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Democratic Decentralization and People's Participation in West Bengal

By Rajiv Sen

Union Christian Training College, Berhampore, Murshidabad, West Bengal, India

Abstract - After forty years of experiments in democratic decentralization, the constitutional directive was taken seriously and by 73rd (Amendment) Constitution Act of the Indian Constitution, the Panchayati Raj Institutions (PRIs) were accorded constitutional sanction. In order to ensure effective participation of the people in line with the requirements of local democracy as well as to revitalize and reorient the civil society, new institutions in the form of Gram Sabha were brought into being. The state of West Bengal pushed the idea of local democracy a step further by devising another institution below the Gram Sabha, namely, Gram Sansad to ensure more effective and more functional grassroots democracy.

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Democratic Decentralization and People's Participation in West Bengal

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Abstract - After forty years of experiments in democratic decentralization, the constitutional directive was taken seriously and by 73rd (Amendment) Constitution Act of the Indian Constitution, the Panchayati Raj Institutions (PRIs) were accorded constitutional sanction. In order to ensure effective participation of the people in line with the requirements of local democracy as well as to revitalize and reorient the civil society, new institutions in the form of Gram Sabha were brought into being. The state of West Bengal pushed the idea of local democracy a step further by devising another institution below the Gram Sabha, namely, Gram Sansad to ensure more effective and more functional grassroots democracy. Consequently, people's participation in democratic processes as well as developmental activities assumed new and challenging dimensions. The present study seeks to identify and measure the level of people's participation in the grassroots democratic institutions particularly in the newly devised institution of Gram Sabha and Gram Sansads of West Bengal.

I. INTRODUCTION

Despite Gandhi's felling for 'Village Swaraj' a compromise was made, that was one of the serious draw backs of the national leaders who drafted the constitution, in which Panchayati Raj Institutions (PRI) were placed in the non-justiceable part of the constitution, the directive principle of the State policy as Article 40. The article read "the state shall take steps to organize village panchayats and endow them with such power and authority as may be necessary to enable them to function as unit of self-government" (The Constitution of India). However, no worthwhile legislation was immediately enacted either at the national or state level to implement it. In fact, the panchayats was never taken seriously by the state governments. More often they were considered unnecessary irritants both by the elected representatives of parliaments and state assemblies and the bureaucracy. They lacked resources to meet their responsibilities and were suspended on the simplest pretext and election to re-constitute their bodies rarely took place.

II. 73RD CONSTITUTIONAL AMENDMENT ACT. -1993

The 73rd Constitutional Amendment Act of Indian Constitution has had a checkered history. It strug-

gled for near about three years to see the light of the day as an Act. The Rajiv Gandhi Government introduced a Panchayati Raj Bill in 1989, which was passed by the Lok Sabha, but it failed to gain the requisite majority in the Rajya Sabha. The V. P. Singh Government also tried to pass a Bill in 1990 on the Panchayati Raj, but it lapsed with the dissolution of the Lok Sabha. In 1991 the present Congress Government again introduced the Bill on the Panchayati Raj with some modified provision. The bill was referred to a Select Committee by the Parliament. The bill was first discussed by a Parliamentary Committee and then by Parliament. It was passed by the Lok Sabha on December 22, 1992 and by the Rajya Sabha on the following day. After ratification by 17 State Assemblies, including West Bengal and Bihar, both opposition ruled states, the President gave his assent to the Bill on April 20, 1993 and it became an act through a Gazette notification. The act was brought into force with effect from April 24, 1993.

The main characteristics of the 73rd Constitutional Amendment act are that the act proposed to established Gram Sabha consisting of all the voters in the Panchayat area, it established a three tier system on Panchayati Raj in an ascending order (except the states whose population is less than 20,00,000) the Panchayat at the Village level, intermediate level, and District level at the top. The member of all these Panchayats will be directly elected by the people. Members of the Lok Sabha/Rajya Sabha (MPs) and Legislative Assembly (MLAs) from the area would continue to be members of these bodies with the right to vote in the meetings of the panchayats but they have no right to vote in the election of Chairpersons of the intermediate and district level panchayat and they are also debarred from being Chairperson of these pachayats. The term of each panchayat would be five years and election would be held every five years under the supervision, direction and control of the State Election Commission/Commissioner and if superseded in a mid-term would election within the six months. The reconstituted panchayat serve for the remaining period of the five year term only.

