation.
- Women’s experiences are needed in political life.
- Election is about representation, not qualifications.
- Women are just as qualified as men, but women’s qualifications are downgraded and minimized in a male dominated system.
- It is in fact the political parties that control the nominations, not primarily the voters who decide who gets elected.
- Introducing quotas may cause conflicts, but only temporarily.

**Arguments Against Quotas:**
- Quotas are against the principle of equal opportunity for all, since women are given preference.
- Quotas are undemocratic, because voters should be able to decide who is elected.
- Quotas imply that politicians get elected because of their gender, not because of their qualifications and that more qualified candidates are pushed aside.
- Many women, who do not want to get elected, get elected just because they are women.
- Introducing quotas creates significant conflicts within the party system.

Thus, the quotas for women represent a shift from one concept of equality to another. The classic liberal notion of equality was a notion of ‘equal opportunity’ or ‘competitive equality’. Following strong feminist pressure in the last few decades, a second concept of equality is gaining increasing relevance and support: the notion of ‘equality of result’. The argument is that real equal opportunity does not exist just because formal barriers are removed. Direct discrimination and a complex pattern of hidden barriers prevent women from getting their share of political influence. Quotas and other forms of positive measures are thus a means towards equality of result. The argument is based on the experience that equality as a goal cannot be reached by formal equal treatment as a means. If barriers exist, it is argued, compensatory measures must be introduced as a means to reach equality of result.
As part of quota, ‘reserved seats’ is the common concept for such systems. However, there is no clear-cut distinction between a system of reserved seats and quotas, since centrally reserved seats may also involve some kind of election.

The implementation process of quota has too often been neglected, but it is, in fact, crucial for the outcome. At elections, the quota system touches the very foundation of the democratic process and may clash with the ideal that it is up to the voters to choose the representatives they want. The experiences on electoral systems have indicated that nominations of the candidates are the crucial, as the power of the nominations, though influenced by the voters, rests with the political parties.

The forms of quota are - regional, occupational or ethnic criteria. Regional quotas which distribute the seats to various parts of the country, not just according to their share of the population, but giving non-proportional seats to certain regions over others. The quota has not shown effect on increasing women’s representation because there are no mechanisms to ensure their implementation.

(ii) Success of quota system
How the quota system is constructed is a base to understand whether it leads to its success.
1. Successful quota systems lead to:
   • The active recruitment of women by political parties in order to have a sufficient number of qualified candidates to fulfil the quota;
   • A critical mass of women, rather than a token few, who will be able to influence political norms and culture; and
   • Women having the possibility to influence the decision-making process as individuals or with specific women’s or feminist points of view.
2. It is not sufficient to pass rules that ensure women 30 per cent of the seats. Thenext step of implementing quotas is critical. With respect to implementation, the following should be kept in mind:
   • The more vague the regulations, the higher the risk is that the quota regulations are not properly implemented – quotas for candidates do not automatically lead to the election of more women.
   • Pressure from women’s organizations and other groups is necessary for the successful implementation of quotas.
   • There must be sanctions for non-compliance with the quota requirement.
3. Contrary to what many supporters of quotas believed or hoped for, conflicts over quotas for women do not seem to be temporary but something we will have to continue to contend with.”

(iii) Number of Elected Women Representatives
One of the indicators of the success of the reserved seats is that women’s presence has increased within local government and is resulting in their greater participation in the work of the local bodies. However, one also needs to look into the type of local institutions and their functioning, formal and informal networks, and customary laws that influence women’s full
participation in local government. Women’s participation is reported to be affected by a lack of education, training and resources.

In 2000, there were 532 district panchayats, 5,912 block or tauluk panchayats and 231,630 village or gram panchayats, and there are more than 3 million elected panchayati raj representatives, of whom women constitute one-third.\(^{18}\)

The state-wise break-up of elected representatives in the three tiers of Panchayats in 2010 is given in Table-2, which shows that the average of women representation in Panchayats across the country is 36.94%. However, a few States have gone beyond the mandated 33% and provided for more reservation for women. For instance, Bihar and Madhya Pradesh have reserved 50% seats for women in Panchayats and Sikkim has reserved 40% seats for women. Roughly 54% of elected representatives in Bihar are women.\(^{19}\) Sikkim and Chandigarh reported less than 33% EWRs.

Table- 2: No. of Panchayat Representatives and Elected Women Representatives in the Three Tiers of Panchayats in States/UTs

<table>
<thead>
<tr>
<th>S N</th>
<th>States</th>
<th>Gram Panchayat</th>
<th>Intermediate Panchayat</th>
<th>District Panchayat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Women</td>
<td>Total</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No.</td>
<td>%</td>
<td>No.</td>
</tr>
<tr>
<td>1.</td>
<td>Andhra Pradesh</td>
<td>225276</td>
<td>80518</td>
<td>35.7</td>
</tr>
<tr>
<td>2.</td>
<td>Arunachal Pradesh</td>
<td>7415</td>
<td>2561</td>
<td>34.5</td>
</tr>
<tr>
<td>3.</td>
<td>Assam</td>
<td>22898</td>
<td>8977</td>
<td>39.2</td>
</tr>
<tr>
<td>4.</td>
<td>Bihar</td>
<td>124339</td>
<td>58044</td>
<td>46.7</td>
</tr>
<tr>
<td>5.</td>
<td>Chhattisgarh</td>
<td>157250</td>
<td>53145</td>
<td>33.8</td>
</tr>
<tr>
<td>6.</td>
<td>Goa*</td>
<td>1509</td>
<td>513</td>
<td>34.0</td>
</tr>
<tr>
<td>7.</td>
<td>Gujarat</td>
<td>109209</td>
<td>36400</td>
<td>33.3</td>
</tr>
<tr>
<td>8.</td>
<td>Haryana</td>
<td>66588</td>
<td>24406</td>
<td>36.7</td>
</tr>
<tr>
<td>9.</td>
<td>Himachal Pradesh</td>
<td>22654</td>
<td>8864</td>
<td>39.1</td>
</tr>
<tr>
<td>10.</td>
<td>Jharkhand</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>11.</td>
<td>J&amp;K</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>12.</td>
<td>Karnataka</td>
<td>90748</td>
<td>39318</td>
<td>43.3</td>
</tr>
<tr>
<td>13.</td>
<td>Kerala</td>
<td>16139</td>
<td>5701</td>
<td>35.3</td>
</tr>
<tr>
<td>14.</td>
<td>M.P.</td>
<td>388829</td>
<td>134368</td>
<td>34.6</td>
</tr>
<tr>
<td>15.</td>
<td>Maharashtra</td>
<td>223857</td>
<td>74620</td>
<td>33.3</td>
</tr>
<tr>
<td>16.</td>
<td>Manipur*</td>
<td>1675</td>
<td>859</td>
<td>51.3</td>
</tr>
<tr>
<td>17.</td>
<td>Orissa**</td>
<td>93781</td>
<td>33602</td>
<td>35.8</td>
</tr>
<tr>
<td>18.</td>
<td>Punjab</td>
<td>88136</td>
<td>30875</td>
<td>35.0</td>
</tr>
<tr>
<td>19.</td>
<td>Rajasthan</td>
<td>113437</td>
<td>40044</td>
<td>35.3</td>
</tr>
<tr>
<td>20.</td>
<td>Sikkim*</td>
<td>905</td>
<td>352</td>
<td>38.9</td>
</tr>
<tr>
<td>21.</td>
<td>Tamilnadu</td>
<td>109308</td>
<td>36824</td>
<td>33.7</td>
</tr>
</tbody>
</table>

\(^{18}\)Ford Foundation, 2002. ‘From Public Administration to Governance’, New Delhi. Marginal number variation is observed - The Task Force, Planning Commission: 2001 reported - So far, 2,32,278 panchayats at the village level, 5905 panchayats at the intermediate level and 499 panchayats at the district level have been constituted in the country. These Panchayats are being manned by 2.92 million elected representatives at all levels, of which one-third are women.

In Bihar, women’s representation is as high as 54 per cent at the Gram Panchayat and 49 per cent at the Intermediate and Zila Panchayat levels. Women’s representation is also high in the north-eastern states.

B. EWRs and its impact as ‘Critical Mass’

The 14th Report of the Standing Committee on Rural Development (2009-10) on the Constitution (One Hundred and Tenth) Amendment Bill, 2009 has mentioned, “The presence of more than 1 million elected women representatives in the institutions of local governance in rural India has rightly been termed as a ‘silent revolution’ within the process of democratic decentralization ushered in by the 73rd amendment”.

A Study on EWRs in Panchayati Raj Institutions (2008), Ministry of Panchayati Raj, Government of India has concluded, “the earlier notions of women being mere proxies for male relatives have gradually ceded space to the recognition that given the opportunity to participate in the political system, women are as capable as their male counterparts. EWRs have used their office not only to mainstream gender issues but also to address the developmental needs of the community as a whole and also issues such as health, sanitation, early childhood care, drinking water etc. that have a special impact on the lives of women.”

The studies that share findings on this issue are mostly carried out in 1990s cover first round of elections of PRI and EWRs. These findings mainly revolve around following aspects:

(i) Profile of the EWRs elected on reserved seats and patterns observed regarding first, second and third term election;
(ii) The myths explored and realities found;
(iii) Issues that lead to failure and success of EWRs, and constraints identified in their functioning; and
(iv) Supportive measures - support of social and political institutions, and training received.
(i) Profile of the EWRs and patterns observed regarding first, second and third term election

The common most findings of the various studies are - Majority of women across social groups, caste and class are younger and in the reproductive age group of below 45 years. About half of the ERs have completed middle school study. About 40% reported farming as primary occupation; however MoPR study revealed that 38% of all EWRs were, reportedly, below the poverty line. A gender-based comparison among Pradhans and Ward Members shows that there were 31% male Pradhans and 27% male Ward Members from the general (unreserved) category, but no such difference was observed between female Pradhans and female Ward Members. About 90% ERs are married. About 28% were from the general category and 86% were Hindus.

Most of the studies confirmed that majority of the women representatives in the PRIs to be drawn from the rural elite, barring the seats that are reserved for SCs/STs, a large number of women from the poor families and women having no political connections have found their way to PRIs through reservation.

The MoPR (2008) study mentions that, “In the case of women, there is no ambiguity that the provision of reservations had played a determining role. An analysis of this data, by state or by elected status, does not reflect much difference on this aspect.”

Regarding Gujarat and Haryana states, women’s age Mean and median age in Gujarat is 40 years while 44 years in Haryana. Labour was mentioned only in Gujarat (7%) and the phenomenon of spending greatest amount of time on panchayat-related activities was not reported in Gujarat.

(ii) What are the myths and realities

Mahanta (2007) shared very insightful observations: One of the most striking aspects of Panchayat elections is that there is qualitative difference in the meaning of the vote when it comes to federal and state elections, versus voting for Panchayats. While, federal/state elections are extremely well organized, village level politics are inherently problematic. In fact, some of the historical electoral malpractices especially the use of violence and the stuffing of ballot boxes, which are said to be diminishing, are making their presence felt in village level elections. It is at this level that we see informal institutional practices reinforcing the structural biases against women candidates.

The following myths are examined and realities found:
- Only the kins-women of the privileged have entered panchayats
- The EWRs are only namesake, proxy members and rubber stamp - they do not participate in the panchayats
- EWR’s passivity and disinterest in political institutions and their ability to perform is limited
Regarding entry of the kins-women of the privileged in PRI myth, Buch’s study found out that only 3.7% and 6.2% elected women had family members on the natal and affinal family side who had any previous experience in panchayats. MoPR study revealed that only about one-fifth had some political background, which was more evident in the case of Pradhans, as compared to Ward Members, and female representatives in relation to their male counterparts, i.e. spouse and father/father-in-law. Other studies also confirmed that majority of women are first time entrants in panchayats as well as in similar institutions. In this regard, the source of motivation is also looked at by MoPR study, which reveals that 21% were self-motivated to contest election, about 22% said that their spouse had inspired them, about 22% were motivated by the members of community groups (such as Mahila Mandals, self-help groups, youth clubs, cooperatives, etc.) and 8% disclosed the role of political parties in motivating them (mainly from West Bengal, Sikkim, Tripura and Kerala states).

Importantly, almost half (43%) EWRs reported that incidents related to social problems, such as alcoholism, gender discrimination, suppression of underprivileged sections, etc. motivated them to enter politics followed by availability of seat through reservations for women and disadvantaged groups.

The EWRs are only namesake, proxy members and they do not participate in the panchayats. Different studies have analyse it with reference to EWR’s awareness and information and in terms of their participation - efforts made to carry their viewpoint in the panchayat meetings, petitions and problems brought to them by their constituents and initiatives taken by them to deal with them and their assertiveness to carry their view point in the panchayat meetings and found that there was a marginal difference between elected men and women representatives. Most of the studies found that admittedly, there would be some women who are not active but they do not represent the reality of simultaneous phenomenon of women’s active participation and emerging leadership.

Regarding EWR’s role and performance, Buch’s study revealed that more than 50% of the community members have positive view about EWRs and they hope that under their leadership corruption and favouritism will be reduced. The EWRs’ performance is satisfactory and they are honest. Others, of course have negative opinion that they are incapable, non-cooperative, do not seek cooperation of higher level politicians and development functionaries, do not get any cooperation of other members, and they are illiterate, etc.

While the percentage of women who reported regular attendance in panchayat meetings is less than their male colleagues, two-third of them are regularly attending these meetings. This is against the common perception that almost all of them or at least the majority do not attend panchayat meetings. In fact, doubts have been expressed about the extent to which women can or really care to participate in panchayats or in other similar institutions due to their personal disabilities or other social and institutional constraints. 68.9% women and 75.6% men reported the time spent by them in panchayat work. While more men have reported
spending more time, we see a substantial proportion of women attending to panchayat activities.

The ERs reported various efforts made by them to press their views in panchayat meetings. These included taking other members into confidence, informal discussions, and repeated efforts after some time, taking help of their husbands. More than 40% of them reported such efforts, and expectedly more chairpersons than members were so active, shows that it is not fair to call all women as namesake members. The fact that these are predominantly illiterate women and include those from socially economically deprived sections makes their grit and assertion even more creditable. They have faced difficulties and constraints and will face even in future but their learning phase has shown their potential and motivation for contributing to a vibrant local democracy and development of local self governing institutions.

The MoPR study shared that “Some doubt the effectiveness of the reservation policy, citing anecdotal evidence that women Pradhans are observed to be subservient to their husbands or other powerful men. 17% of the spouses of the women leaders have previously been elected to the Panchayat. Forty-three percent of the female leaders acknowledge being helped by their spouse. The interviewers are more likely to find the women hesitant; they are more likely to acknowledge that they did not know how the GP functioned before being elected and that they do not intend to run again.”

Buch (1999) writes about existing stereotypes about women in PRI, “The barriers of gender division of labour, women’s low levels of mobility, seclusion, lack of information and negotiation skills, internalised low self-image, stereotypes and lack of confidence continue in some degree. They have not disappeared overnight. But we see that the reservations have provided an opportunity for women’s entry into a non-traditional space and a possibility for erosion of traditional gender, caste, class roles and hierarchy.”

Bidyut Mohanty (2005) has defined the term ‘proxy women’ as “It is alleged that since many of the women are first timers and are illiterate they depend on their men folk for conducting the panchayat activities. In other words, the women follow their men folk without understanding the implications. Hence they are termed as ‘proxy’ women.” He has further discussed this issue, “There are several issues involved here. First of all, the husbands or other male relatives shield them from the panchayat Secretary, and block development officers if they try to harass the women. In fact, some of the state governments (Uttar Pradesh and Rajasthan) have passed a rule that the women elected representatives should be accompanied by their male relatives to the panchayats. This is because in some cases, the secretaries of the panchayats, and male colleagues tried to implicate inexperienced women by asking them to sign blank cheques. Some of the women chiefs went to jails because of those acts. In many cases, no-confidence motions were passed in the panchayats, against the women chiefs on false charges. Again, even if they depend on their husbands, the power relation between husband and wife has already changed because of reservations, particularly because the husband gets a chance to come to the public sphere because of the wife, and in
the process the character of patriarchy gets altered. As a result, in many low-income families the husband - wife relationship has not soured. On the other hand, the husband supports the wife and also helps her in her domestic work. Even the other members of the family including the mother-in-law and sister-in-law help her to complete domestic chores. The community leaders of the same caste also support the women candidates... Finally, the ‘proxy’ women syndrome is seen only in the first one or two years of the tenure. Gradually, the women become independent; as they come to know about many modern institutions like courts, block development office, agriculture and other offices, the existence of various officials and sometimes about the Prime Minister, Chief Ministers and other ministers.”

(iii) Issues that lead to failure and success, and constraints identified

It may be argued that the women members in the PRIs today are ‘first generation learners’ who are gradually learning to adjust to the new political conditions. The political knowledge of women is increasing and gradually a sense of confidence is getting instilled in them, as they are now aware of the problems being faced by their locality. However, one has to keep it mind that without the system of reservation women would have had no role to play in grassroots politics in India. As statistics show, 95% of women claimed they would never come to acquire positions in Panchayats, if there were no provision of reserving seats for them (Buch: 1999).^20

There are many instances of women members of the Panchayat taking a keen interest and playing a significant role in the workings of grassroots politics. For instance, Jesumary, the President of the Michalepattinam Gram Panchayat in Mudukulanthoor Block of the Ramnathapuram district in Tamil Nadu, was conferred with the Seva Ratna as the best performing Panchayat president by the Tamil Nadu Gram Panchayat Leaders Association. FatimaBi of Kalve village in Kurnool district in Andhra Pradesh received the UNDP award for the Asia Pacific region for her work in the area of poverty alleviation. In Madhya Pradesh, there is the case of a proactive woman sarpanch who had done remarkable work in the area of maternity and infant care; another woman sarpanch was responsible for checking the high rate of school drop outs in her village and also worked for constructing more class room for girl students (Ravi et al 2004). Women Panchayat members in Himachal have been successful in getting all marriages and births registered^21.

Mahanta further quotes: A number of studies conducted in Madhya Pradesh, Karnataka and Andhra Pradesh list the cases of various women who used their position in the PRIs to engage in developmental work in their respective localities and bring in positive changes (see Ravi et al 2004). Even tribal women are gradually getting integrated into the village organizations

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^20 Also see George and Krishnan, 2006. They argue that only because of the presence of the policy on reservation a tribal woman was elected as the president of the Attappady Block Panchayat, Palakkad district, Kerala.

^21 As quoted in Mahanta, 2007.
(Chauhan 2003 and IFAD 2007). In fact, it is revealed that as against the prevalent notions, the PRIs in the tribal Madhya Pradesh comprised of young and educated women.\textsuperscript{22}

No doubt, women are constantly under pressure from their family especially the dominant male members), ‘village community’ or are facing societal restrictions and cleavages in performing their role as Panchayat members. However, in some cases women are gradually learning to hold their own. For instance, in the recent PR elections held in Almora, Uttarakhand, Durga Devi, the president of the women’s group of Chaura village, was approached by a political party to contest elections under the party banner. The party offered her monetary and logistical support. However, when she realized that she would not be able to take up programmes for women’s development on her own will and would have to follow the party agenda, she refused the party backing and contested the elections with the support of the women’s group (Institute of Social Studies Trust, 2005).

\textit{All Women Panchayats} (AWP) have also come up in number of states. In Madhya Pradesh there are nine such villages that have all women Panchayats. There are few villages in Gujarat, West Bengal, Karnataka, Maharashtra, Haryana and others, which have all women Panchayats. Moreover, dismantling the argument that claimed majority of the women representatives in the PRIs to be drawn from the rural elite (barring the seats that are reserved for SCs/STs), Hust in her study brings out that since families belonging to the higher strata in the villages are not yet ready to introduce their womenfolk to the public space, it is women belonging to the lower castes or lower class who get entry to the PRIs. In Kotgal Gram Panchayat of Gadchiroli district in Maharashtra, for the first time 11 candidates from the lower castes won the elections in 2002.

As opposed to the infrastructural development (carrying the enticing promise of contracts and kickbacks) favoured by men, women have initiated work on plans to bring piped water into the village or to build a middle school or high school in the village so that their daughters can study there. In Madhya Pradesh, there is the case of a proactive woman sarpanch who had done remarkable work in the area of maternity and infant care; another woman sarpanch was responsible for checking the high rate of school drop outs in her village and also worked for constructing more class room for girl students. A Sarpanch in Dahod district in Gujarat said that she had proposed setting up a primary school in the village, but was told there was no necessity for it because there were only three children whose parents wanted it. She set about mobilising support for the school which was established, and came to be attended by 300 children. Attendance was at least partly achieved through stiff penalties for noncompliance: a fine of Rs. 600 and 6 months in prison for the parents of those children who do not attend. It is notable that until she came to the Panchayat, this woman had not stepped out of the boundaries of her home, or even been a member of any other organization.\textsuperscript{23}

\textsuperscript{22} The study reveals that 70 per cent of women in PRIs in tribal MP are below 49 years of age and 30 per cent are educated. Moreover there are nearly another 30 per cent who call themselves ‘literates’ i.e., they can sign their names.

Women are also seen to be more involved in monitoring the presence of teachers and medical staff in the school or health centre, and inspecting nutrition centres under the Integrated Child Development Scheme. They have taken the lead in making efforts for smokeless stoves, crèches, community halls, and have taken the initiative in family and matrimonial matters, counselling abusive and/or alcoholic husbands. Sometimes, women-headed Panchayats have even experienced a dramatic increase in their revenues, sponsoring the auction of village ponds, community forests and village markets for the larger welfare of the community²⁴.

The EWRs often report on the open discrimination against them in Panchayats: the domination of meetings by male colleagues, the refusal to pay attention to the opinions and suggestions of women members; and the generally dismissive attitude of (male) officials.

The pioneering efforts of Mahila Samakhya in Karnataka, for instance, took the form of mobilizing poor, lower caste rural women into sanghas or collectives, preparing them for political participation, training them after the election, and generally creating a climate of responsiveness and accountability. Women were particularly encouraged to attend, and helped to participate in, the meetings of the Gram Sabha²⁵.

One of the foremost, legally bind barrier is of two-child norm for contesting election. This was introduced in Gujarat and Haryana states along with other states but Haryana has removed this barrier in 2008 while it is still in practice in Gujarat. Since women do not necessarily control their fertility choices, and are unlikely to find it worthwhile to fight their family in order to be eligible for the Panchayat, this policy is likely to discourage women, or members of the SCs and STs, from being candidates, even when there is reservation, thus encouraging the situations that critics of the reservation policy describe, where “puppet candidates” will take the place of real candidates. De facto, it will thus reduce women’s agency and, if anything, may result in an increase in fertility, rather than the opposite.²⁶ This would be an unfortunate outcome, given the evidence that Panchayat leaders make a difference and that bringing women and SCs into politics may help in improving their welfare.

The constraints faced by the EWRs on broader perspective are: “The most important constraint of women’s empowerment through panchayat is that they are not a homogenous category. They represent different interest group depending on their class and caste, which get perpetuated through patriarchy. However, one redeeming factor in uniting the women is the access to the basic services such as drinking water, health care facility and education - the

²⁶There is considerable evidence that higher bargaining power leads to a reduction in women’s fertility. Reduced fertility may be achieved by increasing women’s bargaining power in the family, and an effective democracy with adequate women’s representation may be more effective at achieving it than regulation that takes away from women and SCs what the 73 Amendment guarantees them.
practical needs. Secondly predominant trend of Indian culture is still very patriarchal and the women are looked down upon. The EWRs are not taken seriously by their male colleagues and the bureaucrats and they get very scant information about the functioning of the panchayats. In some places EWRs get over burdened because of household chores as well as that of panchayats. Even though theoretically one may dismiss the notion of ‘proxy women’ in the real world husbands do take advantage of the ignorant women and work on behalf of them without giving any space. Apart from the specific constraints, the PRIs system as a whole face several structural constraints such as limited power and resources, the absence of appointed cadre and hence, dependence on the state level functionaries and so on. Again the panchayats are given 29 subjects which are included in different departments. But the policy matters are not conveyed to the elected representatives at all. So the elected representatives cannot take decisions on their own regarding any subject, such as, agriculture, irrigation, family welfare etc. except only in implementing schemes or acting as the spokespersons of the state governments.” (Singh:2010)

In many places the women are not immune to systemic corruption though as beginners they are relatively more cautious. Joining politics is still considered ‘dirty’ and is frowned upon. The community leaders of the village try to choose candidates who are non-performers or would toe their line. The women themselves do not come forward. It is always the family members, or party leaders who push them to contest. The selection of seats for reservations-which are done on a lottery basis and only for one term-does not provide much scope for nurturing a constituency.

Even if the women perform well during the first term, the men do not allow them to contest from the same seat again. The panchayat institutions are used as an implementing agency. So the bureaucrats feel that they are the bosses and the first timer leaders are there to obey them. In a nutshell, men support women in panchayats so long as women do not challenge them to fulfil the ‘practical needs’. But men feel threatened as and when the women try to fulfil the ‘strategic needs’.

Other barriers for EWRs, shared by various studies are as follow:

- Women face many social constraints - including restrictions on going out of the house; lack of literacy and education, the household chores of fetching water and fodder, cooking and raising children - that affect their performance in office.
- It is also not unusual to find that election materials - banners, posters, etc. - are made in the name of the man rather than the woman who is the official candidate, and that the man tends to assume the role of the pradhan or sarpanch, attending and even chairing the meeting in place of the elected woman representative. 
- Inadequate organisational support directly affects the political participation of women. Elections in the country are fought on party lines in some states, at village level too. The poor representation of women in political parties does not give them the strength to negotiate gender issues and concerns that need to form a part of the party agenda. Fewer women in political parties impedes women from seeking positions in decision-making arenas which are crucial in changing the profile of political parties and also effect the
number of women fielded for elections and being elected. Money and muscle power play a crucial role in determining the outcome of Panchayat and Zila Parishad elections.”

One of the important issues that face both women and men is that central government control over resources undermines their autonomy. Women candidates also face the hurdles of money-based politics, issues of security as they travel over large constituencies, and the continuing influence of patriarchal social relations, which support segregation and purdah, limiting women’s ability to participate fully in the political life of the local community.

It has been found in studies in Karnataka that often women are not taken seriously, not because of their lack of experience, but because of their lack of knowledge. The areas where information is lacking are: the constitutional amendments (their powers and duties), Gram Panchayat’s jurisdiction, financial matters, benefits and disadvantages of taking loans, a broad understanding of the working of banks and other relevant institutions and governmental bodies and so on27.

The MoPR study mentioned: About 42% women contesting election for the first time reported problems. Regarding women contesting election for second time, the experience is not very positive. 89% of the women interviewed did not contest a second election and that 11% who did so, lost. Nearly half the women said that they felt the work was “unsuitable” and that they felt incompetent and a third said their spouses had discouraged them from contesting a second time. Among those who faced some constraints, the majority mentioned the lack of financial resources (14%), political rivalry from other groups (12%), low educational level (12%) and resistance related to caste or religion (10%).

An explanation for this could be that they were contesting on Reserved - and therefore somewhat less competitive - seats. Another reason could be that their male relatives had taken care of potential challenges.

Talking about the non-election of women to PRIs in the general seats in the state of Orissa, Hust (2002) suggest that there could be two explanations for this phenomenon: one, women failed to successfully compete with men in the non-reserved constituencies; or two, women did not compete at all from general non-reserves seats. Men are not willing to let women contest from a general seat and lose their own chance of being in the decision making position. Hence, reservation has at least succeeded in bringing the womenfolk in rural India into the political forum. Hust’s study shows that at least 25% of the elected women could now imagine standing against a man in future28.

Corruption in panchayat elections is also responsible making the participation of women in the process a mere tokenism since due to the constrains of village societal norms, indulgence in such practices fall strictly within the male domain. Bribes in the form liquor or cash are offered. Muscle power and money power are used extensively. Women would not stand a chance in the elections if they do not have the support of the male members of the family. For instance, in one election, in Salumber Panchayat Samiti of Udaipur district, wives of the three PRI members – Sarpanch (President), Upa-sarpanch (Deputy


28As quoted in Mahanta, 2007.
President), and ward Panch got elected. Even in the case of election expenditure, the management of it is left in the hands of the husband or other male members of the family, thus leaving no power in the hands of the woman. Corruption\(^{29}\) is also rampant in the allocation of resources and contracts at the Gram Panchayat level.

 Violence has also come to dominate the PRI elections in many states thus making participation of women more difficult.\(^{30}\) Most such violence seems to have been resulting from the existence of 'caste war'\(^{31}\) (Panchayati Raj Update 2001) where people belonging to lower castes are tortured and murdered for daring to stand against upper caste candidates.\(^{32}\) In such a situation, participation and performance of women belonging to SC or ST become absolutely impossible.\(^{33}\) Moreover, in places that suffer from armed conflicts, booth capturing and bloodshed is common in panchayat elections thus marring the participation of women (see Institute of Social Studies Trust 2005).

 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.\(^{34}\) Women who mix around openly with their male counterparts in political meetings are looked down upon as women of dubious character.\(^{35}\) Therefore,  

\(^{29}\) One of the major causes of corruption is that the salaries paid to PRI-members are extremely low. The remuneration varies from 10 rupees (INR) per sitting to 50 INR. The sarpanch can get up to 100 INR. Hence in case of a SC or a ST woman who work outside their house as wage laborers in order to contribute to the household income, if the choice is between attending a Panchayat meeting and earning their daily wage, they most certainly would opt for the latter. A World Bank study on exclusion and inclusion within PRIs in Rajasthan and Madhya Pradesh reveal that 42% of men are highly active as compared to only 11% of women. 52% of women fell within the least active political category as compared to 30% of men (Mahanta: 2007).  

\(^{30}\) Ms Leelavathy from Villapuram, Tamil Nadu, was murdered in broad daylight by armed men since she was working towards getting permanent water supply to Villapuram as part of her election campaign and it ran contrary to the interests of the mafia henchmen who sold drinking water to the people (see Mythily Sivaraman, ‘Blow to Goodness’, The Hindu, May 18, 1997).  

\(^{31}\) It must be pointed out that the problem of violence towards SC/ST women is very extensive. A measure of the degree of violence can be seen in the following statement of the All India Dalit11 Adhikar Manch (All India Dalit Women’s Rights Forum): “On an average 27,000 incidents of serious atrocities and human rights violations are registered under the SC/ST (Prevention of Atrocities Act), annually. Despite the lack of disaggregated data on the extent of violence on Dalit women, there is no doubt that women are affected disproportionately in these incidents. A micro study of 124 cases by the Centre for Dalit Rights of atrocities in 5 districts of Rajasthan between October 2004 and January 2006 showed that 55 of these cases were directly inflicted on Dalit women and girl children. They ranged from rape, gang rape, rape of minor girls, murder and attempt to murder, physical assault, battering and acid attacks. Another 28 women were affected along with their families through land related violence, social boycott, murder of husbands and sons. It is clear that Dalit women are the prime victims in violence against Dalit communities” (2007, 2).  

\(^{32}\) “The classic case is that of a village in Madurai district of Tamil Nadu, a southern state in India. In Melavalavu, the dominant castes of the area murdered the panchayat president and the vice-president who both belonged to a lower caste, merely because they dared to fight the panchayat elections.” (Mathew 2002, 6).  

\(^{33}\) There have been reports from four districts of Madhya Pradesh — Raigarh, Chattarpur, Raisen and East Nimar — of a lady Sarpanch being stripped naked, another lady sarpanch being gang raped, an upasarpanch (deputy president) being tortured and a dalit panchayat member being beaten up (Mathew 2002, 12).  

\(^{34}\) In an interview, a prominent young politician in Bhilwara, Rajasthan, said (Aug 1999), “Development has been in a set back by at least a decade in villages where a female has been sarpanch for the last five years” (WB study 2001, 28).  

\(^{35}\) Maya (a member of Vadal Gram Panchayat, Maharashtra) along with her colleague from another village had gone to attend a women’s organization program that was held in the hall of a hotel. On being spotted there, a
although women can freely attend meetings that are held inside the Panchayat office, the presence of women in Gram Sabha meetings is meagre as such meetings are mostly held in open spaces and are mainly attended by males. It is also the case in many villages that the daughter-in-laws (bahu) of the house who generally belong to a different village are hardly allowed to have social intercourse with men of her husband’s village. Hence participating in PR activities in public space is totally out of question. Sometimes it also so happens that a number of villages come under one GP, in such cases representation and participation of women become difficult as women have much less mobility than men. (Vyasulu & Vyasulu 1999)

Another major impediment is the ‘two-child norm’ that has been made a criterion for contesting elections in many a state like Haryana, Madhya Pradesh, Rajasthan and Himachal Pradesh. Rural India has a high fertility rate and children are borne early. Hence due to such norm it becomes extremely difficult for women to enter the PRIs and even when they enter they are mostly confined to household responsibilities letting the male members of her family (mostly husband) run the office for her. As a result, a new class of sarpanch patis has emerged who manage the affairs of the Panchayat on behalf of their wives.  

In case of a woman belonging to Scheduled Caste, such restrictions become further binding since both upper caste female and male members refuse to intermingle with them in Panchayat meetings due to the ‘purity-pollution’ practices. Lower caste representatives do not get much cooperation from the higher castes and women members would not dare speak in front of the high caste representatives (Mahanta: 2007). While in case of ascribed status, the lower caste women get discriminated against, in case of social groups; it is the scheduled tribes who become mere ‘rubber stamps’ in the decision making process of the panchayat. If not the husbands, they are dependent on the other

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vulgar rumor was spread in her village that these two women went to hotel rooms and hence were of stained character. There were accused of misconduct and were treated as outcasts in their village and even the other women in the village stopped talking to them (Women’s Environment and Development Organization 2007).  

To quote a young ward member from Gania block, Orissa, “I have no problem to speak with men in the [Panchayat] meetings. They do not belong to my village. I do speak to them like I do speak to the women. Outside the panchayat office I do not speak to the men. After the meeting I go home immediately and stay in the house…I do not go the gram sabha. My husband attends the gram sabha. I am a bahu (daughter-in-law) of the village” (Hust 2002, 11). A very important factor for the election of women is also age. The elder women have a more liberated position in the village and can therefore freely intermingle socially with men. Hence they are the preferred candidates to enter PRIs. However, the younger females (most particularly daughter-in-laws) fail to get elected because of the strict social norms. However, it is the young women who are educated and hence could fare better if given a chance to enter the PRIs (see WB study 2001, 17).

A crucial study (2001) carried out with 60 gram Panchayat members who had undergone a free phased training in Tumkur district, Karnataka, revealed that one-third of the members were still functioning as proxy candidates while the actual control remained with either their husbands or sons. Another one-third, who did not face such constraints at home, was faced with gender subordinations within the Gram Panchayats. Only the remaining one-third was found to be effectively functioning as members and they have also gained some amount of power and respect in the family (Murthy 2001:134).  

In a case from Uttar Pradesh, it has been reported that the an elected woman member of the PRI belonging to the lower caste was not allowed to sit inside the panchayat office along with the upper caste members and she had no freedom of expression. In Panchayat meetings in Rajasthan, lower caste women members sit veiled and in a corner without contributing to the proceedings (see WB study 2001, 18).

In her study of tribal women in PR in MP, Abha Chuahan revealed that nearly 63 per cent did not raise any issue in the panchayat of their own accord and the few who did mainly confined their concerns to health.
male members of the family, villagers, sarpanch, political parties or government officials (see Chuahan 2003). Despite reservation, there is little change in the customary patterns of exclusion (see World Bank Study year 2001). Moreover, due to the dominant male discourse, women in Panchayats find it difficult to raise issues that would run contrary to that discourse. Such handicaps are more blatant in case of women belonging to SC or ST category, as they cannot dare to take up issues that would provoke the ire of the upper caste male. There have been number of instances when tribal women members in the Panchayat faced violence and rape when they dared to challenge the authority.

Political parties also play a crucially significant role in directing the affairs of the panchayat. Winning an election requires political party backing. Due to this the elected candidates (men/women) remain loyal to the party line. Since political parties are most controlled by the non-tribal lobby, tribal women find it extremely difficult to make their voices heard or had to become mere ‘rubber stamps’ to the dictates of the party. The ability to take up issue pertaining to gender sensitive discourse is also limited due to the resource restrictions, as money has to be spent as per the dictates of the government schemes and there is very little flexibility.

**No-Confidence Motions**

Ramilaben from Gujarat faced numerous no-confidence motions. She holds masters degree in history and was advised by a state minister to join politics. She contested the district panchayat elections. She won and became the president of the district panchayat and as a result became an object of attack from the very beginning because of her being female. The Vice President told her that if she would refuse to work under his instructions he would force her to resign within 15 days. Ramilaben took it as challenge. They then initiated a series of no-confidence motions. Each time she emerged victorious. Ultimately the High Court issued

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40 Gangamma Jayakar, a ST candidate (studied up to Class IV), was made the GP President following the elections in 1993 in Haleuru Gram Panchayat, Malgudi, Karnataka as the seat was reserved for a ST woman candidate. While the other members of the GP had no qualms in a ST woman becoming an “ordinary” member of the GP, they refused to serve under a ST woman President and demanded her resignation. When she refused to comply with their requests, the others stopped cooperating with her. She later had to approach the High Court who ruled in her favour. However, the others still did not cooperate and since the quorum for holding a meeting is the presence of 3 members, she held meeting with the help of two other SC members and had to continue like that throughout her tenure. Jayakar feels that she could have initiated a lot of developmental work if she got the cooperation of the others (Vyasulu & Vyasulu, 1999). Tribal women in Dungarpur district in Madhya Pradesh revealed that they were satisfied working in a women’s savings group, as there were many benefits from it. They claimed, “…There is no work for the individual in the panchayat, and especially women. What will we gain from participating there? Whether we go or not does not make a difference” (World Bank study: 2001, 26).

