



Reinterpreting Historical Evolution of Local Governance in India

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ABSTRACT

It is analysed that “Human institutions evolve over a period of time and in the process get adapted to the traditions and temper of the people.” It is impossible to ignore the historical influence on the attitudes and tendencies that define a given culture and have evolved throughout time. Democratic decentralisation has the potential to impact true democracy by allowing citizens to participate in important administrative decisions and policy decisions at the local level, where policies are actually implemented, outcomes are obtained, and the true success or failure of plans and projects can be assessed. According to the texts, neither democracy nor democratic decentralisation are foreign ideas in India. There was a transition period during which centralised governments replaced local autonomy in governance. However, the intended three-tier structure for local governance has been established following multiple attempts in the post-independence era. Ancient India is where panchayats, a system of village-level local self-government, first appeared. A sort of village council or an association of the village's residents, composed of the Panchayats, Gramme Sangha, and village elders handled administrative and judicial functions. Villagers occasionally put up the Panchayats or Gramme Sanghas, which they used to run their own affairs. Gramme Sanghas



are mentioned in the Mahabharata, Kautilya's Arthashastra (400 B.C.), and the Manusmriti. A Sabha called Sansad is also mentioned in the Mahabharata's Shanti Parva. This was known as the "Jan Sansad" since it consisted of ordinary people. The Ganapada was a sort of confederation of village republics, according to Valmiki's Ramayana. 1959 marked a major turning point in the development of the country's institutions for rural local self-government. This year saw the national debut of the Panchayat Raj movement. Previously only acting in an executive and advisory role, the Panchayats were now expected to assume full responsibility for overseeing the community development initiative.

Introduction:

Historical Background of Panchayati Raj Institutions in India:

Ancient India is where panchayats, a type of village-level local self-government, first appeared. Administrative and judicial duties were carried out by a kind of village council or an organisation of the village's citizens made up of the Panchayats, Gramme Sangha, and village elders. Villagers occasionally put up the Panchayats or Gramme Sanghas, which they used to run their own affairs. A Sabha called the Sansad is also mentioned in the Mahabharata's Shanti Parva. This was known as the "Jan Sansad" because it consisted of ordinary people. The Ganapada, a sort of confederation of village republics, is referenced in the Ramayana by Valmiki. Only those individuals who genuinely cared about the well-being of the populace might join.¹ Ancient Indian civilisation evolved in a sequence of "ascending formations," beginning with the family, known as griha or kula, and progressively spreading to the village, known as grama, the populace, known as jana, and the nation, known as rashtra. A village headman, known as a "gramini," who was chosen by the janas, or people, had possessed ultimate authority over the communities. The Valmiki Ramayana and Mahabharata claim that "Ghosh" and "Gramme" were the greatest institutions. The latter were smaller, whereas the former were larger. A representative known as the "Gramini" oversaw their administration. He was typically selected by the king and held a very high position at the king's court as well as in the village's public life.² In Arthshastra, Kautilya recommended that the king create townships with 100 or 105 families. Ten village centres, two hundred village centres, four hundred village centres, and eight hundred village centres would all exist.