The act also provided for reservation of seats, for the Scheduled Castes and Scheduled Tribes in proportion to their percentage to the total population of a panchayat. It has further reserved the seats of the Chairpersons for the SC & ST candidates in all the three

Author : Assistant Professor in Political Science Union Christian Training College, Berhampore, Murshidabad, West Bengal, India.
E-mail : rajivsen_2007@yahoo.co.in

tiers of the New Panchayati Raj System in direct proportion to their percentages to the total population of the state; out of these reservation seats one third will be reserved for SC & ST women. The 1993 Act also provides that one third of the seats in the Panchayats at all levels will be reserved to women including the SC & ST women. The Act directed the states that reservation is carried out by rotation in each and every panchayat at each level. Another feature of the Act is that it has left to the States to decide the question of reserving seats for backward classes.

The financial paucity has been one of the main causes of PRI's failure in the past. To remove this hurdle, the panchayats has been empowered to levy and collect appropriate taxes, duties, tolls and fees and they would be entitled grants-in-aid from the consolidated Fund of the State. Every five years, the State Government would appoint a Finance Commission to review and advise the State Government on the principles governing distribution of funds to the panchayats. The manner of the audit of the panchayat accounts would be decided by the State Government. The State Government would also devote power to the panchayats to prepare plans for economy development and social justice. Significantly, a whole new schedule called the Eleventh Schedule has been drawn up to ensure a better utilization of Center and State funds. The schedule contains entire agriculture and allied activities, minor irrigation schemes, land reforms and improvement small industries including food processing, cottage industries, rural housing, drinking water, rural electrification, poverty alleviation programmes, primary and secondary education, vocational education, health and family welfare schemes, public distribution system, welfare schemes for weaker and handicapped sections etc.

III. PEOPLE'S PARTICIPATION IN DECENTRALIZED GOVERNANCE IN WEST BENGAL

Reorganization of the system of local government was one of the most important of the institutional changes brought about by the Left Front Government in West Bengal from late 1977 onward. In the process, West Bengal has created a history of participation of the common people through the process of decentralization, which is unique in India. A system of democratic elections to local bodies at anchal, block and district level was instituted, and elections to these local bodies were held in 1978. They have subsequently been held every five years, making West Bengal the only state in India to have had regular elections to local bodies every five years for the past 35 years. The aim has been to provide a share of fiscal resources of the state to the local bodies, and the panchayats (at various levels) have also been assigned a large and substantial

range of responsibilities, that were earlier seen as under the purview of the district level bureaucracy. In addition, the composition of the panchayats has reflected the caste, class, occupation and gender composition of local society, (even if not completely) more faithfully than panchayats anywhere else in the country. There has been substantial representation of the rural poor and the socially deprived groups, as well as women, in the elected bodies. All this has helped to change the power equations in the rural society as well as encouraged the social and political empowerment of women and social groups that were earlier marginalized. (West Bengal Human Development Report, 2004)

IV. THE WEST BENGAL PANCHAYAT (AMENDMENT) ACT., 1994 : GRAM SABHA AND GRAM SANSAD

The necessary to give a particular shape to grassroots democracy became a reality with the introduction of 73rd Constitution Amendment. It sought to integrate the democratic processes at all level by formalizing a mechanism where in people in all levels would have an opportunity to participate openly in matters which concern their welfare and development. The amendment thus ushered in an era of decentralized governance to harness local wisdom in a democratic way.