41 In Gania block in Orissa, although a young and energetic female sarpanch wanted to tackle the issue of alcoholism in the area she could do nothing about it as the elite class male of the village who would be instrumental in deciding her re-election were the liquor consumers. Antagonizing them would make her lose her political support (Hust, 2002, 16).

42 A tribal woman sarpanch was stripped naked while unfurling the national flag on 15th August 1998 (Independence day) in a district in Rajasthan. In another case a tribal women sarpanch in Madhya Pradesh was stripped naked in a gram sabha meeting because she was not consulting the leader of the dominant caste (Mathew, 2002: 10).

43 George and Krishnan give the instance that the first ever tribal woman Block Panchayat President in Attappady block in Palakkad district of Kerala could hardly do any work due to the boundaries laid by the political party, which she represented (2006: 213).
a ruling that only one no-confidence motion could be brought against the President during her tenure. In 1996 as many as 16 writ petitions were filed against her in the court and she was suspended on grounds of incompetence. She moved the High Court and was re-instated by it.

Parties are yet to accept the role of reservation as a tool of empowerment. The interesting case of Ad iamma from Karnataka is well known. She was the only woman of the 18 SC members GP in Madya district. The Congress (I) decided to back her for the post of President. She got elected. Before the elections she used to earn her livelihood by cleaning toilets of the Police Stations and worked as an agricultural labourer. But after being elected she began to implement her agenda. All encroachments near the local bus stand were cleared and the issue of ration cards simplified. Many of the males were alarmed at the performance and tried to find fault with her. They conspired against her to make her resign and resorted to boycotting panchayat meetings. Three consecutive meetings had to be postponed due to a lack of quorum. When nothing worked they moved a no-confidence motion. The motion was passed with the support of Congress and Janata Dal. (Datta: 2009)

Two Child Norm

Of six states (Andhra Pradesh, Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh and Orissa) in India have amended the PRA to introduce this norm of two-child, which forbids persons who have more than two children from contesting panchayat elections and candidisqualify a PRI member if s/he has a third child during the tenure. Haryana amended the PRA and has removed this norm in 2008 but Gujarat has continued this.45

In Gujarat, the two-child norm introduced in 2005 for elected representatives of Panchayati Raj Institutions (PRIs) in Gujarat is fast becoming a tool to settle personal scores and eliminating political opponents and is also being seen adversely affecting women and minorities in rural parts of the state. This is being implemented in an environment of non-equal opportunity. A study completed in later part of 2011 by Centre for Social Studies, an autonomous social science research institute supported by the Indian Council of Social Science Research (ICSSR) and Government of Gujarat, spanning 276 elected representatives from tribal areas of Surat and the Dang districts of Gujarat found that 127 respondents were disqualified under the two-child norm by the district administration and majority of them are from village and taluka (block) panchayat level.46

The data collected as part of the study conducted by CSS faculty Akash Acharya and Rajesh Bhat of Ahmedabad Study Action Group (an NGO) shows that only 14 elected representatives of PRIs (6.09%) have two or less children. A large majority (93.91%) have

44Gujarat Panchayat Act 1993, Section 30 (m) amendment made in March 2005 which came in force from August 2005.
more than two children and thus are violating the two-child norm. Apart from 127, there were others who violated the rule, but since there was no complaint against them, no action was taken. Most of the respondents (85.87%) opined that this law is discriminatory in nature as it is only applicable to PRIs and ULBs and not to the MPs and MLAs. There was a strong feeling that “big” people like ministers get away even if they have far more number of children and “small” people like PRIs have to suffer. Some also suggested that the law should also be extended to the government employees.

It is quite clear from the data that if such a law is fully implemented then entire PRI structure can collapse, states the study that was completed in the later part of 2011. There are several representatives of PRIs who have more than two children and are still wielding power. The block development officer can initiate action against such individuals only if there is a formal complaint. It also lists a range of strategies adopted by the elected representatives to avoid disqualification. This included measures such as abandoning the wife, denying of having fathered a child, deserting pregnant wife, asking the wife to undergo abortion (especially if the foetus is of a girl). Though the study goes on describe the 2005 law as “anti-woman”, there have been instances in the past (in February 2011) when woman panchayat sarpanchs travelled all the way to Gandhinagar to lodge a formal protest against the law stating that it not only disqualifies elected members in an “anti-democratic manner”, but also threatens to increase the divorces and abortions in rural areas. The study also notes that there was a lot of resentment against the two-child norms in the minority community and the law was being interpreted by the members of the community as “a conspiracy to eliminate the entire community from local governance”.  

A study conducted in Andhra Pradesh (AP), Haryana, Madhya Pradesh (MP), Orissa and Rajasthan by the Bhopal-based Mahila Chetna Manch in 2002-2003 revealed that proper information dissemination about the norm was not in place. Economically and socially vulnerable sections were the worst affected. 78 per cent of all cases studied belong to the scheduled, castes, and Other Backward Classes. Also, the rule was seen as a potential tool for misuse, with women facing a double-edged challenge.

It should however be pointed out that the political space provided to women in panchayats has started to bring about change, though slowly. The findings of a study of the working of panchayats in six states conducted by PRIA reveals that “… 25 per cent woman notice change in their status within their family after they have been elected... about 60 per cent of women said that they would encourage women to stand for election. The same percentage (60 per cent) is contemplating to contest PRI election again”.

Nirmala Buch concludes ‘impact of critical mass’ as - can women’s numerical presence even in a critical mass transform these structures and make them more receptive to women’s needs and concerns? If patriarchy is at the root of this situation, will the system not defeat the intentions of the amendment? There are issues of power and authority, hierarchy and control

47 Nair Avinash, 2012. 2-child norm helping to settle political scores: study, Indian Express, April 9.
which bring up the essentiality of a change in power structures and gender relations if we hope to see transformed and transformative politics.

(iv) Supportive measures - support of social and political institutions, and training received

Support of Social Institutions
Women need support of different social institutions to enable them to perform their role in panchayats effectively because they have to continue their domestic responsibilities as well as earning of livelihood. This is particularly so in the case of women from the weaker sections and our respondents have a significant number from weaker sections and lower income groups. We need to examine whether women receive support from informal institutions - the family, the neighbours, other community members and caste persons as well as from the more formal institutions of government, political parties, other Panchayat representatives, government officials and women’s organisations.

Buch’s study has mentioned five parameters to understand support of social institutions to EWRs in the context of their new role and responsibilities in panchayats. They are: (a) as source of information about reservations; (b) as source of information about election; (c) encouragement / motivation to women to contest (d) support in election processes; and (e) consultation in panchayat work. The study found that: The family comes up as the most supporting institution as source of information, support in election and in helping women in their decision about contest. Neighbours and community members and caste persons come as the next important support and reported as the source of information about reservation. The political parties and their members do not seem to have given any encouragement, information or support to these women representatives. Women and women’s organisations were found conspicuous by their absence as the source of information or support.

The MoPR study mentioned: 91% ER, irrespective of position and gender, claimed to have received such recognition in the village. However, there was a small decline in the proportion that faced such conflict in the recent election (9%) when compared to the previous election (11%). The difference by position or by gender is not very significant, nor is there much variation across states.

The EWRs sought support from family members – 30% said that the time devoted by them to household chores has decreased after getting elected. But for 62% it has remained the same. There is some evidence also of the increased involvement of other family members in sharing the household responsibilities of the elected representatives. Of those who reported a reduction in their involvement in household responsibilities after being elected, 60% mentioned an increase in the support provided by their families. A specific question related to change in time spent in looking after the children, before and after being elected, was also administered to the women representatives. Once again, a decline in this role was reported by 29% of respondents, of whom 63% also reported an increase in the support of family members. It was significant that in the case of women informal source of information like
family members and neighbour were prominent as the source of information. In the case of male members, panchayat office bearers, government officials and media figured relatively more prominently as their source of information. This was despite the considerable similarity in the socio-economic bases of male and female representatives. Moreover, 76% of elected representatives said that traditional heads present their opinions on different issues related to development of the village during Gram Sabha meetings. About 38% also confirmed that they motivate community members to participate in Gram Sabha meetings, whereas around 15% of elected representatives mentioned that traditional heads exercise influence some issues during Gram Sabha meetings. When asked about the types of roles played by them in the village, 56% of the elected representatives reported that traditional heads helped in resolving disputes, 42% said that they participated in development activities, 41% revealed that they helped in organising religious activities in the village, etc. The traditional heads also play an important role in influencing the nomination of candidates for panchayat elections as confirmed by 38% of elected representatives. Elected representatives were asked about the involvement of women in the functioning of traditional institutions, and 47% of them - with no significant difference among the males and females - reported that women were involved in the functioning of the traditional institutions.

**Training received**

The MoPR study mentioned that “Just over half (57%) the elected representatives interviewed said they had received any training or orientation after being elected. Pradhans are, on the whole, more likely to have undergone some training (84%) than Ward Members (50%). By gender, too, a higher proportion of elected male representatives (EMRs) (65%) received training in comparison to EWRs (54%). Of those who did not receive such training/orientation, 60 per cent gave ‘training programmes not held’ as the chief reason for their non-attendance. Among Ward Members, 23 per cent, and among Pradhans, 12 per cent, cited their ‘not being called for training’ as the next most important reason. Only a tenth of the elected representatives cited their personal preoccupations and priorities as the reason for not attending the programmes. Gujarat has the lowest figures for training received by Pradhans and ward members. In the matter of training, Gujarat is the poorest performing state, with only 40% of male Pradhans and 36.4% of female Pradhans having received any training.

Only 57% of male and 43% of female representatives reported to have learnt about these from the training programmes that they attended. Training on planning and budgeting and on the preparation of village action plans is also directly related to the functioning of elected representatives. But such training was available to a very small proportion (14-16%) of respondents who received any form of training. Training related to village development - on various government schemes/programmes and on the monitoring of rural development programmes - was attended by, respectively, 23 per cent and 29 per cent of elected male and female representatives. Though the Pradhans are more likely to attend training programmes than Ward Members, there does not appear to be any great difference on the basis of gender.

Of the fairly large numbers wanting further training on rules and regulations, 82% said that the training was too short, 14-17 per cent mentioned that it was not easy to understand and
that the curriculum was too technical. The difference by position (Pradhan/Ward Member) and gender was insignificant, except on the question of the language used. However, 84% of those who said that they did not want any further training on rules and regulations of panchayats indicated that they found the training they had already received to be quite comprehensive. Around 13% also said that they had received such training several times. Again, there existed only a minor difference between Pradhan and Ward Members, and between male and female representatives.

A high proportion (90%), reported that they found the training to be participatory in nature, and 85% of them also said that they found it easy to field questions during the training.

Two suggestions for their further improvement emerged from this survey. Firstly, a large proportion of elected representatives could not receive any training due to some reason or the other. Secondly, more attention is apparently needed to the content, duration and comprehensibility of training, especially with respect to the rules and regulations of panchayats, and on the roles and responsibilities of elected representatives.

Strutlik’s (2003) observations in this context are revealing. Since a common strategy to dismantle women panchayat electives is to construct them as ignorant and incapable, governmentally provided trainings are important to take away the basis for such these allegations. Governmental and NGO run initiatives follow in fact the above dominant male discourse and tend to start from what one should call a “deficiency” approach. Most of the times these programmes focus on women’s lack of education, lack of information, lack of economic resources, lack of time, lack of experience, lack of integration into political networks and lack in toughness and scrupulousness etc. and neglect to point out and encourage women’s existing knowledge and strengths. In my view, approaches, which concentrate only on “capacity building” are thus dangerously reductive and are not taking into account the social constructiveness of dimensions like gender, but also “knowledge” or “politics”... Despite the above warning of reducing women’s chances and abilities of participation to be based on ‘formal political and administrative knowledge’ alone, training workshops are of course necessary and enable women to also access these fields of (formal) knowledge. These workshops, moreover, offer a platform to exchange experiences with other women electives. In the same vein manuals in the vernacular for later reference, but also to offer authoritative written prove that one is acting correctly and on the side of the laws may enable women to negotiate their way of doing politics.

In regard to support from political institutions, especially the political party, more of inhibitions and lack of support reported by the EWRs than the support achieved.

C. Reservation, EWRs and its linkages with women’s development and empowerment

(i) Quality participation
(ii) Problems and issues raised and handled
(iii) Change in status
(iv) Emerging leadership

(i) Quality participation

The quality of participation includes awareness about their duties or tasks to be performed as elected representatives, performing their primary role of organising and attended Gram Sabha meetings, attendance in panchayat meetings, joining discussion, taking up issues and solving problems brought to them at village panchayat. The EWRs also need to interact with the government officials at village, block and district levels; with police and other authorities for execution of development work. Dealing with parallel bodies and directing government appointed development worker cadre is also related to performance and quality participation of EWRs.

The MoPR study reported - 86% EWRs had performed the important role of being a local Panchayati Raj functionary. However, the participation of women citizens of the village was reported to be quite low (less than 25%), which points to the need for better community mobilisation by elected representatives. 74-78% elected representatives reported that not only had the attendance of women in the Gram Sabha increased, the frequency of their raising issues has also gone up; a greater proportion of Pradhans than Ward Members held the perception that women’s participation had increased. About 63% of elected representatives themselves indicated that less than 25% of women participate in the Gram Sabha meetings.

The attention drawn by women towards issues of ‘women & children’ and ‘sanitation’ has also, reportedly, increased (68-69%). A high proportion of elected representatives (75%) reported an increase in political awareness of ordinary women citizens of the village.

About Gram sabha - 94% of Pradhans have performed this role during their current term compared to 86% of female Pradhans. 77% of male Ward Members reported that the Gram Sabha meetings were organised in their villages which they had attended, whereas only 60% of female Ward Members did so. A small proportion of elected representatives (8%) did not report the organisation of Gram Sabha meetings during their current term. A large proportion (85%) mentioned that the meetings were not held because of various administrative reasons:

48 The MoPR study has enlisted quality of participation indicators: the elected women representatives’ awareness of their roles; their performance in implementing development works; their involvement with the local community and organisations, either community-based or non-governmental, and, their role in organising Gram Sabha meetings, community drives and campaigns.

49 As per Constitution (73rd Amendment) Act, 1992 (Part IX) Article 243, Gram sabha is an essential body in which persons registered as voters in the electoral rolls relating to a village lying within the jurisdiction of that panchayat. Holding Gram Sabha meetings within a fixed time period is mandatory under the 73rd Amendment Act of the Constitution. It is usually convened by the Gram Panchayat. The Constitutional Amendment devolves to these elected institutions the task of preparing “plans for economic development and social justice” for each Gram Panchayat. As such, the elected representatives are expected to be closely involved in activities related to the Gram Sabha. Maintaining a quorum for the Gram Sabha meetings is an important norm. The quorum is the minimum number of registered voters or representatives of households required to be present in order to hold a Gram Sabha meeting. The preparation of the Village Development Plan is considered one of the most important functions. The issues discussed by elected representatives were largely related to the review of existing projects, selection of local schemes, approval of village plans, planning for rural development works and identification of Below-Poverty-Line (BPL) families.
e.g. the Pradhan was dismissed, or the Pradhan passed away, or the quorum was not met, and so on. The per cent vary for organising gram sabha for more than once in a year from 42% to 24%. Manipur, Gujarat, Orissa, Uttar Pradesh and Arunachal Pradesh reported their states had Gram Sabha meetings only once a year. Around 21% of the elected representatives surveyed confirmed this at the all-India level.

Nearly 32% EWRs reported regular interaction with the police, in comparison to 45% of the EMRs. Between 24 and 35 per cent of elected representatives claimed to have undertaken proactive steps in signing petitions, formulating Press statements and notifying police/ courts about local problems. The interaction of female Ward Members with the local bureaucracy was low in most of the states except Kerala, Tamil Nadu and Tripura.

Male representatives were found to be more proactive in meeting and working with the bureaucrats than the EWRs. The interaction of female Ward Members with the local bureaucracy was low in most of the states except Kerala, Tamil Nadu and Tripura. Total 49% EMRs and 25% EWRs reported to deal with the bureaucrats. All-India data show that 68% of Pradhans, compared to 38% of Ward Members, sought assistance from other government officials for the implementation of schemes. Not much difference was observed between male and female representatives in this regard. However, in Assam, Sikkim, Madhya Pradesh, Gujarat, Haryana and Punjab, the performance of the female Ward Members was found to be higher than that of their male counterparts. Paradoxically, based on the community members’ sharing, the interaction of elected women representatives with government officials was reported to be low as much as 12.3%.

All-India data demonstrated a fairly high percentage of participation among female and male Pradhans at such community meetings. The data disaggregated by gender revealed that a higher proportion of male representatives were attending community-level meetings when compared to women (67.9%). Among states, Uttar Pradesh registered the lowest presence of female Ward Members (16.2%) and male Ward Members (44.4%). Around 4% of Ward Members reported that there was no meeting organised by the residents to discuss local community issues.

As much as 28% of elected representatives expressed their lack of awareness of the existence of different types of Standing Committees\(^5\) at the Gram Panchayat level, while 18% said that no such committee existed.

\(^5\) The Standing Committees are expected to play an important role in the functioning of the Gram Panchayat, as well as in the implementation of the development works undertaken by it. Hence, they have been given wide-ranging powers at all three tiers of the Panchayati Raj structure, which includes preparation of proposals for the execution of schemes within budgetary provisions. It is provided that the elected heads at all three tiers of the panchayat structure should not sanction any fund for a scheme, programme or project without considering the views of the members of the Standing Committee to whom powers have been delegated with respect to a particular scheme, programme or project. The respective Standing Committees at the various tiers have also been given wide powers to call for information, and to inspect any work in progress. The most common type of Standing Committees relate to education, rural water supply (known as VWSC), village development committee, social justice and social welfare committee, audit & budget committee and the child and women development committee.
Initiatives taken by elected representatives in the realm of public health, either in the form of awareness generation campaigns or disease prevention drives or offering family planning counselling was mentioned by between 41 and 51% of community members, while 58-66% reported that their representatives’ efforts for providing better education and increasing enrolment.

Many local-level parallel bodies like Village Education Committees⁵¹ (VEC), Village Health Committees (VHC), Village Water and Sanitation Committees (VWSC), etc., have mandatory provisions for the involvement of Panchayat members, especially the Pradhan. The involvement of elected women, however, is significantly lower than that of the men, with only 33.2% of women being a part of such bodies, as compared to 49% of the men representatives. There is significant difference between the involvements of male Pradhans as compared to female Pradhans, with close to 71% of the men being a part of some committee in the village as compared to only 58% of the female Pradhans. 93% per cent of both the female and male Pradhans reported attending meetings and a similar high proportion was also reported by the female and male Ward Members. 12% of female Ward Members and 7% of male Ward Members did not attend meetings.

Among the parallel bodies, elected representative’s membership was found highest in the VECs, followed by VHCs. Membership of these bodies is seen as the first step towards ensuring the delivery of services that parallel bodies have been charged with. What is more important is the next step of actually getting involved with the functionaries dealing with the work done by these bodies. This demands that the elected representatives play a role in supervising and monitoring the Anganwadi workers and local-level implementation of programmes.

88% Pradhans and 65% of Ward Members interacted with the Auxiliary Nurse Midwife (ANM)⁵². However, only 56 per cent of the elected representatives were aware of the days on which the ANM visited their village. Compared to 71% of the Pradhans, 42% of the Ward Members said that they interacted with ASHAs. Surprisingly, there is a significant difference between the male and female representatives. A larger proportion of the former (74%) interacted with the ASHA⁵³, compared to the women representatives (58%).

The Panchayats are expected to perform a role as monitoring agencies for the various welfare programmes run by the government. One of the important roles of the elected representatives

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⁵¹ After Right to Education, 2008 (RTE) and School Management Committee (SMC), the role of village panchayat is reduced; similarly for water committee.
⁵² ANM is primarily responsible for running Sub-Centers. But she also does house-to-house visits for providing health-related advice and services. Her role in maternal and child health, along with family planning, requires her to interact with the community at frequent intervals. Thework of the ANM is more closely associated with women and children. Supervising their work is one of the duties of the ERs.
⁵³ One of the key components of the National Rural Health Mission is to provide every village in the country with a trained female community health activist. This is the ‘ASHA’ or Accredited Social Health Activist. Selected from the village itself and accountable to it, the ASHA is trained to work as the interface between the community and the public health systems. The institutional support for her duties is intended to be provided by the Anganwadi Centre (AWC) and the Gram Panchayats.
is to supervise the activities of the functionaries working at the village level. The devolution of functions to Panchayati Raj bodies has imposed a monitoring role to the Panchayats to help improve service delivery and accountability, as well as, to maintain a level of transparency in the system.

When queried about the Anganwadi Worker (AWWs)\(^54\), 84% of the Pradhans answered in the affirmative. The variation between female and male Pradhans regarding their monitoring role vis-à-vis the AWW was significant: a much higher percentage (90%) of male Pradhans as compared to 81% of their female counterparts reported having monitored the AWWs. Less than 35% of them reported monitoring the less visible activities like distribution of IFA tablets to adolescent girls, mother and child care, etc. About 69% reported monitoring the implementation of Mid day meal (MDM) scheme - a significantly higher proportion of elected men than women responded in the affirmation. Of the total elected representatives who reported the presence of CBOs\(^55\), 63% were female Pradhans and almost 71% male. Gujarat, Bihar, Uttar Pradesh and West Bengal registered a relatively lower proportion of female Pradhans in CBOs. 26% (Pradhans (29%) than Ward Members (24%)) of all elected representatives - men representatives (28%) than women (25%) - were involved with some local body/CBO before being elected. A large proportion (64%) reported being encouraged by some local body/CBO.

Almost 32% of the elected representatives reported being affiliated or supported by political parties. 43% of the Pradhans admitted to being affiliated or supported by some political party, 29% of the Ward Members stated the same. The variation across the elected men and women was significant, with almost 40% of the men reporting affiliation/support in comparison with 29% of the women reporting affiliation or support from any political party. In Tripura, Kerala, Assam, West Bengal and Sikkim, more than 90% of the Pradhans reported having received support from a political party, while in Haryana, Bihar, Manipur, Uttarakhand and Uttar Pradesh, less than 20% of the Pradhans reported such affiliation to any political party. When asked about the type of support received from political parties, 83% of the elected representatives who had admitted to receiving support reported that they were given party workers for campaigning. About 44% said that they were given campaign material. Out of these elected representatives, 26% also reported getting financial support from the political parties, along with 18% who received logistical support like arrangement of microphones, transportation, etc.

33% of the EWRs in comparison to 49% of EMRs highlighted that women representatives still lack a voice in the affairs of the village. There is also a marked difference among the states. Kerala, West Bengal, Tripura, Assam and Maharashtra have more than 90 per cent of their female Pradhans in the parallel bodies, as compared Punjab, Rajasthan, Gujarat, Madhya

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\(^{54}\) The Integrated Child Development Scheme (ICDS) is run by the (AWW). She is responsible for running the Anganwadi Centre (AWC) and providing nutritional, maternal and child health care services in tandem with the ANM of the village.

\(^{55}\) The CBOs are referred to as Self-Help Groups (SHG), Women’s Groups, Youth Clubs, Joint Forest Management Committees, etc.
Pradesh and Bihar, where less than 50% of the female Pradhans reported being a part of some committee.

Among various challenges to women’s participation, Shirin (2005) opines that, “One of the important issues that face both women and men is that central government control over resources undermines their autonomy. Women candidates also face the hurdles of money-based politics, issues of security as they travel over large constituencies, and the continuing influence of patriarchal social relations, which support segregation and purdah, limiting women’s ability to participate fully in the political life of the local community…. women are expected to adjust to the imperatives of party structures for their political survival. One of the structural challenges is the weak position of the panchayats vis-à-vis the state government, which erodes the autonomy of the panchayats and those who are elected to them. Several women have pointed out that without a proper salary\(^56\) the panchayat is more open to corrupt practices and to being dominated by upper-class individuals who can afford not to be paid. So, in terms of process, the induction of women into politics requires attention to the expectations of members, their training and remuneration issues… They are confronting the traditional mindset where their male colleagues reject them as equal partners in politics. They are seen as representing only women and they are given responsibilities related to gender specific projects and programmes. Councillors who were elected in reserved seats were not offered any honorarium, while it is difficult for women councillors to meet transport costs out of their own pocket, as most of them are economically dependent on the male members of their families…. Differences among women (as among men) on the basis of class, caste, religion and ethnicity are played out in different ways in the representative and party politics of the three countries…. However, women representatives face many challenges – structural, personal and party-political. They are often not taken seriously by their male colleagues, the level of training and information is poor, the party bosses continue to dominate local government, thus stymieing women representatives’ attempts to bring about change, and the uneven gender balance within the family continues to deter women from taking an independent stand on issues. We also see that, despite some shifts, the continuing dominance of the middle and upper classes in local politics means that the differences between women are played out in particular ways. This means that low caste women find it difficult to represent their own communities satisfactorily, while at the same time they are unable to represent any generalized interests of women. Second, because of status differentials, the risks that poor, low-caste, minority women take in standing up to dominant privilege interests are very high. Finally, the rotational reservation of seats as used in India means that women representatives joining politics cannot nurture their constituency over a period of time, and therefore struggle to build a base for themselves in local politics.

(ii) Problems and issues raised and handled
Raghabendra Chattopadhyay and Esther Duflo (2003) have conducted a study in two districts, Birbhum, in West Bengal, and Udaipur, in Rajasthan to understand impact of reservation in PRIs. Their search is for: whether the elected representatives have independent

\(^56\)The remuneration varies from 10 rupees (INR) per sitting to 50 INR. The sarpanch can get up to 100 INR.
power and autonomy, the direct control of the villagers (exerted through voting or through the Gram Sabhas), how do they deal with the control of the bureaucracy, the parties’ hierarchies, and the local elites. One of the methods for the study was to compare the public goods made available in the villages where the elected representatives were on reserved seats and the other villages with unreserved seat. They found that in both states, a specific set of rules ensures the random selection of GPs where the office of Pradhan was to be reserved. The major responsibilities of the GP are to administer local infrastructure (public buildings, water, roads) and identify targeted welfare recipients. Though the GP has, in principle, complete flexibility in allocating these funds; the GP has no direct control over the appointments of government-paid teachers or health workers, but in some states (Tamil Nadu and West Bengal, for example) there are Panchayat-run informal schools. The main source of financing is still the state, but most of the money that was previously earmarked for specific uses is now allocated through four broad schemes.

Regarding women’s participation in gram sabha (sansad), they found that “Women in villages with reserved Pradhans are twice as likely to have addressed a request or a complaint to the GP Pradhan in the previous six months, and this difference is significant. The fact that the Pradhan is a woman therefore significantly increases the involvement of women in the affairs of the GP in West Bengal. In Rajasthan, the fact that the Pradhan is a woman has no effect on women’s participation at the Gram Sansad or the occurrence of women’s complaints. Note that women participate more in the Gram Sansad in Rajasthan, most probably because the process is very recent, and the GP leaders are trained to mobilize women in public meetings.”

The differences between working of men and women representatives and taking up issues were observed. “In both West Bengal and Rajasthan, the gender of the Pradhan affects the provision of public goods… In West Bengal, drinking water and roads were by far the issues most frequently raised by women. This is what we expected, since in both places, women complain more often than men about water. In West Bengal, GPs are less likely to have set up informal schools (in the village, this is significant only at the 10% level) in GPs reserved.

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57All GPs in a district are ranked in consecutive order according to their serial legislative number (an administrative number pre-dating this reform). GPs that have less than 5% SCs (or STs) are excluded from the list of possible SC (or ST) reservation. A table of random numbers (in the electoral law) is then used to determine the seats that are to be reserved for SCs and STs, according to the numbers that need to be reserved in these particular districts. They are then ranked in three separate lists, according to whether or not the seats had been reserved for a SC, for a ST, or are unreserved. Using these lists, every third GP starting with the first on the list is reserved for a woman Pradhan in the first election. For the next election, every third GP starting with the second on the list was reserved for a woman, etc. The Panchayat Constitution Rule has actual tables indicating the ranks of the GPs to be reserved in each election.

58The Jawahar Rozgar Yojana (JRY) for infrastructure (irrigation, drinking water, roads, repairs of community buildings, etc.); a small additional drinking water scheme; funds for welfare programs (widow’s, old age, and maternity pensions, etc.); and a grant for GP functioning. According to the balance sheets we could collect in 40 GPs in West Bengal, the JRY accounts for 30% of total GP income, the drinking water scheme, 5%, the welfare programs, 15%, the grant for GP functioning, 33%, and the GP’s own revenue for 8%. GPs can also apply for some special schemes—a housing scheme for SC/STs, for example.

59Interestingly, women’s participation is significantly higher when the position of council member of the village is reserved for a woman (results not reported to conserve space). This difference is probably due to the very long distance between villages in Rajasthan.
for women. The next most important issue was welfare programs, followed by housing and electricity. In Rajasthan, drinking water, welfare programs, and roads were the issues most frequently raised by women. The issues most frequently raised by men in West Bengal were roads, irrigation, drinking water, and education. With the exception of irrigation, men have the same priorities in Rajasthan. Note that these patterns of preferences are expected, in view of the activities of both men and women in these areas. Women are in charge of collecting drinking water, and they are the primary recipients of welfare programs (maternity pension, widow’s pension, and old age pension for the destitute, who tend to be women). In West Bengal, they are the main source of labor employed on the roads. In Rajasthan, both men and women work on roads, and the employment motive is therefore common to both. However, men travel very frequently out of the villages in search of work, while women do not travel long distances; accordingly, men have a stronger need for good roads. The only unexpected result is that we do not find a significant effect of reservation for women on irrigation in West Bengal...These results suggest that the reservation policy has important effects on policy decisions at the local level. These effects are consistent with the policy priorities expressed by women...However, despite all this, what remains is that women do different things than men...Not only does she find that the quality of water provided is better in GPs that are reserved for women, and that women are somewhat less likely to demand bribes, but she also finds that villagers are less likely to be satisfied about the quality of the water when GPs are reserved for women, despite receiving objectively better service. This suggests that women tend to be considered as worse policymakers even in cases where they are objectively better. This may explain the skepticism about the impact of the policy in the face of the evidence.”

Buch’s study shared findings about social and developmental problems raised and handled by the EWRs. The nature of problems brought to the women representatives are reported to be family conflict by 28% chairpersons and 22% members, land disputes, land distribution, employment and assistance about basic needs by 49.12% chairpersons and 52% members, village development by 17.54% chairpersons and 25% members. In M.P. the issues discussed in meetings are construction work, budget, women’s development schemes, rural development. 92% mentioned rural development, 15% said construction work and 16% said other schemes. In Rajasthan issues discussed are drinking water, beneficiary selection 27%, encroachment, rural development 42%, and work selection. In U.P. the issues discussed were reported as work selection (25.4%), rural and development problems (38.4%).

Moreover, in response to questions for augmenting resources and what would be their priorities in utilization of such additional resources, only 13.3% EWRs shared that they find the income adequate, 40% find the income inadequate and almost an equal proportion do not know whether it is adequate or inadequate. Local priorities indicated by them to utilize the additional resources include health facilities, construction work and drinking water in this order in M.P. In Rajasthan drinking water resources, development of village generally and education are highlighted. Livestock related matters, sanitation, getting credit support to poor and widows, old age pension, improvement in social services are also indicated. The priorities of U.P. representatives are more general - development of village and employment. A good percentage of women representatives have reported their efforts to overcome
difficulties in working in Panchayats. While 53.7% in M.P. reported efforts made by them, in Rajasthan and U.P. their percentage is 39.7% and 32.9% respectively. In M.P. 30% said they tried to solve problems with their own efforts, 11.4% said there was no reduction in difficulties and no means to solve problems but 8.5% complained at higher levels. In Rajasthan 16.7% sought advice from govt officials, 10.7% cooperation from people but 26.7% said there was no reduction in problems and no means to solve them. In U.P. 19.64% reported no effort, 14.8% said they tried to convince people and 7.9% and 5.7% said that they tried to seek the cooperation of govt officials and people.

The MoPR study found the following in regard to EWRs’ abilities in raising and handling development issues -

- Apart from drinking water, the provision of sanitary latrines is an important amenity that has been promoted by giving subsidies to individual households and incentives to the Gram Panchayats in the form of Nirmal Gram Puraskar. Overall, a high proportion of elected representatives (80%) claimed that the number of households with sanitary latrines had gone up. This was significantly higher with Pradhans (83%) than Ward Members (67%) and among elected male representatives (76%) than women (69%).

- With a highly skewed sex ratio and a lower proportion of girls being sent to schools due to attitudinal and infrastructural reasons, girls’ education is an important area which was expected to improve with more women in governance, many of whom may not have had the opportunity to go to school. Around four-fifths of the elected representatives who served multiple terms said that there was an increase in the proportion of girls getting enrolled in primary school. Again, this perception was held by a higher proportion of Pradhans and elected male representatives than their respective counterparts.

- Elected representatives were queried about the roles played by them for providing civic amenities like streetlights, drinking water, etc. during their current term. Almost 72% of them reported being involved, and, among them, there was again a higher proportion of Pradhans (89%) as compared to Ward Members. There was also the familiar variation between male (76%) and female representatives (70%).

- When questioned about the types of amenities they helped provide, the majority of elected representatives mentioned drinking water (86.4%), followed by road construction (74.3%) and sanitation (70%). The comparison between the priorities of the male and female representatives must be noted: a higher proportion of EWRs reported they helped provide street lights (61% as compared to 57% males), drinking water (87% to 85%), construction of bus shelters (33% to 25%). However, no significant differences were observed between the two gender groups with respect to services like electricity connections, construction of roads or sanitation.

- Other than these developmental issues, the survey sought to test whether the process of empowerment through Panchayati Raj had helped in other areas like increasing female literacy levels or check incidents of domestic violence. The women representatives were questioned about their involvement in promoting school enrolment of girl children and their role in reducing incidents of domestic violence. Almost 78% of female Pradhans reported making special efforts to encourage girls to go to school, in comparison to 59% of the female Ward Members.
The women representatives were also asked about incidents of domestic violence and whether they had taken steps to reduce it. While 62% of them who admitted of having come across these incidences said they had tried to reduce it, about 11% also said that intervention was not required. About to 79 per cent of the Pradhans who had come across such cases reported making some effort as compared to 58% of the female Ward Members.

Community’s perception about EWRs’ performance was shared by the MoPR report, which is as follow:

Alcoholism emerged as a major problem, with about 40% of households reporting its existence. In almost 7% of surveyed households, all three households in a ward selected as sample reported being affected by alcoholism. Similarly, about 12% of households were affected by gambling, 20% by dowry-related issues, 12% by untouchability, 10% by preference for a male child and about 8% by child marriage. Among the social issues, the discouragement of child marriage emerged as one which attracted the highest (70-71%) rate of intervention by representatives intervened, followed by male children obsessions (44%). The problems of gambling and alcoholism were, reportedly, addressed by representatives in 40-41% and 25-26% of wards respectively. The positive impact of entering politics and working as a Panchayati Raj functionary is evident from the fact that a sizeable proportion perceived an enhancement in their self-esteem (79%), confidence (81%) and decision-making abilities (74%). Becoming a Pradhan or Ward Member augments respect within the family (67%) as well as in the community at large (82%). This change is more perceptible with EWRs who also perceive an increased voice for themselves in decisions related to important issues, including economic ones, in their family (66-71%).

(iii) Change in status

Buch’s study reported that “A majority of the women clearly perceive enhancement of their status and the reason for this enhancement is seen in their holding the panchayat post and substantially less in their potential to work for the help of the local community. 48% have reported change in their attitudes - the highest among ST and SC women. The maximum change was seen in children’s education - sending more children to school as women in our case studies as well as the community members also reported. In fact, 65.5% community members reported impact on women’s education including in increased awareness.

The MoPR studies revealed that a high proportion of elected representatives reported enhanced self-esteem (79%) and respect within the household (67%). A sizeable 82 per cent perceived improvement in the respect commanded from members of the village community. This was in line with the finding about the high proportion of respondents that received recognition across various caste groups in the village (91%) and did not face conflict soon after being elected. Similarly, regarding personal effectiveness, the survey recorded significant improvement in perceived self-confidence (81%) and decision-making ability (74%). Further, the survey found that after getting elected, the need for them to seek
permission before going out of the home, speaking to unrelated persons and attending social gatherings had declined.

