



Panchayati Raj In India: Issues Faced By Women In Participation

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Abstract:

The Panchayati Raj in rural India, institutions and grassroots local self-governance units have been viewed as instruments for socioeconomic change. In India, it is recognized as an institutional manifestation of democratic decentralization. Being nearer to the people allows local governments to better utilize resources and respond to local needs. Panchayati Raj, a democratic decentralization system, is regarded as a tool to guarantee democracy and socioeconomic change. It is now generally acknowledged that effective public involvement and national development depend on locally self-governing organizations. They play a crucial and fundamental role in the democratic process. Based on tiny governmental entities, "Grassroots of Democracy" empowers individuals to instill democratic values and a sense of responsibility. Additionally, it offers a special opportunity to get involved in public affairs, particularly tasks related to development. Every political system, whether it be modern or old, democratic or authoritarian, big or tiny, requires participation. Through elected, self-governing local councils in rural areas, the 73rd Constitutional Amendment Act of 1992 gave panchayats constitutional status and an institutional framework to support grassroots democracy. The historical context and organizational framework of Panchayati Raj in India are covered in this essay, along with the difficulties that the current Panchayati Raj Institutions (PRIs) encounter in carrying out their mandates. The involvement of women in PRIs and current panchayat governance initiatives are also noted in the study.¹

Keyword: Panchayati Raj, Participation, Women, Swaraj

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Introduction

The 'Gram Swaraj' dream of Mahatma Gandhi and the 'Power to the People' dream of Rajiv Gandhi are the essence of true democracy. Prime Minister in his address on January 16, 2009 has observed that "We are a large, young and restless nation. On the move. There is no other way to include the aspirations of all our people to guide our collective destiny other than to develop a strong local government system. Inclusive growth, which is the moon of the 11th five year plan, can be achieved only through inclusive governance. And the key to this is an effective, well functioning system of Panchayats."

Democracy, Development and Decentralization through local self-government, transforms representative into participatory democracy. The Indian federal system provides for the constitutional devolution of powers between the center and the states, under whose exclusive legislative domain the local self-governments rest as third tier or level of government. The post Emergency period (after 1977) in Indian politics has seen two significant developments that have a decisive impact on the decentralization process. One is the assertion of the regions of their autonomy and identity; two, the expansion of the media leading to the wider availability of information and assertiveness by the former, leading to difficulty to cling on to the concentration of power either by the central or state governments.

The constitutionalisation of rural and urban local governments through 73rd and 74th Constitutional amendment (amendment of Article 243) in 1992 respectively has been the important initiative that makes them as the institutions of self-government. In the context of neo-liberal policies being pursued in a big way the state is disengaging itself to make space for market, the local communities are meant to mend for themselves with little reliance on the state. Strengthening the panchayat raj institutions, involving the local participation in the management of resources, developmental needs and decision making process, would provide for the empowerment of the local population India's vast majority of people live in rural villages.² They are largely dependent on remote and unresponsive government (the Central and the State) historically characterized as "centralized, bureaucratic, corrupt and non-transparent". In most parts of rural India there had been a continuous and deep rift between the people and the government(s). The people do not have proper access to the information regarding the developmental plans, schemes and actions of governments. Further, they have no effective means to influence the policies, programmes or resource allocations for their development. The people in general and the rural people in particular have lacked 2 effective ways to participate in shaping of their future.

The essential needs of the people in health, sanitation, clean water, education, family planning, employment and their total development could not be solved by the centralised administration, top down bureaucratic interventions. Therefore, it is finally felt that the critical needs of the people can be provided only with the local initiation, responsibility, accountability and local governance in action. To meet the emerging challenges of globalization, liberalization and decentralization of development, it is felt necessary to enhance the capacity of local government authorities to assume responsibilities for delivery of basic services to the local people and mobilize local resources. It is also felt necessary to enhance the capacity of the citizens through education, information and access to technology, empowerment of

² Mahajan, Y. G. (2019). Panchayat Raj System. Current Publication.

women and the disadvantaged groups and strengthening the efforts to build self-reliance and developing participatory institutions such as Panchayati Raj Institutions.