The West Bengal Panchayat (Amendment) Act, 1994, a Gram Sabha has been defined as 'a body consisting of person registered in the electoral rolls pertaining to a Gram' where a Gram is 'any Mouza or part of a mouza or a group of contiguous Mouza or parts thereof as on how the State Government may notify. A Gram Panchayat will have a jurisdiction over the territorial limits of such a Gram as notified by State Government'. (The West Bengal Panchayat (Amendment) Act, 1994)

Gram Sabha meeting shall be held once every year during the month of December. One-twentieth of the total members of the Gram Sabha shall form the quorum. The resolution of Gram Sansad and views of Gram Panchayats shall be placed before Gram Sabha for deliberation and recommendations. The questions and recommendations coming before Gram Sabha shall be recorded and referred to Gram Panchayat for its consideration. The annual Budget before being finally formulated by Gram Panchayat must be approved by Gram Sabha. Other important issues like annual plan of Gram Panchayat and annual report of the activities of the Gram Panchayat shall also be discussed in the Gram Sabha. The Gram Sabha is the voice of the people and it arises their grievances and watches over the functioning of the panchayat. The Gram Sabha can be an effective forum for mobilizing the masses in relating to community activities, by gathering the people under the umbrella and interacting the issues of mutual

interest. In West Bengal, holding an annual meeting of Gram Sabha in the month of December is compulsory. The Gram Sabhas were conducted meetings regularly

but the attendance of the people's are not satisfactory which clearly show in the table-1.

Table 1 : Year-wise data on meeting of Gram Sabha as up to 31.03.2008

Year	No. of Gram Sabha	Ave. no. of electors per Gram Sabha	Total no. of meeting held with quorum	Ave. no. of attendance in each meeting	No. of Gram Sabha meeting adjourned	No. of Gram Sabha which have not held any meeting
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1996, Dec.	3329	9988	2094(63)	2986(30)	-	1054
1997, Dec.	3329	10013	689(21)	2987(30)	-	644
1998, Dec.	3329	9706	2761(83)	2952(29)	115	568
1999, Dec.	3330	9985	2952(89)	526(5.5)	133	378(11)
2000, Dec.	3360	10015	3102(92)	522(5)	584	258(8)
2001, Dec.	3360	10093	2513(75)	-	962	847(25)
2002, Dec.	3358	8370	1932(58)	472(5)	629	1426(42)
2003, Dec.	3354	9664	3015(90)	637(7)	12	339(10)
2008, Dec.	3239	10,535	1694(52)	948(9)	-	1545(48)

Source : Annual Administrative report, DPRD, West Bengal 1997-98, 2003-04, 2008-09.

**Figures in bracket indicate %.*

V. GRAM SANSAD

The concept of Gram Sansad incorporated by the West Bengal Panchayat (Amendment) Act, 1992, has been widely acclaimed by political observers as an epitome of participatory democracy. It consists of all registered electors of a constituency (single member or double member) within the area of a Gram Panchayat. Thus the meeting of a Gram Sansad implies a meeting of all the electors of a constituency. In a sense, it is the large entry at the grassroots level below the Gram Panchayat.

Under the law, the Gram Panchayat is required to convene at least two meetings of every Gram Sansad in a year, annual meeting in the month of May and half-yearly meeting in the month of November. In addition to these two statutory meetings, a Gram Panchayat may hold extra-ordinary meeting of a Gram Sansad at any time if the situation so warrants or if the situation, so directs.

The main function of Gram Sansad is to guide and advice the Gram Panchayat in regard to the schemes for economic development and social justice, identification of beneficiaries for various poverty alleviation and food security programmes, constitution of one or more beneficiary committees for ensuring active participation of people in implementation, maintenance and equitable distribution of benefits of one or more schemes in its area. A Gram Sansad may raise objection of any action of Pradhan or any other member of Gram Panchayat for failure to implement any development work properly. Further, it's mandatory for the Gram Panchayat to place in the meetings of Gram Sansad the budget and audit report of the accounts of the Gram Panchayat for deliberation, recommendation and suggestion of Gram Sansad.

