



Village Council in Mizoram: A Critical Assessment

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ABSTRACT

The paper attempts at examining the power and functions of the Village Council as the lowest administrative institution in Mizoram. The paper critically discusses the problems confronted by the Village Councils in delivering essential services for rural development. The paper also briefly discusses the flaws and challenges confronted by Village Councils in comparison to Panchayati Raj Institutions (PRIs) constituted under the provision of 73rd Constitutional Amendment Act, 1992. It also critically focuses on the prevailing crisis of the Village Council structure in implication and the implementation of socio-economic development programs in a changing socio-economic milieu. The paper concludes with remarks on the need for reforming and strengthening the Village Council with more scope in terms of its functions and financial power to make it more robust as a grassroots institution for local self-government.

Introduction

Local self-government is an essential institution for delivering welfare services and development at the grassroots level. It also serves as a crucial platform for local people to express and access their developmental needs and aspirations. Essential democratic values, such as good governance and inclusive participation in the planning, decision-making process, and implementation of programs, can be actualized through an effective local self-government institution. In other words, an effective local self-government institution not only strengthens the pillar of the democratic process but also channels

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resources efficiently. Thus, it could be instrumental in bridging the growing regional disparity, secessionist movements, and ethnic-based movements in a multicultural society.

Local government generally refers to the administration of local issues by the local populace. It is predicated on the idea that locals are better suited to handle issues and demands in their community than outsiders or other organizations. Locals chosen at regular intervals by their fellow citizens are tasked with running the local government.. In the words of L. Golding (1955), "Local Government refers to the management of their affairs by the people of a locality. The term self-government is generally used in relation to local self-government; the state or the union government do not have a prefix of 'self' before them. It generally denotes the special position of rural or urban democratic institutions entrusted with certain functions of a local nature, accompanied by powers to raise financial and other resources in accordance with the provisions provided in the statute or executive orders" (as cited in Sachdeva, 2011, p. 1). Within the sphere of governance known as "local government," the emphasis is on the local people's independence in planning, carrying out, and overseeing their developmental initiatives in accordance with their needs and goals.

Similar to this, Venkatrangaiya and Pattabhiram (1969) argued that the following characteristics set local self-government institutions apart: a local body that is elected and ultimately controlled by the local populace; autonomy from higher authorities within a defined sphere; acknowledgment of the difference between local and non-local services; and local taxation. The freedom that a community has to arrange and develop its institutions of governance is what defines self-government. (as cited in Srivastava, 2002, p. 3191). Institutions of local self-government give people a platform to manage and use their own resources in accordance with their needs and desires.

In a state of Mizoram, Village Councils (VCs), which are made up of representatives from the state administration and autonomous districts, are the sole grassroots local government organization in the tiny state of Mizoram. The Local Administration Department (LAD) and Town Planning & Housing, Government of Mizoram, oversee the Village Councils, which have authority and function from the corresponding state government (Prasad, 2003, p. 189). The Village Councils' power and functions are derived from state government statutes, as is evident from the hierarchical power relationship between the state and Village Councils. In other words, the authority of Village Councils is derived from the statutes of the state government. Thus, Village Councils (VCs) have been weakened and their functioning features have been impeded in numerous ways by the hierarchical power relations between the VCs and the state government.

Major Problem Confronted by Village Council

Village, block, and district levels make up the three tiers of the Panchayati Raj system, which was established by the 73rd Constitutional Amendment Act of 1992. The Lushai Hills District (Village Councils) Act of 1953, on the other hand, establishes a one-tier system, wherein the Village Council is the state's lowest administrative body. Unlike the Panchayat Raj Institutions created under the 73rd Constitutional Amendment Act of 1992, the Village Councils of Mizoram, which are constituted by the State government, are not sanctioned by the Constitution. The State Government and the District

Councils oversaw, directed, and controlled the Village Council's operations prior to the 2014 adoption of the Mizoram State Election to Village Councils Rules. Dissolving Village Councils was within the authority of both the District Councils and the Local Administrative Department (LAD).