Historical Background of Panchayati Raj :

The Sovereign, Democratic, Secular and Socialistic Republic of India came into existence on January 26, 1950 after achieving Independence on 15th August 1947 from the British Colonial Rule for over 200 years. At present (2003) India has a population of a little over billion (Census 2001). The country has adopted a federal constitution with unitary features. It is governed by a Union Government and 29 State Governments, seven Union Territories and over two million Panchayati Raj Institutions in rural areas. The peculiar feature of the Indian society is its kaleidoscopic diversity with an ancient and rich civilization of about five-thousand years. At the moment the traditional social norms co-exist with modern liberal democratic institutions in the form of parliamentary democracy which is centralised in nature. The "uneasy, ambiguous and contradictory relationship" between the tradition and the modernity is the order of the present society. Mahatma Gandhi, the father of the nation, during the freedom struggle in 1940s explained his idea of Village Swaraj (Self-Rule) as it is a complete republic, which will be conducted by a panchayat of five persons annually elected by the adult villagers. This panchayat would combine the legislature, Executive and Judiciary and there perfect democracy prevails based on individual freedom. By 1947, there were the government created panchayats as units of local government with government defined judicial and administrative powers based on the recommendations of the Royal Commission on Decentralization in 1907. India's freedom fighters opposed this and proposed the agenda of Gram Swaraj (village republic) as nationalist struggle.

During 1940s under Quit-India Movement village-based parallel governments were adopted in some parts of the country opposing the government panchayats. Many of such villages are now declaring self-rule. Even after India's Independence, despite all the commitment of nationalist leaders of Gram Swaraj (Village self-government), the constitution framers decided the final draft of the constitution to continue the British policy. The constitution failed to adopt the traditional village institutions as units of governance. Thus the village self-rule was not emphasized. The decentralized framework of rural local government was confined in the constitution to Article 40 of the Directive Principles of State Policy, which directed the state governments "to take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as the units of self-governments.

Panchayati Raj in India

Based on the recommendations of the Balvantrai Mehta Committee 1957, Panchayati Raj was launched on October 2, 1959, (Father of the Nation Mahatma Gandhi's birthday) in Nagaur district in Rajasthan State. In the same year Andhra Pradesh State also introduced the system. Soon after, many states established Panchayati Raj Institutions (PRIs). However, the enthusiasm with which these institutions were created could not be sustained. In the mid 1960s the Union Government at New Delhi almost setting aside the local bodies created a district programme, namely Integrated Rural Development Programme (IRDP). To meet the crisis in the agriculture, national 4 level programmes like Small Farmers Development Agency (SFDA), Drought Prone Areas Programme (DPAP) and Integrated Tribal

Development Agency (ITDA) were introduced. Gradually the concept of local development was withdrawn from the official agenda. Instead programmes for providing employment and for eradication of poverty were implemented throughout the country by the bureaucracy. Due to the increasing tendency towards centralisation in the state and central governments, and not providing finances which are due to the local bodies, the Panchayati Raj institutions could not participate in the developmental activities. The political leaders at the state level also lacked political will to transfer powers and finances to these bodies. Further, repeated postponement of elections of these bodies led to inefficiency and ineffectiveness of this first generation Panchayati Raj system. With a view to explore, the possibilities of strengthening Panchayati Raj in 1977, The Janata Government appointed Ahsoka Mehta Committee which reported in 1978.³

The main recommendations of the committee were:

- 1) Regular and periodical elections to the Panchayati Raj bodies by the constitutional authority
- 2) Elections through participation of political parties
- 3) Powers of Taxation to the Panchayati Raj bodies
- 4) Transfer of developmental functions to the Zilla Parishads The recommendations could not be implemented due to the downfall of the Janata Government in 1980. In 1984 and in 1985 also, there were reports on the District Planning and Rural Development Administration. They pleaded greater powers to the Panchayati Raj bodies and advocated decentralized planning. L.M. Singhvi Committee in 1986 recommended constitutional status for Panchayati Raj, giving importance to Gram Sabha and Nyaya Panchayats (Judicial Panchayats).

The Congress Party which came into power back in June 1991 under the Prime Minister ship of P. V. Narasimha Rao, re-introduced the 73rd and 74th Amendment Bills which were passed by Lok Sabha and Rajya Sabha in December 1992. The Amendment Act, 1992 came into force on 24th April, 1993. The Act is to provide constitutional guarantees to safeguard the interests of Rural (73rd) and Urban (74th) local governments to empower them as effective democratic and self-governing institutions at gross-root level. The Act provides a constitutional form to structure mandate to these institutions. The objectives of the Act include decentralization of power and ensuring popular participation in planning, management and delivery of civic services.⁴

New Panchayati Raj in India :

Prime Minister P.V. Narasimha Rao described the emergence of the new Panchayati Raj as against the unjust and exploitative society, stands a bridge for development, symbolizes social harmony and future equity and a training school for autonomous political process. It provides, he hoped, an opportunity to transform the face of rural India having potential to create genuine democracy at the village level. The 73rd amendment to the Constitution promoted decentralized democracy in the country, recognized the Panchayat as the local level of government and opened up possibilities for strengthening people's participation in decision making regarding their own development. It also set forth a process of providing and building up new leadership among women and weaker sections of the rural community. The 1992

³ Chakrabarty, B. and Pandey, R. K. (2008). Indian Government and Politics. SAGE Texts.