The external environment beyond the domain of the household forms the next level of environment or space impacting the performance of the elected representative. This space is further bifurcated into space related specifically to the professional aspect, and, the space where interaction with the community at large takes place. The community represents the socio-cultural space where increase in recognition and support from different caste groups after election may indicate positive impact and even empowerment. The same holds true for professional space also. (shown through a chart)

Almost three-fifths of the elected representatives interviewed said that the Block Panchayats take into account ‘a lot’ of the concerns voiced by them. About 64% reported heightened response from local government functionaries towards issues raised by them. 60% EWRs shared that they did not feel ignored by the administrators because they were women. However, the ability to raise issues freely during Gram Sabha meetings was slightly higher in the case of Pradhans and male representatives than their respective counterparts. Similarly, a lower proportion of Pradhans and male representatives felt that their views were not considered.

Among the second or third time elected representatives, two-thirds reported that their interaction with the line departments and parallel bodies has increased and improved over time. Of course, it is higher among elected male representatives (72-75%) in comparison to the women (60-64%). Lower levels of interaction with line departments are largely explained by the fact that it is usually the Pradhan or male representatives who remain in regular contact with the external bodies and tend to play a more dominant representational role.
With respect to functioning of the EWRs Mohanty (2005) notes that, “Women not only take up issues relating to basic needs, such as, drinking water, availability of doctors and teachers in the villages, which are dear to them, but also general developmental activities, for example, augmenting the income of the panchayats and generating irrigation facilities for the paddy field. The micro-study conducted by the Institute of Social Sciences referred to earlier also shows that not only are the schemes better targeted but also the knowledge about different largesse such as widow and old age pensions, availability of free rice spreads fast among the women because of the presence of women in the panchayats. The women of the neighbourhood act as the ‘watchdog’ in compelling the elected women to deliver at least some goods. Women of the villages can easily approach the women elected members and can get subsidized rice at any time.”

Shirin (2005) observed that the EWRs do attempt to address women’s basic needs, and are approached by women’s groups to address their problems, and there is even some evidence that on the whole women representatives are less corrupt and therefore bring to local governance some degree of credibility in the eyes of the people.

(iv) Emerging leadership
Different indicators have been developed for emerging leadership, such as self-development and empowerment related attributes, capacity building, wish to contest election second or third time, able to handle various social and development issues, performing supervisory role for different public servant and institutions and programmes associated with the village panchayat like anganwadi, ANM’s work, MDM and so on dealing with political leaders, police and government officials.  

Buch’s study shared that the most important shift we note is in their status, their identity, new recognition, respect, consultation and being sought out for help and assistance. EWRs’ self confidence and aspiration levels are other indicators of their empowering process. More than 70% women (74.3%) reported people’s expectations from them in terms of village development with justice, solution to individual problems, benefits of govt programmes etc. More importantly, more than one-third expressed self-confidence in meeting these expectations. About 41%EWRs expressed aspiration to contest elections again and almost nine per cent to contest positions at higher level of panchayats and also for state/national legislature...Women’s autonomy and dependency is often seen particularly in the northern states in their lack of unescorted mobility and in observance of seclusion and veil. We noted that while about 59% are still observing veil for various social reasons e. g. respect of elders, those reporting observance of veil in panchayat meetings was only about 43% and observing outside their village about 35%. As regards escorts, almost 70% in M.P. and 60% in Rajasthan reported not using escorts to attend panchayat meetings but in U.P. an overwhelming majority of more than 75% (76.6%) reported use of escorts...More than 70%

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60 Buch’s study has mentioned four indicators, i.e. ‘Self-esteem’, ‘Respect within household’, ‘Respect among the village community’ and ‘Personal effectiveness’ capturing two aspects – ‘Change in self confidence’ and ‘Change in decision-making ability’.
see the change in their status in the family, among neighbours, and among own caste persons and more than 60% also see it in government offices and other caste persons. Women across the three states and in different districts indicated how they see new recognition and respect. How the husbands give more respect and consult them about various issues, how the villagers give respect, invite to weddings, come to them with their problems. In the community where these women so far had the identity only as someone’s wife or daughter/daughter in law this identity of their own person and name is a big step. The SC sarpanch in one panchayat stated how she tells people not to come to meeting after drinking (alcohol) and sends them back if they do so, how people of all castes come to visit her for work now which would have been unimaginable earlier...We see rural women’s new leadership emerging in these grass roots institutions. Data on their perceptions, recognition, respect, enhanced status, confidence levels, increased political aspirations and community’s perceptions and evaluation are markers of an empowering process. Transformative potential of their new role is seen in assertion, recognition, new identity, respect, status, questioning, mobility and attitudinal shifts. Family has come out as the most supporting social institution particularly at the village level even though the family members have been quite often seen as taking over or influencing their working. Such comments mostly fail in allowing for a learning process for these new entrants to politics and power. Most of the women interviewed have in fact shown a capacity for growth and learning.

The MoPR study has developed performance index. The mean values of performance index were higher in case of male representatives than those of female representatives, both among Pradhans and Ward Members. The performance as measured by the performance index was the largest among female Pradhans, followed by male Pradhans, male Ward Members, the least being among female Ward Members. Improvement in decision-making abilities and empowerment after being elected seems to have a significantly higher positive impact on female Pradhans than female Ward Members. With regard to type of seat contested, as much as 90 per cent of female representatives were elected from the constituencies reserved for women.

Table 3: indicators for Developing Empowerment Index and Household Status (MoPR, 2008)

<table>
<thead>
<tr>
<th>Indicators for Developing Empowerment Index</th>
<th>Indicators for Developing Household Status</th>
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<tbody>
<tr>
<td>Need to take permission to go out from the home</td>
<td>Change in social interaction after being elected</td>
</tr>
<tr>
<td>Permission required to speak to unrelated persons</td>
<td>Change in time devoted to looking after children</td>
</tr>
<tr>
<td>Permission required to attend a social gathering</td>
<td>Change in involvement of other HH members in sharing HH responsibilities after being elected</td>
</tr>
<tr>
<td>Say in sending girl child to school</td>
<td>Change in involvement of other HH members</td>
</tr>
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Indicators for Developing Performance Index - Membership of standing committee, Involvement in community mobilization, Interaction with ANM, Monitoring of AWC, Monitoring of ANM, Participation in Health related Campaigns, Participation in Prevention of diseases, Participation in Family Welfare issues, Initiatives to increase enrolment, Initiatives to reduce dropouts, Monitoring of teachers attendance, Monitoring of PDS, Provision of civic amenities, Attending meeting of residents, Meeting with local politician, Assistance for implementation of schemes, Interaction with bureaucrats.
Chattopadhyay and Duflo shared, “The impression that women are not effective leaders thus seems to stem largely from the social perceptions of women that the policy precisely tries to address. Despite the handicaps they may face in terms of education and prior experience, and the preconception of weak leadership, women have a real impact on policy decisions.\(^6^2\)...Reservation for SCs and women in the Panchayati Raj makes a difference: Both women and SCs invest more in what women and SCs seem to want (water for women, goods in SC hamlets for SCs).”

They concludes with the remarks on reservation for women, “These results also suggest that, given the difficulty of targeting public transfers to specific groups in an otherwise decentralized system, reservation may be a tool to ensure not only adequate representation but also adequate delivery of local public goods to disadvantaged groups. They fly in the face of scepticism founded on anecdotes or prejudice that women or SCs are not capable of being independent leaders. These results show that, whatever the process underlying the effects may be, women and SC leaders make a difference on the ground. Correcting imbalance in political agency does result in correcting inequities in other spheres as well.

D. Issues, concerns and follow up actions

Though the EWRs shown readiness to contest subsequent elections, the number of elections contested over the last three rounds is an important indicator of the motivation and keenness of representatives to pursue politics as a career by the MoPR study - A large proportion (83.4%) of the interviewed elected representatives have contested only one election in their career, only a small proportion (12.4%) have attempted second and third rounds (4.2%) of elections. Elected male representatives were found to be more likely to contest elections more than once as compared to elected women. Re-electability was also evaluated against reservations across three rounds of election. At the All-India level, of all the elected representatives interviewed, 79% were from reserved seats. This was more true in the case of Ward Members and elected women representatives, in comparison to their respective counterparts.

Reserved seat for women is rotated every five years. Women usually do not get chance to get elected from unreserved seat and thus majority of women do not contest. This situation brings women’s political career at stake; it cannot accelerate without quota system...Of all the ex-women representatives interviewed, a large majority (89%) did not contest another election, while the remaining 11% did contest but lost. All those who responded saying that they did

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\(^6^2\) Using data collected by the Public Action Center, matched with data on reservation, Topalova (2003) finds illuminating results: Not only does she find that the quality of water provided is better in GPs that are reserved for women, and that women are somewhat less likely to demand bribes, but she also finds that villagers are less likely to be satisfied about the quality of the water when GPs are reserved for women, despite receiving objectively better service. This suggests that women tend to be considered as worse policymakers even in cases where they are objectively better. This may explain the skepticism about the impact of the policy in the face of the evidence.
not contest an election the second time round were further questioned to understand the reasons. Close to half of them (45%) said that the work entailed was unsuitable for women or that they had felt incompetent in executing their responsibilities. Two-fifths said that they were unable to maintain balance between work and household chores, while 30 per cent faced resistance from their spouses or families. It is interesting that 30 per cent of current women representatives cited their spouse as the major motivating factor for their contesting elections, while an almost exactly equal proportion of former women representatives said the spouse was the inhibiting factor. Among the factors related to their external environment, 17% pointed to unacceptability/conflict across different social categories, 9% to political rivalry and 5 per cent to conflicts with other elected representatives. Nearly two-fifths (39%) of ex-women representatives cited as their reason the de-reservation of their seats, while 14 per cent cited the lack of financial resources. Those who contested, but lost, the last election offer various reasons for their defeat. Relatively low levels of social interaction or inadequate campaigning emerge as the most frequently cited reasons (52%). Other than this, most of the reasons offered are unrelated to their personal performance while in office. Thus, only a very small proportion (12%) attributed their defeat to inadequate developmental achievements during their tenure. A much higher percentage (40%) cited their unacceptability or conflict across different social categories, while 30% cited political rivalry among the external factors not directly linked with one’s own performance. Inadequacy of funds was mentioned by 19%, while 13% cited de-reservation as reasons for their defeat.

Buch articulated concerns - To begin with, why is it that despite the constitutional amendment saying “not less than one third” members/chairpersons positions have to be reserved for women to contest, not even one state legislation has considered reserving anything more than this one third. Why is it that the national consensus reflected in the amendment is not followed by strong and large scale training support in all the states to measure up in quantitative coverage as well as in coverage of critical issues, processes and not only skills and procedures. There is lack of understanding of the potential for alliance between different women’s collectives. These women need and deserve state support, solidarity and networking with other women’s organisations. Support must be given to women’s local organisations and alliances between all different collectives of women and training programmes incorporating skills, knowledge, issues and concerns of women, how to address them, how to organise, cooperate, participate, manage and build alliances, how to network with other women’s collectives, social practices adversely affecting women and how to deal with them, how information and knowledge is to be sought, stored and retrieved and how to maximise strengths and overcome vulnerabilities. Rural women have shown that they can use the new political space created for them. There are markers of change, empowerment and leadership despite the multiple handicaps and burdens they have initiated and which they continue. It is the state and the civil society which have to support them in organisation, training, net working with information package and questioning the myths. They must also bring up data and experience without bias but with empathy and perseverance.

Section 2: Findings of the study – impact of reservation on women’s development and empowerment
The findings follow the sequence of the findings presented in section 1, i.e. about reservation for women in PRI and debate around the same, impact of ‘critical mass’, linkages with women’s development and empowerment and issues of concerns and follow up.

The Gujarat and Haryana Panchayati Raj has continued to ‘1/3rd seats reserved for women’; unlike other states like Chhattisgarh, Bihar, Madhya Pradesh, Rajasthan, Sikkim and Uttarakhand that have extended the reserved seats up to 40 to 50% for women.

A. Regarding quota system and its implementation

All the EWRs interviewed supported quota system saying that unless it is a reserved seat, our entry to PRI as elected candidate is reduced to rarity. In this context, all of them supported arguments that they approve quota system, i.e. women have the right as citizens to equal representation in political institutions; women’s experiences are needed in political life; and women are just as qualified as men, but women’s qualifications are downgraded and minimized in a male dominated system. Thus they approved of ‘equal opportunity’ and ‘equality of result’ through quota system. They also clarified the theoretical understanding that, “If barriers exist, it is argued, compensatory measures must be introduced as a means to reach equality of result.”

The forms of quota are - regional, occupational or ethnic criteria; and its operationalization needs to be understood. In Gujarat, a former SC sarpanch explained quota system and reserved seat and showed tricky part of reserved seats – how some seats are repeatedly announced as reserved seats for women and for SCs for village panchayat elections and some seats in a block are never made as reserved seat; this process varies in each district in the state. The selection for reserved seat in the village is based on random number, e.g. every 7th village. Thus 7th, 14th, 21st, and so on number of villages listed as part of the block is selected for election in the year 2001. For next election, even if the 7th number is selected, the reserved seat consideration should start with 2nd, 8th and so on but instead it follows the pattern of the previous election. Thus the same set of village panchayat would have reserved seat. Similar process is adopted for reservation for SC seat. The revolving system for the reserved seat is not providing equal opportunity to women in this context. Thus the flip side of quota is revealed that it has not shown effect on increasing women’s representation because there are no mechanisms to ensure their implementation.

Wholehearted support to reserved seat for women

None of the EWRs covered under the study were engaged with implementation of quota and reserved seat directly and therefore ‘reserved seat’ was given to them; they have not played role in ensuring whether quota system and its implementation in place. One NGO in Gujarat had approached the State Election Commission to show tricky part of rotation system for reserved seat but no concrete measures have been reported. Thus there is no major complaint against the trickiness of the rotation reservation system on one hand and it is seen as an important part for success of the quota system on the other hand.

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Dahelrup (2002)
As shown through secondary data (2006), Gujarat and Haryana has reported 33.5% and 35.2% of women representatives in PRIs.

Regarding success of quota system and role of political party, all the EWRs clearly stated that the political parties have their own interests, not committed to women’s development and empowerment. In such calculations, the candidates selected to contest election on reserved seats for women are not genuine candidates.

No support for political party needed for village panchayat elections in both the states is provided. Regarding block and district panchayat election, presently elected women representatives in Haryana shared that they were denied ‘ticket’ by the political party and they contested election as independent candidates and won. They explained part politics too – after winning the seat respectively at panchayat samiti (at block) and Zila Parishad (at district), women do play an important role in election of the chairperson, at both levels, block and district, especially when it is a reserved seat for women. Both were approached by the political parties to go for chairpersonship and both denied because of past experiences with the political parties. They have explained how much money power combined with political power play role in election of chairperson at both levels of PR. They however narrated the importance of getting support of political party and their performance regarding getting development work done and resource mobilization required for development work. They also shared that sometime political party support in campaigning during election, providing propaganda material; however, some political equations are managed at higher level, for which the candidates at block and district level may not be involved or are made aware of.

In Gujarat, two political party members shared about limitations of political parties. One of them had faced ‘no confidence motion’ as sarpanch of the village panchayat. In her experience, the political party did not provide any support to her – not at information level, technical knowledge of the PRAct, dealing with the committee that looks into such administrative matters, not moral support and so on. So despite her winning as sarpanch on women’s reserved seat, she could not continue working as sarpanch, as she failed in getting support from the political party in withstanding the ‘no confidence motion’ against her. Based on her experience as a member of political party, she shared that the party want women to carry out their programmes, thus it is a mere tokenism, not real change that women want.

B. Regarding ‘critical mass’ and its impact
All the studies conducted on this issue and other writings reveal that women are capable of managing political and development related affairs competently. The new leadership is emerging despite women’s handicaps like low literacy levels, coming from low economic strata and having limited exposure to administrative and political structures. The 14th Report of the Standing Committee on Rural Development (2009-10) on the Constitution (One Hundred and Tenth) Amendment Bill, 2009 has mentioned that it is a ‘silent revolution’ within the process of democratic decentralization ushered in by the 73rd Amendment.
A sharp contrast has been observed in Gujarat and Haryana states in this context. In Gujarat, among the EWRs interviewed from different districts, more than 95% are working on their own and performed competently, except one SC woman who is not literate but has been supported by her husband actively.

With given overarching constraints related to women’s status and role of administration as a facilitator in Mewat (Nuh) district of Haryana, the ground reality has revealed complexities of myths and has posed many questions, which need to be understood from women’s perspective as well as governance perspectives.

**No proxy or namesake**

None of the EWRs interviewed is for namesake or work as proxy. In fact, in Haryana, with given restrictions of mobility, illiteracy and acceptance of status, EWRs at village, block and district level panchayats are working efficiently. The lack of support from the government officials is more evident than the restrictions imposed by the family or community. Two EWRs shared that they have attended meetings organised by the district office as well as the training programmes. In these forums, at least one-third EWRs are present with their spouses. No government official has ever tried to reach out to us, as a facilitator.

**KMVS from Gujarat** has demanded that actually the government official should be taken task for promoting ‘proxy sarpanch’. Why should the government official justify that the EWR is illiterate or incapable and therefore her male counterpart is working. It is the role and responsibility of the government official to ensure capacity building and providing necessary support to the EWRs.

**Performance of EWRs**

Each EWR has mobilized 35 to 40 lakhs of rupees for various development activities and works in the villages as sarpanch during the tenure of 5 years in Gujarat while about 5 to 20 lakhs in Haryana state during five year term. They have maintained their offices, paper work, necessary documentation and accounts, and organising meetings of panchayat body and the gram sabha as per the rules. They have approached concerned government officials for resource mobilization, seeking guidance and support.

In Mewat region of Haryana, the dominance of socio-religious structure, norms and practices is prominent and that has affected EWRs’ participation, representation, performance and the outlook for PRIs and political rights. Since women’s roles are well defined as per socio-religious structure and norms, they are rarely seen as political representatives – by the men, family members and also by other EWRs. Women’s engagement with house chore is predominant and their mobility and decisions for whom to interact are also well defined. However, despite such restrictions and low literacy, at least half of the EWRs have taken initiatives for development works and resource mobilization from the government, with the help of their husbands or male counterparts. They have motivated the village residents for making toilets, water management in the area or in the school, etc. with the hope that they would fetch necessary funding from the government in coming years.
The issues raised and handled by the sarpanch are largely bound by the government fund available under centrally sponsored schemes (CSS) or programmes like total sanitation campaign (TSC) or National Rural Health Mission (NRHM) or some specific state funding. This fact is corroborated with sharing of EWRs’ experiences with two considerations – one, type of development work undertaken; and second, the difference between the list prepared for development work by the gram sabha and the fund allocated for the pre-determined funding by the government.

- In Gujarat, the EWRs have reported range of development work, including tree plantation (provided by the government nursery); construction of the bus stop for state transport bus; new rooms built in the primary school or/and rooms repaired in the school; the building of panchayat office repaired or newly built; installation of pump over the water tank; repair of water bores; trough for animals in the village; building public toilets; graveyard covered with a tin roof; covering pond to make a platform for washing clothes; deepening of pond; etc.
- In Haryana, implementation of TSC and building private and public toilets with soak pits; water distribution system (sump and pipeline); roof for graveyard; building new anaganwadi centre; installation of street lights; compound wall of primary schools; compound wall of the village; repairs of road with mud-soil; etc.

Each of ERs complained about availability of adequate funding. This is one of the reasons for gap remained between people-driven funds, list prepared through gram sabha. In both the states, the ERs informed that usually the demands are generated based the topography of the village, water or road making at one or more hamlets in the village; etc but the funding is available only through government funding. While interviewing the block development officers (BDO) in both the states and district development officer (DDO) in Gujarat, all of them said that the funding is strictly routed under CSS or state funding; non-tied funds are not given to the village panchayats. Though in principle the village panchayat can use its fund, generated through revenue or tax or fee, they have to seek permission and for approval of funds and development work in the village. Such proposals are rarely attended. Moreover, with changes in CSS and some state government funding, supervisory role of sarpanch and ward members are sidelined for primary school, water and health related workers, and so on. The sarpanch can’t appoint security personnel, water pump operator, etc and therefore their supervision is limited to only anganwadi workers and sweepers. Haryana based ERs have opportunities for raising fund for the village panchayat, mainly through giving shamlat land on lease, ponds on lease and sometimes leasing other properties of the village panchayat. In Gujarat, very few EWRs have attempted to raise funds for the village through tax or fee collection from public land given on lease for organising fair or to be used as rickshaw parking, etc.

Regarding social issues, EWRs of Gujarat addressed or initiated action on violence on women, alcohol making and consumption in the village, and sometimes for formation of SHGs. Many of them approached Department of Social Welfare for supporting widows (for
widow’s pension scheme), destitute (pension scheme), and to reach out to such individuals to avail welfare schemes.

**Unattended avenues for women’s participation**

Formation of Social Justice Committee (SJC) and having one women member is mandatory as per Panchayati Raj Act in Gujarat but at least half of the EWRs were not aware of this provision. This revealed learning related to the caste of EWR – the EWRs belonging to so-called upper castes were not aware of this provision while EWRs belonging to SC and ST were well aware of the provision, however they couldn’t effectively take action for social justice. None of the Haryana based ER were aware of SJC and its and effectiveness. In fact, one of villages of Mewat region, the SC sarpanch did share untouchability problems and rivalry between so-called upper caste and SCs in the village.

**Barriers to performance of EWRs**

To large extent, government’s top down approach for funding, approval of development work and administrative procedures determine ERs’ performance as well as women’s development and empowerment. None of the EWRs or male elected representatives shared their idea or vision of women’s development and empowerment. There could be two reasons for such situation – one, the government notion of women’s development is defined as women’s reproductive health, nutrition, education and water-sanitation related issues to be attended; and second, very few ERs are oriented about women’s development and empowerment through training or exposure, as a few NGOs have undertaken activities for capacity and perspective building of ERs. One of the women activists articulated this problem saying that “we conceive project with a very broad vision, e.g. having street light in the village is directly linked with women’s safety issue and therefore building up such infrastructure does not remain only restricted to government’s definition. Similarly, basic literacy is women’s right and therefore the government should provide necessary infrastructure and soft skills to the personnel for the same.”

One of the foremost, legally bind barrier is of two-child norm for contesting election. This was introduced in Gujarat and Haryana states along with other states but Haryana has removed this barrier in 2008 while it is still in practice in Gujarat. None of the EWRs in Gujarat talked about this problem directly but in the workshop shared their observation regarding this – this is largely used as a weapon to oppose woman’s candidature, one of the reasons to move ‘no confidence motion’ against women sarpanch. None of the EWRs opined about women’s decision about fertility choices or health related issues, as found in the literature review.

**Training and capacity building related**

Regarding training programmes by the government, the responses of the EWRs are varied, in both the states – In Gujarat, some were asked to attend but did not learn anything, as the Chief Minister came and lectured and they spent two days attending such get together; about half of them attended but did not learn other than PRAct. In Haryana, as shared by the ERs, about 1012% EWRs attend such trainings regularly. The EWRs shared that they had attended
these meetings with their male counter-parts and had comprehend ‘somewhat’ content. None of them could share more details about the content but for them, attending such trainings or government organised meetings for spread of awareness was of great importance and they were feeling happy and proud that they could attend these trainings and meetings. One of the SC male elected representatives shared that he has been tremendously benefitted by both the trainings he had attended, organised by the government and that have helped in effective performance as sarpanch.

Regarding trainings organised by MSA and KMVS, all the EWRs found it very helpful – in content, practical knowledge, its various uses and appreciated cross-learning and sharing method. Almost all shared that these series of trainings and regular interval interactions (weekly or monthly) has provided tremendous moral support, has created information base and that has helped in improvement in their performance as EWRs. The information and knowledge about panchayati raj, governance and bureaucracy has helped in mainly two areas – dealing with government officials and to protect and promote their rights as ERs. For instance, which government official to be approached for which development work, if the lower level administrative official does not cooperate how to approach higher authority, how to look at the budget and its allocation for development work and ensuring its utilization through required development work in the village. Half of the EWRs shared how they dealt with village and community dynamics to deal with land encroachment and revenue related issues. Interacting with talati (village revenue secretary) was then fruitful; getting information, learn way of doing, maintaining panchayat office records and accounts, facing account audit every year and so on.

In Haryana, capacity building of the EWRs is carried out mainly by the male family members. For instance, one of the EWRs working independently shared that initially her husband visited with her to different departments at block and district level and introduced her to the concerned officers. Later when she started visiting these offices on her own, she found that the proposals for budget sanctions were smoothly moving because the officers do not like the fact that a lady has to wait in the government offices or has to visit the offices frequently for follow up. With her efforts, in a term of about 20 months, she is successful in mobilising funds for about 10 lakhs, including compound wall for the village, installation of electric poles and repairing of roads. The chairperson of the block panchayat is not able to read and write but her son helps her in reading and understanding official documents and necessary follow up actions with the concerned authorities.

Negligible presence of NGOs and training programmes aiming at service delivery related to food security and water and sanitation has equipped a few ERs towards these issues but not actually relating to it with women’s development and empowerment. In absence of women’s forum, cross learning and sharing that EWRs observed in Gujarat is absent in Haryana.

As Strutlik (2003) mentioned that ‘knowledge deficiency approach’ of the government for the ERs provide very limited knowledge; the other knowledge systems and information networks, such as, interaction with the government officials, with other ERs and male
counter-parts’ network actually help EWRs as an individual for better performance. The broader perspective on women’s issues, development and empowerment, other than defined by the government and operationalized through programmes and schemes, can be brought in only through other knowledge system and information networks, as they provided major driving sources - moral support, cooperation and solidarity. Integration of all these different social actors and knowledge-systems in the panchayat transforms the political arena.

Contesting subsequent election
In Kachchh district of Gujarat, Kutch Mahila Vikas Sangathan (KMVS) shared that women contesting election for the second and third time is a positive step. They have formed Mahila Manch (women’s forum) of the EWRs, elected in past and in the present. They in fact feel that this should be a role model which has shown sustainability of the forum. During 1993 and 2012, four elections are organised. None of the EWRs contest election in 1998 after 1993, repeated for second time. We realised that they should contest election so that the cadre of EWRs which was incapacitated with inputs and exposure provided by KMVS is not coming back to the forum or effective in external circles – the villages or in the respective community. If the knowledge, experience and energy do not come back to the forum in some way, some form, the investment is drained. We consciously started encouraging women to contest election for the second and third time. As a result, now the forum’s composition is changed. There are 70% women are elected representatives in present term, 15% are former EWRs and 15% are aspirants - planning to contest election – may be for first time or subsequent time. In our experience, 20-25% of women (of about 40 to 50 forum members, 6 to 8 women) have been elected for 3rd or 4th term.

This initiative is important for making PRI vibrant through consistent political representation structures, organising EWRs has not taken shape as in Gujarat. Nonetheless, such initiatives could be taken up with 8 to 10 EWRs – to organise them, for capacity building and to facilitate them for administrative and development work, etc in Mewat region.

C. Reservation, EWRs and its linkages with women’s development and empowerment
All the EWRs are well aware of the basic rules and regulations, such as organising gram sabha, panchayat meetings, maintaining record, dealing with government officials, fund mobilization and government programmes and schemes to be implemented and concerned functionaries. This was so mainly because of their knowledge systems and information networks, as mentioned earlier.

The vision of women’s development is largely associated and in practice is ‘government version’, that is, women are seen as users and therefore if they are provided health care and nutrition through anganwadi under ICDS, sanitation through TSC programme, primary education under Sarva Shiksha Abhiyan (SSA) like programmes, and so on. Thus women’s needs are pre-defined and associated with compartmentalised components by the government and the EWRs are driven by that – no gender difference is observed in this context. Having said
this, EWRs in Gujarat, during a workshop at Kachchh district, men and women elected representatives participated and women emphatically described women’s vision for equality, recognition and competence as elected representative. The discussion is summarised as follow:

Table 4: Summary of Workshop Report, Kachchh District

<table>
<thead>
<tr>
<th>Panchayati raj related issues</th>
<th>PRI and Women’s development</th>
<th>PRI and Women’s empowerment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samaras panchayat (undemocratic but people accept it)</td>
<td>Women sarpanch are selected as dummy candidates – women’s opposition is not taken seriously</td>
<td>Very few women samaras sarpanch are able to work the way they want; their initiatives are opposed.</td>
</tr>
<tr>
<td>2-child norm</td>
<td>⊗ Women’s development hampered, as many women are not in a position to take decision about child birth ⊗ Used as a tool to oppose women candidates more than men</td>
<td>⊗ Paradox - Adverse impact on male-female ratio and the higher level of elected representatives (MLA, MP) go scot free</td>
</tr>
<tr>
<td>No confidence motion</td>
<td>⊗ This gives a message that the village elects her but ward members can remove her – a paradox, not in favour of women sarpanch ⊗ Women sarpanch need legal protection/insulation</td>
<td>⊗ Equally faced by men and women sarpanch but more women loose ⊗ It is an opportunity for a woman sarpanch to fight and win and be a role model</td>
</tr>
<tr>
<td>SP – sarpanch pita / pati / putra rules</td>
<td>⊗ This de-recognises women’s ability to be a leader ⊗ Divisive among women</td>
<td>⊗ Women have started fighting against this</td>
</tr>
<tr>
<td>Gram sabha and its role</td>
<td>⊗ Women sarpanch are used as tool/medium to uphold dominant class’s interest for development work in the village - Mostly women are not able to speak ⊗ At least 50 per cent women should be present to make it a valid gram sabha</td>
<td>⊗ Women have a chance to prove their worth, efficiency – can take resolution as village’s mandate to get work done ⊗ exclusive women gram sabha can be called</td>
</tr>
<tr>
<td>Group gram panchayat (more than one village under a VP)</td>
<td>⊗ bigger panchayat does not mean more funds and therefore lesser priority for women’s development related work</td>
<td>⊗ more challenges for women sarpanch</td>
</tr>
<tr>
<td>Women’s issues</td>
<td>⊗ violence ⊗ land ownership ⊗ food security</td>
<td>⊗ SHG of women can take up audit of fair price shop, organising varsai camp, spread awareness</td>
</tr>
</tbody>
</table>

See annexure 3 - the report of the workshop at Kachchh district on 6th October 2012.
on women’s issues, take action against a man who carry out violence on women, etc – however, not many women sarpanch are able to take such initiatives or PRI can help

| Budget | ✦ Concept of gender budgeting is not implemented – special allocation required for women’s health care | ✦ More women can actively participate in micro-planning and pass resolution in exclusive gram sabha to get fund allocation |

A few participants clarified that we tried to explore and enunciate linkages between PRI and women’s development and empowerment but we must keep external realities in mind – Kachchh has witnessed rapid industrialisation and money has played a major role in hampering honesty and other virtues, transparent governance and commercialising minds. The honest leader is penalised in the name of corruption or irregularities of funds. The industrialists give big donations and co-opt or corrupt the sarpanch (leaders too). So men sarpanch or elected representatives are equally vulnerable on these counts, especially in the context of governance and political participation.

Similar experience towards gram sabha was shared by all the ERs interviewed that the gram sabha are meant to uphold people’s agenda and we do it regularly but till now not even 5% of the agenda are accepted and implemented by the government. They confirmed top down approach for development and how the government officials control their decisions. Gujarat ERs confirmed that even if they have raised funds through fees, tax and revenue, the block panchayat never approves the demand for its utilization by the village panchayat till now. The DDO, Kachchh district expressed his views which confirm what the ERs have shared about fund utilization; moreover, it revealed that how the government officials looks at governance questions and role of ERs of the PRI. He said, “There is an organic link between PRI and development authorities (the Executive) and administrative procedures to be follow accordingly. The elected representatives have to develop expertise and be responsible for technical estimate for development work, its execution, quality standard checking, etc and then their public responsibilities are fulfilled. Only elected representatives cannot decide all these because technical plans have to be done by the engineers and working out costs is not an easy job. Administration has its own responsibility for execution of the work. They have to ensure quality standards, fund allocation, its audit, monitoring and reporting and so on.” In context of fund mobilization and utilization, he said, “Fund scenario has improved, especially for PHC, sub centres, anganwadi because of sarva shiksha abhiya, Nationa Rural Health Mission, etc. I actually feel shortage of necessary human resources. The elected representatives some times are not helpful because of their infighting and vested interests...For any development work, coordination between different departments is necessary. For instance, to build an anganwadi, I need land; I need to approach PRI to
allocate land. Though I have adequate budget, if PRI doesn’t allocate land, because of their infighting or vested interest, what would I do? When I have to build 300-400 anganwadi in the district, I have to use funds in time and also to follow criteria, I need support of PRI but many times I have to use ‘top down approach’.” None of the EWRs informed that they were consulted for implementation of such development work of building infrastructure for women’s development.

One of the sarpanchs, consecutively elected for five times, except reserved seat for women since 1994 and was a member of Mewat Development Authority (MDA), he shared his views, “The state government announced that 50 lakhs are allocated for the VPs to get grant as per its population 2 years ago (in 2011). With this announcement, the fund should be channelized easily. This means that the role of the administration is reduced. The civil servants don’t want that. They feel that their supremacy should be maintained. Earlier, ADC was attending his office regularly and was supervising funds’ allocation and utilisation regularly. The Public works Department was engaged in building the infrastructure. Now the ‘contractor system’ is in place. This removes sarpanch’s involvement in deciding about which infrastructure would be built, where and how. This is changed...Now all the funds are channelized through Haryana Rural Development Fund (HRDF). It is like “baba ki chhadi baba ka nyay” (the father holds a cane and gives justice). There is no scope for decentralised planning. All depends on political influence and pressure – if MLA wishes to allocate 50 lakhs, it will be given to you (village panchayat) otherwise getting even 10 rupees is difficult for village development.”

These views clearly show that quality participation and performance of the EWRs cannot be decided based on the indicators developed by the MoPR study. The outlook of the policy makers and bureaucrats need to be taken into account; these have remained outside – never included in discourse of women’s empowerment, even the national policy on women’s empowerment do not mention these aspects.

Appointment of workers and supervision of their work for village panchayat also has been an issue raised by the ERs, in the context of women’s development. Moreover, body like SMC, wherein panchayat body has no roe and this trend is growing with more of The World Bank supported fund is channelized in India.

As the functioning of the panchayati raj is top driven, pre-defined and compartmentalized, the neglect of agenda promoted through gram sabha are not attended by the bureaucrats. Since each development work and activity is fund driven and approved by the government officials, the issues raised and handled by the EWRs have little relevance in the context of women’s development and empowerment. The ADC of Mewat district, Haryana clarified that there is no special component plan for women, as Kerala government has it. There is no special fund allocated for women’s development, despite low rank of Haryana on gender development index.
All the EWRs confirmed change in status; however, majority of them shared their experiences of how they faced hostility, ostracism and marginalization. This could be actually one of the indicators for women’s empowerment, especially of EWRs’ empowerment and ability to deal with hostility and continuous opposition by the village people or the community or the vested interests.

- In Gujarat, as per statistics provided by the KMVS, about 22 per cent sarpanch - EWRs face ‘no confidence motion’. This motion is actually an attempt of the vested interests to keep women under control. Two former sarpanch reported that they were not supported by the political party, which they are members of.
- One of the former sarpanchs of Kachchh district shared how she caught hold of the liquor makers all alone but the police and the village residents did not help her in her initiative for controlling alcohol consumption and punishing the culprits.
- A former sarpanch in tribal areas, Sabarkantha district of Gujarat, faced threats from the dominant castes for handling land encroachment issue.
- A SC sarpanch shared that she was ostracised by the village residents, as she couldn’t read and write and she had to face corruption charges – siphoning of funds of the village panchayat. However, she came out clean after several rounds of government officials’ visit, queries and cross-checking.

D. Issues, concerns and follow up actions

Several issues need to be addressed – some need to be dealt at policy levels, some at implementation level and some at village level.

- At policy level, women’s component plan by the government need to be accepted and fund allocation and utilization related processes need to be initiated.
- One of the demands repeatedly enforced is – EWRs’ male counter-parts should not be entertained by the government officials. The onus should be on the government officials to capacitate the EWRs and facilitate them for every administrative decision and its implementation.
- Trainings by the government with ‘deficient approach’ needs to changed to promoting knowledge systems and information networks approach. It should be attending practical problems of the ERs – related to the PRAct (technical know-how), administrative structures and procedures and how decisions of the bureaucrats to be made people-oriented and upholding peoples’ agenda (through gram sabha), etc.
- Withstanding of EWRs against different types of hostilities and planned efforts by the vested interests have been shared and publicised in form of booklets but it need compilation to identify type of hostilities and planned efforts to bring them down and based on these narratives, capacity building measures need to be chalked out. One of the serious charges was of corruption, which was done by a husband but his wife as sarpanch was jailed because of that.

Subsequently contesting election and political representation and participation also need to be addressed effectively. As KMVS shared, these energies, experiences and efforts need to be made sustainable.
Chapter 3
Decentralisation and Devolution of powers

This chapter is on ‘decentralisation and devolution of powers and its impact on women’s development and empowerment’. After review of literature, the chapter discusses whether devolution has taken place or not and its linkages with women’s development and women’s empowerment.