The Village Councils were reduced to mere bodies executing orders and notifications frequently issued by the government or higher authorities when they were placed under the administration of the Local Administrative Department (LAD), which was primarily staffed by bureaucrats and government officials with significant powers in supervising and directing the Council's functions. Failure to do so may result in ineffectiveness and, non-extreme circumstances, the Village Council's dissolution without its approval (Lalsangliani 2008, p. 320). Since 2014, the State Election Commission—which was lawfully established by the State Government—has been in charge of overseeing, directing, and controlling the process of preparing the voter rolls and managing every Village Council election. These regulations require that expired or disbanded Village Councils be reconstituted through required elections within a six-month period. (The Mizoram Gazette, Extra Ordinary, Vol. XLIII, Issue No. 567, Aizawl, 16 December 2014). The Mizoram (Election to Village Councils) Rules of 2014, modeled on provisions under the 73rd Constitutional Amendment Act of 1992, is a significant amendment ensuring regular elections and uninterrupted functioning of Village Councils.

Lack of Devolution of Power & Functions

As the only rural governing bodies in Mizoram, village councils are essential to the provision of essential services to the rural populace. Section 8A of the Lushai Hills District (Village Councils) Act of 2014 was introduced, giving Village Councils the authority to oversee development projects received from the State Government via different agencies, create village development plans, and support government agencies in implementing development projects within the village. Notwithstanding these clauses, Village Councils' actual authority to implement projects and initiatives for socioeconomic development that effectively serve the needs of the rural poor is still restricted. Section 8A research reveals that Village Councils have been limited to oversight roles supervising the development of the State government.

The Lushai Hills District (Village Councils) Act of 2014 included provisions for the establishment of Village Assemblies (Gram Sabha) in order to encourage inclusive participation in planning and development. Prior to being implemented, these Village Assemblies have the authority to adopt yearly plans, programs, and initiatives for social and economic development. They are also in charge of choosing or identifying recipients of various programs, such as those that reduce poverty. According to the most recent Village Council electoral roll, Village Councils are mandated to call Village Assembly meetings at least three times a year, with a quorum of ten percent of registered voters. (The Mizoram Gazette, Extra Ordinary, Vol. XLIII, Issue No. 567, Aizawl, 16 December 2014). With the exception of the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), village councils are not heavily involved in development initiatives in the current setting. The primary decision-making bodies for developing and carrying out the MGNREGS are thought to be the village-level Village Councils and Employment Councils. The Mizoram Gazette, Extra Ordinary, Vol. XLIII,

Issue No. 140, March 10, 2014) states that the Executive Body of the Village Employment Council is in charge of identifying works in the village area and overseeing their execution with assistance from the Village Level Administrative Assistant. Furthermore, a few of the Village Councils' traditional and mostly obsolete tasks include taxation, animal control, judicial functions, village sanitation, enforcement of Hnathlang (social service), land allocation for jhum production, and animal control.

Party Politics

Party politics greatly affect village council politics at the village level, even though the President, Vice-President, Member, and Secretary of a Village Council are regarded as public servants under section 21 of the Indian Penal Code (The Lushai Hills District (Village Councils) Act, 1953, as adopted and amended up to date). Village Councils are frequently used as instruments by state or district political parties, especially when it comes to carrying out administrative tasks. The Government may dissolve or restructure the Village Councils under the Lushai Hills District Village Councils (Amendment) Act of 1991. As a result, the State Government has complete operational control over the Village Councils. The Village Councils are dependent on their shifting political relationships as they lack independent statutory support. (Prasad, 2003, p. 200).

Village Council operations have been hampered by the substantial concentration of power inside the State Government and the pervasiveness of nepotism based on political relationships, especially among village councils that are not in power. Therefore, rather than encouraging an inclusive sphere of growth, the growing dominance of party politics in the Village Councils has resulted in exclusionary politics. Village Councils' ability to function as institutions of local self-government has been largely weakened by party politics' intervention and control over them.

Absence of Proper Activity Mapping

The absence of clear activity mapping among state agencies, NGOs, and Village Councils has been the main hurdle in facilitating the appropriate level of devolution of various functions, especially concerning welfare schemes. The 73rd Constitutional Amendment Act, 1992, stipulated a list of 29 items to be administered by the local bodies (Bakshi, 2008). However, the prevailing Village Council structure lacks a clear allocation of powers and functions. As a result of the absence of a stipulated list of powers and functions, various developmental schemes overlap among Village Councils, non-government agencies, and state government departments.. The planning and execution of numerous socioeconomic development programs in rural areas have become disorganized as a result. To ensure that Village Councils are able to facilitate development planning and execution in rural areas, it is necessary to design an appropriate activity mapping model for local government organizations.