⁴ Rajneesh, S. (2003). Panchayati Raj in India: Theory and Practice. Deep & Deep Publications.

Act specifically and explicitly made certain provisions mandatory and few others were left to the discretion of the State Governments.

The 73rd amendment was further extended on December 24, 1996 to the tribal population areas designed in the Constitution as Schedule V areas⁴ with provision for stronger representation of tribal community and their access and control over community resources, institutions and instruments of governance. This extension gave absolute power to the Gram Sabha (Village Assembly) over resources and its management. Extension to the Scheduled Areas Act, (PESA) 1996, came into existence on the recommendations of the Bhuria Committee.⁵

Issues faced by women in Panchayati Raj in India

- i. Patriarchy: Except a few tribal societies, particularly in north-east, Indian society in general continues to suffer from patriarchy. Many EWRs continue to work as a rubber stamp for their family members and also at times as proxies of rural elites. Their male co-workers show insensitivity and refuse to cooperate. Burden of household responsibilities, purdah (veil) system and domestic violence negatively affect their functioning.
- ii. Caste System: Hierarchical caste system in rural India makes it difficult for women from SC and ST communities to function independently and effectively. Community or Khap pachayats functions parallel to panchayats and pressurizes EWRs to act in a particular way.
- iii. Lack of Cooperation from Line/Sectoral Departments: EWRs, particularly the first timers find it very difficult to deal with officials of block/district administration and of line/ sectoral departments. Bureaucratic apathy and corruption is rampant which makes these EWRs demotivated and disenchanted from the panchayati raj. People's expectation to deliver coupled with non-cooperation of administration frustrate these EWRs so much so that many a times they are unwilling to contest for the next term.
- iv. Inadequate Capacities: Majority of EWRs enter into public life for the first time and do not have enough knowledge and skills to handle affairs of panchayats. Training programmes conducted by government training agencies are unable to cover all elected representatives in time. A large number of ward members do not get an opportunity to attend any training in their entire term. At times they are also not allowed by their family members to travel and stay alone during the residential trainings. Lack of education also puts constraints on EWRs. However, educational criteria introduced by a few States such as Rajasthan and Haryana have brought educated women and girls to Panchayats who are learning fast and are able to function effectively.

⁵ Dharmaraj, S. (2008). Panchayati Raj System in India. Abhijeet Publications.

v. Rotation of Terms: Policy of reservation for only one term and rotation of reserved seats and posts of chairperson also hinders consolidation of leadership qualities among EWRs as it takes time for them to learn the skills of handling and negotiating various conflicting interests within the panchayat. By the time they learn these skill and start functioning effectively, their term is over. Main reason behind their not being elected to PRIs cited by EWRs is dereservation of seats and offices of chairpersons. So far only five States namely Chattisgarh, Kerala, Himachal Pradesh, Odisha and Karnataka have already made provisions for two term reservation of seats and offices of chairpersons.

vi. Encroachment and Non-Payment of Taxes/ Fees: Elected representative in general and specially EWRs face resistance from community if they want to remove encroachment from panchayat land/properties. Many a times they are subjected to violence from powerful elements of the society. Many rural households do not want to pay taxes and fees on time while expect panchayats to deliver public services and good in time. Insistence by EWRs are resisted at times by violent protests.

vii. Two Child Norm: A few States are still continuing with the two child norm for contesting panchayat elections. In rural areas women hardly have any say in the number of children in the family and such laws restrict their entry into panchayats.

viii. Inadequate Women Panchayat Functionaries: EWRs are more comfortable with women functionaries. However, there are very few women panchayat functionaries. Patriarchal mindsets make it difficult for EWRs to freely interact with male functionaries at times when it is required.⁶

ix. Absence of Conceptual Clarity: The deficiency in understanding the role, concept and the primary objectives the members of the panchayat are intended to fulfil. For some, it is merely an administrative agency; for others, it is a charter of rural local government. This lack of clarity could hamper the effectiveness of the process, subsequently leading to confusion and ambiguity.

x. Lack of Computer-based knowledge and Infrastructure: In some instances, the lack of skills in relation to computer usage leads to quick diminishing standards of efficient working. The government initiated the e-panchayat project in about 360-gram panchayats. However, these districts lack infrastructure and have poor broadband internet connectivity. The project of e-governance is to provide citizen-centric services electronically, maintain a database on the assets of the gram panchayats, and effortlessly access gram panchayat data and services transparently.