The chapter is presented with two sections: the first section briefly discusses ‘what is decentralization and its forms, and introduces ‘decentralization, devolution and PRI’ followed by ‘status of devolution of powers in PRI and its linkages with women’s development and empowerment’ based on overview of the existing literature; and the second section covers ‘ground reality in absence of devolution of powers and its impact on women’s development and empowerment’, based on findings of the study in two states – Gujarat and Haryana’.

Section 1: Decentralization, Devolution and PRI

The idea of decentralisation is to a certain extent embedded in the democratic ideal as applied to political organisation. People’s participation is considered to be an essential component in the day-to-day working of government, making democracy functional and effective. Panchayati raj is conceptualized as a concrete form of democratic decentralisation since its inception in independent India. However, the bureaucracy has not been willingly sharing power with people, the elected representatives of panchayati raj. Historically, the process of bureaucratization gained considerable ground in the 1960s and more focus was given to production oriented programmes to meet the increasing demand for food which increased the hold of the bureaucracy and in the process, the PRIs were bypassed. Added to this, was a growing centralisation of the Indian polity which reached its culmination during the days of emergency.\(^65\)

The 73\(^{rd}\) Constitutional amendment initiated a concrete step towards decentralization – PRI as a unit of self-government with an assurance that a set of policies that encompasses fiscal, political, and administrative changes based on principle of decentralization can impact virtually all aspects of development. One needs to consider the cross-cutting nature of decentralization and the importance of a comprehensive approach. The impact of decentralization depends greatly on many specific policy and institutional issues. Distinguishing among different types of decentralization facilitates the discussion of policy design, and particularly of impact. For example, whether a country chooses to “deconcentrate”, “delegate”, or “devolve” certain functions - and the impact of those decisions - will depend on the policymakers’ objectives, as well as on many factors related to

\(^{65}\) Datta Prabhat, 1999 Democratic decentralization through Panchayti Raj in contemporary India: The changes and challenges, Heidelberg University, South Asia Institute, working paper no. 49
the political, administrative, and fiscal structure of that country. However, PRIs became prey to the dominant power groups in the class-caste divided society and to dominant groups in the rural areas.

**Types of decentralization**

The transfer of authority and responsibility for public functions from the central government to subordinate or quasi-independent government organizations or the private sector - covers a broad range of concepts. Each type of decentralization - political, administrative, fiscal, and market - has different characteristics, policy implications, and conditions for success. While distinguishing among the different types of decentralization is useful for highlighting its many dimensions and the need for coordination, these concepts overlap considerably. Political, administrative, fiscal, and market decentralization can appear in different forms and combinations within country, and even within sectors. Precise definitions are less important than ensuring a comprehensive approach.

**Political Decentralization**

Political decentralization aims to give citizens and their elected representatives more power in public decision-making. It is often associated with pluralistic politics and representative government, but it can also support democratization by giving citizens or their representatives more influence in formulating and implementing policies. Advocates of political decentralization assume that decisions made with greater participation will be better informed and more relevant to diverse interests in society than those made only by national political authorities. The concept implies that the selection of representatives from local electoral jurisdictions allows citizens to better know their political representatives and allows elected officials to better know the needs and desires of their constituents.

Political decentralization often requires constitutional or statutory reforms, development of pluralistic political parties, strengthening of legislatures, creation of local political units, and encouragement of effective public interest groups.

**Administrative Decentralization**

Administrative decentralization seeks to redistribute authority, responsibility, and financial resources for providing public services among different levels of government. It is the transfer of responsibility for planning, financing, and managing certain public functions from the central government and its agencies to field units of government agencies, subordinate units or levels of government, semi-autonomous public authorities or corporations, or area-wide, regional, or functional authorities. Administrative decentralization has three major forms - deconcentration, delegation, and devolution - each with different characteristics.

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66 As described in - Jen zie Litvack and Jessica Seddoni(eds), 1999, World Bank report, Decentralization Briefing Notes, World Bank Institute, WBI Working Paper. This report has described the different forms of decentralization, the rationale for decentralization and potential impacts of decentralization - on equity objectives, macroeconomic stability, growth, and accountability and corruption.
Devolution usually transfers responsibilities for services to the units that elect their own mayors and councils, raise their own revenues, and have independent authority to make investment decisions. In a devolved system, local governments have clear and legally recognized geographical boundaries over which they exercise authority and within which they perform public functions.

**Fiscal Decentralization**
Financial responsibility is a core component of decentralization. If local governments and private organizations are to carry out decentralized functions effectively, they must have adequate revenues - raised locally or transferred from the central government - as well as the authority to make expenditure decisions. Fiscal decentralization can take many forms, including:
- Self-financing or cost recovery through user charges
- Co-financing or coproduction, in which users participate in providing services and infrastructure through monetary or labour contributions
- Expansion of local revenues through property or sales taxes or indirect charges
- Intergovernmental transfers of general revenues from taxes collected by the central government to local governments for general or specific uses
- Authorization of municipal borrowing and mobilization of national or local government resources through loan guarantees.

**Economic or Market Decentralization**
The most complete forms of decentralization from a government’s perspective are privatization and deregulation; they shift responsibility for functions from the public to the private sector. They allow functions that had been primarily or exclusively the responsibility of government to be carried out by businesses, community groups, cooperatives, private voluntary associations, and other nongovernmental organizations. Privatization and deregulation are usually accompanied by economic liberalization and market development policies.

**Decentralization: Pros and Cons**
Under appropriate conditions all of these forms of decentralization can help broaden participation in political, economic, and social activities in developing countries. Where it works effectively decentralization helps alleviate the decision-making bottlenecks that are caused by central government planning and control of important economic and social activities.

Decentralization, in principle, can help to simplify complex bureaucratic procedures, and it can increase government officials’ sensitivity to local conditions and needs. Moreover, decentralization can help national government ministries reach larger numbers of local areas with services; allow greater political representation for diverse political, ethnic, religious, and cultural groups in decision-making; and relieve top managers in central ministries of routine
tasks, allowing them to concentrate on policy. In some countries decentralization may create a geographical focus at the local level, coordinating national, state, provincial, district, and local programmes more effectively, and can provide better opportunities for local residents to participate in decision-making.

Decentralization may lead to more creative, innovative, and responsive programmes by allowing local experimentation. It can also increase political stability and national unity by allowing citizens to better control public programmes at the local level. But decentralization is not a panacea, and it does have potential disadvantages.

Decentralization may not always be efficient, especially for standardized, routine, network-based services. It can result in the loss of economies of scale and of control over scarce financial resources by the central government. Weak administrative or technical capacity at local levels may result in services being delivered less efficiently and effectively in some areas of the country. If administrative responsibilities are transferred to local levels without adequate financial resources, it makes equitable distribution or provision of services more difficult.

Decentralization can sometimes make coordination of national policies more complex and may allow functions to be captured by local elites. Before developing elaborate plans for decentralization, they must assess the lowest organizational level of government that performs functions efficiently and effectively and, for functions that do not have to be provided by government, the most appropriate forms of privatization. Even programme planners who do not see decentralization as their primary motive must carefully analyze the types of decentralization already present in a country in order to tailor policy plans to existing structures.

The success of decentralization also frequently depends on proper training for both national and local officials in decentralized administration. Technical assistance is often required for local governments, private enterprises, and local nongovernmental groups in the planning, financing, and management of decentralized functions.

**Conditions for Successful Decentralization**

Although politics is the driving force behind decentralization in most countries, decentralization may be one of those happy instances in which good politics and good economics serve the same end. The political objectives of increased political responsiveness and participation at the local level can coincide with the economic objectives of better decisions about the use of public resources and increased willingness to pay for local services. At least five conditions are important for successful decentralization:

- The decentralization framework must link, at the margin, local financing and fiscal authority to the service provision responsibilities and functions of the local government, so that local politicians can deliver on their promises and bear the costs of their decisions.
Local communities must be informed about the costs of services and delivery options and the resource envelope and its sources, so that the decisions they make are meaningful. Participatory budgeting is one way to create this condition.

Communities need a mechanism for expressing their preferences in a way that is binding on politicians, so that there is a credible incentive for people to participate.

There must be a system of accountability based on public and transparent information that enables communities to monitor the performance of the local government effectively and to react appropriately to that performance, so that politicians and local officials have an incentive to be responsive.

The instruments of decentralization—the legal and institutional framework, the structure of service delivery responsibilities, and the intergovernmental fiscal system—must be designed to support the political objectives.

Meeting these conditions, or at least having local governments improve on the central government’s record, is a tall order, but achievable.

Participation and decentralization have a symbiotic relationship. Participation is seen as a means to successful decentralization and as a goal of decentralization.

In environments with poor traditions of citizen participation, decentralization can be an important first step in creating regular, predictable opportunities for citizen-state interaction. The design of decentralization should take into account the opportunities and limitations imposed by existing channels of local participation. Lack of participatory mechanisms, however, could be considered a motivation for decentralization and can help create local demand for more participatory channels to voice preferences. The extent to which decentralization is able to achieve benefits of allocative efficiency depends in large part on the nature of local participation. Local leaders can only reflect local needs and desires if channels for such input exist and if leaders are accountable to their people.

Studies have shown that broad, ongoing citizen control over leaders can improve the quality of government action, for example, high levels of social capital has shown positive association with the quality of local schooling and economic well-being in Tanzania. Demand-driven projects are one of the key tools (often supported by the World Bank and other donors) to deepen the decentralization process. In the short run, these mechanisms can help decentralization achieve improvements in allocative efficiency if local leaders base their decisions on information provided through these participatory channels. In the long run, these limited mechanisms for participation can evolve into closer and more meaningful interaction between citizens and their local governments only if leaders are democratically elected and accountable to their constituents.

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Civil service, information and monitoring, and technical and managerial capacity play an important role in administrative decentralization. In any decentralized systems, both local and higher-level authorities will play complementary roles to enable local leaders to respond to the needs of their populations and ensure national interests. The benefits of decentralization (that is, greater allocative efficiency) can only be realized:
(a) if local leaders have flexibility to respond to the local needs and desires of their constituents;
(b) if they have the financial and human resources capacity to respond effectively;
(c) if they are accountable to their populations as well as to the central government (for services delegated to local governments); and
(d) if local and central governments can obtain information and monitor services for which they are ultimately responsible.

Civil service issues are particularly important for decentralized social services because they represent the highest share of recurrent costs. Depending on wage and employment policy and sectoral administrative norms, they can impact greatly the degree of flexibility provided to local levels.

Decentralization policies should take informational imperfections into account and attempt to improve the depth and degree of citizen participation in local government action. Local government responsiveness, one of the main rationales for decentralizing, cannot be improved when there are no mechanisms for transferring information between the local government and its constituents.

Treatment of key issues in the legal and regulatory framework will be shaped by the government’s structure as a unitary or a federal system. In some federal systems local governments are completely under the authority of state or provincial governments. The federal government is thereby limited in the relationships it may establish with the local level and must seek to affect local behaviour and outcomes through the states or provinces. A decentralization policy such as India is trying to establish is significantly complicated by this factor.

<table>
<thead>
<tr>
<th>The World Bank’s guidelines for key aspects of decentralization</th>
</tr>
</thead>
<tbody>
<tr>
<td>✤ Classification of local governments within the tiers established under the constitution</td>
</tr>
<tr>
<td>✤ Broad organizational structures and their roles and responsibilities</td>
</tr>
<tr>
<td>✤ Terms of office, operating powers, procedures, and limitations of the political leadership, as distinct from the civil service</td>
</tr>
<tr>
<td>✤ The degree of autonomy of personnel policies and administration of local governments</td>
</tr>
<tr>
<td>✤ The taxing and fiscal administration authority of local governments</td>
</tr>
<tr>
<td>✤ The borrowing authority and capacities of local governments</td>
</tr>
<tr>
<td>✤ The distribution of budgeting, expenditure management, accounting, auditing, and reporting requirements</td>
</tr>
<tr>
<td>✤ Service provision and delivery authority</td>
</tr>
<tr>
<td>✤ The mechanisms for citizen participation and voice.</td>
</tr>
</tbody>
</table>
Matching degree of autonomy and privileges to a set of performance indicators, which might include total expenditure, degree of revenue self-sufficiency, budget management performance (absence of deficits), and service delivery performance (client surveys), would allow the legal and regulatory framework to adjust for changes in local capacity. The appropriate time period for reassessments and indicators would need to be linked to country circumstances as well as to the specific details of the decentralization framework.

According to Article 243 (G) of the 73rd Constitutional Amendment Act, the States are required to devolve adequate powers and responsibilities on the PRIs in order to make them effective institutions of local self-government. The responsibility for the preparation of Plans for economic development and social justice and its implementation in relation to 29 subjects listed in the Eleventh Schedule is also bestowed on the PRIs.

The status of PRIs can be reviewed in terms of following parameters:

A. Conduct of Panchayat elections;
B. Devolution of Financial Powers;
C. Devolution of Functions and Functionaries;
D. Constitution of District Planning Committees (DPCs);
E. Status of Gram Sabha;
F. Central Act 40 of 1996, i.e. Provision of the Panchayat (Extension to Scheduled Areas);
G. Checks and Balances over PRIs and Accountability

A. Conduct of Panchayat elections
In June 2000, the state government postponed the panchayat elections for three months using section 257(2). This act was repeated until the state government struck out the subsection 2 of section 257 by an ordinance with effect from 4.11.2000. The Panchayati Raj got a big blow by this ordinance. This section allowed the State Government to postpone the Panchayat elections only by three months at a time. Omission of this particular section implied that Panchayat elections could theoretically be indefinitely postponed in Gujarat. This was not only potentially dangerous for the democratic processes at the grass-roots level but was also ultra-vires to the Article 14 of the Indian Constitution.

B. Devolution of Financial Powers
This includes centrally sponsored schemes (CSS), MP Local Area Development (MPLAD) Scheme, and appointment and functioning of State Finance Commission (SFC).

Centrally Sponsored Schemes (CSS)

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68 Report of the Task Force on Devolution of Powers and Functions upon the Panchayati Raj Institutions, Department of Rural development (Panchayati Raj Division), Ministry of Rural Development, GoI, 2001

69 Apart from this breach in June 2000 for 18 months, elections have been regularly organized in Gujarat: June 1995, December 2001, December 2006 and the last one in December, 2011 when 10,509 VPs were covered. As of August 2012, in Gujarat there are 26 District Panchayats, 224 Intermediate (Taluka) Panchayats and 13,695 Village Panchayats, for 18,584 Revenue villages (Source: www.gswan.gov.in).
The Report of the Task Force (2001) mentions, “There are a plethora of Centrally Sponsored Schemes (CSSs) pertaining to 29 subjects being implemented by different Ministries and Departments of Central Government. As per the Constitutional mandate in respect of 29 items of the Eleventh Schedule, three Fs i.e. functions, functionaries and funds have to be devolved on the PRIs for planning and implementation of schemes pertaining to a particular sector. In reality the involvement of PRIs with respect to these 29 items has been minimal in most States. It has been observed that State Governments as well as Central Ministries have not taken concrete steps to integrate PRIs in their strategy of planning and implementation of CSSs under their purview.

In so far as the programmes of the Ministry of Rural Development are concerned, there is some involvement of the PRIs in the implementation, monitoring and review of their programmes. However, in respect of CSSs implemented by other Central Ministries, the involvement of PRIs is either non-existent or minimal. A review of implementation of CSSs of Department of Health and Family Welfare, Department of Education, Ministry of Environment and Forests shows that several parallel delivery systems like District Health and Family Welfare Society, Village Education Committees (VECs), Mahila Sangh, Lok Jhumbish Parishads, Joint Forest Management (JFM) Committee, have been substituted. In addition, a large number of CSSs are implemented through the NGOs. There is no formal structure put in place to involve PRIs in the implementation of the schemes undertaken by the set ups created by different Ministries and the schemes implemented by the NGOs.”

Parallel Organisations and PRIs: In some sectors there is people’s involvement through parallel institutions like the Joint Forest Management (JFM) Committees, Water User Groups, etc. seen as an opportunity to ensure the development of their villages through involvement of a large number of government departments as well as each committee focussing on specific issues, be it education, health or forest management, would be able to take note of the specific objectives of the programme and deliver better results. It is expected that in the long run members of these committees would also get elected as members of the panchayats. The panchayat could act as coordinator for implementation of these programmes.

Those on the side of panchayats would argue that benefits from user committee- managed natural resource projects, such as forests and watershed management, are not sustainable in the long term. After the source of funds from the project dries up, plantations disappear, committees are disbanded or abandoned and the livelihood base of the poor remains only marginally improved, if at all. Perhaps in some cases they create some sustainable social capital by raising awareness amongst the poor.

Therefore in the light of conflicting arguments on both sides, there is need for a study of the institutional links between political decentralization through Panchayati Raj and administrative decentralization in the form of user committees promoted by the external donor projects. This is important because in several development projects (e.g. drinking water, health, watershed development and primary education) government has relied upon committees which are independent of panchayats. Thus the present approach
through user committees raises several questions about the links that exist and should exist between those committees and the PRIs: What should the role of PRIs be once natural resource management programme becomes a broad rural development effort rather than a narrowly technical programme? Should PRIs not be involved in coordinating these issues?

Empowerment of Women

In respect of Short Stay Homes for Women, Zila Parishads should arrange to involve village level / block level panchayats in undertaking visits to the Short Stay Homes and getting feedback about problems, if any. The village panchayats may also be involved in extending help on return of inmates of Short Stay Homes back to their families through social counselling and in promoting better social relations through community pressure.

In respect of training-cum-employment programmes, village panchayats through gram sabhas should be involved in the identification of beneficiaries and extending cooperation, providing accommodation etc. for taking up income generation activities in the village.

The block level panchayats should be involved in promoting linkages with such groups and other development programmes and such institutions as may assist these groups in carrying out the entrepreneurial activities. The block level panchayats should also promote active linkages for such groups with local markets in their jurisdiction by such actions as, for example, providing proper space in market centres, protecting them from harassment by other traders and other forms of exploitation. Zila Parishads should promote skill upgradation and training and promoting wider linkages with raw material and sources of markets. They should also provide linkages with institutions which can feed them with market information. Zila Parishads should also review the activities of these groups to see the difficulties being faced by them particularly in respect of credit and working capital. In respect of Indira Mahila Yojana, etc. Zila Parishads may promote village level panchayats as recipient beneficiaries’ organisations to take up projects for income generation.

In respect of awareness generation project, the village level panchayats should be responsible for checking atrocities, promoting harmonious relations, arranging programmes for awareness generation and assisting the victim/victims of atrocities by ensuring that the available assistance reaches timely and is appropriately utilised. The block level panchayats may identify atrocity prone areas and more specifically issues in those areas which generate conflicts and tensions culminating in atrocities. It shall be their duty to resolve these problems in time through social mobilisation and by involving regulatory agencies and development institutions. It shall particularly create a climate where perpetrators of atrocities are socially ostracized. Both Zila Parishads and Block Level Panchayats should periodically review the situation in respect of atrocity prone areas and the rehabilitation of the victims. They may also take the assistance of local NGOs in this task. Zila Parishads should also map out public campaigns and initiate policy measures, which would eliminate incidence of such

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70 As mentioned in the Report of Task Force 2001. This is actually restricted to government’s effort to provide temporary shelter to the violence affected women.
atrocities. Family counselling centres being urban oriented would be operated by trained professionals and specialised NGOs. However, Zila Parishads should periodically review their activities and assess their impact. It should also promote awareness through its publicity campaign and social contact programme to encourage needy households to avail of their services.

In respect of various activities under Women and Child Development Programme, Zila Parishads and block level panchayats may provide maximum support by mobilising gram sabha for financial and material contribution from the community for enhancing the coverage and quality of different programmes.

Data (2009) opined that, “The creation of a large number of programmes (more than 200 schemes currently) called centrally sponsored schemes (CSSs) sponsored by the Union Ministries has posed a serious challenge to democratic decentralization by distorting the multilevel planning process and inter governmental transfer arrangements within the federal set up. This is mainly because many of the subjects they deal with are either included in the State list or the “local list” mentioned in the 11th and 12th schedules. The share of the CSSs in the plan budget of the federal government has shot up to 70 per cent against less than 30 per cent in the early 1980s. Besides the CSSs there are also 26 sectoral programmes falling under the 29 subjects of the 11th Schedule which the central ministries handle. The schemes are drawn up at the centre and implemented at the local level. The association of local bodies with the implementation processes does not really serve the purpose because the implementing bodies only implement according to the rules laid down elsewhere. The local government has to accept them because the centre has financial clout.”

The MP Local Area Development (MPLAD) Scheme

Data (2009) has studied this issue comprehensively. He has mentioned, “Under this scheme a sum of Rs. 1,580 crores per year is placed at the disposal of the MPs. The MPs are allowed to spend the money to undertake local area development schemes outside the purview of panchayats and municipalities. In this way the constitutionally mandated local government institutions are bypassed. Under the scheme each MP can suggest to the District Collector works worth up to Rs. 2 crores in a year. The Ministry releases the funds directly to the Collectors who get the works done on the advice of the concerned MP.

The Report of the Comptroller and Auditor General (2001) showed that the scheme was plagued not only by the inadequacy of funds but also by the increasing underutilization, misuse and diversion of money earmarked for the project. Most of the plans undertaken form part of the 11th and 12th Schedules incorporated in the 73rd and 74th Amendments of the Constitution which clearly refer to the functions that are to be transferred to the local bodies. The Report noted that out of Rs. 5018 crores only Rs. 3221 i.e. 64 per cent of the released amount could be spent. Also, the release of funds was not linked to their end-use, with utilization certificates being received for only 29.78% of the projects taken up and completed by the implementing agency. While during 1993- 97, 89% of the work sanctioned by the collector was taken up, only 56.13% of it could actually be completed. The corresponding
percentages further declined to 86.41% and 39.42% respectively during 1997-2000. This was due to the fact that the Ministry often released funds without any co-relation with the end use and it did not insist on the utilization certificates from the implementing agencies."

Similarly, the findings of the sample study of audit in 106 constituencies found that out of total expenditure of Rs.265 crores reported by the Collectors, a sum of Rs. 82 crores, that is, 31 per cent of the total money was, in fact, not spent at all. The guidelines seem to have been observed more in their breach. In Nagaland, for example, the money was spent for building roads connecting the Church, in Orissa temples were built, in Madhya Pradesh money was spent for building housing complex for the police officials71.

The Centre for Budget and Governance (CBGA), 2004 in its report titled The Rhetoric and Reality of MPLADS reviews the working of the said scheme in seven constituencies spread across six Indian states- Rajasthan, Madhya Pradesh, Gujarat, Uttar Pradesh, Jharkhand and Orissa. The report holds the members of both the houses of Indian Parliament responsible for the underutilization of funds. While Lok Sabha members (till 2003) have used only 77% of their total entitlement, the amount used by the Rajya Sabha members has not exceeded 50%. The report also studied the scheme’s beneficiaries across six states. The overall picture that emerges is that a lion’s share of the MPLAD funds is spent in a top-down manner without taking into consideration people’s actual needs. Beneficiaries also alleged that they were paid much less than the specified minimum wages in employment works under the scheme and an overwhelming number (62%) agreed that the quality of assets created was either bad or very bad.

Even in the face of widespread public criticism of the administrative and financial mismanagement of funds under MPLADS, continued recommendations for the abolition of MPLADS even by the Administrative Reforms Committee (ARC) in its successive reports have failed to produce any positive impact. As most of the MPs openly expressed their unwillingness on the floor of the Parliament to give up the scheme, it was finally decided to continue the scheme but with new and stringent safeguards. As a result, a set of new guidelines was framed in the middle of November, 2005. Several legal and constitutional experts have dubbed the new Guidelines as ‘unconstitutional’ on the ground that they defy and distort some of the basic features of the constitution such as public audit. For instance, the attempt to do away with a CAG (Comptroller and Auditor General) audit of the scheme accounts, as stated in the guidelines, is actually an attempt to disempower the Parliament in exercising control over public expenditure. Moreover, the list of permissible works under the scheme still contains items such as roads, sanitation, drinking water, education and public health that form a part of the Eleventh and Twelfth schedules of the constitution meant for the PRIs.72

State Finance Commission (SFC)

As per Articles 243(I) and 243(Y) of the Indian Constitution, State Finance Commissions (SFC) to recommend on the following matters:
(a) distribution between the State and the Panchayats of the net proceeds of taxes, duties, tolls and fees leviable by the State;
(b) determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by the Panchayats;
(c) the grants-in-aid to the Panchayats from the Consolidated fund of the State;
(d) the measures needed to improve the financial position of the Panchayats; and
(e) any other matter referred to the Finance Commission in the interests of sound finance of the Panchayats. The present status of the State Finance Commission is shown in the table.

Table 5: Status of State Finance Commission

<table>
<thead>
<tr>
<th>Status of SFC</th>
<th>Name of States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution of SFC</td>
<td>All States</td>
</tr>
<tr>
<td>Submission of SFC Report</td>
<td>All States except Bihar</td>
</tr>
<tr>
<td>Report accepted in full</td>
<td>Himachal Pradesh, Kerala, Madhya Pradesh, Manipur, Punjab, Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh and West Bengal</td>
</tr>
<tr>
<td>Report accepted in parts</td>
<td>Andhra Pradesh, Assam, Haryana, Karnataka, Maharashtra, Gujarat</td>
</tr>
<tr>
<td>Accepted with modifications</td>
<td>Orissa</td>
</tr>
<tr>
<td>Report under consideration</td>
<td>Goa, A&amp;N Islands, Daman&amp;Diu, Lakshdweep, Pondicherry</td>
</tr>
</tbody>
</table>

Source: Ministry of Rural Development, Government of India

The recommendations of the State Finance Commissions can be divided into three categories:
⇒ assignment of taxes, duties, levies and tolls to local bodies;
⇒ sharing of revenue proceeds; and
⇒ transfers on account of grants-in-aid and other financial assistance.

All SFCs have put great emphasis on internal revenue mobilisation, but none has suggested any effective mechanism for PRIs to generate their own revenue. SFCs do not recommend or foresee any noticeable change in the tax (including the non-tax) jurisdiction of local bodies. However, the SFCs suggest better use of the existing tax jurisdiction by referring the system of property taxation and giving greater autonomy to local bodies in matters relating to tax rate setting. SFCs place greater reliance on transfers for bridging the gap between the local bodies’ revenue and expenditure.

In real terms, no improvement in local resource base is likely as a result of the recommendations of SFCs. Moreover, the SFC reports have paid far less attention to issues of autonomy, financial management and auditing procedures. The main deficiency of the reports lies in the fact that the recommendations are not based on a clear statement of the spending responsibilities of local bodies. Indeed the absence of attention to the elementary principle, that expenditure assignment must precede any tax or revenue assignment, has made most of the SFC’s recommendations suspect.
In Gujarat the first State Finance Commission was constituted for the period 1995 to 2000 by a notification dated 15th Sept 1994. The SFC-I submitted its report with 63 recommendations of which 42 were accepted in toto; 8 were accepted partially and 13 were not accepted. However, even the accepted recommendations have not all been implemented even in 2012. The SFC-II was inordinately delayed and never really got constituted as a full-fledged commission. Only some recommendations were accepted in March. The SFC-III, whose term was supposed to be between 2005-2006 and 2010-11; it is constituted in June 2012 with three members and a member secretary. All three members of SFC are ruling party’s (BJP) loyalists.

In Haryana, First State Finance Commission was constituted on 31st May, 1994 covering the period of four years i.e. 1997-2001. The Second State Finance Commission was constituted by the State Government vide notification dated 6th September, 2000; made of four members, two IAS officers and two advocates. The Third State Finance Commission was constituted by the State Government vide notification dated 22nd December, 2005.

All PRIs have a poor fiscal base. While resource mobilisation by the PRIs is generally limited, it is imperative to provide PRIs with revenue raising powers of their own in order to reduce their excessive dependence on the State and Central Governments. But till such time that they are financially dependent on funds from the State Governments, the State Budgets should specify the amount earmarked for district sector plans under Panchayati Raj as also their distribution among the three tiers. In addition, a part of the finances should be in the form of untied funds so that the funds can be utilised as per the felt needs of the Panchayats. Training and capacity building of PRI functionaries is essential and devolution of financial resources must be accompanied by suitable strengthening of PRIs through transfer of departmental functionaries. All these are important steps to be taken but except Kerala; none of the SFC have reportedly made any significant contribution.

C. Devolution of Functions and Functionaries

According to Article 243 (G) of the 73rd Constitutional Amendment Act, the States are required to devolve adequate powers and responsibilities on the PRIs in order to make them effective institutions of local self-government. The responsibility for preparation of Plans for economic development and social justice and its implementation in relation to 29 Subjects listed in the Eleventh Schedule have also been assigned to Panchayats. Detailed instructions and guidelines would have to be issued by the concerned departments to their field officers in this regard. Furthermore, departmental functionaries required to implement the programmes at the panchayat level must be placed under their overall supervision and control.

The State-wise position of devolution of funds, functions and functionaries to the PRIs is presented here.

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73 Bhat, 2012.
74 Website of Finance Commission - http://fincomindia.nic.in
**Table 6: State-wise position of devolution of funds, functions and functionaries**

<table>
<thead>
<tr>
<th>Sr no</th>
<th>State/UT</th>
<th>No. And names of Departments/subjects Transferred to Panchayats with Funds</th>
<th>Functions</th>
<th>Functionaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Andhra Pradesh</td>
<td>Only GPs are empowered to collect taxes. Govt orders (GO) issues for devolving funds for 10 dept.</td>
<td>22 GOs issued during 1997 and 2002. 10 line dept have devolved certain powers to PRIs</td>
<td>Functionaries are under the administrative control of their respective line dept but they are partially accountable to PRIs</td>
</tr>
<tr>
<td>2.</td>
<td>Arunachal Pradesh</td>
<td>PRIs do not collect taxes. Transfer of funds from dept has not taken place</td>
<td>29 subjects been devolved. GOs covering 20 dept have been issued but not yet implemented</td>
<td>Functionaries have not been transferred</td>
</tr>
<tr>
<td>3.</td>
<td>Assam</td>
<td>PRIs empowered to collect taxes but cannot enforce. Main source of revenue is lease rent from market, river banks and ponds</td>
<td>Activity mapping (AM) done for 23 but GOs have been issued for only 7 subject by 6 dept</td>
<td>There has been very minimal devolution of functionaries. Officials continue to report to dept.</td>
</tr>
<tr>
<td>4.</td>
<td>Bihar</td>
<td>No taxes are collected by PRI but proposal regarding the same is under consideration of the state govt</td>
<td>AMIs conducted. 20 line dept have issued GOs.</td>
<td>Departmental staff are answerable to dept. Anganwadi, health workers and teachers are appointed by PRIs</td>
</tr>
<tr>
<td>5.</td>
<td>Chhatisgarh</td>
<td>GPs authorised to collect various taxes. Funds for 12 dept have been devolved</td>
<td>AM of 27 matters has been undertaken. GOs not issued</td>
<td>Panchayat make recruitment for 9 dept</td>
</tr>
<tr>
<td>6.</td>
<td>Goa</td>
<td>Panchayat levy 11 types of taxes. United funds are given to panchayats</td>
<td>18 matters are devolved to GPs while 6 are devolved to ZPs</td>
<td>PRIs have their own core staff for the execution of works</td>
</tr>
<tr>
<td>7.</td>
<td>Gujarat</td>
<td>8 major taxes are collected by PRIs. In 2008-09, 13 dept allocated funds to PRIs</td>
<td>14 functions have been completely devolved and 5 are partially devolved</td>
<td>GOs have been issued for devolution of functionaries for 14 functions</td>
</tr>
<tr>
<td>8.</td>
<td>Haryana</td>
<td>GPs generate revenue from lease of panchayat land, liquor cess and rental of panchayat premises</td>
<td>PRA devolves 29 functions. GOs have been issued for 10 dept</td>
<td>There is no significant devolution of functionaries</td>
</tr>
<tr>
<td>9.</td>
<td>Himachal Pradesh</td>
<td>Only GP is empowered to levy taxes. Funds have not been transferred</td>
<td>27 of 29 functions have been devolved to PRIs</td>
<td>Functionaries have not been transferred to PRIs</td>
</tr>
<tr>
<td>No.</td>
<td>State/UT</td>
<td>Activity Mapping Details</td>
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<tr>
<td>10</td>
<td>Jammu &amp; Kashmir</td>
<td>State Govt. has issued GO notifying activity mapping. Funds have been devolved in a limited sense. Functionaries have been identified.</td>
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<td></td>
<td></td>
<td>in the Activity Mapping document to assist Panchayats in carrying out assigned functions but have not been transferred.</td>
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<tr>
<td>11</td>
<td>Jharkhand</td>
<td>Elections to PRIs were held in November- December 2010 for the first time since 73rd CAA came into force. Activity Mapping has not been done</td>
<td></td>
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<tr>
<td>12</td>
<td>Karnataka</td>
<td>PRIs collect 7 types of taxes. PRA provides the mandatory transfer of funds to PRIs. Delegated all 29 subjects to PRIs by notifying AM.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>All panchayat employees function under dual control of the dept concerned and the PRIs.</td>
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</tr>
<tr>
<td>13</td>
<td>Kerala</td>
<td>GPs have tax domain of 9 types of taxes. Unified funds and funds for specific purposes by dept are given to PRIs. AM of 29 functions done.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>and activities devolved to panchayats. PRIs have full managerial and part disciplinary control over transferred functionaries.</td>
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</tr>
<tr>
<td>14</td>
<td>Madhya Pradesh</td>
<td>GPs are empowered to collect taxes. Funds for 13 dept covering 19 matters are released to PRIs. GO containing the AM in respect to 25 matters.</td>
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<tr>
<td></td>
<td></td>
<td>pertaining to 22 dept have been issued. Functionaries for 13 dept have been transferred to the PRIs. There is a state panchayat service.</td>
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<tr>
<td>15</td>
<td>Maharashtra</td>
<td>GP and ZP collect taxes. Grants for 11 dept are transferred to PRIs. 11 subjects have been fully devolved. For 18 subjects, schemes are</td>
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<tr>
<td></td>
<td></td>
<td>implemented by PRIs. Class III and IV employees at all levels are ZP employees.</td>
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</tr>
<tr>
<td>16</td>
<td>Manipur</td>
<td>5 dept have issued GOs transferring funds to PRIs. GOs have been issued for devolving functions related to 22 dept. 5 dept have issued GOs</td>
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<tr>
<td></td>
<td></td>
<td>transferring functions to PRIs.</td>
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</tr>
<tr>
<td>17</td>
<td>Orissa</td>
<td>PRIs collect 6 types of funds. There is no clear devolution of unified funds. 11 dept have devolved 21 subjects. Officials of 11 dept are</td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>accountable to PRIs.</td>
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</tr>
<tr>
<td>18</td>
<td>Punjab</td>
<td>Main source of income of GP is from auction of panchayat land. There is no clear devolution of funds. Devolution of key 7 dept relating to</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>13 subjects approved. No functionaries have been transferred to PRI by line dept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Rajasthan</td>
<td>5 dept have issued GOs transferring funds to PRIs up to dist level. 10% untied funds to PRIs. 5 dept have transferred all functions up to</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>dist level to PRIs. Fresh AM of 5 dept have been done. 5 dept have transferred all functionaries up to dist level PRIs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Sikkim</td>
<td>PRIs do not collect taxes. Funds are being transferred by 17 dept. 10% of the total fund of each dept is given to panchayats. Untied funds</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>are given to PRIs. All 29 functions are devolved as per legislation. AM has been done for 20 subjects covering 16 dept. Employees are under</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>the control of PRIs, but panchayats exercise limited control over them.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Tamil Nadu</td>
<td>Only GPs have power to levy taxes. 9% of the state's own tax own tax. Govt of TN has delegated supervision and monitoring powers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>There is no significant devolution of functionaries.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>State</td>
<td>Description</td>
<td>Devolved Subjects</td>
<td>Functionaries</td>
</tr>
<tr>
<td>-----</td>
<td>----------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>22</td>
<td>Tripura</td>
<td>Part funds related to PWD dept, primary school and social education dept and pension funds have been transferred to the panchayats. Untied funds are also transferred to the PRIs.</td>
<td>So far GOs have been issued devolving irrigation schemes, primary schools and activities related to adult and non-formal education, women and child development dept and social welfare.</td>
<td>Functionaries of 5 subjects for which functions have devolved, have been transferred to panchayats.</td>
</tr>
<tr>
<td>23</td>
<td>Uttar Pradesh</td>
<td>All 3 tiers have power to collect taxes</td>
<td>16 subjects relating to 12 dept have been devolved to PRIs.</td>
<td>PRIs do not have control over functionaries.</td>
</tr>
<tr>
<td>24</td>
<td>Uttarakhand</td>
<td>Only ZPs collect taxes. Funds are made available to PRIs for activities for only 3 functions.</td>
<td>Master GO on transferring financial and administrative 14 subjects has been issued to 2003.</td>
<td>Supervisory role over functionaries related to 14 subjects.</td>
</tr>
<tr>
<td>25</td>
<td>West Bengal</td>
<td>GP s can impose and realise taxes. Untied funds are allocated under the TFC grant as well as SFC grant. 5 dept have opened panchayat Window in their budgets.</td>
<td>State govt agrees with 28 subjects. 14 dept have so far issued matching GOs transferring 27 subjects.</td>
<td>The panchayat employees have been made into different dist cadres. Other than post created in the panchayat bodies, 7 dept of the state govt have devolved functionaries.</td>
</tr>
<tr>
<td>26</td>
<td>Andaman &amp; Nicobar</td>
<td>Grant-in-aid is released to PRI’s to discharge their functions.</td>
<td>All the functions (29 subjects) have been transferred to the PRIs.</td>
<td>639 functionaries of various departments have been transferred to the PRIs.</td>
</tr>
<tr>
<td>27</td>
<td>Daman &amp; Diu</td>
<td>Not available</td>
<td>12 subjects are fully devolved and 10 subjects are partially devolved.</td>
<td>Functionaries for 13 departments have been transferred to PRIs.</td>
</tr>
<tr>
<td>28</td>
<td>Puducherry</td>
<td>Panchayats collect taxes and receive funds from the state budget under the community development sector.</td>
<td>22 functions have been devolved to the PRI.</td>
<td>Devolution of functionaries has not been done yet.</td>
</tr>
<tr>
<td>29</td>
<td>Lakshadweep</td>
<td>Entire Plan and Non Plan budget required for Schemes and Programs being implemented by 5 departments viz. Education, Medical &amp; Health Services, Fisheries, Animal</td>
<td>All Schemes and programmes being implemented by five major departments, viz. Education, Medical &amp; Health Services, Fisheries, Animal.</td>
<td>Entire establishments of five major departments, viz. Education, Medical &amp; Health Services, Fisheries, Animal Husbandry, and Agriculture except Director and few staff.</td>
</tr>
</tbody>
</table>
Husbandry, and Agriculture is transferred to the District Panchayat and Village (Dweep) Panchayats. 

| 30. Chandigarh | A committee constituted by the Chandigarh Administration recommended transfer of some functions of 12 Departments. However, the State Govt. felt that such an exercise of devolving the functions to PRIs would only be an interim measure because fast urbanization would result in villages becoming part of Municipal Corporation in near future.