Paucity of Financial Resources

The 73rd Amendment Act of the Constitution of 1992 mandates the creation of a State Finance Commission in order to properly devolve financial resources. According to Article 243(I) of the Constitution, the State Finance Commission (SFC) is tasked with examining the financial standing of

Panchayats and recommending to the Governor (1) how the net proceeds of the State's levies of taxes, duties, tolls, and fees will be divided between the State and the Panchayats, (2) how the taxes, duties, tolls, and fees to be assigned to or appropriated by the Panchayats will be determined, (3) how the Panchayats will receive grants-in-aid from the State's Consolidated Fund, and (4) what steps should be taken to strengthen the Panchayats' financial standing (Bakshi, 2008). The 73rd Amendment Act, by vesting the powers of taxation and grant-in-aid within the purview of Gram Panchayats, has enabled them to enhance their financial resources for carrying out and implementing developmental programs.

The Village Council's inability to consistently secure funding and its restricted resources have posed serious challenges to the creation and execution of development initiatives. In addition to the state's yearly grant-in-aid, income from property taxes, fines, and animal control are insufficient to turn Village Councils into engines of development in rural areas. Village Councils are endowed with certain authorities and duties, but their ability to carry them out has been hampered by a lack of funding. Due to a lack of funding, the village councils' ability to carry out socioeconomic development in rural communities has been hampered, and as a result, the developmental activities performed in their names have fallen short of the expectations of the general public (Lalsangliani, 2008, p. 308).

To enable Village Council as a dynamic local self-government organizations, Village Councils must have a consistent and adequate income source. The economic situation of Mizoram makes it difficult for the State to delegate financial authority to the Village Councils because there are few flexible revenue streams. Consequently, in order for the Village Councils to be eligible for financial subsidies from the Central Finance Commission, they must be transformed while maintaining their distinctive traditional identity. To significantly improve the social, political, and economic circumstances in Mizoram's villages, this change is imperative (Lallianchunga, 2018, p. 42). Unlike PRIs, the Village Councils do not have any consistent main funding sources other than the petty cash that they receive from the State government to create and carry out initiatives and programs for socioeconomic development at the lowest levels.

Impertinence of Village Council

The applicability of Village Councils (VCs) in the modern setting has drawn the interest of several debates. The Village Councils were given the authority to distribute Jhum land annually through a drawing of lots within their jurisdiction by the Hills District (Jhuming) Regulation, 1954. However, the practice of shifting/Jhum cultivation has been severely impacted by the adoption of the Jhum Control Scheme under the MNF Government and the New Land Use Policy (NLUP) under the Congress Government. The area used for Jhum cultivation fell by 9% between 2008 and 2009, and 11% of Jhum-farming families stopped using shifting cultivation in favor of other sources of income. This suggests that if given the opportunity to pursue other livelihood options, farmers are willing to abandon the less fruitful Jhum cultivation. The changing trend in the occupational structure reveals that the service sector constitutes 68.5 percent of the Gross State Domestic Product (GSDP), while the share of agriculture dropped from 22.52 percent to 14.3 percent within a decade from 2000 to 2010 (Mizoram Human Development Report, Government of Mizoram, 2013, pp. 58-63). Consequently, these changes in the

occupational structure of rural society has drastically degraded the traditional function of Village Councils' in present dynamic economic scenario.

Additionally, the existence of numerous Non-Governmental Organizations (NGOs) and State Government agencies that carry out comparable development tasks, like maintaining natural resources, providing healthcare, education, and sanitation, has partially eclipsed the ways in which Village Councils operate. In a recent research on the operations of Village Councils throughout the state, Nunthara (2004) noted that eighty percent of VC members said they were rarely involved in developing, carrying out, and overseeing development projects. A significant barrier to effective participation in the design, execution, and oversight of developmental initiatives, according to the majority of respondents, has been the lack of appropriate activity mapping among Village Councils, state agencies, and the Central Government. The current VC structure is ill-suited to carry out socio-economic development initiatives, according to 92 percent of VC members. A whopping 92% of VC members are in favor of the 73rd Constitutional Amendment Act of 1992 being passed. Furthermore, when it comes to distributing assistance schemes, party politics or affiliations are acknowledged to be exploited for personal advantage by 59% of VC members. The survey on village council operations makes a compelling case for the need to review and reinforce the current authority, composition, and duties of village councils in order to allow them to continue serving as institutions of local self-government and to efficiently oversee the socioeconomic growth of their communities. The vast majority of responders support the creation of an efficient village council with more functional topics, which might be very important for the socioeconomic advancement of rural areas. Put another way, successful inclusive development and growth are hampered when the local community is left out of participatory planning, development, and implementation.