The West Bengal Panchayat (Amendment) Act, 2003 has made it obligatory for a Gram Panchayat to act upon any recommendation of a Gram Sansad relating to prioritization of any list of beneficiaries to scheme or programme so far as it relates to the area of Gram Sansad. However, the Gram Panchayat decides in a meeting that such recommendations are not acceptable or implementable under the existing provisions of the Act, Rules or Orders, such decision of the Gram Panchayat shall be placed in the next meeting of the Gram Sansad. The quorum of the Gram Sansad meeting is ten percent (10%) and the meeting should be adjourned in the absence of quorum. The adjourned meeting of Gram Sansad shall be held after seven days at the same venue and at the same time and attendance of at least five percent (5%) members will make quorum.

The goal of the meeting is for villagers to:

- 1) Discussed local needs, suggest new programmes and allocate existing funds among competing needs;
- 2) Discusses selection of beneficiaries of anti-poverty programmes and logistical issues concerning sanctioned schemes; and
- 3) Monitor and review the performance of elected representatives regarding the implementations of public projects and used of public funds;
- 4) The members of Gram Sansad also have access to the accounts of expenditure and are able to question elected officials for the use of public funds and implementation of public projects. (Ghatak and Ghatak 2002)

Till the early nineties, the gram panchayat or village councils had little formal accountability to the people whom they represented. The only effective

control the electorate could exercise was through their votes in the next election. The situation was substantially changed with the introductions of the Gram Sabha (village council level annual meeting of the voters) and the Gram Sansad (constituency level six month meeting of the entire electorate of a constituency) in the early nineties, subsequent to the 73rd Amendment to the Constitution of the country in 1993. The Gram Sabha or village council, comprising 10,000-15,000 voters, would have to meet once a year to review the proposed budget for the next year and the previous year's performance. The village council meetings cover a large numbers of voters and as a result often them limited opportunities to exercise effective control over their elected representatives as well as to provide inputs to the planning process. The village constituency meetings are held twice a year about 700 voters in which the elected officials and villagers meet in a public place to discuss local needs, new programmes, and choose beneficiaries of existing programmes, and inspect the accounts of expenditure and budgets.

The village constituency meeting might at first glance appear to be a purely consultative and monitoring forum vis-à-vis the elected panchayat representatives. However, they do enjoy a large status. The village council has to consider every resolution

adopted at the village constituency meeting and decision and action taken on them will have to be reported at the next such meeting. If a village council fails to consider the constituency level meeting resolution of fails to place the draft budget, statement of account and audit reports in such meeting, that would be consider a serious lapse and the auditors would declare all expenditures of the village council as illegal in their report. As a result of this clause people participating in these meeting in effect do participate in actual decision-making and are not just advisors and monitors to the actual decision-makings. The village constituency meetings are being held in West Bengal only for the last couple of years. Since, 1998 meetings have been regularly held in practically the entire around forty-five thousand constituencies over the state. (Ghatak and Ghatak 2002, p 49)

The people's are directly participate in the planning, implementation and evaluation of the various schemes or projects through the Gram Sansad in West Bengal. The Left Front Government has made various acts for this purpose in the state legislature. The Gram Sansad meeting has conducted regularly but the participation of the people's has not satisfactory. The average attendance of the people has within the 10-13 per cent which is clearly showed in the table-2.