Note: Provisions of the Constitution (73rd Amendment) Act, 1992 are not applicable to the States of J&K, Meghalaya, Mizoram and Nagaland.
Source: Government of India (2010), visit www.pib.nic.in

In the case of Gujarat, Maharashtra and Karnataka, devolution of three Fs stops at district level; the devolution to the lower tiers is minimal. The State Government of Haryana had set up Village Development Committees (VDCs), which negates the provisions of 73rd Constitutional Amendment Act regarding reservation of SC, women and seems to replace the elected gram panchayat. In State like Andhra Pradesh, the State Government is implementing even a decentralized programme like Janmabhoomi programme mainly through bureaucratic apparatus, which is against the spirit of 73rd Constitutional Amendment Act. It has a content of people’s participation and social mobilization, but it bypasses the panchayati raj bodies and in fact this programme poses a serious challenge to the system of Panchayati Raj due to its poor involvement in this programme.

The report of the Task Force (2001) concludes on decentralisation, “Consequent to the 73rd Constitution Amendment Act political decentralisation has taken place in almost all the States where elections have been held. However, progress on fiscal and functional decentralisation has been mixed. There are States which have taken steps to devolve funds, functions and functionaries to the PRIs. The process of devolution is at different levels of operationalisation across States...It is imperative that the PRIs have resources to match the responsibilities placed on them. While State Finance Commissions have submitted their recommendations, very few States have taken the necessary steps to ensure fiscal viability of the PRIs. Yet, one can be hopeful that the experience of some States and some PRIs within
States would provide the necessary impetus for greater devolution in other parts of the country.”

Table 7: Details of Activity Mapping and Number of Subjects Transferred

<table>
<thead>
<tr>
<th>Sr. no.</th>
<th>State / UT</th>
<th>No. Of subjects transferred</th>
<th>Details of Activity Mapping (AM)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Andhra Pradesh</td>
<td>17</td>
<td>9</td>
<td>AM for critical subjects like housing not done. Only 8 depts. have passed orders for transfer of funds and functionaries</td>
</tr>
<tr>
<td>2</td>
<td>Arunachal Pradesh</td>
<td>-</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Assam</td>
<td>29</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Bihar</td>
<td>25</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Chattisgarh</td>
<td>29</td>
<td>27</td>
<td>Executive orders not issued</td>
</tr>
<tr>
<td>6</td>
<td>Goa</td>
<td>06</td>
<td>18*</td>
<td>18 functions devolved to GPs, 6 to ZPs</td>
</tr>
<tr>
<td>7</td>
<td>Gujarat</td>
<td>15</td>
<td>14</td>
<td>Only 5 subjects partially devolved</td>
</tr>
<tr>
<td>8</td>
<td>Haryana</td>
<td>-</td>
<td>10</td>
<td>Subjects yet to be transferred</td>
</tr>
<tr>
<td>9</td>
<td>Himachal Pradesh</td>
<td>26</td>
<td>-</td>
<td>15 departments have issued orders delegating powers to panchayats</td>
</tr>
<tr>
<td>10</td>
<td>Karnataka</td>
<td>29</td>
<td>29</td>
<td>AM implemented through fiscal devolution in 2005-06 budget with regard to 26 subjects</td>
</tr>
<tr>
<td>11</td>
<td>Kerala</td>
<td>26</td>
<td>26</td>
<td>119 activities relating to 19 functions devolved. AM has been revised with complete details</td>
</tr>
<tr>
<td>12</td>
<td>Madhya Pradesh</td>
<td>23</td>
<td>7</td>
<td>AM prepared by an NGO, Samarthan. Yet to be considered by government</td>
</tr>
<tr>
<td>13</td>
<td>Maharashtra</td>
<td>18</td>
<td>-</td>
<td>No move to undertake AM</td>
</tr>
<tr>
<td>14</td>
<td>Manipur</td>
<td>22</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Orissa</td>
<td>25</td>
<td>7</td>
<td>Fiscal transfer yet to be made</td>
</tr>
<tr>
<td>16</td>
<td>Punjab</td>
<td>7</td>
<td>-</td>
<td>Draft AM prepared</td>
</tr>
<tr>
<td>17</td>
<td>Rajasthan</td>
<td>29</td>
<td>12</td>
<td>AM done for agriculture, soil conservation, PHED, elementary and secondary education, health and family welfare, irrigation, forest, industry, food, tourism, PWD, energy, technical education</td>
</tr>
<tr>
<td>18</td>
<td>Sikkim</td>
<td>28</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>19</td>
<td>Tamil Nadu</td>
<td>29</td>
<td>-</td>
<td>Instructions issued for devolving all subjects to panchayats but no actual devolution</td>
</tr>
<tr>
<td>20</td>
<td>Tripura</td>
<td>29</td>
<td>21</td>
<td>Orders were issued for the</td>
</tr>
<tr>
<td>State</td>
<td>AM</td>
<td>Other</td>
<td>Details</td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>----</td>
<td>-------</td>
<td>-------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>21 Uttar Pradesh</td>
<td>12</td>
<td>-</td>
<td>AM completed in respect of 32 departments. Implementation yet to take place</td>
<td></td>
</tr>
<tr>
<td>22 Uttarakhand</td>
<td>14</td>
<td>9</td>
<td>Orders for devolution of 3 departments issued</td>
<td></td>
</tr>
<tr>
<td>23 West Bengal</td>
<td>29</td>
<td>15</td>
<td>Orders for devolution of 3 departments issued</td>
<td></td>
</tr>
<tr>
<td>24 A&amp;N Islands</td>
<td></td>
<td></td>
<td>AM completed</td>
<td></td>
</tr>
<tr>
<td>25 D&amp;N Haveli</td>
<td>3</td>
<td>-</td>
<td>AM completed</td>
<td></td>
</tr>
<tr>
<td>26 Lakshadweep</td>
<td></td>
<td></td>
<td>Orders for devolution of 3 departments issued</td>
<td></td>
</tr>
<tr>
<td>27 Chandigarh</td>
<td></td>
<td></td>
<td>AM completed</td>
<td></td>
</tr>
</tbody>
</table>

* (Except forest and drinking water supply)

Source: Ministry of Panchayati Raj, Government of India

D. Constitution of District Planning Committees (DPCs)

The State Governments are required to constitute District Planning Committees (DPCs) as envisaged under Article 243 (ZD) of 74th Constitutional Amendment Act to facilitate the process of decentralised planning. DPCs are to be set up in each district to prepare composite plans covering both urban and rural areas. At the apex level within the Panchayati Raj system is supposed to be The District Planning Committee (DPC).

The institution of District Planning Committee as envisaged in the 73rd Constitution Amendment Act (73rd CAA) is the realisation of consistent and conscious effort towards decentralised planning since the process of planned development began in the country. The desire for decentralised planning was first expressed way back in the first five year plan (1951-56), when it was suggested to break the planning process into national, state, district and local community levels. However, the idea was given a concrete shape with the establishment of the District Development Council to consolidate plans prepared at the village level through a participative process. The newly established Panchayat Institutions at the village, block and district level were to help prepare these plans. However, their role and resources were not clearly defined and as a consequence the planning process at the grassroots level suffered.75

In Gujarat, District Planning Boards were in place till March 2008. The Gujarat District Planning Committee Act, 2008 was formulated to define the structure and functions of the DPCs. The composition of the DPC was finalized by a notification on 22nd January 2009 and in 2012, DPCs are constituted in all the 26 districts of the state. DPCs perform routine administrative functions and have failed to make any impact on the planning process of Panchayats.

The review of the formation of DPCs in the State revealed some aberrations. For instance, in the State of Madhya Pradesh, Tripura, Uttar Pradesh Minister is the Chairman of the DPCs while in Tamil Nadu, the Collector heads the DPCs. To facilitate the preparation of the Plans

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at the district level, a core planning team comprising of experts from various disciplines needs to be formed for each district which could help in the preparation of plans keeping in view the physical and natural resource endowments of the area, availability of funds and the priorities of the people.

### Table 9: Status of DPC Formation across States

<table>
<thead>
<tr>
<th>Sr. no.</th>
<th>State / UT</th>
<th>Whether DPCs constituted</th>
<th>Status in November 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Andhra Pradesh</td>
<td>Not constituted</td>
<td>Elections to DPC were conducted in July 2007. Government have also nominated four members to each DPC as required under the Act. The elections to DPC in Andhra Pradesh are conducted by State Government but not the State Election Commission. Under the law, it is the ZP Chairperson who is to chair the DPC.</td>
</tr>
<tr>
<td>2.</td>
<td>Arunachal Pradesh</td>
<td>Not constituted</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Assam</td>
<td>Not constituted</td>
<td>Constituted in all non-sixth schedule districts. The Chairperson of the ZP Chairs the DPC.</td>
</tr>
<tr>
<td>4.</td>
<td>Bihar</td>
<td>Not constituted</td>
<td>DPC is chaired by Zila Parishad Adhyakshas and the DDC is the member secretary.</td>
</tr>
<tr>
<td>5.</td>
<td>Chattisgarh</td>
<td>Constituted</td>
<td>4/5th of the members are elected from among the elected representatives of Zila Panchayat and Municipalities. The Chairperson of a DPC can be an in charge Minister from Chhattisgarh and the Collector is the Member-Secretary.</td>
</tr>
<tr>
<td>6.</td>
<td>Goa</td>
<td>Not constituted</td>
<td>The Government has constituted District Planning Committee for each District in Goa. The Adhyaksha of the Zila Panchayat is the Ex-Officio Chairman and the Chief Executive Officer of the Zila Panchayat is the Ex-Officio Member Secretary of the District Planning Committee.</td>
</tr>
<tr>
<td>7.</td>
<td>Gujarat</td>
<td>Not constituted</td>
<td>Constituted with the in charge Minister as the chairperson and the District Panchayat President as Vice-chairperson as per the Gujarat District Planning Committees Act, 2008.</td>
</tr>
<tr>
<td>8.</td>
<td>Haryana (no. Of districts 19)</td>
<td>Constituted in all Districts</td>
<td>The Urban Development Department Haryana has published a Notification with regard to constitution of District Planning Committees, pursuant to which Constitution of all 20 District Planning Committees have been got completed.</td>
</tr>
<tr>
<td>9.</td>
<td>Himachal Pradesh</td>
<td>Constituted with Minister as Chairperson of DPC.</td>
<td>No change</td>
</tr>
<tr>
<td>10.</td>
<td>Jammu &amp; Kashmir</td>
<td>Yet to adopt the provision of 73rd Amendment Act.</td>
<td>-</td>
</tr>
<tr>
<td>11.</td>
<td>Jharkhand</td>
<td>Local body elections yet to be held.</td>
<td>No change</td>
</tr>
</tbody>
</table>
There is a provision under the law for District Planning Committees (DPCs). DPCs have not been constituted. Provisions for Standing Committees in Panchayats for planning and implementation of allotted subjects exist under the Act.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12. Karnataka</td>
<td>Constituted with President ZP as Chairperson.</td>
<td>No change</td>
</tr>
<tr>
<td>13. Kerala</td>
<td>Constituted with Chairman District Panchayat as Chairperson.</td>
<td>No change</td>
</tr>
<tr>
<td>14. Madhya Pradesh</td>
<td>Constituted with district-in-charge Minister as Chairperson of DPC.</td>
<td>No change</td>
</tr>
<tr>
<td>15. Maharashtra</td>
<td>Not constituted</td>
<td>Constituted with district-in-charge Minister as Chairperson of DPC and the District Collector as the member-secretary</td>
</tr>
<tr>
<td>16. Manipur</td>
<td>Not constituted</td>
<td>District Planning Committees have been constituted under Section 96 of the Manipur Panchayati Raj Act, 1994 with the Adhayaksha of the Zila Parishad as the Chairperson. However, elections are yet to take place as provided in the Act. The State Government of Manipur has undertaken to complete the elections for the elective posts of the District Planning Committee.</td>
</tr>
<tr>
<td>17. Orissa</td>
<td>Constituted in all 30 districts with Minister as Chairperson.</td>
<td>Constituted in all 30 districts with Minister as Chairperson.</td>
</tr>
<tr>
<td>18. Punjab</td>
<td>Not constituted</td>
<td>Constituted with Ministers as chairperson/vice-chairperson.</td>
</tr>
<tr>
<td>19. Rajasthan</td>
<td>Constituted with Chairman District Panchayat as Chairperson.</td>
<td>No change</td>
</tr>
<tr>
<td>20. Sikkim</td>
<td>Constituted</td>
<td>DPC is chaired by the elected chairperson of the Zila Panchayat. The District Development officer-cum-Panchayat officer (Member Secretary) All ZP members are members of DPC.</td>
</tr>
<tr>
<td>21. Tamil Nadu</td>
<td>Constituted with Chairman District Panchayat as Chairperson.</td>
<td>No change</td>
</tr>
</tbody>
</table>
22. **Tripura** | Not constituted | DPC has been constituted for the BRGF District, i.e. Dhalai District headed by one Executive Member of the Tripura Tribal Areas Autonomous District Council (Sixth Schedule areas) as Chairman with the concurrence of the Ministry of Panchayati Raj, Government of India.

23. **Uttar Pradesh** | Not notified though legal provision exists. | The UP District Planning Committee Act was enacted and Notified on July 29, 1999. DPC has been constituted for 70 districts.

24. **Uttarakhand** | Not notified though legal provision exists. | Uttarakhand District Planning Committee Act, 2007 has been passed, however, DPCs are not yet constituted.

25. **West Bengal** | Constituted with Chairman District Panchayat as Chairperson. | No change

| No DPC in Darjeeling district. Metro Planning committee in Kolkata District |

29. **A&N Islands** | Constituted | Zila parishad president

30. **Chandigarh** | Government has decided not to constitute DPCs as 90% of population is covered by municipalities |

31. **D&N Haveli** | Constituted | Zila parishad president

32. **Daman & Diu** | Constituted | Zila parishad president

33. **NCT of Delhi** | Constituted | Development Commissioner

34. **Lakshadweep** | Not constituted |

35. **Pondicherry** | Not constituted |


Most of the major states have constituted DPCs as per the information available. State legislations to constitute DPCs have been enacted in all states considered here. The large and conspicuous omissions, where DPCs have not yet been constituted, include Uttarakhand and Jharkhand.76

In some states, the District Planning Committees (DPCs) are chaired by the minister of the State Government as in Madhya Pradesh, whereas in other states, the officials head the DPC, as in Tamil Nadu where the collector is the chairman. All these practices are inconsistent with the very spirit of the constitutional amendments on democratic decentralisation.

Broadly speaking, the functions performed by the parallel bodies can be classified as ensuring user/beneficiary participation, convergence of programmes and promoting ensuring efficiency. While these are the basic functions of the PRIs, the matters like irrigation, watershed management and development and minor forest produce come under the purview of the Eleventh Schedule which lays down the functions of the PRIs. The Gram Vikas Samity

76Ibid.
in Haryana and the Vigilance Committee in Himachal Pradesh encroach upon the statutory functions of the panchayat bodies as spelt out in the Panchayat Acts of the respective states. The *Jannahboomi* (JB) programme tends to mobilize local people, the entire state administrative machinery and draws upon all existing central and state government schemes as resource for development work, thus substituting the functions of the Gram Panchayat. Although the Sarpanch is to preside over the JB Gram Sabha, the real player is the officer which has created another problem. The Gram Sabha meetings convened by the Gram Panchayat have become less important because of the realization on the part of the people that fewer benefits are available through panchayats.

There is another set of parallel bodies in states like Maharashtra where traditional panchayats exist with different legitimising sources. In Maharashtra, for example, there exist village “collectives” called “Gavki”. The *Gavki* is constituted by the elite upper castes, the rich and undoubtedly, only the patriarchs of the village, women are excluded. Before the amendment of the constitution these bodies functioned alongside the elected panchayats. Unfortunately, they continue till today. Lele narrates an interesting case of how a *Gavki* defied the panchayat. The *Gavki* decided to auction the sand from the riverbed and the money earned was to be a contribution to its own fund. The GP raised objections to it and a conflict arose. The persons, who raised objection to this issue, were the more informed active villagers, some dalits and women, associated with a local NGO who were in favour of the panchayats. However, in the long run they failed to go against the “*Gavki*”. The “*Gavki*” has been found to be more effective in areas where women or dalits are in power. Thus, as Lele rightly observes “reservations which intended to empower both these marginalised sections in rural governance are being made ineffective by the established powers in the rural areas.”

The general reaction against the parallel bodies is that they represent processes external to the constitutionally mandated role of panchayats and enable bureaucracies to override democratic bodies. Thus they pose serious threats to the effective functioning of local self-governing institutions.

**Checks and Balances over PRIs and Accountability**

Under the State laws, wide powers of suspension and dismissal have been vested in the State bureaucracy. This straight away places PRIs in a position of disadvantage vis-a-vis even middle rung functionaries of State Governments. It also takes away the essential characteristic of PRIs as elected representative bodies. In many States, even Gram Panchayats have been placed in a position of subordination vis-à-vis intermediate panchayats and so on.

A scrutiny of state laws reveals that almost all the state governments have kept enough powers with themselves to deal with PRIs as far as ensuring checks and balances is concerned. These provisions had existed even before the introduction of 73rd Constitution Amendment Act and had been widely used in different States.

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However, these provisions have in-built limitations because they directly affect the concept of democratic decentralisation on the one hand and the autonomy of the PRIs on the other.

Another important aspect of the administrative restructuring process is the merger of District Rural Development Agencies (DRDAs) with Zila Parishads. In the light of the 73rd Constitution Amendment Act, DRDAs need to be restructured to suit the changed scenario. They should work under the overall control and supervision of the Zila Parishads. In the States of Karnataka, Kerala and Madhya Pradesh, DRDAs have already been merged with the Zila Parishads. In Himachal Pradesh, Orissa, Rajasthan, Uttar Pradesh and West Bengal, the Chairman of Zila Parishads is also the Chairman of the DRDAs. However, Maharashtra has expressed its reservation to the merger of DRDAs with the Zila Parishads. Andhra Pradesh also is not in favour of a DRDA-District Panchayat merger. In Andhra Pradesh, the District Collector is the Chairperson of DRDA whereas Chairperson of District Panchayat its Vice-President.

Instances have been reported where the Gram Panchayat Sarpanchs have to spend a good lot of time visiting Block Offices and of harassment by Block level officials. Systems which require Gram Panchayat Pradhan/Sarpanch to approach Block office for funds and/or technical approval need drastic change. Village bodies should be able to spend funds on their own without having to take technical approval from government officials. These interactions with Block staff distort the role of Pradhans as elected representatives of the gram sabha and induct them into bad old ways of officialdom and also encourage corruption.

**Sustainability**

The Constitution Amendment Act itself has certain provisions, which adversely affect the sustainability of these institutions. For instance, while there are reservations for women and SCs/STs, these seats are to be allotted by rotation to different constituencies. In practice, this implies that a woman or a SCs/STs elected to a panchayat will normally have a term of five years, with no prospect of re-election. This goes against the spirit of democracy as people work hard for their constituencies in the expectation that they would be returned to power in the next elections. The existing provisions provide no incentive for the elected persons to deliver on their promises; on the contrary, self-interest would dominate, with little concern for the community at large.

The three tiers also compete for funds and powers. The lower tiers are normally the losers in this process. This would make decentralised development, within a district plan, non-sustainable. It is imperative in the given framework that the state legislatures clearly delineate the work to be done by each of the three tiers in each of the sectors which fall within the purview of panchayats, in order to ensure that the panchayats at the village level can be effective institutions for local governance.

**Transparency**

Empowerment of gram sabhas would require efforts at mobilisation of the village community for mass participation in meetings of the gram sabha. Further, a massive awareness
generation programme needs to be taken up to inform gram sabhas about their rights in planning, implementation and audit of development programmes and in control over natural resources, land records and conflict resolution.

A key to the success of the Panchayati Raj system is transparency in the way these bodies function. Being closer to the people, the panchayats’ right to information - and accessibility to the panchayats - must be ensured. Central Government circular in 1997 proposed that each State may consider passing orders highlighting three different aspects of transparency.

- First, the PRIs, especially gram panchayats, should display all vital information about development projects (especially receipt of funds and how they are being spent) in the panchayat offices or on a prominent board outside the village school for the information of the public.
- Second, all relevant records should be open to inspection.
- Third, members of public should also be able to obtain photocopies of documents related to development projects as also matters of general public interest by paying a nominal charge. Such documents would extend in particularly to all bills, muster rolls, vouchers, estimates and measurement books as well as information about the criterion and procedure for selection of beneficiaries. A list of beneficiaries should not only be available for inspection, but photocopies of it should be given on demand from a convenient place such as block office.

**Accountability**

To what extent are the village panchayats accountable to the common people and looking after public interest? Do the ordinary masses feel involved and participate? A detailed field study of several village level Panchayats in Uttar Pradesh indicated that these objectives were only being partially met.

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78 As mentioned in MoPR (2008) study- Major findings are: (a) Even two years after the new legislation imbued the panchayats with responsibility for developmental functions (albeit with an instrumentalist orientation) listed in the Eleventh Schedule, no substantive changes have occurred in the nature or extent of financial devolution or bureaucratic control; (b) In the formal sense, panchayats have had a limited but important role in the various stages of planning and implementation of several developmental programmes, especially anti-poverty programmes; (c) For practical purposes, the panchayat is identified with the office of the Pradhan and the role of the Pradhan is itself subsidiary to the bureaucratic functionaries. The poor respondents mention periods when enlightened Pradhans or even bureaucrats have been able to accelerate the implementation of these programmes or have been able to steer them more firmly in the direction of the poor. Generally, however, this is not the case. Benefits from programmes accrue to a group of people who are close to the Pradhan or the official machinery. Some of them acquire multiple benefits. The study concludes: 'This rather negative assessment of omissions and commissions should not lead us to the conclusion that panchayats and local level planning have lost their attractiveness for the villagers. On the contrary, our survey of 397 villagers showed that an overwhelming 80 per cent of all respondents feel that the responsibility of village level development should be reposed with panchayats (84 per cent males; 77 per cent females). Only 9 per cent respondents (13 per cent males and 5 per cent females) thought that the Block should be responsible. Of the respondents, when asked to choose between a variety of arrangements for evolving and implementing schemes and programmes at the village level, 79 per cent favoured stronger panchayats but with more accountable pradhans and 17 per cent favoured stronger panchayats and stronger pradhans. The verdict was clearly against the Block Development Officers who received only 4 per cent support.'
From the studies conducted on the issue, it appears that though the ordinary village people feel optimistic about the potential of panchayats, they think that it has not brought the fruits of development to them. Corruption is singled out as the most important cause for the ineffective functioning of these institutions. Control which is exercised by the sarpanch and block level officials over village panchayats and gram sabhas has not only buttressed corruption, but it has also led to pessimism that villagers on their own and at their level cannot change or improve things because of heavy dependence on elected functionaries and block officials. The present system is, therefore, seen to have actually reinforced dominance and unequal access to power, besides rendering the villagers helpless and alienated.

**Challenges to the third generation Panchayati Raj in India**

(i) **Legislative inadequacies and absence of enabling rules and orders**

Although the 73rd Amendment of the constitution aims primarily at offering certainty, continuity and strength to the panchayats, inadequacies in the drafting of legislation have created only a set of paper laws for them. In most of the cases the laws fail to reflect the spirit of the CAA and even where they do, they cannot be effectively implemented for want of enabling rules and orders. The main lacuna of the CAA, however, is that instead of clearly specifying the powers and functions of the panchayats, it has left it to the whim of state governments.

It is clearly evident in Article 243(G) which states that the state legislature may, by law, endow panchayats with such powers and authority as may be necessary to enable them to function as institutions of self government. The repeated usage of the word “may” in the article fails to make it mandatory on the part of the state government to implement these provisions, thus leaving power-sharing with the state government solely at the disposal of the political leadership at the state level. This explains the varying degrees in the performance of panchayats across different states.

The Constitution spells out the functions of the PRIs in very broad terms - in most cases covering the entire possible expanse of a subject without clearly indicating specific items of responsibility, activities or sub-activities under the broad functions. In line with the irregularities in the Central Act, the statutes governing PRIs in the states while devolving functions to the panchayats continue to word them generally without detailing out functional responsibilities of each tier of panchayats for each of the subjects.

Mere legal enactments are not enough unless they are backed by enabling rules and orders. Even in states where conformity legislation has been enacted rules and bye-laws for their day-to-day functioning are yet to be formulated. In the absence of necessary operational laws, the states are often found to misinterpret the provisions of delegated legislation as a device for deferring legislation. In Rajasthan, for example, the whole range of powers and functions that have been legally assigned to the PRIs are either made subject to “such rules as may be

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79 Report of the Task Force on Devolution of Powers and Functions upon the Panchayati Raj Institutions, Department of Rural development (Panchayati Raj Division), Ministry of Rural Development, GoI, 2001
prescribed” or “to the extent and in the manner as may be prescribed” and since then no rules have been framed or orders/ guidelines issued to this effect.

(ii) **Devolution in the conformity legislations in India**
The 73rd Amendment of the Constitution of India stipulates the transfer of powers and functions to PRIs as a part of the decentralization process. The State Governments were supposed to transfer 29 subjects listed in the Eleventh Schedule of the Constitution.

While the states like Kerala, Karnataka and West Bengal have carved out a clear path of devolution to PRIs, other states like Rajasthan, Maharashtra, Gujarat and Bihar have variations in their initiatives in this regard. States like Haryana, Uttar Pradesh have still to set the ball rolling.

As per the information available in November 2006, only eight states and one Union territory have formally transferred all the 29 functions or subjects to PRIs. The Working Group on the Decentralised Planning observes, “... items listed as responsibilities in the states are couched in vague terms. A glance at the variety of these items reveals that they are a shopping list of sectors and sub-sectors, broad activities in a sub-sector and activities, sub-activities/specific responsibilities under a broad activity, with no role clarity.... In some states the line departments still exercise the powers of supervision and control over the scheme of subjects transferred to the panchayats.”

(iii) **Transfer of Funds**
The transfer of functions without corresponding transfer of funds does not make sense but this has nevertheless, happened. Before listing the functions to be performed by the panchayats, the states have introduced certain qualifying clauses. In Andhra Pradesh, Haryana and Tamil Nadu it is “within the limits of its funds”. In Punjab “it is to the extent its funds allow to perform”. In Madhya Pradesh and Himachal Pradesh, it is “as far as the gram panchayat funds at its disposal”.

A close examination of the provisions in the Acts of the different states regarding tax assignments, tax sharing, non-tax revenues makes it very clear that the PRIs at the level of the samiti and parishad do not have independent taxing powers. Most of the taxes are assigned at the GP levels. A provision for independent budgeting by the three tiers is another prime requisite to ensure autonomy.

In some states several of the basic services which traditionally belonged to the panchayats like street lighting, provision of drinking water supply, sanitation and drainage, primary health care etc. have not been entrusted to the GPs. For example, in Haryana, GPs practically deal with only drinking water and construction and maintenance of roads to the exclusion of all other basic services.

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The balance sheets of panchayats reflect either financial scarcity or a lack of control over budgeted finance. Except for a few states where the panchayats have access to some funds, the financial position of the PRIs is in a bad shape. Panchayat finances are fragile in most states where the total receipts of tax revenue is only 3.5 per cent from 1997-98 in the 15 select states. It is about 5 per cent in Orissa, Punjab, Andhra Pradesh, Madhya Pradesh, Gujarat and Haryana and between 10 per cent and 20 per cent in Assam, Goa and Kerala.

PRIs across the states do not have any control over their own physical and human resources. The SFCs have recommended the transfer of those powers, which are less effective, although there has been emphasis on internal resource mobilisation. This is a matter of concern because embedded in the question of financial viability is the issue of self-reliance. The financial autonomy ratio (FAR) for the selected Gram Panchayats (GPs) is below 1 per cent, indicating almost total dependence on the grants from the higher-level governments. Even in the states like Andhra Pradesh, Gujarat, Kerala, Karnataka and Maharashtra, the FAR of the selected GPs is not more than 50 per cent. In Kerala perhaps the best performing state in terms devolution to local bodies, the own revenue of an average GP is only 33 per cent.

A study of 15 select states, namely, Andhra Pradesh, Gujarat, Kerala, Madhya Pradesh, Maharashtra, Tamil Nadu, Orissa, Punjab, Haryana, Assam, Goa reveals that where middle or top tiers have been constituted, states have not endowed them with adequate functional responsibility. Most states have granted a plethora of functional responsibilities but no executive follow up of granting adequate powers, staff and financial resources. Except for four major states where the intermediate and apex bodies have adequate staff, in most other states, either the staff is not directly relevant or inadequate. A study of panchayats in 15 states done by the National Institute of Rural Development, Hyderabad, shows that the political parties are reluctant to devolve powers. Jean Dreze has shown that in most States the main responsibility of a sarpanch is to oversee the implementation of development programmes.

(iv) Transfer of Functions

To function effectively as institutions of self-government the PRIs need to have the power to recruit and control staff required for managing its functions. The staff is a resource that an organization must possess to perform its activities. Strangely, Part IX and IX-A of the Indian constitution remain silent on this vital aspect of institutional autonomy. Viewed from this perspective the state panchayat legislations too present a gloomy picture. The state governments still have retained for themselves the power for inspection, inquiring into the affairs of the panchayats, the suspension of panchayat resolutions and issuing directions. Besides in most states the key functionaries, namely, the secretaries and executive officers at all the three levels of panchayats are state government employees who are appointed, transferred and controlled by the state government. Being under the direct control of the state administrative hierarchy they are often reluctant to work under the administrative control of the elected panchayats. Moreover, provisions for the deputation of officials from the state

81 The Status of PR Finances in India, PRIA New Delhi, 1999
government to the panchayats have been made in the state panchayat acts without consultation with the panchayats. The tenure, transfer and the promotion of deputationists are also decided by the state government without consulting the panchayats.

Kerala is the only state which has completely transferred the control of functionaries to panchayats. More than 100 officials of different line departments have been devolved to district panchayat which exercise supervisory and administrative control over these functionaries. Only two states – Karnataka and Sikkim – have transferred functionaries pertaining to all the 29 subjects to the panchayats. But in Karnataka too the panchayats have no power of recruitment, transfer and discipline over their staff. Here, the Zila parishads and the taluka panchayats are filled with state government officials resulting in dual loyalties and needless friction in the day-to-day functioning of the panchayats. Although in a few states the GPs have been given the power to recruit and control their own staff, this power remains largely unutilized due to the weak financial position of the GPs. States like Arunachal Pradesh, Assam, Bihar, Jharkhand, Goa, Gujarat, Haryana, Punjab, Rajasthan, Tamil Nadu, Tripura, Andaman and Nicobar Islands, Chandigarh and Pondicherry have not transferred any functionaries to the panchayats. The rest of the states and Union Territories have transferred functionaries of some departments/subjects to the panchayats ranging from 2 in Andhra Pradesh and 18 in Maharashtra. But even in states where the process has just been initiated the efforts seem to be half-hearted. In Maharashtra, for instance, this has led to role confusion as the transfer has not been made for the entire staff of respective departments. Instead, they are being shared between the line departments and the panchayats.\(^\text{83}\)

(v) **Administrative Autonomy of the PRIs**

Most state Acts arm themselves with omnibus clauses and penal provisions which make administrative autonomy of the PRIs a mockery. For example, it has been laid down in the Rajasthan act that the state government shall be the chief superintendent and controlling authority in respect of all matters to PRIs. Interestingly, according to the provisions of the Act if a panchayat fails to perform its duty, it will be given time to do so and, if it fails again the work will be given to an agency at the cost of the panchayat.

**Table 9: The rise of parallel bodies**

<table>
<thead>
<tr>
<th>s. no.</th>
<th>State</th>
<th>Parallel body</th>
<th>Areas of overlap/substitution</th>
<th>Institutional Linkage with PRIs</th>
</tr>
</thead>
</table>
| 1     | Uttar Pradesh    | Water User Group (WUG)/Site Implementation Committee (SIC) | • Formulating, developing and approving plans of the area covered by the WUG  
• Selection of beneficiaries (farmers)  
• Construction, maintenance and management of link | Village Pradhan may be the ex-officio chairperson of the SIC |

\(^{83}\) As quoted in Datta, 2009
and main drains
- Policy decisions like decision on rates of water charges

|   | Haryana | Gram Vikas Samiti | Supervision of construction of work out of the funds released by HRDF Board, decentralised planning or any other state government scheme | The samiti consist of 4 members of gram panchayat Chairperson – Sarpanch Elected Members – one panch each from SC community, BC community and a woman panch

|   | Andhra Pradesh | Janmabhoomi | Planning and implementation of development programmes at the local level | Sarpanch and the concerned ward member finds representation in the Habitation Level Committee of Janmabhoomi

|   | Gujarat | Joint Forest Management | - Cultivation, collection and sale of minor forest produce - Conservation and maintenance of common property resources | - A representative of village panchayat will serve as one of the members of the mandal or committee - Village panchayat itself may become a mandal or committee for the purpose of JFM

|   | Rajasthan | Watershed | Minor irrigation | Panchayats can become Project Implementing Agency (PIA) for watershed projects on priority basis

|   | Himachal Pradesh | Vigilance Committee | Supervision of gram panchayat works/schemes costing upto Rs.50,000/- | Supervisory body within gram panchayat of the works, schemes and other activities of Gram Panchayat

|   | West Bengal | District Primary Education Council | Overlapping with Standing Committee on Education at District and Intermediate level | (vi) Actions of some of the state governments
Legislative actions and decisions of some of the state governments are undermining the process of democratic decentralisation. For example, the Chhattisgarh government has passed an order prescribing basic literacy as the minimum educational qualification for contesting a panchayat seat. This provision has dangerous implications as it will reduce the democratic space for ordinary people particularly poor women, minorities and the dalits, many of whom do not have basic literacy. It seems repugnant to the spirit of the constitutional mandate of
panchayats as instruments of planning for economic development and social justice. It will thus impede the process of empowerment for a large mass of population in view of the fact there is still a chunk of population without basic literacy.\(^8^4\)

**An Index of Devolution for Assessing Environment for Panchayati Raj Institutions in the States**

In 2005-06, the Ministry had introduced the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS) to (a) motivate states to empower the panchayats, and (b) motivate panchayats to put in place accountability systems to make their functioning transparent and efficient. Incentive funds under this scheme are given to the States in accordance with their performance as measured by a Devolution Index (DI) formulated and computed by an independent institution. Funds under this scheme are allocated to States and Union Territories in accordance with their performance as measured by the Devolution Index. For three years, *i.e.* 2006-07, 2007-08\(^8^5\) and 2008-09\(^8^6\), the National Council of Applied Economic Research (NCAER) developed the devolution index primarily based on the concept paper by Alok and Bhandari (2004)\(^8^7\). (see annexure 3 for indicators for DI 2009-10)

The States must fulfil these requirements before they can be included in the estimation of the 2008-09 DI.

Accordingly, NCAER in 2008 had used a two-stage approach for the calculations as in the earlier exercise: first stage shortlists States that pass the frameworks criteria and thereafter, second stage calculates the Index for the state-wise rankings. Thus, based on data provided by the Ministry of Panchayati Raj and the States, NCAER estimated the Index for 2007-08 for the second time in March 2008. This index was used to allocate PEAIS funds of Rs.10 crore across ten States and six Union Territories in 2007-08. The Ministry has for the third time entrusted the task of estimating the status of decentralisation or devolution in December 2008. The present report provides details of empirical estimation of the Devolution Index for 2008-09.