Even though the State list of the Seventh Schedule includes many areas covered by Central Sponsored Schemes (CSS), the majority of money for these programs comes from the Central Government and they are subject to CSS standards in the current scenario. Rarely do these principles mandate that state governments turn over resources, personnel, and authority to local self-government organizations. Sometimes local self-government institutions are mentioned as a possibility, but state bureaucracy would much rather set up parallel groups such as registered societies (whose accounts are not audited by the local government or the CAG) or act as the delivery agency. This calls into question the accountability of the delivery system as a whole to the intended beneficiaries. Huge amounts of money are spent and intricate delivery systems are created in the lack of transparency and accountability to the local community. The majority of beneficiaries are relegated to either mute observers of decisions that directly impact their own and their families' well-being or beggars with their bowls of begging (Aiyar 2013, pp. 4-5). In order to ensure proper devolution of power and resources, it is necessary to revise the current model of development programs and welfare schemes. This is especially important with regard to various CSS, such as PMKSY, PMAY, SAGY, and PMGSY, to ensure that they reach the lowest levels of the population and directly benefit them.

As the lowest level of government, village councils have not been able to stimulate community initiative, encourage involvement in development projects, or effect social and economic transformation

in rural areas. This is because the State apparatus has a strong inclination toward centralization, which conflicts with the idea of decentralizing planning and decision-making processes (Prasad, 2003, p. 198). To summarize, it seems that although Panchayat Raj and Village Councils have different operational and institutional frameworks, the Village Councils lack the functional and financial authority established by the 73rd Constitutional Amendment Act of 1992. As the main grassroots institutions, village councils have been excluded from the devolution of political and financial power as well as administrative duties, which puts the socioeconomic development of rural impoverished villages outside the purview of the Village Councils.

Conclusion

A more prudent evaluation of demands and distribution of resources can better meet the basic needs for personal growth and development. Participation in decision-making lessens the opportunity for resource and authority misappropriation and corruption. The top-down method that was previously in use made it impossible to conduct social audits and close monitoring. Local self-government organizations can increase their resource base and speed up development through additional grant of power of taxation to them. Panchayats have the ability to combine resources in creative and useful ways, as well as to come up with plans that are advantageous for the entire community. People's ambitions can now be translated into need-based programs thanks to micro-level planning, which was essentially nonexistent before recently (Kunnumkal 2011, p. 7). It appears that a review of Village Council statutes reveals that the "3 Fs"—functions, funding, and functionaries—normatively operate as local self-governing organizations because there is a lack of political will and bureaucratic resistance to this change. Thus, it is essential to reorganize the authority and duties of the current Village Councils in compliance with the 1992 73rd Constitutional Amendment Act. The recommendations of the Central Finance Commission and PESA must be complied with by local government institutions, as the majority of Central grant-in-aid for local governments and CSS is subject to particular regulations and development activities. In addition to giving Village Councils more operational authority, this would also allow them to create revenue, get funding from the central government, and be better equipped to design and carry out grassroots development initiatives that will help the impoverished rural communities. Sensitization programs and increasing rural populace awareness of the need for inclusive, transparent, and accountable local self-government institutions are crucial in enabling local government institutions to function as effective local self-governing institutions in a changing socioeconomic environment. This would stimulate inclusive participation in the planning, formulation, and implementation of developmental requirements for rural local populations. It would also construct dynamic institutions of local self-government and foster good governance.

Sensitization programs and increasing rural populace awareness of the need for inclusive, transparent, and accountable local self-government institutions are crucial in enabling local government institutions to function as effective local self-governing institutions in a changing socioeconomic environment. This would stimulate inclusive participation in the planning, formulation, and implementation of developmental requirements for rural local populations. It would also construct dynamic institutions of local self-government and foster good governance.

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