Table 2 : Year - wise data on meeting of Gram Sansads as up to 31.03.2008

Year	Total no. of GP	Total no. of GS	Ave. no. of elector s per GS	Total no. of GS meetings held in May	Ave. no. of attendan ce in each meeting in May	Total no. of GS which did not held meeting	Total no. of GS meetings held in Nov./Dec.	Ave. no. of attendan ce in each meeting in Nov.	Total no. of GS meetings adjourne d in Nov.	Total no. of GS which did not held meeting in Nov.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1996	3313	36125	808	-	-	-	32101(89)	145(18)	-	4024
1997	3313	36179	804	28412	121(15)	-	30816(88)	142(18)	-	5363
1998	3329	44506	741	10435(29)	-	-	44104(99)	122(16)	1175	403(1)
1999	3330	44634	746	43346(97)	90(12)	-	43872(98)	94(13)	2496	762(15)
2000	3360	45167	748	42910(95)	88(12)	2257	43246(96)	96(13)	4929	1921(4)
2001	3360	45167	750	43770(97)	86(12)	1397	42829(95)	79(11)	11056	2338(5)
2002	3358	45095	798	42340(94)	86(12)	2780	41625(92)	94(12)	9231	3470(8)
2003	3354	45154	752	4705(10.4)	89(12)	40392	41120(91.07)	88(11.7)	5335	4034(9)
2004	3354	45245	-	-	-	-	-	-	-	-
2006	3354	45168	752	40590(90)	84(11)	4564	43735(97)	64(8.5)	6645	1433(3)
2007	3354	44122	771	43619(98)	84(11)	1513	41553(94)	64(8)	-	2569(6)
2008	3351	37067	938	-	-	-	22310(60)	142(15)	4305(12)	10452(28)

Source : Annual Administrative report, DPRD, West Bengal 1997-98, 2003-04, 2008-09.

*Figures in bracket indicate %

Average attendance at Gram Sansads and Gram Sabhas meeting has been relatively low and declining in recent years. Official data indicate that average attendance at Gram Sansad meetings decline from around 16 per cent in 1997 to around 12 per cent in 2001, which from Gram Sabha meetings, where attendance was 30 per cent in 1997, and the decline has been even sharper. There is also evidence of cases when the attendance at meetings falls below the quorum and these therefore have to be adjourned. In addition to the factors mentioned above, it is possible that low attendance reflects other tendencies which need to be addressed. One importance reason is the lack of effective functional and administrative power of the panchayats is the tendency for the local political forces controlling the panchayats to try and get their decision adopted at higher levels rather than mobilize local people.

Decentralized governance is a very labour-intensive process, both for the elected representatives and for the people themselves, who are thereby called upon to spend a lot of time and engage simply participating in decision-making. The framework for decentralization in the state called for meeting of the Gram Sansads and the Gram Sabhas at list twice a year. But for most rural people, especially the rural poor, the ability to participate in such meeting is not only a function of the inclination to do so, but also the ability, given the pressures of time involved in wage labour or cultivation, as well as other necessary activities, including the large amount of unpaid labour that is still regularly performed in rural areas. Therefore, it would not be surprising to find that attendance of Gram Sabhas and Gram Sansads is sporadic and haphazard, even the local community is otherwise with the functioning and accountability of the panchayats.

The state government is clearly considering in some new initiatives to strengthen further the system of decentralization, make it more flexible and responsive to the people's needs. The concern for some change stems from the perception that elected representatives at each level tend to believe that the decision-making authority should stop at their own level. But of course, the main aim of the decentralization process is that the ability to influence decisions should permeate down to the people who are affected by these decisions. This in turn means that people's participation has to be understood in a new way— it cannot be that the Panchayat Samiti or the Zilla Parishad decides what to do and then tells the people what they have to participate in. Rather, the representatives have to participate in the efforts of the people and the communities themselves.

There has recently been a decision of the West Bengal Government to create Gram Unnayan Samitis, to be created by the Gram Sansads. These would be representative committees to carry out decisions and

monitor the activities of panchayats. These would include not just the winners of panchayat elections but also the looser as well as other relevant constituents, such as those involved in developmental activity and other citizens. These Gram Unnayan Samitis are to be watchdog bodies, who also work in collaboration with the panchayats, and the attempt is clearly not make the entire process more transparent and non-partisan, and also to involve as many people from the local community as possible. While the law regarding this has been passed as The West Bengal Panchayat (Amendment) Act 2003, the rules are still being framed and the nature of participation has not yet been formalized. In addition to this, the new Amendment Act creates a Block Sansad and a Zilla Sansad where representation of lower tiers is adequately provided, and stipulates the constitution of functional sub-committees at the gram panchayat level. This is designed to improve the possibility of village level planning. However, the full implementation of this and the effects on the power and functioning of the elected panchayats are yet to be seen. It is important to ensure that such changes do not in any way affect the constitutional powers of panchayats as elected representative bodies.