The towns were referred to as "Pura," and these hubs would be called "Sangrahan," "Karvatik," "Drona Mukh," and "Sthaneeya," respectively. "Nagrik" was its chief. There was no intervention from the king's side with local bodies.³ Local governments enjoyed a broad range of powers throughout the Gupta era as well, free from interference from the national government. "The administrative council of the city in the Gupta period was modelled upon that of village communities and was an elected body though certain matters were reserved for the control of imperial officials."⁴ Therefore, the village headman and the village council were two major local institutions in ancient India. The headman often held a position of authority, was regarded as a king's representative, and had an assigned rank based on inheritance. He oversaw tax collection and management. The village government was handled by the village council, which was common in ancient Southern India. "There is no evidence that the rights of the village council ever depended on the delegation of royal power."⁵ In the North, the headman of the village, one of the five most revered individuals (Panch), was in charge of running the village government. The rules for choosing members of various committees that oversaw the village in addition to the Mahasabha, the general assembly of the adult males belonging to the Chola Empire, are outlined in two inscriptions (A.D. 919 and A.D. 921) from Uttarameru, a Brahmin Agraharam village community of Brahmins. It was a lot-based selection. In order to prevent the same people or their relatives from serving on the committees for an extended period of time, membership was rotated. The regulation also establishes qualifications and disqualifications for membership on the various committees.⁶ It is impossible to ignore the historical influence on the attitudes and tendencies that define a given culture and have evolved throughout time. Democratic decentralisation has the potential to impact true democracy by allowing citizens to participate in important administrative decisions and policy decisions at the local level, where policies are actually implemented, outcomes are obtained, and the true success or failure of plans and projects can be assessed. To properly assess the Panchayat Raj institutions, it is necessary to briefly review their development and history since the Vedic era. India is the birthplace of local self-government, which flourished from the Vedic era until the arrival of British administration, and it holds the distinction of having the longest history of local self-government in the world.⁷ The village was the basic unit of government throughout the history of the concept of local self-government, regardless of whether the central power was republican, oligarchic, or monarchical. These institutions were strong enough to withstand the rise and fall of every empire. This system could not be abolished. Therefore, in rural India, the idea of democracy has not been developed recently. Every hamlet in ancient India had its own self-governing authority, as evidenced by contemporary Indian history. No outside organisations interfered with the operation of local government, and these institutions were allowed to run themselves. The



village assemblies, which were highly developed organisations, were the highest authority in the village, according to inscriptions from the ninth to the eleventh century A.D. It was a select group made up of the village's learnt and other notable men, and it held complete ownership of the property, including the sum of money paid to the government.⁸ During the Vedic era, the Vedic state was essentially a nation with villages serving as the fundamental administrative unit, overseen by esteemed officials under the guidance of an elder council. Local affairs used to be managed by the locals themselves. The village chief and headman was known as the "Gramini" or Grampal.⁹ Hindu tradition and belief hold that the Vedas predict and include embedded references to the beginnings of Hindu culture and civilisation in all of its facets, phases, strata, and stages. All of our later history and progress may be traced back to these writings. The Rigveda, the earliest Hindu texts, which date to around 1200 B.C., mention several types of village self-government. During the Vedic era, village assemblies were referred to as "Sabha," "Samiti," and "Viditha." While the "Samiti" used to address national issues, the "Sabha" dealt with local issues.¹⁰ This suggests that in order to maintain the institution's objectivity and representation, there were rules in ancient India for choosing the local executive council members. Despite not being democratic in the contemporary sense, these institutions gained prominence, even in the present day.

Deteriorations of Panchayati Raj Institutions In Medieval Phase:

Centralised bureaucracy gained prominence, and the central government grew stronger in medieval India. The two most significant individuals in the community were the headman, Muqaddam, and the landowners, Khut. The village council's ability to maintain peace and order was curtailed when the central government assumed control of the police force. The headman's power grew as the council's diminished, particularly concerning tax collection and peacekeeping. The villages and cities were excluded from democratic government, even in its most basic form, which was implemented during the ancient era. The traditional Panchayat visage began to change under the Muslim administration. However, there were few visible changes to the new governing structure. In particular, Tughlaqs had told their soldiers not to damage Panchayats or meddle in their operations.

India primarily saw the rise of the feudal system during the medieval era, particularly under Mughal control. Nearly all of the essential responsibilities, including upholding law and order, administering justice, administering taxes, and defending local communities, were carried out by the central government during this time. Between the village's rulers and populace, a new class known as "Zaminders" (Revenue Collectors) or "feudal lords" had emerged at this time. This gradually undermines



the village's self-government. Local institutions suffered when Muslim control arrived in India because they were not given the same autonomy and status as they had been under Hindu monarchs. The Mughal government was an autocratic, highly centralised system. The central authority of the entire administrative apparatus was the crown. When a government is absolute, all power is held in the hands of one person; the more territory there is, the slower and more difficult it is for districts to communicate with one another; local officers are frequently transferred, and the people are not allowed to take part in politics or local initiatives.¹¹ The Mughals were primarily concerned with urban governance because they lived in cities. Every town was separated into distinct wards, and a certain brotherhood typically lived in each ward. There was a Mir Mohalla who served as the public spokesperson for each district or Mohalla. A town's administration was entrusted to a Kotwal, an official who oversaw all fiscal, police, and magisterial concerns in addition to carrying out several municipal duties.¹² Thus, the customary autonomy of local governments was largely subsumed by the force of centralisation throughout the Mughal era. The Mughal Emperors were opposed to any form of local democratic government by their character and manner. Most of the country was in chaos and under military tyranny between the fall of the Mughal Empire and the arrival of the British. Before British officials had a chance to evaluate their worth, "the ties of social framework were loosened, and in many places, local institutions had been perverted or sapped."¹³ However, the feudal system also progressively deteriorated with the end of Mughal power in the 18th century.