⁶ Venkatesan, V. (2002). Institutionalizing Panchayati Raj in India. Institute of Social Sciences.

xi. Poor Coordination among Different Administrative Bodies: There is a deficiency of proper cooperation and coordination between the people and the officials. In addition, the Gram Pradhans experience shortcomings due to poor coordination among different administrative bodies. The failure of officials to perform their duty effectively and efficiently has resulted in delayed developmental activities and underutilization of funds. Furthermore, The Panchayati Raj bodies experience several administrative hurdles such as politicization of the local administration, absence of coordination and differences between the popular and bureaucratic officials, lack of good opportunities, promotions and incentives for those involved in the administration etc.

xii. Proxy Presence: Female Gram Pradhans: Previously, women who were assumed to be weak and vulnerable are currently empowered. However, they will take time to get used to the system and cope with their new status. During this time, men and other bureaucrats are likely more likely to misuse or abuse their power. Female pradhans are more likely to be influenced by the family members to stand for the polls and post winning; most of the work is handled by the male family members. On the face, the women won the election but are indirectly being controlled by the male members. The male members took care of the matter and answered people's queries whilst the females continued their household chores.

xiii. Panchayat Raj and political parties: Panchayats are regarded and considered to be a ground for political games and rallies. It is generally viewed as extended arms of the ruling political parties in the state. Moreover, the state government permits the panchayats to function to their advantage and not in accordance with ideals of democratic decentralization.

xiv. Furthermore, differences can arise between politicians and bureaucrats. The implementation of the 73rd Amendment has mitigated the power and authority enjoyed by the bureaucracy. There is a stark contrast in their understanding and approach, between the Pradhan's and bureaucrats. MLAs, ministers, and bureaucrats have felt intimidated due to the fears of losing power in the process of delegation of powers to the Panchayati Raj institutions. It has been seen that higher political members have become hostile towards lower political figures due to the lack of experience or understanding and other failings. They would take the opportunity to malign the functioning of the Panchayati Raj. In addition, the MLA's and MP's are threatened because the careers of the local level politicians are likely to elevate. Hence the confrontation between the local politicians and the decentralization process.⁷

⁷ Bhatt, A., Dalapati, T. K., and Sisodia, Y. Z. (2018). Two Decades of Panchayat Raj in India: Experiences, Issues, Challenges and Opportunities. Rawat Publications.

Atrocities Against women in Panchayat

One of the most severe and frequent violations of women's rights is gender-based violence against women. Intimate partner violence, female genital mutilation, early and forced marriage, violence as a weapon of war, and sexual and gender-based violence are all significant global public health issues that impede women's equality and empowerment, impede personal and societal growth, and have significant financial costs. Rural transformation depends on gender equality and women's empowerment, yet these development objectives cannot be achieved if violence against women is not addressed. A fundamental human right and a necessary condition for food and nutrition security is the absence of gender-based violence in all its manifestations. It is true that violence lowers the well-being of rural women and can limit their capacity to work, support their families, and give back to society. All categories of women are impacted by violence, but rural and indigenous women are especially at risk. Rural women face numerous risks in their daily life, such as trekking to or from marketplaces after dark or bringing wood and water for fuel from far-off places. In addition to perpetuating violence against women across generations, traditional damaging practices like female genital mutilation and forced and early marriage also pose a serious obstacle to inclusive and sustainable rural development.⁸

Factors responsible for atrocities

Untouchability: While modern Indian law has officially abolished the caste hierarchy, untouchability is in many ways still a practice. In most villages in Rajasthan Dalits are not allowed to take water from the public well or to enter the temple.

Political: Dalit movement, like identity movements across the world, has really narrowed its focus to forms of oppressions. Most visible Dalit movements have been around issues like reservations and discrimination in colleges, and these are issues that affect only a small proportion of the Dalit population. Today Dalits are perceived as a threat to the established social, economic and political position of the upper caste. Crimes are a way to assert the upper caste superiority. The growing scramble for Dalit votes by different political actors has only added a fresh twist to a conflict that has been simmering for some time.

