

Democratic  
decentralization and  
the public  
participation politics  
essay



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The 73rd and 74th amendment of the Constitution of India did alter dramatically the scope of political participation of women in the country through an exercise of democratic decentralization. In Kerala, decentralization created the opportunities for women to cross the thresholds of their homes and participate in potentially democratic processes not available earlier. " Gram Swaraj" envisioned by Mahatma Gandhi is now becoming a reality for people in this State and with the Government handing over 35-40% of the Annual budget directly to be spent by local bodies this path-breaking democratic decentralization process has come to stay.

Though women in Kerala have traditionally enjoyed freedom thanks to the ancient 'Marumakkatayam' system of a matrilineal society, the revamping of Family Laws in Post-Independence period led to the death knell of joint family system and Marumakkatayam and the consequent deprivation of privileges traditionally enjoyed by women in Kerala. Indeed there has been a paradox in development in Kerala in the post independence era. Despite high literacy level and social development denoted by several impressive gains in the area of education, life expectancy and health, women's work participation in Kerala has been below national average, age and their participation in the State Assembly has never crossed 10% indicating abysmally low political participation and pointing to the fact that women have remained relatively " invisible" in the public domain.

The efforts to amend the Constitution initiated by the Rajiv Gandhi Government and implemented during the tenure of Narasimha Rao Government were based on the hope that democratic decentralization that

was derailed in the past by political expediency could be secured by providing constitutional safeguards.

## **A BRIEF HISTORY OF PANCHAYATI RAJ INSTITUTIONS (PRIs) IN POST INDEPENDENT INDIA**

It is pertinent to remember that during the Constitution Assembly debates, the question of including PRIs in the operative part of the Constitution was discussed and ultimately rejected. Ambedkar did not want to give primacy to the 'village' and in his speech before the newly Independent India's Constitutional Assembly in 1948 remarked, 'What is the village but a sink of localism, a den of ignorance, narrow mindedness and Communalism? I am glad the Draft Constitution has discarded the Village'.

The views of Ambedkar are probably understandable, coming as they did, from someone who had suffered humiliation under rural India's notorious caste system but who relentlessly braved adversity and all odds and ultimately emerged as the undisputed leader of the Scheduled Castes.

PRIs as a result found place in the Directive Principles of State Policy, as an 'unenforceable right' that merely reflected in Governmental Policy.

The story of PRIs in Independent India was fraught with ups and downs. Though mostly democratic bodies, PRIs were not constitutional entities but mere creatures of State Acts.[i]PRI passed through three broad phases:

(a) The phase of ascendancy - (1959-64)

Article 40 of the Constitution lays down that -

“ The State shall take steps to organize village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government”.

Under List II of the Seventh Schedule of the Constitution, namely the State List, “ Local Government that is to say, the Constitution and powers of the Municipal Corporation, improvement trusts, district boards, mining settlement authorities and local authorities for the purpose of local self government or village administration was to remain the domain of states”. In respect of matters in the state list, according to Article 246 of the Constitution, the State concerned has exclusive powers to make laws.

Thus, measures were taken by States to bring their laws in conformity with Article 40 of the Constitution and in States where no law existed to provide for Panchayats, new laws were passed and by 1951-52 there were 70, 000 village Panchayats functioning in the country.

#### (b) The phase of stagnation - (1965-69)

This period was characterized by the era where periodic elections to Panchayats were systematically ignored in almost all states of the country. Though mostly democratic bodies, PRIs were not constitutional entities but mere creatures of State Acts, relegated to play an ineffective role and were utterly dependent on the State for disbursement of grants.

#### (c) The phase of decline (1969-77)

The decline was largely because PRIs were starved of funds and invariably given `tied' grants to be spent on specific schemes and not on schemes  
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catering to the local need. Besides, the success of the decentralization initiative and the ascendancy of the Panchayat Raj in parts of the country contained in itself the cause for a slow down as indicated in the Ashok Mehta Committee report.

Whenever the leadership that emerged at the village, block and district levels had a strong local identity and a better perception of local problems they came to be regarded as a potential threat by other levels of political leadership. If the leadership at the decentralized level was of a political party different to that at the State level, such difference was taken as a loss of power rather than as a fact of political pluralism. Notwithstanding stalwarts like S. K. Dey, and support of leaders like Nehru and Kamaraj the process of decentralization had been derailed; the real control of funds and decision-making reverted to the State level leadership and the officials acting on their behest.

## **INITIATIVES TO REVIVE PRIS**

With the change of Government at the Centre in 1977, under the leadership of Morarji Desai, the Ashok Mehta Committee was set up and there was a revival of interest in Panchayat Raj that proved to be short-lived. It took nearly another decade for any major change to be considered. While the Singhvi Committee in 1986 looked into the legal aspects of Panchayat Raj and urged that they should be given constitutional recognition<sup>[ii]</sup>; that their powers and functions should be set forth in a new chapter and that free and fair elections to the Panchayats should be organised through the Election Commission of India, the Sarkaria Commission in its report in 1988 disagreed

with this view and opined that the subject was within the domain and competence of states.