Expansion of Local Self-Government in the British Era:

In India, the British Raj left behind a legacy. Modern institutions for a governmental system are one example of such a legacy. Even after the British departed India more than half a century ago, these contemporary institutions were still in existence. As a matter of fact, it served as a foundation upon which the government later built these organisations. In India, the British were the first to establish contemporary governmental structures. Additionally, the Municipal body was the first British-created institution of this type in India. King James II granted it a royal charter, which allowed it to be established in Madras on December 30, 1687. The Governor of the East India Company was empowered under the charter to raise funds through local taxes. Another noteworthy development was the Company's termination of the Madras Governor's authority through this charter. The company did not receive enough dividends from the first venture of its sort with such municipal entities. In 1726, the Municipal Corporation was replaced by the Mayor's court, which was more of a judicial than an administrative body. The Governor-General of India was thereafter able to appoint Justices of Peace when the Charter



Act of 1793 established municipal authority in the three presidential towns of Bombay, Calcutta, and Madras. In 1850, a national law was created that permitted the creation of local governments to enhance convenience and public health. However, this Act was not well received by the Indian population. The district collector and district administration were determined to be the most effective decentralised administrative entities during the British colonial era in the latter quarter of the 18th century. After the Sepoy Mutiny of 1857, a major Indian rebellion against British occupation, the British Crown gained direct authority over India in 1858.¹⁴

In response to Indian nationalists' demands for democracy and autonomy at the lowest level, the colonial government made concessions at the lowest level by giving self-government rights to municipalities in urban areas and panchayats in rural regions under various enactments. In order to improve the colonial regime's financial resources and administrative efficacy in meeting the needs of the populace, Viceroy Lord Mayo's Resolution in 1870 served as the catalyst for the decentralisation of power. It marked a significant turning point in colonial policy to local self-government. According to Lord Mayo's resolution, "Local interest, supervision, and care are necessary for success in the management of funds devoted to education, medical charity, and local public works. The operation of this resolution in its full meaning and integrity will afford opportunities for the development of self-government, for strengthening municipal institutions and for the association of natives and Europeans to a greater extent than before, in the administration of affairs."¹⁵ However, rural areas did not have an equivalent local self-governing entity established until 1871. This initiative aimed promoting the development of local self-governing bodies in both urban and rural regions. Under the then-current definition of decentralisation, "local" rather than "self-government" was praised. Ignoring the rural areas, local government organisations were largely established to assist imperial budgets and forward British goals.

Lord Ripon's well-known resolution from May 18, 1882, signalled the beginning of the next phase of local government growth in India. Lord Ripon is recognised as the founder of local government in contemporary India, and the historic resolution is considered the Magna Carta of local government. The resolution promoted a significant degree of financial decentralisation, the creation of a network of local government organisations, the formation of local associations through elections, and the restriction of official elements to no more than one-third of the total membership.¹⁶ The number of elected members and mayors of municipal bodies attest to the initial great success of the changes proposed by Lord Ripon to revitalise local government. However, a conservative, paternalistic government that was married to the



efficiency cult later hindered these. Furthermore, Lord Curzon, Lord Ripon's successor, believed the changes were too drastic to be put into effect.