**Table 10: Indicators Used for calculating the 2008-09: Devolution Index and its Sub-Indices**

<table>
<thead>
<tr>
<th>Functions</th>
<th>Finances</th>
<th>Functionaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. De facto transfer of 29</td>
<td>6. Authorisation of PRIs to</td>
<td>21. Expert Institutions and</td>
</tr>
</tbody>
</table>


\(^8^5\) The Index used the “3F” framework and measures the extent to which States had transferred *finances, functions and functionaries* to the PRIs.

\(^8^6\) This comprised of frameworks, adding to functions, finances and functionaries” being renamed as the 4F structure. The framework component tests if States have provided the basic framework or environment for devolution to take place; more specifically it tests if States have met the following four fundamental Constitutional requirements for the devolution to take place: (i) establishing the State Election Commission, (ii) holding PRI elections every five years, (iii) establishing State Finance Commissions, and (iv) setting up of District Planning Committees.

<table>
<thead>
<tr>
<th>Functions listed in 11th Schedule.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Detailed Activity Mapping conducted for these 29 functions.</td>
</tr>
<tr>
<td>3. Whether DPC is involved in the preparation of District Plan?</td>
</tr>
<tr>
<td>4. Are GP implementing the major Flagship Programmes?</td>
</tr>
<tr>
<td>5. Are GP fully empowered to sanction expenditure?</td>
</tr>
<tr>
<td>6. Collect taxes, duties, tolls etc.</td>
</tr>
<tr>
<td>7. PRIs own revenue as % of PRIs expenditure.</td>
</tr>
<tr>
<td>8. Timely action on latest SFC’s major recommendations</td>
</tr>
<tr>
<td>9. Percentage of funds devolved to PRIs that are untied. (Plan)</td>
</tr>
<tr>
<td>10. Percentage of funds devolved to PRIs that are untied. (Non-plan)</td>
</tr>
<tr>
<td>11. Promptness with which Twelfth Finance Commission Funds transferred to PRIs.</td>
</tr>
<tr>
<td>12. Allocation of funds to PRIs based on apportionment formula</td>
</tr>
<tr>
<td>13. Are GP fully empowered to prepare plans for expenditure?</td>
</tr>
<tr>
<td>14. Whether there is a separate budget line for PRIs in the State Budget for 2007-08?</td>
</tr>
<tr>
<td>15. Devolution of finances corresponds to functions?</td>
</tr>
<tr>
<td>16. Percentage of PRIs whose accounts are audited (GP)</td>
</tr>
<tr>
<td>17. Percentage of PRIs whose accounts are audited (BP)</td>
</tr>
<tr>
<td>18. Percentage of PRIs whose accounts are audited (DP)</td>
</tr>
<tr>
<td>19. Specify the registers in which the accounts of GP are updated.</td>
</tr>
<tr>
<td>20. Do any funds directly go to the GP with respect to the functions?</td>
</tr>
<tr>
<td>21. Entities to support PRIs for the preparation of their Annual Plans specified</td>
</tr>
<tr>
<td>22. Expert institutions and entities to support capacity building/training of elected officials of PRIs specified</td>
</tr>
<tr>
<td>23. Amount of money provided for the capacity building/training of appointed officials of PRIs?</td>
</tr>
<tr>
<td>24. Amount of money provided for the capacity building/training of elected officials of PRIs?</td>
</tr>
<tr>
<td>25. Annual Report for last fiscal year released</td>
</tr>
<tr>
<td>26. Functionary wise accountability to PRIs: GP</td>
</tr>
<tr>
<td>27. Functionary wise accountability to PRIs: IP</td>
</tr>
<tr>
<td>28. Functionary wise accountability to PRIs: DP</td>
</tr>
<tr>
<td>29. Average days of training of Functionaries: Elected Officials; GP</td>
</tr>
<tr>
<td>30. Average days of training of Functionaries: Appointed Officials; GP</td>
</tr>
<tr>
<td>31. Average days of training of Functionaries: Elected Officials; IP</td>
</tr>
<tr>
<td>32. Average days of training of Functionaries: Appointed Officials; IP</td>
</tr>
<tr>
<td>33. Average days of training of Functionaries: Elected Officials; DP</td>
</tr>
<tr>
<td>34. Average days of training of Functionaries: Appointed Officials; DP.</td>
</tr>
</tbody>
</table>

**Note:** The 2008-09 Devolution Index is a refinement over the 2007-08 Index and includes indicators no. 3, 4, 5, 13, 14, 15, 16, 17, 18, 19, 20, 26, 27, 28, 29, 30, 31, 32, 33, and 34 that were not used in 2007-08; indicators 9 and 10 included this year is a modified version of the indicator 8th used last year.
The 2008-09 Devolution Index is based on data collected by NCAER through a customised survey of State Panchayati Raj Departments. The survey was conducted based on a questionnaire in December-January 2008-09. In addition to the data obtained from the survey, the data in the budgets of the State governments for 2007-08 (revised estimates) is also utilized.

The data is available from the following places: Since no elections were held in Jammu & Kashmir and Jharkhand, they are considered for calculation of the DI. District Planning Committees were not formed in Chandigarh, Gujarat and Uttarakhand. However, the information furnished by them on various parameters is being processed and compiled for record purposes. In the NCT of Delhi, Panchayat has been superseded for reference.

Calculation of the Devolution Index
Stage 1: Information regarding the four framework variables received from the States as on February 25, 2009 is summarised in the Table below.

<table>
<thead>
<tr>
<th>SN</th>
<th>State/UT</th>
<th>Constitution of State Finance Commission</th>
<th>Presence of District Planning Committees at present (DPC)</th>
<th>Constitution of State Election Commission</th>
<th>Holding Elections to PRIs Every Five Years</th>
<th>Whether all four criteria met?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gujarat</td>
<td>3rd</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>2</td>
<td>Haryana</td>
<td>3rd</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Stage 2: Only the following 21 States have been considered for further analysis in the second stage of the Index.

Comparison of Indicators
Here devolution for assessing environment for Panchayati Raj Institutions in the States/UTs is compared with the previous years. The parameters compared are the number of indicators for functions, finances and functionaries for the years 2006-07, 2007-08 and 2008-09. However, the rankings are compared only for the top 15 common States for the years 2007-08 and 2008-09 as all the States were not respondents in the earlier two rounds.

The following state did not qualify in the second stage of calculating DI.

<table>
<thead>
<tr>
<th>States/UTs</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gujarat, Chandigarh &amp; Uttarakhand</td>
<td>DPCs have not being constituted</td>
</tr>
<tr>
<td>Dadra &amp; Nagar Haveli</td>
<td>1. No information on constitution of SFC</td>
</tr>
<tr>
<td></td>
<td>2. No information on PRI election.</td>
</tr>
<tr>
<td>Daman &amp; Diu</td>
<td>1. No information on constitution of SFC</td>
</tr>
<tr>
<td></td>
<td>2. No information on constitution of SEC</td>
</tr>
<tr>
<td></td>
<td>3. No information on PRI election</td>
</tr>
</tbody>
</table>
The States meeting all the four mandatory criteria for the DI were included in the 2008-09 DI calculations and rankings.

**Table 12: Calculation of the Sub-Index for Devolution of Functions to the PRIs**

<table>
<thead>
<tr>
<th>SN</th>
<th>State</th>
<th>Number of Functions Transferred</th>
<th>Number of Functions for which Activity Mapping is done</th>
<th>De facto transfer of 29 functions to the Panchayats by way of Rules/Notifications/Orders of State governments (Q18)</th>
<th>Whether assignment of duties across PRIs based on detailed Activity Mapping (Q18)</th>
<th>DPC involved in the preparation of District Plan? (Q6.2)</th>
<th>Are GP implementing the major Flagship Programmes? (Q6.3)</th>
<th>Are GP fully empowered to sanction expenditure? (Q6.1(b))</th>
<th>Scores of functions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Haryana</td>
<td>21</td>
<td>21</td>
<td>3.62</td>
<td>3.62</td>
<td>5.00</td>
<td>5.00</td>
<td>5.00</td>
<td>4.45</td>
</tr>
</tbody>
</table>

The States with the full score of five are: Arunachal Pradesh, Karnataka, Kerala, Sikkim, Tamil Nadu and West Bengal. These States have completed transfer of functions to the PRIs through rules and notifications. The State with the lowest score 0.54 is Manipur. The other States fall in between the two extremes. The reason for getting scores below the maximum is of course that not all functions have been transferred in such States and/ or activity mapping has not been carried out for all the 29 functions.

Thus, even in terms of mere transfer of functions through rules or notification, there has been incomplete devolution in several states. Even the States that have met the mandatory devolution criteria, the average number of functions transferred to the PRIs is only 21.3 out of the 29 given in the Schedule 11 of the 73rd Constitutional Amendment. The situation with respect to activity mapping, which is an indication of systematic efforts at clarifying the roles and responsibilities of PRIs, the average number of functions where this has taken place is 17.6 out of 29. There is, therefore, considerable gap that has to be covered with respect to devolution of functions even on paper, i.e., through issuing of rules and notifications.

**Sub-index for Devolution of Finances**

There are 15 indicators under this sub-index. There is considerable variation in the scores across States in each of the 15 indicators. Madhya Pradesh has the highest score of 4.08 followed by West Bengal at 3.68. Arunachal Pradesh, which ranked high in the case of functions sub-index is ranked 18th among the 21 States considered. In cases like this, despite the fact the panchayats may have been given vast responsibilities with respect to planning and implementation of the development programmes, they may not have the financial discretion as reflected in the indicators chosen here. The desirable direction of change is in giving greater powers and autonomy to the Panchayats, allowing them to raise their own resources, including access to untied financial resources. It is this dimension of devolution that has seen uneven progress across States.

**Sub-index for Devolution of Functionaries**

96
This sub-index has 14 indicators. Although all the 14 indicators do not strictly reflect the devolution of the functionaries, they capture the emphasis placed by the State governments on the working of the PRIs and directly or indirectly the effectiveness of transfer of functionaries. Specification of “expert support” to developing annual plans of the PRIs, specification of such support to capacity development of the PRI functionaries and provision of financial means to achieve training objectives are reflective of the measures taken by the States in developing the working capacity of the functionaries. The indicator referring to the preparation and publication of Annual Report of the Department of Panchayati Raj reflects the overall importance attached by the Panchayati Raj system within the State government.

The rankings place Madhya Pradesh, West Bengal, Kerala and Tamil Nadu at the top position among the 21 States considered. West Bengal, the State which has done better in the devolution of functions and finances by ranking among the top two States in both the sub-indices now again secures a second rank. The bottom six States are Manipur, Arunachal Pradesh, Uttar Pradesh, Rajasthan, Andhra Pradesh and Tripura.

All the 21 States have specified institutions to support the Panchayats in capacity building efforts. In nearly all the cases these institutions are the training institutions used by the States for imparting training to their rural development staff. While the indicator does not capture the quality or extent of training, it is an initial step towards recognising the need for systematic development of capacity. The financial provisions for training captured in the next two indicators (expenditure per person trained) capture one dimension of the importance of training. It is a partial attempt to capture the quality of training. Alternative modes of training such as satellite based programmes may allow more people to be trained with less money. However, the level of resources based on which scores have been assigned is quite low: Rs 1000 per trainee.

The Overall Devolution Index

Table below provides estimated values of each of the three sub-indices. The average of these three indices is presented as the “overall score”; this score is rescaled to a 100 point scale and presented as the final Index. The participating States are ranked on the basis of their Index values.

<table>
<thead>
<tr>
<th>s. no.</th>
<th>State</th>
<th>Scores of functions</th>
<th>Score of finances</th>
<th>Score of functionaries</th>
<th>Overall Scores</th>
<th>DI</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Madhya Pradesh</td>
<td>4.52</td>
<td>4.08</td>
<td>4.71</td>
<td>4.44</td>
<td>88.73</td>
</tr>
<tr>
<td>2.</td>
<td>West Bengal</td>
<td>5.00</td>
<td>3.68</td>
<td>4.43</td>
<td>4.37</td>
<td>87.38</td>
</tr>
<tr>
<td>3.</td>
<td>Tamil Nadu</td>
<td>5.00</td>
<td>3.62</td>
<td>4.29</td>
<td>4.30</td>
<td>86.05</td>
</tr>
<tr>
<td>4.</td>
<td>Kerala</td>
<td>5.00</td>
<td>2.82</td>
<td>4.29</td>
<td>4.04</td>
<td>80.72</td>
</tr>
<tr>
<td>5.</td>
<td>Karnataka</td>
<td>5.00</td>
<td>3.29</td>
<td>3.64</td>
<td>3.98</td>
<td>79.54</td>
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<td>6.</td>
<td>Sikkim</td>
<td>5.00</td>
<td>3.20</td>
<td>3.29</td>
<td>3.83</td>
<td>76.57</td>
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<tr>
<td>7.</td>
<td>Himachal Pradesh</td>
<td>3.83</td>
<td>2.97</td>
<td>4.14</td>
<td>3.65</td>
<td>72.91</td>
</tr>
<tr>
<td>8.</td>
<td>Haryana</td>
<td>4.45</td>
<td>2.53</td>
<td>3.29</td>
<td>3.42</td>
<td>68.45</td>
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</table>
Madhya Pradesh emerges as the State with the highest score or index of devolution among all the States considered in this study. Madhya Pradesh ranked first among the States in two of the three sub-indices; thus its top rank in the overall DI is not surprising. West Bengal comes up in second position followed by Tamil Nadu and Kerala. These four States have achieved a value of DI above 80. The bottom five of the rankings is brought up by Manipur, Punjab, Bihar, Orissa and Tripura.

E. Regarding election
On 4th June 2000, the GoG postponed the panchayat elections for three months through an ordinance using section 257(2) of the PRA. This section allowed the State Government to postpone the Panchayat elections by three months at a time. Omission of this particular section implied that Panchayat elections could theoretically be indefinitely postponed in Gujarat. This was not only potentially dangerous for the democratic processes at the grassroots level but was also ultra-vires to the Article 14 of the Indian Constitution. However, a Supreme Court judgment in the case of Ahmedabad Municipal Councillor Mr. Kishansinh Tomar V/s. Gujarat State in 2006 has settled the issue that elections cannot be delayed except for natural calamities like floods or earthquake.

Section 2: Devolution of powers and its impact on women’s development and empowerment

This section describes impact of partial decentralization with micro level data that indicates on what counts PRIs are deprived of success due to partial decentralization. The micro level data incorporates ERs’ level of information about different aspects of decentralization, views and experiences on devolution of powers.

Partial decentralization and its unfinished agenda

89 Bhat Rajesh, 2012, Status of panchayati raj in Gujarat since 2000s, a paper to be published by ISS, New Delhi.
The political decentralization requires constitutional or statutory reforms, creation of local political units, and encouragement of effective public interest groups. Administrative decentralization underlies most political decentralization; it requires redistribution of authority, responsibility, and financial resources for providing public services among different levels of government. It is the transfer of responsibility for planning, financing, and managing certain public functions from the central government to local self-governance units through devolution of powers. Fiscal decentralization includes self-financing; co-financing or coproduction, in which users participate in providing services and infrastructure through monetary or labour contributions; and expansion of local revenues through property or sales taxes or indirect charges. Borrowing and mobilization of national or local government resources through loan guarantees is also a part of fiscal decentralization.

Of these components for decentralization - the political decentralization has been done by 73rd Constitutional amendment for rural India in 1992. Some parts of fiscal decentralization on paper has been accepted, such as self-financing, revenue collection and infrastructure building and borrowing from central government but rarely practiced.

**Administrative decentralized – unfinished agenda**

The agenda of administrative decentralization is an unfinished agenda. Thus, overall decentralization is has remained half-hearted effort; the devolution of 29 functions also have been arbitrary, as state laws on panchayati raj and its administrative mechanisms have not enliven its spirit.

The unfinished devolution marginally satisfies needs of the five conditions that lead to its success –

(i) local financing and fiscal authority to the service provision responsibilities and functions of the local government are not linked up and therefore PRIs at village, block and district are perpetually dependent on central and state funding;

(ii) local communities are not informed about the costs of service providing options, and the resource envelope and its sources and therefore participatory budgeting is also not taking place;

(iii) though gram sabha is a forum to express people’s needs, there is no mechanism available either to people or the ERs that can pressurise the government to fulfil their needs;

(iv) the government has not ensure system of accountability based on public and transparent information that enables communities to monitor the performance of the local government effectively; however some village panchayat has taken initiative for accountability by displaying information at public places; and

(v) no intergovernmental fiscal system is devised.

In absence of administrative decentralization, bureaucratic procedures are not simplified nor has it contributed to increase government officials’ sensitivity to local conditions and needs.
Even gram sabhas are organized in presence of government official which takes away opportunity for local residents to participate in decision-making. Thus it deprives village people of local experimentation for creative, innovative, and responsive development programmes. Consequently, weak administration results in services being delivered less efficiently and effectively. Many decisions are finalised with approval of the bureaucrats. Thus the culture of dependence prevails.

In fact, DDO of Kachchh district in Gujarat links devolution of powers with ‘capability’ of the ERs. He said, “There is partial devolution but my question is - are women elected representatives able to handle the devolved functions? They required sufficient expertise and capacity to handle these functions but don’t have. I think these issues should be studied first. I don’t see any relation between devolution of powers and women’s development and empowerment. We have large number of illiterate / less educated elected women representatives (EWR). They can’t even read and write, how they would understand large numbers involved in budgeting. We try to build their capacity through training but we meet with unresponsiveness. We arrange training programmes but they don’t attend. What do we do with low participation? The government has appointed number of trainers / trained officers but women don’t turn up. We try to interact with them informally when they approach us but we can’t teach them what we cover in the training, i.e. role of PRI, sarpanch, administration, etc.” To him, unless ERs prove their capacities, the devolution should not take place. Such views are shared many of the bureaucrats. Such attitude actually creates tension, distrust and indifference between bureaucrats and ERs.

The bureaucrats have not examined the training content, methods and performance of training staff. They undermine two important matters in doing so: one, need based training, i.e. the ERs not asked about their expectations; two, the trainings undermine ERs’ traditional wisdom of governance, dealing with community issues and skills of resource mobilization and its utilization. Most of the ERs have expressed need for training, over and above regular training about panchayati raj act and administrative procedures. In Gujarat, NGOs involved in capacity building have felt that there is a need for detailed, intense, participatory and practical training with refresher sessions, covering all the ERs in the state. Necessary support then should be provided by the administrative machinery for effective functioning of the functionaries as well as for undertaking development work in the village.

A senior bureaucrat (retired IAS officer) informed, “Gandhinagar is the only training centre in Gujarat, which provided training to about 2,000 ERs in a year. I tell everyone that you must do three things - keep phone numbers and contact details of block and district ERs and government officials. Call them for necessary guidance and ensure that your queries are met satisfactorily. You should know how to get work done through their support making them

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90 Personal communication with Rajesh Bhat and his writing: The Panchayati Raj Act, 73 decision related power lies with the bureaucrats. For example, under sections 57, 71 and 85, the ERs of VPs, TPs and ZPs respectively, can be suspended by a “competent authority” from the bureaucracy. These powers should be given to a tribunal headed by a judicial Magistrate of the rank of a district judge (for VPs) or a judicial officer of the rank of High Court Judge (for TPs and ZPs).
work for you. Second, if you have to perform, you have to go to the government and demand and fulfill these demands and for that you need to develop necessary skills...However, I do not want to deny that the problem is both the sides. Each ER should get residential training for at least a month and then intermittently as part of follow up training. I have stopped depending on NGOs, as they have necessary resources, their ability to extract information and work from government departments is limited.” This ‘demand driven’ attitude promoted by the senior bureaucrat is actually an echo of the government official cadre. They neither want to share power with the ERs nor wish to support them for their empowerment. Similar views are expressed by a retired IAS officer of Haryana.

With regard to training, one the subject experts in Gujarat said, “More important point about training is that there should be variation for obvious reasons in the contents and pedagogy of the training for the five different categories of VPs in Gujarat, viz. VPs in Schedule Areas, VPs in industrial zones, peri-urban VPs, coastal VPs and the remaining rural VPs. This is mainly because in we get a lot of land grabbing issues related complaints. The ERs do not know nitty-gritty of land related laws and procedures and role and power of village panchayat.”

**Views and experiences of ERs regarding devolution of powers**

The half-hearted decentralization is not well explained to the PRI representatives – neither through trainings not through any channel of information dissemination. Except one senior sarpanch of Haryana, who was a member of MDA for about a decade, none of the ERs covered under the study could explain any form of decentralization. None of them could answer any question related to devolution, i.e. whether the state has devolved items, which subject, when, what form of devolution, etc.

As shown in data, Gujarat has devolved 15 subjects but Haryana has devolved none. Mr Asthana, retired IAS officer from Haryana informed that 10 subjects are devolved but notification has not been issued and therefore technically it cannot be said to be devolved. The activity mapping (AM) as part of devolution process has been carried out by Haryana but AM is absent in Gujarat and therefore in the second stage of the DI, Gujarat is not included.

The sharing of views and experiences are done as elected representatives, as there is no significant gender differences are observed regarding the following issues.

Though none of the ERs could answer any question related devolution of powers, they know process of resource mobilization in bits and parts. This is one of the reasons that ERs do not feel the difference with devolution of powers, as many of the demands are fulfilled through the executive.

⇒ All ERs know about raising revenue from village owned resources. In Haryana, giving shamlat land and pond on rent for yearly to five yearly bases is practised by each ER. In Gujarat, such practice is not observed; however the revenue is generated through tax and fee for vehicle parking or land given to organize fair or such public event, etc. This
income generation is not observed on regular basis as it happens in Haryana. This usually is about 2-4% of total income of VP.

All ERs knows about grant given by MPs for development of the village. In Gujarat, most of the ERs could get funds from this scheme but in Haryana situation is complex due to presence of different political parties a different level, i.e. triangle between Congress, Bhartiya Janta Party (BJP) and NSD. If sarpanch is inclined to Congress and the MP belongs to BJP, mobilizing fund from the MP is difficult.

For most of the ERs, the village secretary is one of the main sources of information regarding government funding, irrespective of central or state government – about different schemes and programmes. Similarly, for infrastructure building, they consult junior engineer (JE) – more in Haryana.

Regarding MNREGA, the mat and JE are very important link for sarpanch – to prepare budget, getting work approved and for the payment. However, the accountant for MNREGA at block level informed that, “most of the sarpanch prepare budget more than the upper limit and that is one of the major reasons for rejection of work or longer time taken for the payment of the work done.” This ignorance is commonly prevalent in both the states. It is also argued that sarpanch has to show her/his contribution to the village development as an office bearer and so they prepare budget with higher amount, which actually becomes a hurdle or unfulfilled agenda. This is actually a chicken and egg problem.

All ERs, especially sarpanch, in both the state confirmed absence of devolution in practice with the following matters:

- Budgets are not discussed in village panchayat; actually, it is prepared by the village secretary and presented to the panchayat members for approval. This is one of the reasons neither sarpanch nor any panchayat member understand budget in detail, its process or content.
- The fund generated by the VP is in the range of 10-20% of the total budget.
- Almost all development works the decisions are taken at the block or district levels.
- Mostly decisions of Gram Sabhas are of recommendatory nature, as the needs are rarely fulfilled.
- No untied funds are available from the state government.
- What happens to audit report is not very clear – whether they are presented in the BP meetings and are discussed by the BPs. Similarly, we have a feeling that the DPs are guided by the political parties and the government officials (DDO/DC). One of the DP member confirmed this opinion, saying that, “DC come and tell us about budgetary provisions and where to allocate how much, etc. No powers have been given to the DPs to utilize the funds received from the State Governments. We, as DP member cannot transfer the grants from one activity to another activity.” One of the DP

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91 As quoted in Bhat: 2012. An interesting study (in Maharashtra, which also could easily be applicable to Gujarat) showed that in the 20 sample villages, government had appointed 427 employees getting a total monthly salary of INR 2,168,236. Only 164 (38%) of them lived in the villages. As they were frontline workers, their salaries were only INR 412,650 (19% of the total emoluments. The remaining 62% employees living in the nearby towns/cities earned 81% but spent nothing in the villages). This situation is not going to change unless and until the VPs are given the powers to sign the salary cheques and compel these ‘Gram Sevaks’ to live in the villages.
member shared very similar view - “We are like traffic police. We just transfer the money to the lower levels. We do not have any powers to do anything.” 92 The suggestions to increase taxes and income of own funds are never implemented by the DPs. 93

- Since budget process is driven by the government employees – from village secretary to DDO /DC, which grants come from which department and what is the proportion of their total budget, etc. are not known. We only know that we have to maintain separate bank account for a particular scheme, as the government has made it mandatory and we follow it blindly.
- In Gujarat, the sarpanch can sanction amount of Rs 10,000/- for any development work. Each one has to seek approval for both, spending self-fund as well as other funds available to the VP.
- We are dependent for water (for irrigation, distribution and pumping water) education (new primary school to be established, appointment of teacher, supervision of teachers and their performance, etc.) related sanctions.

Though District Rural Development Authority (DRDA) should have been dissolved and District Planning Board (DPB) should have been functional under devolution of powers but it has not taken place in Gujarat at all and Haryana has reported to active DPC in 10 districts but not made in Mewat district. Yet, the ERs are not aware of this provision and lack of implementation; they are dependent on DRDA for state government’s funds, under various schemes. The village secretary keep sarpanch / ERs uninformed and they feel that they are obliged when the director of the DRDA sanctions the funds and also informs the block panchayas in the district. Mr Bhalara, director of DRDA, Kachchh district explained, “The VP has to manage four bank accounts. The current account is to route scheme based fund allocation, such as for construction, revenue, etc. One account is linked with finance commission (FC); with change of FC, the bank account also has to be changed. Another bank account is for CSS fund, e.g. Total sanitation Campaign (TSC), Nirmal Gram Yojana, etc. Another bank account is for state grants. As the grants are approved, the funds are released and the VP is informed. As such, the sarpanch keeps inquiring about the fund, so s/he knows that the fund is released for the development work. Mostly, it happens that the development works are approved based on funds available to district authorities; the gram sabha resolutions are approved by district panchayat, based on fund availability.”

A senior revenue official of Gujarat described the bureaucratic delays in approval and disbursement of funds. If a government official speeds up the process, s/he is alleged of ‘intentional support’ and if a sarpanch is supported by the administration, s/he faces hostility from the villagers for effective functioning and the government officers allege her of nexus with the other government official! He informed, “Usually, application is submitted which goes to the BDO and then passed over to a clerk of concerned department. The clerk takes at least a week or two to check whether it is eligible, puts his remarks and forward it to the

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92 As quoted in Kutch NavNirman Abhiyan (KNNA) document, August 2012.
93 Ibid.
district. The registry branch sends it to the concerned department, which is then forwarded to the DDO and to the president of the district panchayat (DP). This application is taken under consideration during the meeting of DP and given approval or disapproval sent back to the registry department at the district. That department sent the application back with the necessary comments to the block office – first goes to the head clerk, then to the clerk and the clerk takes necessary action. I tried to save time from the application going to the clerks in the channel to speed it up and I was alleged. In such situation, nobody likes to speed up for better performance and as accountability measure. Each woman sarpanch has to face such administrative delays, have to pay several visits to the block offices for one task, and such frequent visits and efforts are questioned by the society – ill words for her, dirty comments on her character, pressure build up on her husband and in-laws, etc.” In absence of administrative decentralization such delays in getting funds and disappointment of the ERs continues. Moreover, each woman sarpanch has to face red tapism, political threats, abuse of political power and non-cooperation from the society.

Of the three levels of panchayats, only VP can generate its own funds. Though VPs have their own funds collected through taxes or fees or tolls efficiently, each VP has to seek approval for own fund utilisation. Generally VP is not allowed to utilize its funds in Gujarat while in Haryana the VPs use the funds for village development work, which is generally 2 to 4 lakhs a year, depends upon the size of the village and availability of resources to be given on lease.

Getting loan for women’s development is one of the options that each VP has but this option is not exercised by any of the ERs. Neither any of the ERs has this vision nor do they know how to get the funds for this. The director, DRDA, Kachchh district explained, “There is no provision for VP to get loan for women’s income generation activity or self employment. The loan is not given to VP because it is not able to generate own fund. If they start tax and fee collection efficiently, the financial institutions can think about them. These are actually called bankable scheme where banks look at repayment capacity of the VP. The banks also call it ‘cash credit’. The self help groups are therefore encouraged, through which the village can have its own fund. The bank looks at the saving of SHG and grade the SHG based on internal landing and then release revolving fund for six months for grade 1. After this, SHG is put as grade 2 and if it repays Rs 30,000/- in a year, it get subsidy of 5 per cent. This has nothing to do with panchayati raj and women’s development.” Not many SHGs are formed in the villages covered under the study, as informed by the ERs.

Regarding EWRs’ concern for mobilizing funds for women’s development, a senior revenue official explained, “If a woman sarpanch brings the fund and carry out development work in the village, she is hailed by many. One of the problems for her is, the fund approval comes from the block and district panchayats. These two levels’ representatives contest election with the support of the political parties. Thus every decision taken is directly linked with political party’s interests. Another weak point of the PRA, in absence of devolution is, ‘disapproval of the budget’, which keeps women sarpanch under their control – both ways, financially and politically.” He further opined, “Gujarat does not have district planning board (DPB); it has district planning committee (DPC). Its composition is mixed of elected
representatives, bureaucrats and political leaders – its role and functioning is affected with such composed body and there is no direct link I see between women’s development and DPC because it doesn’t follow gender budgeting. The top heavy structure for funding doesn’t allow DPS to function with regional needs and fulfilling them.”

Regarding devolution, a retired IAS officer opined, “In Haryana, none of the 29 items is devolved for local governance. I don’t think that the political leaders ever want to give power to people through local governance institutions. In the conference of the chief ministers (CM) of the states in 1992, not a single CM was in favour of giving powers to the local governance institutions.” He further shared his experience regarding process of devolution, “The civil servant gives idea but more important is ‘how the Law Department frames the law’. When Narsimha Rao became the Prime Minister (PM), he initiated a move for 73rd and 74th constitutional amendments, the unfinished agenda of Rajiv (Gandhi). The amendments passed but because of language of the law – “state may notify” and because ‘time limit was not given to the states’, the states took its own time to make law on Panchayati raj. Instead of “state may notify”, it should have been “state should notify within given time” and the situation would have been different. Because of this, Rajasthan devolved five functions and some other states commissioned eight functions and only one or two states devolved all functions. When I was posted in Haryana in 1993, I met the then CM Bhajanlal and informed him that I require approval of the state for devolution of powers to local governance institutions. He said, ‘many MLAs oppose this and therefore I can’t let is passed.’ Since there was legal binding on the state, Haryana took liberty not to devolve any function. The lower bureaucracy will not part with it until they receive ‘gazette notification’. The devolution oriented proposals need to be synchronised between political leaders, higher bureaucracy and lower bureaucracy because the lower bureaucracy undertakes social audit. See, if sarpanch is powerful, s/he can ask the local artisans to make the road in the village. He need not then approach any political leader. Then, what is the importance of PWD (Public works Department)? No political leader would allow power to be used in this manner. The finance is handled by DPO. Their mentality is, ‘you are illiterate and so can’t handle finance.’ The colonial mindset – “(the elected representative – ER) you don’t have capacity to perform” and “if you all these then what will I do?” is the real hurdle. No one is genuinely interested. Whom do a sarpanch can run to? – The CM has no time and the Supreme Court has no interest. Because of legal framing of the constitutional amendments, the local bodies would be dependent of top (political leader and bureaucrats). It is a collective conspiracy of political leaders and the bureaucracy – not to give powers to local governance institutions and the judiciary is watching with stupid silence. The devolution includes two things – administrative powers and financial devolution. In behavioural science perspective, the admin thinks ‘less work, better it is’. The finance department thinks ‘it is money making machinery’ and ‘the contractor system continues to help them’.”

Concluding Observations regarding Decentralization and Devolution
Democratic decentralisation in rural India today faces a lot of challenges from within and without, especially ERs’ dependence on the bureaucracy and distrust and indifference of the bureaucrats towards and ERs and undermining their wisdom. Many ERs, subject experts and
social activists emphatically shared that if the government official find that the EWR’s male counterpart is active on behalf of her, he should stop attending him and should insist that the EWR should perform and this is the way ‘proxy candidature’ will be nullified and the EWRs would be able to perform effectively.

There is an urgent need to undertake certain actions that uphold values of democracy and decentralization. Among them, legal issues like two-child norm, no confidence motion and holding election are on top. Issues of social justice and women’s empowerment need to be dealt with the spirit of democratic institution rather than bureaucratic raj and red tapism. Recognition of gram sabha and agenda of development coming through gram sabha should be respected – in decision-making, with allocation of necessary resources and to make it effective through people’s participation as political actors. The prevailing indifference and distrust among the bureaucrats towards ERs and dependence of ERs on bureaucracy, in absence of administrative and financial devolution need also to be on top of agenda of democratic decentralization.

The role of NGOs need to be recognized in terms of its linkages with grass-root activities, development, issues of social justice and capacity building of the ERs to make Panchayati raj effective and the NGOs also need to identify strategic areas of intervention to make local governance to make its mark.

There is a dilemma – on one hand it is observed that the ERs are part of existing societal structure and their individual capacity to deal with governance and development issues depend upon literacy level, their exposure to government (administrative macros) and legislature, and to mobilising resources and its utilization while the government officials highlight the weaknesses of the ERs to maintain their powers in decision-making, planning and implementation of government plans and programmes on the other hand. In this interlocking situation, the democratic norms, procedures and functioning have to play crucial role.
Chapter 4

Unanimous Election, Samaras yojana and its Impact

This chapter overviews unanimously elected village panchayat and financial incentive for unanimously elected village panchayat by different states in India followed by ‘samaras yojana’ of Gujarat state in detail and briefly about Haryana in relation to such scheme.

Unanimously elected panchayat and financial incentive

The unanimous election as well as financial incentive for unanimously elected panchayat dates back to 1960s. “The Government of Andhra Pradesh had introduced incentive in the form of cash awards ranging from Rs 2,500 to Rs 5,000 to villages electing members and sarpanches Unanimously and awards amounting to Rs 25,000 to panchayat samithis which elect their office-bearers unanimously...From reports available, it would seem that the scheme is yielding dividend already about 6,000 villages in different districts have formed panchayat bodies without a contest. If this indicates, as it is hoped it does, that in these villages unanimity prevails not only about who would constitute the panchayat but also on efforts to improve the villages, the Government’s scheme deserves to be commenced .The cash awards, which are likely to cost a few lakhs of rupees, would be available for utilisation by the panchayats for local development works.”94 To show its historicity, “In Rajasthan there are 7,394 village panchayats and 232 panchayat samitis. In 1960-61, 25 per cent of the elections of panchas and sarpanchas were unanimous; of sarpanchas, 38.8 per cent were elected unanimously. But unanimous elections of panchayat samiti Pradhans were rare.”95

The government of Gujarat and Haryana had launched a scheme / financial incentives for unanimously elected village panchayat in 1990s and in 2000s, Andhra Pradesh, Punjab and Haryana revised the scheme for village panchayats. In 2006, Andhra Pradesh government announced financial incentives for unanimously elected village panchayat. The incentives announced by the Government are Rs.15 lakhs each for major panchayats and Rs.5 lakhs for smaller ones. Followed by this announcement, Panchayat Raj minister B Satyanarayana informed the press that the AP government has released Rs 5.15 crore Rs 5.15 crore in 2010. The government had paid Rs five lakh to villages with a population less than 15,000 and Rs 15 lakh for villages over 15,000 population for electing their panchayat committees unanimously in the 2006 elections. As many as 2924 villages had benefited and an amount of Rs 146.50 crore was released for the purpose.96

In Haryana, the Chief Minister Bhupinder Singh Hooda said in an interview that, “the unanimous election of a panchayat would not only help build an atmosphere of social harmony and integration in villages, but would also help reduce litigation, besides saving the election expenses. A panchayat having a population up to 1,500 and where the panches and

96 “Incentive for panchayat in AP which elect members unanimously”, The Hindu, May 12, 2010.
the sarpanch would be elected unanimously would be given Rs 1 lakh. Panchayats where only the panches were elected unanimously would get Rs 75,000. Similarly, panchayats where only the sarpanch would be elected unanimously would be given Rs 50,000. panchayats having a population between 1,500 to 4,000 and where the panches and the sarpanch would be elected unanimously would get Rs 2 lakh. Panchayats where only the panches would be elected unanimously would get Rs 1.5 lakh. Similarly, panchayats where only the sarpanch would be elected unanimously would be given Rs 1 lakh. panchayats having a population of 4,000 and above and where the panches and the sarpanch would be elected unanimously would get Rs 3 lakh. Panchayats where only the panches would be elected unanimously would get Rs 2.5 lakh. Similarly, panchayats where only the sarpanch would be elected unanimously would be given Rs 1.5 lakh.**97**

However, the Government of Haryana had not released money to pay the incentives announced at the time of election. The High Court of Haryana and Punjab recently gave a judgement, “Taking up a petition filed by Congress MLA from Kapurthala, Rana Gurjit Singh, the Punjab and Haryana high court has directed the Punjab government to release a grant of Rs. 3 lakh each to 2,806 village panchayats elected unanimously in the last elections, within three months. The SAD-BJP government had announced during the last panchayat elections in 2008 that it would give a grant of Rs. 3 lakh to the panchayats electing its members unanimously. The state government aimed to save election expenses by the move and after 2,806 panchayats were unanimously elected, Rs. 84 crore were announced as incentive.”**98** The Karnal district of Haryana, eight of the 372 panchayats in Karnal district have set an example by unanimously electing the sarpanch and panches. The panchayats where contests have been avoided by arriving at a consensus include Maidenhair, Ruksana, Ratak, Deraphola Singh and Chakmuridika in Assandh tehsil and Bhukapuri and Shekanpur in Nilokheri.**99** No more information is available for Haryana.**100**

There has been a scheme in Gujarat since 1992 for unanimous election and after 2001, it is known as ‘Samaras Yojana’ (‘of common interest’ or ‘all substances submerged in to one form’).