Those who were attending the meetings a striking fact is that these meeting were overwhelmingly male dominate event in spite of official politics targeted towards empowering women, such as reserving one-third of the seats in the village councils. Not that woman did not come at all, but their participation level was extremely low. A distinct feature of the village constituency meetings is that those who participate were largely members of supporters of the same political party or the other those who do belong to any political party kept away from the meetings. Majority of the voters who were present belonged to the party of the elected member and there were no voices of opposition in these meetings. (Ghatak and Ghatak, 2002)

VI. CONCLUSION

However, the fact to be realized is that if Panchayati Raj Institutions are to become a vibrant vehicle for the empowerment of rural people, a lot more need to be done. In sum and substance following recommendations may be suggested for future policy implementation. First, Decentralized Governance cannot run successfully without proper knowledge and skills towards grassroots democracy. Awareness development is the most crucial task for injecting an attitude within the people in general and women in particular towards participation in the decision making process in grassroots institutions. Second, Local training programmes and workshops are to be created to empower women which tread gender issues and build their confidence, as well as analyze the particulars of panchayat operation. Women's organizations are to be created and strengthened so that women can exchange

information and discuss ways to address their common problem. Third, lack of information is one of the major causes for low attendance in Gram Sabha and Gram Sansads meetings. Gram Panchayat should announce properly the date, time and venue of the Gram Sabha and Gram Sansads meetings at least seven days before, so that, the villagers may be well aware about related information on Gram Sansads. Most of the rural people are engaged in agriculture activities, some of them are casual labour. Women mainly spend all their energy to maintain the household. So, Gram Sabha and Gram Sansads meetings should be organized at the afternoon, when rural people can be free for their day time jobs. Forth, the political parties should understand and play a positive role for making the Gram Sabha and Gram Sansads effective. It depends on the political will of the ruling political party whether they can use the Gram Sabha and Gram Sansads as a direct democratic institution or a rubber stamp. Fifth, the poor rural villagers may attend the Gram Sansad meetings if they get some sort of benefit from the Gram Sansad. The beneficiaries of different government Schemes are selected in the meeting of Gram Sansads and the final list will prepared by the Gram Panchayats out of the beneficiaries selected by Gram Sansads on priority basis. The rural underprivileged people attend the Gram Sandas meetings to enroll their name in the beneficiaries list. But, at the present time the Gram Sansads do not prepare the beneficiaries list. The Gram Sansad should work actively if they have got sufficient fund and responsibility and provide the benefit for the poorer section of the rural society. Sixth, at present, the Gram Sabha is only a recommendatory body. Its decisions are not binding. It is recommended that the Gram Sabha should have the authority to take decision on all matters coming within its purview. Regular, mandatory Gram Sabha will bring direct democracy to the forefront. Last but not least, the mail dominated rural social structure is still not reconciled to the women's participation in politics. Media creates a supportive environment for women members by letting society know about their accomplishments, and by influencing public opinion in support of women's reservation and rights. "Women's organizations are to be created and strengthened so that women can exchange information and discuss ways to address their common problem."

It is true that the Gram Sabha and Gram Sansads are not working according to expectations. But, it cannot be said that it has achieved nothing. The journey of Gram Sabha and Gram Sansads as a grassroots institution is not very long. Within this time period Gram Sabha and Gram Sansads are making themselves as an institution where rural people can think about their betterment. We have reasons to be optimistic about the scenario. In near future, the Gram Sabha and Gram Sansads can be sculpted as an

important institution for democratic accountability and people's participation.

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