The Local District Boards' operations in the several provinces around the nation were later reevaluated by the Royal Commission on Decentralisation in 1909, which also noted the boards' faults. The panel asserted that "the want of success of the existing system" meant that the report seemed to have lacked actual authority until this point, and that these bodies' unrepresentative nature and lack of authority had stopped them from succeeding. Furthermore, it asserted that great landowners and other powerful people were sincerely unwilling to submit to the vote of a normal territorial constituency and that minorities were not sufficiently represented.¹⁷ The establishment of a legitimate electorate composed of the members of the village Panchayats was suggested by the Royal Commission to rectify the board's constitution in order to enable local self-government to be developed from the ground up. Additionally, it recommended re-establishing local boards where they had been abolished and creating village panchayats. The Indian government agreed with these suggestions in its 1915 resolution on local self-government, and in 1918, it approved a second resolution to prevent the slow strengthening of local bodies. The British government issued a statement on August 20, 1917, aiming to encourage Indians to become more involved in all facets of government and to gradually establish self-governing organisations. According to the 1918 Montague-Chelmsford Report, there should be a maximum degree of independence from external control and total public sovereignty over local bodies. To this end, the Government of India Act of 1919 transferred local self-government to the provincial assembly and instituted provincial diarchy. A popular minister was chosen by each State to head the department, and they were granted a lot of discretion. Following the Montague-Chelmsford Report, the Government of India Act, 1919, finally released municipal institutions from the control of district authorities, and the Indian political establishment became more involved in local matters. In addition to decreasing the number of nominated members and increasing the number of non-official presidents and vice-presidents, it expanded the local government's tax base.

The Second World War put a stop to the ongoing growth of the local communities, and governors were given complete authority over the provinces, which they continued to do until 1946. The most significant finding to emerge from this local government study is that they were the government's invention. The ancient village communities did not give rise to them. The new local entities were established as government agencies for a different purpose; they were not voluntarily formed due to pressure from caste, religion, or local customs. In actuality, nothing significant was put into place until



1947 since the British were more interested in achieving their colonial goals than in decentralised democracy. The wave of legislation that followed the Montague–Chemsford reforms, which created village Panchayats from 1919 to 1940, was a significant result of this potent tendency. The most significant event that occurred during this period was the "establishment of village Panchayats in a number of provinces". Eight provinces had enacted Panchayat Acts by 1925, and six native states had followed suit by 1926. The development of Panchayats in India was facilitated by the provincial autonomy granted by the 1935 India Government Act. Legislation was passed by popularly elected provincial administrations to democratise the system of local self-government further.¹⁸ A hierarchical administrative structure focused on monitoring and control emerged despite the British pressing for centralisation rather than decentralisation, regardless of the committees' suggestions.

Extension of Post-Independence Panchayati Raj Institutions and Granting Constitutional Status :

Five senior leaders chosen by the local community are referred to as "panchayats." In 1946, Mahatma Gandhi emphasised that in order to attain Indian independence, grassroots initiatives are required. By establishing a three-tiered Panchayati Raj structure that allows residents to take part in rural rehabilitation, Gandhiji's dream has been realised. Panchayat raj is the term used to describe the appointment of local self-government at various levels, including village, block, and district, as well as democratic decentralisation. The long-term socioeconomic status of the rural populace must be improved through the optimisation of local resources, both human and natural, in order to support rural development and growth. Instead of "providing," the rural sector should be "promoted" in order to foster growth and expansion. Consequently, the main objective of rural development should be self-sufficiency. Villages should aim for complete self-sufficiency in terms of basic needs including clothing, food, housing, healthcare, and education.¹⁹ The State Government can pass laws governing the power of district boards, mining settlement authorities, municipal corporations, improvement trusts, and other local authorities for local self-government or village management, according to the Fifth entry of the State List of the Seventh Schedule of the Indian Constitution. State governments have established different local government structures and transferred authority in different ways since local governments are included under the state list and the directive principles of state policy are not legally enforceable. The Panchayati Raj system's development, functioning, autonomy, freedom, flaws, and remedial measures have all been reviewed and assessed by a number of committees: These committees include the Malaviya Committee (1956), the Balwant Rai Mehta Committee (1957), the Ashok Mehta Committee (1978), the Hanumantha Rao Committee (1983), the G.V.K. Rao Committee (1985), and the Singhvi Committee (1986).