There are two points are similar across these states: one, unanimous election save expenses of elections; and the financial incentives are provided based on population criteria of the village panchayat.

**Samaras yojana in Gujarat state**

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97 “Panchayat elected unanimously to get incentives”, The Tribune, April 29, 2010.
98 “Release Rs. 3 lakh to unanimously elected panchayats in 3 months: HC”, The Hindu, April 26, 2013.
99 The Tribune on Monday, July 5, 2010
100 The website of the Government of Haryana has mentioned the details of the executive order but the link is not working and therefore the official details are not available.
The writings on samaras yojana and AWSP are largely based on government’s website, newspaper reports and blogs. Two NGOs, one the network of NGOs and the other a women’s organization have carried out studies on samaras panchayat.

The Government of Gujarat had promoted uncontested ‘selection’ of candidates in place of the normal processes of ‘election’ through a government resolution (GR) on 14th July 1992. Since the 2001 revision, it has become the ‘Samaras Yojana’ (samaras literally means ‘of common interest’ or ‘all substances submerged in to one form’).

The increase in the reward money under the erstwhile “Binharif (uncontested) Election” Scheme for VP was whooping hike (5,000%) - from INR 2,000/- to INR 60,000/- to 100,000/-. This created controversy in 2001. Financial incentives are provided to VPs agreeing to uncontested elections with ‘consensuses’.

As per announcement on 29th November 2011, the ‘financial incentive’ under the scheme has increased from Rs. 2,00,000/- to 5,00,000/- plus other incentives under varying conditions to ‘Samaras’ Panchayats; these details are provided here.

On the website of the GoG, the following matter is uploaded, which is a statement of intent.

<table>
<thead>
<tr>
<th>Important points on samaras village scheme – Gujarat government website</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is necessary to have elections of gram panchayat unanimously. This account village people will participate in developmental works of the village vigorously. The State Government is committed to see that harmony prevails in the village. The govt, therefore substantially increased the amount of grant for Gram Panchayat formed unanimously and introduced Sameras Gram Yojana in 2001.</td>
</tr>
<tr>
<td>Panchayats, Rural housing and Rural Development Department has provided to pay following in contrived grants to Gram Panchayats elected unanimously</td>
</tr>
<tr>
<td>1. Rs.60,000 (sixty thousand) to Gram Panchayats having population up to 5000</td>
</tr>
<tr>
<td>2. Rs.1,00,000 (one lakh) to other Gram Panchayats</td>
</tr>
<tr>
<td>Such gram panchayats shall be given samaras gram panchayat awards</td>
</tr>
<tr>
<td>- Facilities wanting shall be erected in the village from such grants given to the samaras gram panchayats. Financial outlay is available from the District Planning Board. Developmental works are to be assigned priority gram sabha of local residents decides the use of this amount.</td>
</tr>
<tr>
<td>- Generally such incentive grants received till today have been used as matching grant of eleventh finance commission.</td>
</tr>
</tbody>
</table>

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103 Rajesh Bhat observed, “Apart from this breach in June 2000 for 18 months, elections have been regularly organized in Gujarat”: June 1995, December 2001, December 2006 and the last one in December, 2011 when 10,509 VPs were covered.”
The incentive, govt is used for community developmental works of the village of pure drinking water scheme, internal approach roads, facilities of street lights, primary school rooms, primacy treatment centres, water have sting scheme, drainage and sewerage scheme, preliminary facilities etc.

Moreover, arrangement of water recharge, deepening and construction of ponds, digging of wells, constriction of weirs on rivers and culverts and thereby reaction of facilities of water, where there is permanent scarcity of water.

The recent GR (2011) reads, “The objective of this scheme is to create a positive environment for development so that the people could take decisions in cordial, cooperative and harmonious manner. Under this scheme, financial incentive is provided.

<table>
<thead>
<tr>
<th>Samaras panchayat declared based on population</th>
<th>General panchayat, i.e. panchayat body with men and women as members and financial incentive given (in Rupees)</th>
<th>Mahila samaras panchayat, i.e. all women panchayat and financial incentive given (in Rupees)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population of the village up to 5,000 and first time unanimously elected panchayat</td>
<td>Rs. 2 lakh</td>
<td>Rs. 3 lakh</td>
</tr>
<tr>
<td>Population of the village between 5,001 and 15,000 and first time unanimously elected panchayat</td>
<td>Rs. 3 lakh</td>
<td>Rs. 5 lakh</td>
</tr>
</tbody>
</table>

The village panchayat opting to be a samaras panchayat for the first time and all women samaras panchayat (AWSP), not having 8th class in the primary school will be given priority to provide this class.

The village panchayat opting to be a samaras panchayat for consecutive term / second time and AWSP will have 25 per cent increase in the previous year’s financial incentive as well as will be provided funds for construction of a CC road.

The village panchayat opting to be a samaras panchayat for consecutive terms / third time and AWSP will have 25 per cent increase in the previous year’s financial incentive as well as will be provided funds for facility of solar street lights.

Conditions
1. The village panchayat opting to be a samaras panchayat for the first time will be awarded as ‘first time samaras panchayat’, the second time samaras panchayat will be awarded as ‘second time samaras panchayat’ and the third time samaras panchayat will be awarded as ‘third time samaras panchayat’.
2. All women samaras panchayat means a panchayat with a woman sarpanch and all panchayat members are women and such panchayat will be call ‘all women samaras panchayat’.
3. The village panchayat opting to a samaras panchayat will have to provide necessary
documents from the village panchayat office and these documents will be authenticated
by a block development officer rank official and then the village panchayat has to request
Development Commissioner to allocate incentive funds.
4. Such panchayat will be given priority for development work under District Planning
Board, Gokul Gram yojana, panchavati yojana, etc. moreover based on improvised GR in
2004, the grant available under samaras yojana can be used as matching grant under state
or central government fund /people’s contribution.
5. The use of grant - financial incentive provided under samaras yojana has to strictly follow
the conditions mentioned here.
6. The financial incentive under samaras yojana has to be provided by the Development
Commissioner. The block development officer has to forward this application within 15
days of announcement of samaras gram panchayat.
7. The financial incentive provided to samaras panchayat will be used as decided by the
village residents in the gram sabha. Gram sabha has to take up development work after
assessment of available facilities in the village.”

The Chief Minister Narendra Modi distributed incentive prizes worth Rs.4.40-crore to 216
‘samaras gram panchayats’ of north Gujarat region and honoured the sarpanchs of those
villages at a function at Kadi on 6th April 2012. Speaking at the function, he said that Gujarat
now intends to place before India the ‘Samaras Gram Panchayat’ concept of ‘governance
through consensus’ instead of conflict as a finer and more successful model of democracy at
the grassroots level.

**Impact of Samaras Yojana**
The financial and other developmental incentives given under this scheme by the State
Government to the villages have continuously from 2002 election onwards. Prior to election
in December 2011, the GoG announced special incentives through a GR for samaras
panchayat Rs 2 lakhs and for all-women samaras panchayat - Rs 3 lakh for villages having
under-5,000 population, and Rs 3 lakh for samaras panchayat and Rs 5 lakh for all-women
samaras panchayat for the villages with above-5,000 population respectively, and additional
25 per cent funds for second and third time samaras panchayat in a row. This has resulted into
an upwards trend.

- The GoG allocated a grant of over Rs.56 crore for Samaras village panchayat followed by
  2011 panchayat election\(^\text{104}\).
- As per the notification on November 19, 2011 by the state election commission, the
elections in 10,405 village panchayats were carried out in Dec 2011. Out of which 2,147
panchayats have declared as Samaras including 1,893 general and 254 having a women
sarpanch. Out of the general panchayats, 800 panchayats have been declared Samaras
for the first time, 472 for the second time and 621 panchayats have been declared Samaras
for the consecutive third time. There were only 20 woman Samaras village panchayat last
year which has been increased to 254 this year. Besides, out of 79,408 of the total wards
28,051 have been declared Samaras.

\(^{104}\) Announced by the government spokesperson Health Minister Jay Narayan Vyas and Minister of State
Saurabh Patel, on 20 Dec 2011, followed by state panchayat election.
As per the detail available from the election commission of Gujarat, number of Samaras villages in 25 districts of Gujarat\(^{105}\), as shown in the following table.

**Table 14: Details of Samaras Panchayat in Gujarat, 2010**

<table>
<thead>
<tr>
<th>Sr. no.</th>
<th>Name of district</th>
<th>No. of samaras panchayat, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Ahmedabad</td>
<td>92</td>
</tr>
<tr>
<td>2.</td>
<td>Anand</td>
<td>19</td>
</tr>
<tr>
<td>3.</td>
<td>Banaskantha</td>
<td>86</td>
</tr>
<tr>
<td>4.</td>
<td>Bharuch</td>
<td>108</td>
</tr>
<tr>
<td>5.</td>
<td>Bhavnagar</td>
<td>151</td>
</tr>
<tr>
<td>6.</td>
<td>Dahod</td>
<td>33</td>
</tr>
<tr>
<td>7.</td>
<td>Dang</td>
<td>2</td>
</tr>
<tr>
<td>8.</td>
<td>Gandhinagar</td>
<td>33</td>
</tr>
<tr>
<td>9.</td>
<td>Jamnagar</td>
<td>86</td>
</tr>
<tr>
<td>10.</td>
<td>Junagadh</td>
<td>122</td>
</tr>
<tr>
<td>11.</td>
<td>Kutch/Kachchh</td>
<td>159</td>
</tr>
<tr>
<td>12.</td>
<td>Kheda</td>
<td>42</td>
</tr>
<tr>
<td>13.</td>
<td>Mehsana</td>
<td>72</td>
</tr>
<tr>
<td>14.</td>
<td>Navsari</td>
<td>67</td>
</tr>
<tr>
<td>15.</td>
<td>Valsad</td>
<td>34</td>
</tr>
<tr>
<td>16.</td>
<td>Vadodara</td>
<td>65</td>
</tr>
<tr>
<td>17.</td>
<td>Surendranagar</td>
<td>173</td>
</tr>
<tr>
<td>18.</td>
<td>Tapi</td>
<td>28</td>
</tr>
<tr>
<td>19.</td>
<td>Surat</td>
<td>137</td>
</tr>
<tr>
<td>20.</td>
<td>Sabarkantha</td>
<td>55</td>
</tr>
<tr>
<td>21.</td>
<td>Rajkot</td>
<td>280</td>
</tr>
<tr>
<td>22.</td>
<td>Porbandar</td>
<td>29</td>
</tr>
<tr>
<td>23.</td>
<td>Patan</td>
<td>51</td>
</tr>
<tr>
<td>24.</td>
<td>Panchmahal</td>
<td>48</td>
</tr>
<tr>
<td>25.</td>
<td>Narmada</td>
<td>8</td>
</tr>
</tbody>
</table>

**Formation of All Women Samaras Panchayat**

In Gujarat, followed by state driven incentives, an increase in AWSP was observed.

- All-women panchayats have increased from 20 in 2006 elections to 254 in 2011 elections. Of total 2,147 samaras panchayat in Gujarat in 2011 election, 254 (11.8%) are AWSP.
- In Kachchh district (2011), of total 949 villages and 615 village panchayat, 69 are declared as AWSP and total 215 women sarpanch are elected. Of total 254 AWSP in Gujarat, 69 AWSP (27%) are in Kachchh district.
- One of the villages in central Gujarat is made of all college going girls, all aged between 19 and 26 years\(^{106}\), 12 members elected unopposed under samaras yojana, on a seat reserved for a woman sarpanch. The panchayat has a population of 7,000.


\(^{106}\)The financial Express, Sunday, 5\(^{th}\) February 2012
In Haryana, though there is no apparent incentive driven benefit announced by the government, making of AWSP trend is seen. Haryana government has 33 per cent reserved seat for women. Neemkhana village of Mewat in Haryana is known for all Muslim women panchayat in 2010 election. This is an example of women’s able leadership and decision making ability. The elected members fought against gender role bias and abuse from the villagers by deciding to resign together which was then received attention of the Central government and conflict was resolved.

All Women Panchayat have also come up in number of states. In Madhya Pradesh there are nine such villages that have all women Panchayats (Banu 2004). There are few villages in West Bengal, Karnataka, Maharashtra, Haryana and others, which have all women Panchayats.

**Debate on samaras yojana**
The issues raised against samaras panchayat are largely in the context of democratic values, political rights and participation, and functioning of PRI. The other issues of discussions are: whether more number of samaras panchayat have come up and its effect; whether AWSP is an indicator for women’s development and empowerment; and what women members of AWSP think of women’s development and what issues would they like to take up.

(i) ‘No election’ is an erosion of democratic values
As the ‘samaras’ emphasises on ‘unanimous’ selection of the panchayat members, it denies election, which is one of the essential component of a democratic process. When a democratic process is being compromised, it may have a negative impact in the long run. With financial incentives, it promotes moral and financial corruption. Some social activists opined, “Offering incentives, disincentives to voters and issuing veiled threats to promote the practice violates the democratic process and hijacks the Panchayati raj endeavour. More sinister, perhaps, is the accusation by some that the move is a ploy by the predominantly pro-Hindu government to get its right wing supporters into panchayat office.”

Some social activists revealed ground reality about how samaras panchayat is a ploy to shape up development as the ruling party, BJP wants it to be. Lalji Desai of the Bunyiadi Adhikaar Andolan, Gujarat (BAAG) said, “There are some reports that a nexus of district and block-level officials, in connivance with influential local residents, is forcing villagers to settle for consensus in electing a sarpanch. A Panchmahal’s district panchayat circular says villages that do not opt for samaras will remain backward, while those opting for the scheme will be looked after. This is a violation of democratic norms. The incentives, disincentives and veiled threats are robbing the villagers of their voting rights.”

While sharing grass-root experience, Sita Rabari of Kachchh district said, “Men of upper caste groups wielding political and social clout usually decide on the ‘consensus’ candidate...The poor and illiterate villagers are often forced to accept the recommendations of the mamlatdar (block revenue officer) and withdraw from contest.” When someone from her
community wanted to contest, he was asked to pay Rs 1 lakh (the samaras grant promised by the government.\textsuperscript{107}

The Hunger Project (THP) also holds similar view, “The scheme in fact, counteracts the democratic values as consensus is arrived at without the participation of women and other marginalized groups of the village community. The operation of the scheme has made a mockery of the democratic and electoral system with the open “auction” of Panchayat posts and bodies; desirous and deserving candidates are forced to opt out of the elections; they and their families are threatened and put under tremendous pressure. Providing incentives to have no elections is also a violation of the constitutionally mandated right to political participation. Moreover, incentives of financial and developmental benefits to the Samaras villages discriminate against villages that opt for the electoral process for identifying their representatives, which is perfectly legal and does not violate any laws. The Samaras scheme is essentially a strategy of the political parties to conjure up their vote bank and ensure that the administrative power is in the hands of people owing allegiance to their particular political party.”

Persis Ginwala, one of the convenors of the Panchayat Elections Vigilance Committee formed by over 70 CSOs, alleged that even after the model code of conduct for elections came into force on November 15, (2011) village and taluka (block) revenue officers were visiting villages to discourage people from contesting and openly suggesting the names of candidates with Hindu fundamentalist leanings as the unanimous choice. Representatives of the Panchayat Elections Vigilance Committee have called on the State Election Commission responsible for conducting free and fair elections to the village panchayats. But it expressed its inability to interfere in the matter as the samaras scheme was a state government scheme over which the Election Commission had no jurisdiction. Now, the committee says it is exploring various ways, including seeking legal remedy, to prevent the government from ‘denying the basic democratic rights to the people.’ In a number of cases, the reluctant villagers had been threatened with penal actions, besides being denied the special government grants if they chose to hold regular elections, Ginwalla, who is also vice-president of the Mahila Swarajya Abhiyan, alleged. She pointed out that government officers were going round the villages threatening people with penal action if they refused to fall in line\textsuperscript{108}.

Several women representatives of the Nav Nirman Abhiyan, coming from various villages of Kachchh alleged that on the first day of filling nominations on 22\textsuperscript{nd} November, 2011, the government officials functioning as the returning officers had refused to accept the nomination forms.

However, in response to such allegations, the government says that the samaras campaign, which offers incentives to villages that arrive at their choice of headman through popular mandate - doing away with the need for formal elections and thus saving on poll expenditure - ensures that villages have more money to spend on development. They say it also helps

\textsuperscript{107}Hindustan Times, November 23, 2006
\textsuperscript{108}Ibid.
maintain peace in the village around election time by eliminating the possibility of poll-related violence and clashes between supporters of rival candidates. No survey has been conducted to compare the development indices of villages that have opted for this scheme and those that haven’t.

**Monghiben Bathvar** of Village: Nanimordi, Block Chotila, District Surendranager was elected as Sarpanch in 2001 and had worked hard for the development of her village. Moreover, she was the President of District Panchayat Mahila Manch supported by Mahila Swaraj Abhiyan. When elections were announced in 2006, her Panchayat was again, declared as reserved for a women Sarpanch (President). However, the villagers wanted to go for a Samaras Panchayat, as in order to benefit from the cash incentive promoted by the State Government. Monghiben felt that the village should not opt for Samaras and decided to file her nomination. Monghiben had a dream to make an all Women Panchayat and for that she had arranged ward-wise meetings and started identifying women to become her panel members.

Monghiben had decided that she would file her papers on the last nominated day for filing in order to stop the village from electing for Samaras. She asked the vigilance committee member (organized by The Hunger Project and its partner organization) to come to the Taluka (District) Panchayat and help her file her papers. However, on the second last day for filing applications for contesting elections the villagers called a meeting and decided to declare the village as Samaras. She called the vigilance committee member at midnight and asked him not to come to the Taluka Panchayat. Early the next day, the member went to her village to look into the matter, talk to her and prepare her to file the papers. She flatly refused. The same day around noon, a team of State vigilance committee members who were in the region went to her house and tried to convince her. While members of her community also agreed that they had been cheated by this decision, nobody came to propose her name to contest the election. Finally, she said that she was now personally frightened to file her papers, as her son who lived in Baroda had threatened to commit suicide if she contested. She declared that this was the true reason for her withdrawal.

Since this was a general seat reserved for women, the college going daughter of the local policeman of the village, who did not reside in the village, was selected as Sarpanch. This was the way the debt to the policeman who had served the village for years could be re-paid was the reason given by the villagers for their decision.

Source: mahila Swaraj Abhiyan

Several non government organizations working in rural areas too have taken objection to this process, though many villages have adopted Samaras voluntarily. Sanjay Dave of Charkha, working in rural areas of Ahmedabad district and surrounding areas said that it was not just the vested interests opposing the concept. “When an election is held the village opts for a person who they know will work for them, they are aware of the person’s background. Even the feeling of competing and doing well exists amongst villagers. One sarpanch wants to perform better than his previous one and thus there is growth, whereas Samaras is like imposing it on the villagers; they are forced to chose someone who they know
will be influential enough to get the money for them from the government,” said Dave. Some of the NGOs have also raised their voices against Samaras. But nonetheless, the number of villages accepting and adopting Samaras is growing year after year.\

The Chief Minister of Gujarat argues about samaras panchayat, “When the entire village reposes confidence on the unanimously elected panchayat, the elected body functions with greater zeal. When the country elects its President unanimously, it is dubbed the victory of democracy but when a village elects its entire panchayat unanimously in Gujarat the opposition calls it murder.”

Samaras panchayat reminds of a state initiative of women’s development project, Mahila Samakhya (MS), which reconfigure state, governance, subaltern subjectivities and activism. It is important to examine how empowerment is conceptualised and a strategy of development and governance but what it does on ground and what unintended results that followed. Not everything could be bad but dangerous; the interplay between de-politicization and re-politicization and regulation and unruliness need to be studied in the context of governance.

(ii) Upward or downward trend for samaras panchayat?
Gram Panchayat polls are not fought on party symbols, therefore whenever the results arrive, and major political parties start claiming victory of their supported candidates in majority of panchayats. This happens in all states where more than one party has some ground.

In 2001, there were 2,791 Samaras panchayats and in 2006, there were 2,896 Samaras gram panchayats110.

Last gram panchayat elections were held in year 2006 in Gujarat when around 28% of gram panchayats were declared ‘samaras’. This means election actually didn’t happen in 28% villages as they elected victorious candidates unopposed. Gujarat government has announced a scheme to reward Samaras gram panchayats monetarily. This time the government is expecting Samaras gram panchayat number to be around 51% of the total. Last year when Gujarat BJP bulldozed opposition candidates in district, taluka and civic body polls, Gujarat Chief Minister Narendra Modi had given credit of victory to his Garib Kalyan Melas in which poor people are given benefits of government schemes directly at one place on one day. Now as gram panchayats poll are closer, from 3 November, Chief Minister Narendra Modi is going to kick off Garib Kalyan Melas – a fortnight affair ending on November 21. There are as many as 27 melas just on November 3 alone. There will be total 225 Garib

BhanSwati, ‘Samaras’ making headway in Gujarat, Sunday 5 February 2012, The Deccan Herald

Of total 2,896, the Congress-I claimed that 2,169 were won by Congress supported candidates. Janak K Pathak wrote regarding political parties’ claims, “While summing this up, the question still looms that who won majority of village panchayats? The real answer could be like this. Panchayat polls are never fought on party symbol, and therefore both BJP and Congress are just claiming victory of their ‘supported candidates’. So, Panchayat results should be treated without party tint, and ideally no party should claim victory. Can it be like this? No one won Panchayat polls!”
Kalyan Melas by 27 November. During this year, Modi also launched Chalo Taluke and Taluka Sarkar initiatives that may affect gram panchayats poll positively.\textsuperscript{111}

Though Gujarat government announced rise in incentives to Samaras villages last month, the number of Samaras villages has gone down from 28% in 2006 to around 20% this time. Gujarat Congress President Shri Arjun Modhwadia told media persons that the state government didn’t deliver promised incentives and extra monitory aid to Samaras villages in 2006. “Thanks to state government’s such attitude of false promise and no delivery, many village panchayats were not interested in Samaras scheme this time\textsuperscript{112}.

In argument to this, the ruling party’s (BJP) spokespersons said that there are 180 village panchayats which could not become Samaras just because one ward could not succeed in becoming Samaras. In total, 568 panchayats including 185 in two wards and 203 in three wards could not become Samaras, thank to the Opposition. 304 panchayats are such where the entire ward has become Samaras but as the Opposition placed their contestant with negative mentality, they could not become Samaras. The Opposition tries to mislead the people and do not let the panchayat become Samaras. But the state government is receiving huge response from villages and the village people are well aware of the truth, spokespersons said.

This is the reflection of a huge response to a noble thought coined by the state government.

Rajesh Bhat analysed the situation and interesting points have emerged. He writes, “Out of these villages, 2,147 (20.4%) opted to be Samaras Panchayats in which 2,147 Sarpanches and 17,000 members obtained their seats without election. Elections took place only in 8,362 villages in which a record of 1.5 crore (15 million) voters exercised their franchise to elect 8,362 Sarpanches and around 86,000 members (i.e. 10.28 members per VP on an average). It was interesting to note that whereas on an average, only 1.74 persons contested for every member’s seat, 3.52 individuals contested for the positions of Sarpanch.”

Upon deeper analysis by researchers, significant observations emerged (a) Financial incentive is the single most important reason in favour of ‘Samaras’ (b) ‘Samaras’ process has been non-representative and non-participatory (c) ‘Samaras’ is discriminatory and penalizes, ironically, those villages who hold elections! (d) ‘Samaras’ is an effort to undo democratization (e) ‘Samaras’ also off-loaded bureaucratic ‘pressure’ at village level in caste, feudal and patriarchal identities (f) ‘Samaras’ is an imposed consensus (g) ‘Samaras’ debunks ‘elections’ and ‘dissent’ in public discourse (h) ‘Samaras’ does not save State’s money by avoiding election expenses.\textsuperscript{113}

\textsuperscript{112}\textsuperscript{Ibid.}
\textsuperscript{113}Bhat, 2012
‘Samaras’ scheme lured VPs into avoiding elections in favour of an uncontested nomination by so-called ‘consensus’ in Panchayats. Following are the statistics showing the impact of the scheme from 2001 to 2011 VP elections:

Table 15: Village Panchayats opting for Samaras Yojana

<table>
<thead>
<tr>
<th>Election Year</th>
<th>Total VPs contesting Elections</th>
<th>VPs opting Samaras Yojana Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>10,477</td>
<td>2,739</td>
<td>26</td>
</tr>
<tr>
<td>2002</td>
<td>1,680</td>
<td>621</td>
<td>37</td>
</tr>
<tr>
<td>2003</td>
<td>1,586</td>
<td>423</td>
<td>27</td>
</tr>
<tr>
<td>2004</td>
<td>68</td>
<td>14</td>
<td>21</td>
</tr>
<tr>
<td>2006</td>
<td>10,310</td>
<td>2,869</td>
<td>28</td>
</tr>
<tr>
<td>2007</td>
<td>2,004</td>
<td>714</td>
<td>36</td>
</tr>
<tr>
<td>2008</td>
<td>1,429</td>
<td>432</td>
<td>30</td>
</tr>
<tr>
<td>2009</td>
<td>671</td>
<td>119</td>
<td>18</td>
</tr>
<tr>
<td>2011</td>
<td>10,509</td>
<td>2,147</td>
<td>20</td>
</tr>
</tbody>
</table>

(iii) Does AWSP facilitate women’s development and an indicator of women’s empowerment?
The AWSP is considered as an indicator of women’s empowerment. As said by Rural Development and Panchayat Minister, Narottam Patel, “Although financial incentive must be a reason for the villagers to empower women in this way, this is a development as women will get training in running the administration. In the long run, they will be ready to handle bigger responsibilities.”

The CM of Gujarat glorifies AWSP he has repeatedly said, “It doesn’t cost any extra money but just change in the leadership style. Moreover, he said, the responsibility has been bestowed on all-women samaras gram panchayats in several villages. Women can take better care of general hygiene, clean toilets, school children’s education, nourishment, tree plantation and improved environment. They manage funds also better. Sakhi Mandals in several villages have also shown the way as to how to get rid of debts. Transparency would come naturally.”

However, political analyst Achyut Yagnik feels this is not total empowerment of women. “We know that in villages the actual administration is run by the husbands of the women who are in power in panchayats. This is not a total empowerment. But this is a baby step which may help women in the long run.”

The Congress spokesman explained their view on AWSP, “We are not against empowerment of women. Rajiv Gandhi had taken the historic decision of introducing 33 per cent reservations for women. The problem with samaras is democratic process is being compromised, which, in the long run, may have a negative impact.”
In what could be described as ‘incentive-driven’ empowerment of women, as many as 254 villages in Gujarat have entrusted their panchayats entirely to the women; to college-going girls in one case. Hinal Patel, a young girl unanimously elected as sarpanch of Siswa village of Kheda district opined, “But women are not complaining about AWSP... I want to educate all the villagers and eradicate illiteracy from Siswa.” She sees AWSP as an opportunity for women’s development and also that since women are not complaining about ‘selection’ process or process of ‘unanimity’, AWSP is perfect solution for women’s empowerment.

It is interesting to study Hina’s case – her term as sarpanch of AWSP. Her parents Shailesh and Pravinaben Patel have served as village heads too. For the last three terms, Siswa has been unanimously electing a woman sarpanch under Samaras, says Shailesh. “Five years ago, we appointed an all-women panchayat and it worked wonderfully. Women are convincing. Villagers tend to listen to them better. This time, we decided to go a step further and appoint young, educated girls who are brimming with fresh ideas. The 12 girls on the final list fitted the criteria. They had to be educated, single, and belong to the same village.” This is usually the case – males of the village meet as soon as they know that the VP has a reserved seat, either for a woman or a scheduled caste. Then they discuss and decide whom to make sarpanch and who would be ward member; who will approach the selected candidate and then how to proceed for declaring it to be a samaras village. The males belong to forward castes and do not ensure participation of all castes and strata from the village to decide on these issues.

Pravina Patel, sarpanch of a samaras village in 2006 shared similar story. As her father-in-law was sarpanch for two terms prior to her term. As soon as the reserved seat for a woman sarpanch was announced, he called a meeting and proposed her daughter-in-law’s name and everyone accepted in two-three days time. That’s how Pravina was selected as sarpanch. Necessary procedures were done by her husband and father-in-laws to declare it samaras panchayat, which she is not well aware of. Initially, her father-in-law was taking care of the VP. After her term was passed for almost three years, she came in touch with a district level women’s manch (forum), formed and capacitated by MSA. Later, as she gathered more information and developed understating about her role and how to perform her responsibilities as sarpanch, she started functioning on her own. After six months, her husband was elected as one of the ward members and he helped her since then.

For Hina, renovating the old bus stand at the far end of the village is a challenge while for a ward member of the AWSP – same panchayat, Radha, she calls the opportunity a ‘God-send’. It’s the primary healthcare centre that tops her list of priorities. Equipping it with new-age facilities, and setting up an educational institution that will offer Siswa’s students the option of pursuing science without having to relocate to Vidyanagar (nearby town), are number one and two issues on her checklist.114

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114 Das Soumitra, ‘Siswa grampanchayat’s power puff girls’, Times of India, Jan 8, 2012
One of the observations regarding functioning of woman sarpanch is their awareness about social justice committee (SJC) and addressing issues of dalit women. When a woman sarpanch belongs to the forward caste, they usually maintain indifference to the scheduled castes, as part of traditional mindset. Though formation of SJC is mandatory\(^{115}\) and at least one woman should be part of the committee, these women sarpanch do not know about these provisions and therefore formation of SJC remains on paper. Actually with the mandatory status, it is one of the committees that could be made of only women and can take up women’s issues as well as of women of SC, ST and single and physically challenged women. But due to lack of awareness about the SJC, it is not functional. As Rajesh Bhat puts it, “The non-dalit attitude to the SJC ranges from casual to unjust to atrocious.”

Society for Women’s Action and Training Initiatives (SWATI) in Gujarat conducted a study to examine present status of all women samaras panchayats, as the dynamics of samaras panchayat are changing, namely, from panchayat bodies to accept samaras to all women samaras panchayat, with increase in financial incentives, with two objectives: (i) To understand the profile and aspirations of woman sarpanch selected in AWSP; and (ii) To assess the enabling environment which should be present for a woman sarpanch to act as a fully functional sarpanch. In their work area of Surendranage district, 20 AWSP have been announced. The data was collected through semi-structured questionnaire and group discussions with panchayat body members, sarpanch and husbands of the sarpanch.

The findings of SWATI’s study, linked to women’s development and empowerment are shared here:

- Most of the respondents were aware about ‘Samaras’ and its concept. Some respondents were even able to articulate samaras in the similar manner as the government portrays it, that is, a panchayat body without elections is called samaras’ and ‘samaras will lead to good development’.
- The system of rotation does not allow free and fair election. Rather what it promotes is the culture of proxy sarpanch. In most villages, rotational system based on caste was followed and it was because of that, that these women had come into the panchayat.
- With the increase in participation of women in panchayat bodies, what came out as the central question was the nature of this participation. Visibility of women in such processes cannot be labelled as women empowerment.
- The decision to have AWSP body in the village did not involve women across the villages studied. This decision was generally discussed among the ‘respected’ (vadil) members of the village which invariably were the men. All the villages under study had gone for AWSP for the first time; however, most of them had had samaras panchayats in the past. This indicates that this decision which was new for the village did not involve the participation of women.

\(^{115}\)As per sections 92, 123 and 145 of The Gujarat Panchayats Act 1993, it is compulsory to form Social Justice Committees at the village, block and district level panchayats respectively. The Act provides the administrative and legal provisions regarding the term, membership indicators, the constitution of the body, meeting schedule and guideline for its function to make SJC’s effective and efficient. SJC has a mandate of social justice and social welfare of the scheduled castes, scheduled tribes and other marginalized groups such as widows and disabled persons. See Bhat (2012) for further reference.
The external source from whom information about samaras is received is generally the talati (village secretary). A bias due to the perceived inability of women to absorb information might be a factor which excludes them from such meetings with taluka. Factors such as restrictions on physical mobility of women and lack of time due to involvement in other chores cannot be ignored as other reasons for their exclusion.

The selection of women in the panchayat body was told to them by their family members, which in most cases was the husband. None of the respondent who we interacted with mentioned that they were given the option to withdraw or not stand for a particular post. It comes across as a game which was being led and managed by the men of the village.

Role of government officials - What is even more striking is that the process was being led this way (for declaring AWSP) from top to bottom. At the taluka (block) level the Taluka (block) Development Officer only mentioned to the villagers the ‘benefits’ of AWSP. Nowhere was there any mention of an official mentioning the role that women might have to take on or should take on in making AWSP bodies possible. In one village the people were told by the T.D.O., ‘if you go for samaras, RCC (cement-concrete) road will be constructed for free and solar lights will also be installed; in addition you will get around 3 lakh rupees.’

Caste related - The absence of scheduled caste (SC) candidates across these panchayats points towards a trend. This could be the systematic exclusion of people from the lower caste and class from the panchayat bodies. In Gujarat, the OBCs do not necessarily belong to a lower class, which means that there can be resources at their disposal which might privilege them over a SC household. Therefore, in this scenario the absence of open category candidates, the higher number of OBCs and almost no SC candidate points towards the relative power that the OBCs have over the SC candidates.

Family related - As a panchayat member one is expected to attend meetings in the village, outside the village, preside over meetings which take place. There is increased involvement in the ‘public’ sphere. There is a need to study the reaction of family members about how they feel when the roles in the private and the public sphere clash. The support received by these women can depend on several factors. In this case, a husband taking over the functioning of the panchayat from the woman cannot be defined as ‘support’. The women said that their families were supportive and for most of them their husbands went along to fill in their nomination forms. Young women who are still to bear children or those who have not acquired a powerful role within the household face more restrictions. On the other hand, women who are seen as having completed their reproductive roles are more likely to assume powerful positions within the household.

A question sought to know whether these women are allowed to go on their own to attend meetings or not. The response was that husbands go along with the women in these meetings and can even go in place of them!

Political activeness, awareness - Shades of saffron could be seen around these Samaras bodies. All of them spoke highly of the state government which recently, on the 10th of March (2012) had invited all the women samaras panchayat bodies. There is an image of respectability which is being built around these bodies. Interviews from villages which opt for Samaras are carried out in newspaper features. The cheques given by the state government are displayed on a big cardboard, with the samaras amount received written
in the middle. The cheques were found hanging in the home of the sarpanch or in the panchayat office. In the larger scheme of things it comes across as a ploy to have the BJP government dole out incentives to have majority of villages supported by them to undertake Samaras.

⇒ Village development - Samaras is also promoted in the name of development which would take place in the village. People had an idea that if their village went samaras there will be more development. However, the grant which is provided for going samaras is ‘extra money’. This money cannot be used for carrying out tasks such as construction of roads, bridges, toilets etc. In such scenarios where important decisions about the implementation, budgeting and planning are to be taken, the women are reduced to signatories. The village level meeting in one village was attended primarily by men. Therefore, there is a limit to the roles that women can play in the panchayat. There was some ambiguity about the filling of applications for grants by the village. Wherever there were men present (husband of the sarpanch, gram sewak) there was some clear information received about the work to be carried out. There was motivation among the women to work for the development of the village but there was a loss of direction about the same. Specific question regarding plans about the utilization of Samaras money revealed that there were no plans. The hollowness of the scheme is such that even though in its agenda it promises development, there is hardly anything which can be achieved in this context.

⇒ Expectations of villagers - There is a contradiction in the way work is being done and expectations are being built. At one level all the work is unofficially being done by the men, while on the other hand the expectations of development are from the AWSP. Another panchayat member mentioned that, ‘women are not asked before taking a decision in the panchayat but people have a hope that since women are in the panchayat body there will be more development.’ This hope can be dangerous as the strings are being pulled by the men from behind. Non fulfilment of these expectations by the panchayat body will lead to dissatisfaction from the AWSP. Considering that each panchayat body stays for a 5 year term the money which has been received through samaras might be forgotten after sometime. At that time the performance of these women in the panchayat will become the focus. Another plausible danger could be non-performance by the women bodies. There is no clarity about what would be done in case there is a motion of no-confidence against these bodies. Non performance in these scenarios would be easy to prove or show as the women are not actively engaged in the work. In case a conflict arises with the panchayat body it is easier to create support against women led bodies.