Economic: Rising living standards of Dalits appears to have led to a backlash from historically privileged communities. In a study by Delhi School of Economics, an increase in the consumption expenditure ratio of SCs/STs to that of upper castes is associated with an increase in crimes committed by the latter against the former. Rising income and growing educational achievements may have led many Dalits to challenge caste barriers, causing resentment among upper caste groups, leading to a backlash. There is also a possibility of the rise due to high registration and recognition of such crimes. Half of all atrocities committed against Dalits are related to land disputes.

⁸ Shekhar, A. (2012). Role of Women in Panchayati Raj. Anmol Publishers.

Educational Institutions:

In public schools, Dalits are not allowed to serve meals to superior castes; they often have to sit outside the classroom; and are made to clean the toilets. Even in universities most of the faculty vacancies reserved for them are lying vacant and students are often discriminated. The recent incidents of suicides of Rohith Vemula and Payal Tadvi substantiate the above claims of discrimination against Dalit students.

Dalit women: Girls face violence at a younger age and at a higher rate than women of other castes. According to the National Family Health Survey by the age of 15, 33.2% scheduled caste women experience physical violence. The figure is 19.7% for “other” category women. The violence continues, largely due to a sense of impunity among dominant castes. Dalit women and girls are often the targets of hate crimes. Access to justice has been abysmal, with conviction rates at a measly 16.8 percent. Crimes against Dalits usually see half the conviction rate of the overall rate of conviction of crimes. Experts and activists say that low conviction rates and lack of prosecution of such cases of atrocities are the reasons why crimes against Dalits continue to rise.⁹

Political power does not help: Even when Dalit women acquire political power, as when they are elected as sarpanches, there is often no protection against the social power that sanctions violence and discrimination against them. In a village with a Dalit woman sarpanch, a Dalit woman was burned, but no action was taken.

Workplace violence: The risky workplaces compounded with a lack of labour rights protection measures render migrants Dalit women more vulnerable to occupational injury. Further, the emerging problem of sub-contracting short-termed labour makes it more difficult for them to claim compensation when they are injured at work places. Dalit women are most vulnerable to abuse and exploitation by employers, migration agents, corrupt bureaucrats and criminal gangs. The enslavement trafficking also contributes to migration of large proportion of Dalit women.

Conclusion:

The establishment of Panchayati Raj institutions marks a significant turning point in the development of grassroots administrative institutions. In political structure, the word "panchayati raj institution" is not new; it has existed throughout history, wherever the administrative culture evolved. In India, panchayats have had a major impact on the growth of rural areas. As previously stated, there are a number of challenges facing the Panchayati Raj system.¹⁰ However, in order to guarantee truly representative administration, it is imperative that particular corrective measures be taken. People's participation is required to accept these changes, but these problems can be resolved. The traditional style of thinking that is still prevalent needs to be gradually eliminated in order for people to fully comprehend what this system means. The 73rd Amendment to the Indian Constitution, which established the Panchayati Raj system in 1992, has a lengthy history. The world's largest democratic process is found in India. One of

⁹ Gupta, D. (2006). Reinvigorating Panchayat Raj System in Madhya Pradesh. *The Indian Journal of Political Science*, 67(1), 97–108. <http://www.jstor.org/stable/41856196>

¹⁰ Sharma, S. (1994). *Grass Root Politics and Panchayati Raj*. Deep & Deep Publications

the strategies and effective instruments of Indian democracy is the Panchayati Raj system. Thus, the primary goal of the Indian government is to provide efficient services for village-level infrastructure development. Competition between nations has been growing in the age of globalization in a variety of domains, including economic, social, political, and technological. The development paradigm is now posing a threat to the democratic system in India. Both the local government and the Panchayat Raj Institution are essential to the development of a successful Indian democracy.¹¹ About half of India's population is female. Because of their important contributions to socioeconomic development as well as their reproductive activities, they have been an essential part of our social system. Despite this, women are subjected to discrimination due to gender bias in social attitudes and practices, which denies them equal status and opportunity in the political, social, and economic domains. This has had an impact on their self-perception as well as how society views them. They have been socialized to believe that they are less valuable and should only be accepted if they work, fetch, carry, or have children.¹²



¹¹ Venkatesan, V. (2002). Institutionalizing Panchayati Raj in India. Institute of Social Sciences.

¹² Government Report, 1993