The Panchayat Raj and Nagarpalika initiatives started by Rajiv Gandhi were therefore not just a resumption of the decentralization process but an attempt to force the pace of change. The Singhvi Committee's recommendations were accepted in substance and it was recognised that this time the process should be 'underwritten by constitutional provisions'. Though the amendment exercise sought by Rajiv Gandhi through the 64th and 65th Constitution Amendment Bills were defeated in October 1989, what seemed to be a foolish and hasty endeavour in 1989 came to be regarded as a major systemic change in the country's structure of governance in 1993 and it is indeed acknowledged today that the Panchayat and Nagarpalika amendments have marked a significant beginning towards multi-level governance.

### **SOME NOTABLE FEATURES OF THE 73rd AND 74th AMENDMENT**

The 73rd and the 74th Amendment Act of 1992, to the Indian Constitution represent the boldest initiative anywhere in the world for spreading local democracy both in rural and urban areas. These amendments ultimately gave a concrete shape to the Government of India's commitment to rest powers in the hands of the people. The most significant feature of these amendments was legislation for women and weaker sections to ensure adequate representation of all sections of the society.

The 73rd and 74th Constitutional Amendment Act of 1992[iii], which was legislated upon in all the states, incorporated salient provisions concerning political participation of women in local government. Some of its notable features are:

In all the local bodies of rural areas (Panchayats) and urban areas (Municipalities) seats will be reserved for women

One third of the seats reserved for Schedule Castes and Schedule Tribes to be reserved for women

One third offices of Chairpersons of Panchayats or Municipalities at all levels shall be reserved for women

Women and child development forms part of newly added XI and XII schedule of the Constitution of India.

These provisions have brought in qualitative change in the composition of local bodies and all women are encouraged to take part in the nation's progress and development.

These provisions have brought in qualitative change in the composition of local bodies and resulted in grass root leadership on a mammoth scale. India today has over three million Panchayat leaders and with women forming one-third of this team political empowerment of women and women's participation in the public sphere has well become a reality.

## **The 'Kerala Model'**

A number of features distinguish the Kerala experiment with decentralized planning from similar concerted efforts in other states. To start with, it was launched with a bold decision to ear-mark 35-40 per cent of plan funds for projects and programs prepared by local bodies. Further, this devolution did not insist on the pre-requisite of 'absorptive capacity'. Rather, this experiment chose to build 'absorptive capacity' 'through the act of doing' and by putting to use the funds devolved. Further, to ensure that the lack of capacity did not result in large scale waste and leakage, the experiment sought to build that capacity through a campaign of mass-mobilization, thus ensuring transparency and accountability in the use of funds and also by exploiting the latent-talent and expertise available among Kerala's middle class intelligentsia. In the event, the People's Planning Campaign galvanized the people in substantial parts of the State, made major advances in innovative local level planning and imparted substantial benefits in the form of housing and basic services to the poorest sections of the urban and rural population.

The State has 999 Grama Panchayats, 152 Block Panchayats, 14 District Panchayats, 52 Municipalities and 5 Corporations. Consequent to the 74th Amendment to the Constitution of India, the Local self-government Institutions (LSGIs) were designed to function as the third tier of Government. In Kerala, LSGIs were meaningfully empowered through massive transfer of resources as well as administrative powers. On the basis of 73rd and 74th amendments acts of the Constitution, The Panchayat Raj and the Municipality Act came into effect on the 23rd of April and 30th of



May 1994 respectively. This led to the decentralization of powers, responsibilities and projects of the Government as they were transferred to the local self-government on 2nd October, 1995.

The provisions for Gram Sabha in a single village or a cluster of village were made by the Kerala Panchayat Raj Act of 1994. It laid the provision of a three tier system of Panchayat for the first time in the village, block and district level. Panchayats were vested with the powers and responsibilities of the economic development and social justice of the state. The Panchayats were also responsible for the implementation of developmental schemes and setting up of a Finance Commission for reviewing the financial status of the Panchayats. The Act also provided for

the appointment of a State Election Commission for the direction, superintendence and conduct of elections to various levels of Panchayats.

The Kerala District Administration Act of 1980 was restated by the enactment of the Kerala Panchayat Raj Act of 1994. This Kerala Panchayat Raj Act of 1994 made it mandatory for that the Gram Sabhas to meet at once in three months and the quorum of 10% is a must. The Gram Sabhas were empowered to discuss Audit report, budget, plan documents and evaluation of public works.