⇒ Government - Husband of one of the sarpanch said that, ‘grant apart from samaras money has not been received by the village.’ The push is thus being created to create an image around samaras. The promise of samaras thus translates into an image of a panchayat body (led by women) which will work for the development of the village through this extra money.

A few sarpanch from Gujarat insisted that unanimous village panchayat or under scheme like samaras yojana, the sarpanch’s functioning affects adversely, mainly because they cannot
take decisions independently, can’t move ahead without consent of many people. The elected sarpanch can take decisions independently saying that they are elected and they have people’s mandate otherwise the village residents always pressurised that you are unanimously selected.

**Summarising Unanimously elected Panchayat, All Women Panchayat and Samaras Panchayats**

Three types of panchayat – unanimously elected panchayat, all women panchayat and all women samaras panchayat/samaras panchayat ca actually clubbed as one category – unanimously elected panchayat. There is an equation promoted by the ruling political party, i.e. unanimity equals to equality and development, which is a delusion. Most of these panchayat are found to be driven by the financial incentives. The ruling political party promotes the idea, propagate through various means, the bureaucracy is also given a target to make number of unanimously elected panchayat and so on.

Though there is significant increase in AWSP, overall number of samaras panchayat has decreased in Gujarat. The financial incentive is very tempting and usually the fund starving village panchayats are opting for samaras in the name of ‘development for the village’; with no participation of women and SC population. In Gujarat, many decisions are made valid through government resolution / executive order, which override many of the provisions of PRA. Samaras scheme is one of such examples. The chief minister of Gujarat, on his birthday (17th September 2012) announced Rs 10,000/- to be given to the sarpanch for contingency expenses is another example. The sub-point of the article of PRA is violated in this manner. Though some litigation has taken place in last 10 years but they are all issue based and region based.

Increased number of women in panchayat bodies through AWSP need not be equated as increased empowerment of women, especially of EWRs. The AWSP promotes proxy sarpanch compare to normally elected panchayat body and the women sarpanch, as most of the decisions are taken by the men in the village, either by the respected elders of the village or the family members of the women who have been actively involved in village panchayat in past and present. With such findings of the study and observations regarding functioning of AWSP, it seems more of a political gimmick for political gain than a serious effort for women’s empowerment and development of the village with focus on women’s needs and issues to be addressed.

Haryana government announced financial incentive for the unanimously elected panchayat but couldn’t fulfil the promise and therefore the High Court of Punjab and Haryana had to give a judgement and order to the respective governments to pay up the incentive within 3 months, that is, latest by June 2013.
Chapter 5
Major Findings and Conclusions

One of the major contributions of the study that it has widened the realm of women’s development in the context of PRI - issues of autonomy, governance, planning, implementation and to capture its impact. Two frequently terms used - ‘women’s development’ and ‘women’s empowerment’ have been explained and explored in the context of PRI, which also has been used as a theoretical frame for the study. The term, ‘women’s development’ refers infrastructure development that fulfil the basic needs of the women. ‘Which are avenues that could be linked to women’s development’, is answered through examination of the PRAct, the planning processes, its evaluation regarding implementation, whether the ERS have any avenues and scope to ensure women’s development and whether the EWRs have conceptual understanding about the same. The term ‘women’s empowerment’ is seen as a process as well as an outcome – through political participation and representation. The hypothesis was, ‘the initiatives have ensured women’s development and empowerment’ but it is proven for one of the three initiatives, that is, the reservation for women in PRIs has contributed to women’s development and empowerment but not the devolution of power and scheme like samaras yojana that promotes unanimous election, financial incentive and all women samaras panchayat.

This study has been a continuous learning with the given theoretical frame; it has overviewsed vast literature that covers panchayati raj and women related gamut of issues, aspects, dynamics and outcomes. The study has read between the lines and has revealed many gaps and disconnects; and has thrown light on many unexplored and unsaid issues regarding women’s development and empowerment through panchayati raj, namely, the political power and women’s participation and representation in public sphere. It has also challenged many existing myths, has captured ‘hopes against the hopes’ dilemma, on one hand, and yet subscribes to many apprehensions, fears and stereotypes, on the other hand, mainly because of variety of situations across the states, across villages and blocks in each state of India; due to which generalization and theorization is not accurately possible.

The study started with overview of existing situation of panchayati raj in light of 73rd Constitutional Amendment Act 1994 and provisions for women’s participation, representation and development in the law as well as in the existing policies and functioning of the executive for implementation of panchayati raj act in the respective states, that is, Gujarat and Haryana. The study eventually sharpened the focus on three initiatives by the Indian government –

(i) Quota system and at least one-third reserved seats for women (73rd Constitutional amendment);
(ii) Devolution of powers, i.e. finance, function and functionaries – where the EWR as functionary can bring about women’s development; and
(iii) Special incentives are provided under the scheme like ‘samaras yojana’ in Gujarat state or unanimously selected candidates as sarpanch and panchayat body members at
village level in Haryana state, and its linkages with women’s development and empowerment.

Many studies have been conducted to examine whether the 73rd Constitutional Amendment had changed lives of women, especially of the EWRs. The MoPR study (2008), other regional studies undertaken on reservation for women and EWRs’ performance and biographical literature on EWRs’ struggle for political representation and functioning have shown that there is a strong ‘empowerment factor’ for the EWRs; however, the progress is slow but need to be recognised. Regarding number of EWRs and its impact as ‘critical mass’, many myths like ‘proxy EWRs’, ‘passivity of EWRs’, ‘only privileged kins-women of powerful politicians enter PRIs’, ‘able to seek support from social institutions’, ‘leadership qualities’, and so on. Such conclusions are based on two inert-related subjects: representation of women in these bodies and effectiveness and outcome of their participation. These studies have sketchily mentioned the external constraints that the EWRs face, as their primary focus is to understand EWRs’ lives, needs and performance.

This study has examined external factors like Devolution Index, administrative and financial decentralization, bureaucratic procedures, schemes of the government to show women’s empowerment, e.g. ‘samaras yojana’ and special incentive for All Women Samaras Panchayat, etc and its impact on women’s development and empowerment. The study found that in absence of devolution of powers, the desirable decentralization has not taken place; the bureaucratic procedures are not simplified, thus it depends largely on how the local administration looks at planning and their role - as Executor of the government schemes and programmes and controlling finance and veto powers, or as a facilitator and sensitive administrator that help the ERs to fulfil local needs and consider the ERs as a channel to reach out to people in the villages.

Though the gram sabhas has given special status and powers in the PRAct, the ground reality is different because of unfinished agenda of decentralization and difficulties in overcoming the administrative macros. This situation has impacted behaviour of the ERs and the village residents that participate in the Gram sabha. In every village, Gujarat and Haryana, the Gram sabhas are organized in presence of government official which takes away opportunity for local residents to participate in decision-making. It deprives village people of local experimentation for creative, innovative, and responsive development programmes. The local administration, dominant over people and weak in implementation, results in services being delivered less efficiently and effectively. More than 50 per cent of the demands, passed in the gram sabha but have remained unfulfilled, because of this attitude of the administrative agencies. On one hand, the village panchayat is encouraged and expected to increase their revenue and income but on the other hand, utilization of its own resources, the village panchayat has to wait for the approval of the bureaucrats - from block to the district and back to the clock official and mostly the proposals are rejected. The ERs of block panchayat and Zila Parishad have very little role to play in this decision making. Thus the culture of dependence on the government prevails.
One of the most important constraints of women’s empowerment through panchayat is that they are not a homogenous category. They represent different interest group depending on their class and caste, which get perpetuated through patriarchy. However, one redeeming factor in uniting the women is the access to the basic services such as drinking water, health care facility and education - the practical needs. Moreover, in many places the women are not immune to systemic corruption though as beginners they are relatively more cautious. The men support women in panchayats so long as women do not challenge them to fulfil the ‘practical needs’. But men feel threatened as and when the women try to fulfil the ‘strategic needs’.

Various studies mention that 50-60 per cent of the EWRs have received training and many senior bureaucrats complaint about low turnout of the ERs at training sessions. The observation by Strutlik is useful that the tendency to construct the EWRs as ignorant and incapable, the discourse and the content starts with ‘deficiency approach’, which make ‘capacity building’ a reductive approach and not taking important aspects of gender, politics and knowledge building. As KMVS, MSA and other NGOs have created forums of the EWRs for exchange of information and experiences, solving problems through legal know-how and motivating them to exercise political and derived social power whenever required in the village and with the government officials – such activities need to be upscaled as part of empowerment of the EWRs.

About the status of the EWRs, mixed responses are recorded; nonetheless, many of them are positive, changes in various spheres – personal, socio-cultural, political and economical - and also need to be looked as changing of power equations as well as emerging leadership of women. Despite facing a lot of struggles as EWRs, the fact remains that they did struggle and have shown courage to face adversities, sought support from various actors and so on. These are actually the processes of empowerment, ensuring women’s empowerment as an outcome. There is a dilemma – on one hand it is observed that the ERs are part of existing societal structure and their individual capacity to deal with governance and development issues depend upon literacy level, their exposure to various government (administrative macros) and legislature, and to mobilising resources and its utilization while the government officials highlight the weaknesses of the ERs to maintain their powers in decision-making, planning and implementation of government plans and programmes on the other hand. In this inter-locking situation, the democratic norms, procedures and functioning have to play crucial role.

The existing studies have not deliberated much on overarching concept of women’s development and therefore the law based, policy making, structural issues are less addressed in comparison to implementation driven and EWRs’ experiences related issues. Among the latter set of issues addressed, the idea of women’s empowerment has focus on, abilities of the EWRs, action taken by them, changes in village and community dynamics, and need for their capacity building measures resulting into their better performance. Such engagement, a cyclic in a way, the administrative procedures for better functioning of the EWRs and their abilities to deal with them and the government officials, finally leads to one of the conclusions that ‘whatever is the success or failure of the EWRs; it is because of their initiatives or lack of
abilities’. Though such conclusion is closer to ground reality based on experiences related to the implementation of the law mostly side-lines the issues of law and policy making.

Actually, after becoming EWR, an office bearer of the PRI through reservation quota, the EWRs need to have supportive administrative procedures and supportive village panchayat body members as well as block panchayat and Zila Parishad members to execute and achieve women’s development and empowerment. In this light, the findings of this study show that –

- The women’s development is restricted to the government programmes and schemes related to sanitation, temporary shelter homes for women and so on, which actually covers only peripheral issues. The notion of women’s development is shaped through these programmes among women in general, EWRs as political representatives as well as among the administrative machinery and the implementers. The concept of women’s development or vision for women’s development beyond existing government schemes and programmes is not shared neither by the respondents of the study not by many subject experts.

- Under existing government programmes, there is a mandate for elected representatives to form various committees, such as village health and sanitation committee, education committee, water committee, etc. but no specific powers are given to them nor are their suggestions abiding to any of the implementers – the panchayat body or the executive or the village residents. As such the women’s development defined by these programmes, yet no significant awareness is observed about how to bring about women’s development and ways and means to ensure it.

- There is no gender sensitivity observed in the PRAAct of both the states, mainly drawn upon from the national law. Therefore, the implementation machinery has no mandate to be either gender sensitive or to look through gender lenses and a mandate for facilitating fund, function and functionaries from gender perspective – inequality, injustice and deprivation for infrastructure facilities, etc. are not attended, which are actually the pre-requisites for women’s development.

- No perspective building efforts are put in by the government to achieve women’s development, i.e. neither addressing nor proactively working for solving the problems of illiteracy, high maternal mortality, high infant mortality, skewed sex ratio or building infrastructure for education, water and sanitation leading to better quality of life of women. There are parallel bodies among these committees like SMC for primary education and water committee under TSC. This is so confusing that the members of the committee are driven by the mandates given rather than having know-how of implementing their agenda through official channel. Thus these committee remain either on paper or even if they exist, they do not achieve or get the agenda implemented because the entire process of implementation is fund driven and dependent on top-down decision-making as well as so called technical knowledge drive, e.g. a junior engineer would visit the village, prepare the plan and it may get approved.

- Regarding the formation of various committees in the village panchayat, these committees should have equal number of representation of women but this does not happen. For example, though formation of the Social Justice Committee is mandatory and
should have at least one woman as a member from SC or ST or OBC community but formation this committee usually does not take place; functioning is too far.

Formation of Social Justice Committee (SJC) and having one women member is mandatory as per Panchayati Raj Act in Gujarat but at least half of the EWRs covered under the study are not aware of this provision. This revealed learning related to the caste of EWR – the EWRs belonging to so-called upper castes were not aware of this provision while EWRs belonging to SC and ST were well aware of the provision, however they couldn’t effectively take action for social justice. None of the Haryana based ER were aware of SJC and its and effectiveness. In fact, one of villages of Mewat region, the SC sarpanch did share untouchability problems and rivalry between so-called upper caste and SCs in the village.

Dependency on funds is one of the major problems, which takes away autonomy of the EWRs; the funds are available based on CSS and state schemes (a very few), which are pre-defined, pre-structured and having very little scope for the people (so called beneficiaries) to make it participatory. To take advantage of these programmes and schemes, the ERs need to be innovative and conceptually clear not only about women’s development but to create and to sustain the scope, platform, and supportive procedures, and seek support from panchayat body members to steer funds towards village and women’s development. The ERs who are able to fetch funds, do not necessarily are sensitive and decisive about women’s development; this is a rare combination.

Similar argument is built upon and implicitly argued that the EWR means she is sensitive to women’s causes and development; many times the EWRs are able to manage resource mobilization effectively but not able to ensure women’s development as defined in the study, mainly because wither they lack deeper understanding of women’s development or if they have ideas, they face resource crunch. This is one of the reasons that the EWRs taking up women’s issues to some extent, some form and succeeded to some extent, is also shown through some of the studies in sketchy manner.

The resource crunch and dependency on funds also applies to gram sabha, which is considered to be the autonomous body and a crucial part of devolution but almost all the ERs covered in the study confirmed that rarely a demand put forward as an agenda approved by the gram sabha has been materialised. So even if any EWR has a vision for women’s development, the GS as a channel to materialise the agenda is futile; moreover, there is no supportive mechanism to uphold women’s agenda for women’s development neither in PRI procedures nor in PRA. These are structural constraints, which are difficult to overcome by the ERs, more for the EWRs. There is no special fund allocated for women’s development, despite low rank of Haryana on gender development index.

The 2-child norm still in effect in Gujarat and it threatens women’s political representation in PRIs.

Another Gujarat specific provision of PRA and much practiced is, ‘no confidence motion’ against the EWRs, especially sarpanch. This motion is actually an attempt of the vested interests to keep women under control. In Kachchh district, about 20 per cent EWRs in last 20 years have faced no confidence motion. The political party doesn’t support the EWRs to fight for their rights. The EWRs’ forums have build capacities to fight against
such motions at panchayat level and presenting themselves at block level officers to plead their cases.

✧ With some inputs from women’s organizations, many EWRs, especially the members of the forums have taken up issues of land ownership among women, food security and violence against women in their respective villages. A very few have begun to learn gender budgeting. Some sparse instances but important ones are in Gujarat – sarpanch fighting against liquor manufacturing in the village, removing encroachment from village’s common land and fighting against corruption charges. Though EWRs in Haryana do not enjoy as much freedom or mobility as the EWRs in Gujarat, their contribution in addressing water supply, education among girls and supervising anganwadi is recognised.

✧ The attitude of the senior government officials/ IAS officers towards role and performance of EWRs is neither very positive nor encouraging. Most of them either want ‘demand driven’ democratic changes and some insist on ‘capability’ of the EWRs. The gap between the EWRs and the government officials widens when the EWRs ask for transparency and accountability from the government officials. Many EWRs and the women’s organizations from Gujarat demanded that if the government official allows ‘proxy sarpanch’ and /or some such practices (that strengthens patriarchal norms), they should be accountable, and in cases of corruption charges put on the EWRs, they should be punished. In Haryana, some EWRs said that the government officials respect women and therefore if we visit them, our work is done smoothly as many government officials do not want women to visit them frequently for follow up of work while the other said that the government officials do not deal with us directly.

✧ Apart from the specific constraints, the PRIs system as a whole face several structural constraints such as limited power and resources, the absence of appointed cadre and hence, dependence on the state level functionaries and so on. The devolution of powers is related to 29 subjects, which are linked with different departments. Coordination among various departments is a classic problem for implementation of many government schemes and programmes, on top of it, not devolving function under a specific department make the problem complex and its solution more complex. The ERs are not well aware of devolution of powers and which subject is devolved and which department is accountable for. Therefore it is not easy for the ERs to take decisions on their own regarding any subject, such as, agriculture, irrigation, family welfare etc. and put into action. For example, if the land in the village is encroached by a scrupulous element, the sarpanch taking action against this encroachment could bring a political upheaval or administrative complications in the picture. Land being a subject in the concurrent list, its acquisitions and use has remained largely mysterious and complex.

✧ Three types of panchayat – unanimously elected panchayat, all women panchayat and all women samaras panchayat/samaras panchayat can actually clubbed as one category, that is, ‘unanimously elected panchayat’. The equation promoted by the ruling political party is, unanimity equals to equality and development, which is a delusion. Most of these panchayat are found to be driven by the financial incentives. The ruling political party promotes the idea, propagate through various means, the bureaucracy is also given a
target to make number of unanimously elected panchayat and so on. In the entire process of making unanimous panchayat, there is no role or presence of women is observed.

- Increased number of women in panchayat bodies through AWSP need not be equated as increased empowerment of women, especially of EWRs. The AWSP promotes proxy sarpanch compare to normally elected panchayat body and the women sarpanch, as most of the decisions are taken by the men in the village, either by the respected elders of the village or the family members of the women who have been actively involved in village panchayat in past and present. With such findings of the study and observations regarding functioning of AWSP, it seems more of a political gimmick for political gain than a serious effort for women’s empowerment and development of the village with focus on women’s needs and issues to be addressed.

- Though there is significant increase in AWSP, overall number of samaras panchayat has decreased in Gujarat. Usually the AWSP have very little space for participation of women and SC women as candidate or SC population.

- In Gujarat, many decisions are made valid through government resolution / executive order, which override many of the provisions of PRA. Samaras scheme is one of such examples. The chief minister of Gujarat, on his birthday (17th September 2012) announced Rs 10,000/- to be given to the sarpanch for contingency expenses is another example. The sub-point of the article of PRA is violated in this manner. Though some litigation has taken place in last 10 years but they are all issue based and region based.

The EWRs face overall structural constraints and lack of autonomy at various level in both the state. In Gujarat, there are a few women’s organisations and a state level network have initiated various programmes for the EWRs, including capacity building measures, cross-learning and sharing, bringing the EWRs for consecutive elections, providing legal and technical support in case of ‘no confidence motion’ and so on. Thus the model is, focus on EWRs’ empowerment and participation of women in panchayat matters, especially participation in gram sabha and upholding women’s issues or agenda. In Haryana, the reservation for women is in place; no significant presence of other NGO is observed in the study area working on this issue. Because of socio-religious and cultural environment, women’s mobility is restricted and her participation in decision-making in the family and the village panchayat has remained restricted, IRRAD as an NGO has faced opposition by the religious leaders. In such situation, like Gujarat, focusing on empowerment of the EWRs seemed to be a slow, gradual process and bearing results after a long term, consistent efforts. Focus of IRRAD for raising governance issues on food security and health and sanitation facilities has brought in participation of women in awareness raising and implementation of the schemes. This effort would increase participation of women in political and governance arena in long term. In such situation, two structural initiatives would be useful – first, formation of SJC and participation of a women or women as members of this committee is one of the avenues should be definitely capture; and second, policy advocacy for devolution of powers for PRIs and women’s component in every plan (gender budgeting) and in executing machinery could be taken up.

***
### Abbreviation

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAA</td>
<td>Constitution Amendment Act</td>
</tr>
<tr>
<td>SC</td>
<td>Scheduled Caste</td>
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<td>ST</td>
<td>Scheduled Tribes</td>
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<tr>
<td>PRI</td>
<td>Panchayati Raj Institutions</td>
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<tr>
<td>NGO</td>
<td>Non-government organization</td>
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<tr>
<td>PEAIS</td>
<td>Panchayat Empowerment and Accountability Incentive Scheme</td>
</tr>
<tr>
<td>DI</td>
<td>Devolution Index</td>
</tr>
<tr>
<td>MoPR</td>
<td>Ministry of Panchayati Raj</td>
</tr>
<tr>
<td>NCAER</td>
<td>National Council for Applied Economic Research</td>
</tr>
<tr>
<td>MDG</td>
<td>Millennium Development Goals</td>
</tr>
<tr>
<td>CSS</td>
<td>Centrally Sponsored Scheme</td>
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<tr>
<td>GoG</td>
<td>Government of Gujarat</td>
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<tr>
<td>SEC</td>
<td>State Election Commission</td>
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<tr>
<td>GP</td>
<td>Gram Panchayat</td>
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<tr>
<td>GS</td>
<td>Gram Sabha</td>
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<tr>
<td>ZP</td>
<td>Zila Parishad</td>
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<tr>
<td>WID</td>
<td>Women in Development</td>
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<tr>
<td>GAD</td>
<td>Gender and Development</td>
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<tr>
<td>RBD</td>
<td>Right based Development</td>
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<tr>
<td>HDI</td>
<td>Human Development Index</td>
</tr>
<tr>
<td>EWR</td>
<td>Elected Women Representatives</td>
</tr>
<tr>
<td>MSA</td>
<td>Mahila Swaraj Abhiyan</td>
</tr>
<tr>
<td>KMVS</td>
<td>Kutch Mahila Vikas Sangathan</td>
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<tr>
<td>AWP</td>
<td>All Women Panchayat</td>
</tr>
<tr>
<td>TSC</td>
<td>Total Sanitation Campaign</td>
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<tr>
<td>NRHM</td>
<td>National Rural Health Mission</td>
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<tr>
<td>SWATI</td>
<td>Society for Women’s Action and Training Initiatives</td>
</tr>
<tr>
<td>BDO</td>
<td>Block Development Officer</td>
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<tr>
<td>DDO</td>
<td>District Development Officer</td>
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<tr>
<td>UT</td>
<td>Union Territory</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
</tr>
<tr>
<td>SJC</td>
<td>Social Justice Committee</td>
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<tr>
<td>PRA</td>
<td>Panchayati Raj Act</td>
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<tr>
<td>MDA</td>
<td>Mewat Development Authority</td>
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<tr>
<td>HRDF</td>
<td>Haryana Rural Development Fund</td>
</tr>
<tr>
<td>SMC</td>
<td>School Management Committee</td>
</tr>
<tr>
<td>AM</td>
<td>Activity Mapping</td>
</tr>
<tr>
<td>GP</td>
<td>Gram Panchayat</td>
</tr>
<tr>
<td>GO/GR/EO</td>
<td>Government Order/Government Resolution/Executive Order</td>
</tr>
<tr>
<td>DI</td>
<td>Devolution Index</td>
</tr>
<tr>
<td>NCAER</td>
<td>National Council for Applied Economic Research</td>
</tr>
<tr>
<td>JE</td>
<td>junior Engineer</td>
</tr>
<tr>
<td>MNREGA</td>
<td>Mahatma Gandhi National Rural Employment Guarantee Act</td>
</tr>
<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>---------</td>
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</tr>
<tr>
<td>DRDA</td>
<td>District Rural Development Authority</td>
</tr>
<tr>
<td>DPC</td>
<td>District Planning Committee</td>
</tr>
<tr>
<td>DPB</td>
<td>District Planning Board</td>
</tr>
<tr>
<td>AWSP</td>
<td>All Women Samaras Panchayat</td>
</tr>
<tr>
<td>GPA</td>
<td>Gujarat Panchayati Act, Gujarat Panchayats (Amendment) Act</td>
</tr>
</tbody>
</table>
Annexure 1: Generation of primary data

Primary data is generated mainly through interviews; organising a day long workshop with elected representatives and social activists; and organising group discussions at village level with the village residents.

**Gujarat:**

**A. Interviews**

**Subject expert**
1. Rajesh Bhat, working on panchayati raj for more than 2 decades, brings out a quarterly magazine ‘Sarpanch’, WIFPR and co-authored ‘model panchayati raj act’
2. Prof Hemant Shah, several articles and publications on ‘finance and panchayati raj’
3. B S Vaishnav, retired IAS officer, has written extensively on panchayati raj in Gujarat
4. Alice Morris, written on women and panchayati raj
5. Persis Ginwala, author of a book ‘democracy Samaras’

**Elected women representatives – Sarpanch, Block panchayat and District panchayat**
1. Arvinda Patel, Jetalpur village, Ahmedabad district, Gujarat
2. Pravina Patel, Jamla village, Sabarkantha district, Gujarat
3. Nurbai Kumbhar, desalpar village, Kachchh district, Gujarat
4. Manbai Siju, Makhana village, Kachchh district, Gujarat

**Government officials**
1. Harshad Patel, District Development Officer, Kachchh district (IAS)
2. Director, District Rural Development Authority (DRDA), Kachchh district
3. V V Tank, Deputy Chitnis (senior revenue official), Kachchh district
4. B H Pampariya, Block Development Officer (BDO), Kachchh district
5. Ajit Sachade, Varsha Jani, Talati (village revenue secreatry),Kachchh district

**Social / Women Activists**
1. Shivani Sharma
2. Lata sachade, Kachchh Mahila Vikas Sangathan, Gujarat
3. Meena Rajgor, Kachchh Mahila Vikas Sangathan, Gujarat
4. Ketel Bhatt, Kachchh Mahila Vikas Sangathan, Gujarat
5. Varsha Mehta and Mahendra, Mahila swaraj Abhiyan, Gujarat

**B. Workshop organised**
1. With 9 elected women representatives at Ahmedabad
2. With 9 elected representatives at Kachchh

**Haryana:**

**A. Interviews**
1. Haji Aatoon, Untka village, Mewat district, Haryana
2. Jakhiro (Parveen), Dehana village, Mewat district, Haryana
3. Hansraj, Alduka village, Mewat district, Haryana
4. Deen Mohammad, Akdimpur, Mewat district, Haryana
5. Fazri, President, Firozpur Block Panchayat, Haryana
6. Fazruddin, sarpanch, Mewat district, Haryana
7. Mohamdin, Member of Zila Parishad, Mewat district, Haryana
8. Asmina, Raniyali village, Mewat district, Haryana
9. M D Asthana, retired IAS officer
10. Aslam, accountant, MNREGA, firozpur block, Mewat district, Haryana
11. Firozpur Block development Officer, Mewat district, Haryana
12. IRRAD team members - Anjali makhija, B R Poonia, Saifuddin, Mubarik, Urmila, Shahina, Kunti

B. Group Discussion
1. at Jamla village, Sabarkantha district, Gujarat
2. at Maroda village, Mewat district, Haryana

Group meeting with village women
5. With women from Maroda, Nizampur, Chhava villages, Nuh block
Annexure 2: Workshop with elected representatives of Kachchh district on 6th October 2012 at Bhuj, Kachchh - report:

Details of participants:

<table>
<thead>
<tr>
<th>Name</th>
<th>Quota seat / Samaras panchayat (yes/no)</th>
<th>Present status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dina</td>
<td>Reserved seat for woman – elected</td>
<td>Ongoing term</td>
</tr>
<tr>
<td>Lila</td>
<td>General seat – elected</td>
<td>Former sarpanch</td>
</tr>
<tr>
<td>Malini</td>
<td>General seat – fought against ‘no confidence motion’ but lost</td>
<td>Former sarpanch</td>
</tr>
<tr>
<td>Dhirajlal</td>
<td>Samaras – selected</td>
<td>Ongoing term - upsarpanch</td>
</tr>
<tr>
<td>Joseph</td>
<td>Samaras – selected</td>
<td>Panchayat member</td>
</tr>
<tr>
<td>Falgun</td>
<td>General seat – elected</td>
<td>Former sarpanch</td>
</tr>
<tr>
<td>Damji</td>
<td>General seat – elected</td>
<td>Former sarpanch</td>
</tr>
<tr>
<td>Hava</td>
<td>Reserved seat for woman – elected</td>
<td>Former sarpanch</td>
</tr>
<tr>
<td>Nurbai</td>
<td>Reserved seat for woman – elected</td>
<td>Former sarpanch</td>
</tr>
<tr>
<td>Havabai</td>
<td>Reserved seat for woman – elected</td>
<td>Former sarpanch</td>
</tr>
<tr>
<td>Karsan</td>
<td>General seat (also representing his wife) Reserved seat for woman – elected</td>
<td>Former sarpanch Present sarpanch</td>
</tr>
<tr>
<td>Kirit, Jayati, Chandres</td>
<td>Social activist</td>
<td></td>
</tr>
</tbody>
</table>

The participants represented different types of panchayat, elected/selected and past/present term as men and women sarpanch.

Various issues related to panchayati raj and women’s development and empowerment were brainstormed, discussed and each participant shared experiences, views-counter views, and opinions.

The workshop started with a debate, ‘opposition when a woman sarpanch is elected?’. The women came strongly saying that, “yes, stronger the women candidate, greater opposition.” Some shared that, ‘the moment reserved seat is declared, attempts for samaras begins rigorously.’ One of the view is, “because women run panchayat the way they run house – carefully, with saving in mind, accountable and in transparent manner. There is little scope for malpractice or siphon of funds.”

The woman candidate has to face people’s perception which is stereotype, discriminating on caste, class and gender based. Even if the woman is educated and capable, she is seen as someone’s wife or daughter; also that ‘why is she interested in politics?’ However, one of the participants said that ‘women should change self-image. If their self-esteem is high and they walk with upright face, people will start paying her respect.’ In response to this, one woman said, ‘men also should be sensitive about women’s issues. Even if they feel that the woman
panchayat member or sarpanch is not capable, they should have ‘let go’ attitude rather than making her look down.’ Another woman supported saying, “women should be felicitated by men so that other men start paying her respect.”

The participants also shared their views on development – economic development versus human development and then articulated how women’s development is important if we want to say that we are developed. The indicators given in this context are – women’s political participation, women’s’ participation in public domain, leadership qualities, and public image and acceptance.

All of them also agreed to a point – the sarpanch election in Gujarat does not involve any political party, which is a good*. ‘Actually, while voting for sarpanch, people should see that whether the candidate had read and understood PRAAct or not, should be criteria to vote for the candidate’ – suggestion came up.

With initial brainstorming, we focused on women’s development and empowerment through panchayati raj. Larger consensus on women’s development is, ‘we are able to create desired conditions, i.e. ensuring equality between men and women, and women should feel stronger.’ Despite support – through the Constitution, Law and some institutional arrangements, women are not able to perform, for instance, a member of SJC. If an incidence of violence on woman / domestic violence is observed, the police will come and ask the woman sarpanch, she may not be able to support the victim and similarly SJC member would not initiate action. In fact, if a member of SJC initiates action, the police need not enter village. The court takes a very long time to deliver justice. Instead, a strong woman sarpanch with the help of SJC or panchayat body can protect women’s interests.

One of the participants brought to a notice that there is a constant tussle, power struggle between the executive and the elected representatives of the panchayati raj. However, the government officials remain powerful, due to having powers of releasing the funds and also to serve notice in case of irregularities in the VP. One of the participant shared an initiative of community based organisations’ (CBO) of Kachchh district – boycott gram sabha. He said, this initiative was taken in light of not getting funds for development work in the village, despite submitting gram sabha resolutions to the concerned authorities. This initiative was successful because after a few months of boycott in Anjar block, in about 70 villages, the BDO started organising meetings with the sarpanch and asking them to stop this.

Moreover, there is discrepancy everywhere – BPL list, in availing government schemes, etc. in larger context, women candidates have to put in more efforts and the men candidates have to understand what can they do for women’s development. They can initiate steps like ensuring all girls in the village attending the school, intervening in domestic violence, overall security measures to be taken, prohibition of alcohol is implemented, ensuring water supply, etc. in this context, the group discussed ‘what to do so that women’s empowerment continues?’ because fighting against alcoholism through police case or asking the drinkers to apologise, are not long term solutions.

* Though village panchayat election does not involve political party based candidature, many elected representatives put their party symbols on the letter head of the village panchayat, which is illegal.
The discussion is summarised in the following format:

<table>
<thead>
<tr>
<th>Panchayati raj related issues</th>
<th>PRI and Women’s development</th>
<th>PRI and Women’s empowerment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samaras panchayat (undemocratic but people accept it)</td>
<td>Women sarpanch are selected as dummy candidates – women’s opposition is not taken seriously</td>
<td>Very few women samaras sarpanch are able to work the way the want; their initiatives are opposed.</td>
</tr>
<tr>
<td>2-child norm</td>
<td>Women’s development hampered, as many women are not in a position to take decision about child birth</td>
<td>Paradox - Adverse impact on male-female ratio and the higher level of elected representatives (MLA, MP) go scot free</td>
</tr>
<tr>
<td>No confidence motion</td>
<td>This gives a message that the village elects her but ward members can remove her – a paradox, not in favour of women sarpanch</td>
<td>Equally faced by men and women sarpanch but more women lose</td>
</tr>
<tr>
<td>SP – sarpanch pita / pati / putra rules</td>
<td>Women sarpanch need legal protection/insulation</td>
<td>It is an opportunity for a woman sarpanch to fight and win and be a role model</td>
</tr>
<tr>
<td>Gram sabha and its role</td>
<td>This de-recognises women’s ability to be a leader</td>
<td>Women have started fighting against this</td>
</tr>
<tr>
<td>Group gram panchayat (more than one village under a VP)</td>
<td>Women sarpanch are used as tool/medium to uphold dominant class’s interest for development work in the village - Mostly women are not able to speak</td>
<td>Women have a chance to prove their worth, efficiency – can take resolution as village’s mandate to get work done</td>
</tr>
<tr>
<td>Women’s issues</td>
<td>bigger panchayat does not mean more funds and therefore lesser priority for women’s development related work</td>
<td>more challenges for women sarpanch</td>
</tr>
<tr>
<td>✦ violence ✦ land ownership ✦ food security</td>
<td>the government should implement – joint ownership of a husband and wife for any asset</td>
<td>SHG of women can take up audit of fair price shop, organising varsai camp, spread awareness on women’s issues, take action against a man who carry out violence on women, etc – however, not many women sarpanch are able to take such initiatives or PRI</td>
</tr>
<tr>
<td>Budget</td>
<td>Concept of gender budgeting is not implemented – special allocation required for women’s health care</td>
<td>More women can actively participate in micro-planning and pass resolution in exclusive gram sabha to get fund allocation</td>
</tr>
</tbody>
</table>

A few participants clarified that we tried to explore and enunciate linkages between PRI and women’s development and empowerment but we must keep external realities in mind – Kachchh has witnessed rapid industrialisation and money has played a major role in hampering honesty and other virtues, transparent governance and commercialising minds. The honest leader is penalised in the name of corruption or irregularities of funds. The industrialists give big donations and co-opt or corrupt the sarpanch (leaders too). So men sarpanch or elected representatives are equally vulnerable on these counts, especially in the context of governance and political participation.
Annexure 3: Indicators for the Devolution Index Study 2009-10:

Framework
- State Election Commission-Holding regular Panchayats elections, Gap and dissolution
- District Planning Committees and their working - Regular Meeting, Regular submission of plans, Consolidation of plans and its integration with State plan.

Functions
- Functions Assigned to Panchayats -Legislative devolution, Activity mapping, Executive orders issued, The role of Panchayats in planning, implementation, spending funds and monitoring.
- Role of Panchayats in Important Central and State Schemes
- Role of Gram Sabha - Number and of meetings held and whether minutes are maintained; Role of Gram Sabha in approval of plans, budget, UCs and beneficiary lists
- Transparency in Panchayats - Mechanism to deal with RTI and corruption, Whether there is an Ombudsman

Finances
- Empowerment of Panchayats to impose and collect revenue- Taxes, fees, duties, cess etc. collected by Panchayats, Share of own revenue of Panchayat in State own revenue
- Fund availability with Panchayats
- Panchayat Nidhi/Fund: (Receipt & Expenditure)
- Timely release of Twelfth Finance Commission grants to the Panchayats
- Set of criteria, weight to allocate fund to the Panchayats
- System of fiscal management, monitoring and evaluation

Functionaries
- Accountability of functionaries to Panchayats
- Panchayats’ own officials
- Panchayats super cession
- Role of Panchayats in parallel bodies/institutions
- Capacity building of functionaries
- Infrastructure for efficient & effective management of Panchayats

Indicators related to functional devolution include legislative devolution, activity mapping, issuing of executive orders, the actual activities performed by Panchayats, the role of the Gram Sabhas etc. The indicators regarding devolution of finances include the fiscal domain of Panchayats, i.e. taxes, fees etc. levied by them, grants from State Government and the system of fiscal management. The indicators regarding the devolution of functionaries include control of Panchayats over officials, capacity building, role of Panchayats in parallel bodies etc.
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