Policymakers have been concentrating on rural development since the 1950s. The Community Development Program (C.D.P.) was first implemented in 1952. It was a plan implemented to help rebuild rural communities. It is predicated on the idea that rural life is an organic whole and that no progress could be realised in any one area if all sectors were not addressed simultaneously.²⁰ Due to a lack of initiative and public participation, the C.D.P. was unable to achieve its goals. Over the years, a number of committees have underlined the value of the Panchayati Raj System as a successful tool for public engagement, including the Ashok Mehta Committee in 1977 and the Balwant Rai Mehta Committee in 1957. The Balwant Rai Mehta Committee emphasised the need to construct democratic institutions at the foundation level, known as panchayats, in order to guarantee public participation in the implementation of rural development projects.²¹ The Ashoka Mehta committee was also charged with figuring out the function of panchayat raj and how to promote rural development and growth more quickly. The majority of the initiatives the committee suggested were based on the principles of decentralisation and were intended to improve and extend India's Panchayat Raj system. Providing constitutional legitimacy to Panchayat Raj institutions was one of the Ashoka Mehta committee's main recommendations. India approved a new agricultural growth and reform strategy in 1966, emphasising the adoption of high-yielding wheat and paddy varieties and paying farmers a fair price. This strategy is predicated on the notion that a lack of economic growth is the primary cause of poverty.²² The Planning Commission established the GVK Rao Committee in 1985, which examined a number of PRI-related topics. It also held the opinion that in order for PRIs to become efficient organisations for addressing people's issues, they must be active and provided with all the assistance required. The Department of Rural Development of the Indian government formed the L. M. Singhvi Committee in 1986, which recommended that the PRIs be granted constitutional status. The Sarkaria Commission on Centre-State Relations (1988) rejected the Singhvi Committee's suggestion to give the PRI constitutional status, arguing that uniformity throughout India was required instead.

Under the leadership of the late Shri PV Narasimha Rao, the Congress Government passed the 73rd and 74th Constitutional Amendment Acts in December 1992. The creation of district planning committees, the devolution of power and responsibilities with regard to issues listed in the XI and XII Schedules, the reservation of seats for women, Schedule Castes (SC), and Schedule Tribes (ST), a fixed five-year tenure, and a uniform pattern for the constitution of Panchayats and municipalities in each state are just a few of the noteworthy features of these two amendments. The 73rd and 74th Amendments to the Constitution were a watershed in the evolution of local government in India. They have been given



the status of "governments" at the local level, much like the federal Union Government and the state governments.

The two cornerstones of decentralisation are decentralised democracy and decentralised administration. Decentralised administration is essentially a managerial concept that uses an administrative decentralisation approach to improve service delivery efficiency. Citizens only exist as beneficiaries of an administrative structure that is meant to be more efficient under the concept of administrative decentralisation. Decentralised democracy, on the other hand, is a political concept that emphasises efficient service delivery and incorporates public input into decision-making. Citizens participate in this concept of decentralised democracy because it enhances citizenship quality and yields positive results. Effective service delivery and efficient local governance are the goals of public participation. The Thirteenth Finance Commission suggested providing incentives for states to transfer authority and resources to local entities. When creating criteria and weights for grants to local bodies, the Thirteenth Finance Commission decided to give the index of devolution 15% of the total (Thirteenth Finance Commission Report, 2009, page 177).²³ As a result, India's local governments are always being updated by giving them the necessary room to manage their communities. The Fourteenth Finance Commission has increased the drive to strengthen local government organisations' financial standing (Fourteenth Finance Commission Report, 2015, pp. 121-124).²⁴

Conclusion:

Democratic nation in the world by implementing the idea of power decentralisation through the Panchayath Raj system, which has deep historical origins. Today, the legislative and executive branches continue to be more impacted by the administrative structure of local self-government. Even our nation's founder, Mahatma Gandhiji, was greatly affected by the ancient idea of the Gram Sabha, whose philosophy of respect for human beings and distaste for injustice and exploitation is reflected in his holistic approach to rural development in India. In the development of grassroots functional roles, the creation of Panchayat Raj remains a turning point. Today's rural areas have been developed in large part by panchayats. As was mentioned above, this Panchayati Raj system has faced a number of difficulties. To ensure representative leadership, however, tangible corrective action is long overdue. These problems can be fixed, but public support will be needed for the changes to be accepted. To truly grasp the significance of this paradigm, people must gradually eliminate the still-dominant belief system. As a result of the rural and urban local governments' improvement in taking the social context into account,



decentralised administration became the dominant system in the country. Beginning with British India, the most recent democratic governments have placed a sufficient amount of attention on the process. The idea of self-government gives democracy its genuine meaning, which makes local governance the most important prerequisite.

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