The government of Kerala further decided to grant special awards in the form of Swaraj Trophy and cash prize to the state level and district level Panchayats for outstanding performance in administration, revenue collection, planning, village assemblies, people's participation, and distribution of social security pension etc.

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The physical achievements recorded in the first two years of implementation of the campaign (1997-98 and 1998-99) are not only impressive but have been phenomenal; 7, 947 kilometers of roads were laid, 98, 494 houses were built, 2, 40, 307 sanitary latrines were constructed, 50, 162 wells were dug, 17, 489 public taps were installed and 15, 563 ponds were cleaned. Given this evidence even the most cynical and skeptical audience would concede that democratic decentralization has made a difference to the lives of people in Kerala and is an experiment worth emulating. Coupled with a grassroots level approach of Participatory Planning whereby the developmental programs are identified and implemented through Grama Sabhas, the LSGIs have emerged as effective agencies for the implementation of developmental programs.

Unlike in other parts of the country, women representative from Panchayats are no longer their husbands' proxies. The Left Democratic Front government elected to office in 1996 used the framework of India's ninth five year plan as the basis for the People's campaign and 'with power to the people' as their slogan organised training seminars and workshops. To impart basic planning skills, campaign organizers made use of educated retirees as expert resource persons and created a 'chain-process' to transmit the invaluable lessons learned. For example, before launching the Gram Sabhas in 1996, organizers trained 373 state level trainers for 5 days. These trainees taught 10, 497 district level resource people who in turn conducted one day workshops for over 100, 000 local activists. Trainees at all levels received travel costs, snacks and meals but no salaries. Despite the planner's goal of at least 30 per cent female presence only 15% of the

participants were women but even this 15% participation marked a new beginning.[iv]

Development plans were to pay attention to the special requirements of women and, most importantly, special 'women-targeted projects' for which at least 10 per cent of the budgeted outlay was to be earmarked were recommended. This was not all. In what the organizers of the campaign call the "largest non-formal educational campaign the country has witnessed", around 15,000 elected representatives, 25,000 officials and 75,000 volunteers were given training at the State, district and local levels. In each round of training a separate handbook was prepared and issues related to gender and development allotted a separate chapter.

A notable feature of the 4th stage training was the convening of 'project clinics' where Panchayats showcased their significant accomplishments through seminars. For e. g., in one class room a team from Chapparapadavu Panchayat described how their community built a much needed bridge using local expertise and resources and further illustrated their talk by an intricate model of the bridge. Nearby were sessions on Thirukkunnappuzha Panchayat's 'Total cleanliness programme' Thanalur's 'People Health programme', Thykkattuseri's 'Tissue Culture' (lab based orchids and other plants), Kunnothuparambu's 'Water Conservation Society and Madikkai's creation of an educational complex of primary through high school along with a 'study festival' to encourage the idea that learning is fun.

A significant impact that the process of decentralization has had has been on women in Kerala.[v]Planning for women required more locality-specific data

on women and their economic and social roles, and a new understanding of how to allocate resources for women's development. It also brought about change at another level - in the administrative and social roles played by women elected representatives. " The strong push from above in the direction of affirmative action gave the necessary administrative sanction to the empowerment of women in the Panchayats, but that was just the beginning. For women elected representatives to come into their roles, a qualitative change in their self-perception, as well as in social attitudes towards them, was required. This was a harder goal to achieve, but there is evidence that with the People's Campaign providing the enabling environment, traditional barriers are being broken and women are striving, not without difficulties or setbacks, of course, to become equal partners with men in the planning for development process that the People's Campaign has envisaged". [Menon][vi]

" The Kerala experience has shown that we no longer need to convince anyone of the absolute necessity of reservation of seats in decision-making bodies for women", T. N. Seema, Member, Kerala Planning Board, told Frontline in an interview. However the real achievement of decentralized planning for women has been the creation of an enabling environment that has given meaning to reservation. Women for the first time have been given the political space to develop women's concerns". According to Seema, the process of women's participation was neither automatic nor easy in the first year of the campaign. Several problems were encountered. For all the efforts made, the campaign failed to ensure sufficient participation of women, especially at the phase of implementation. " In the second year of the

campaign, we solved a lot of the problems we encountered in the first," explained Seema. " For one thing 10 per cent allocation for the women's component plan (WCP) became mandatory in the Panchayats. Then the fight was for what the allocations should be within the 10 per cent." For example, should infrastructural schemes such as roads and bridges, which benefit the entire community, be brought under the WCP? In the productive sectors, how could the shift from mere asset distribution schemes among women to schemes that ensured their control of the assets or resource be ensured? How could gender stereotyping be avoided when projects in the productive sector were planned for women? And so on. " In this fight, a big role was played by women elected representatives," recalled Seema. " Our training package for them is directed at breaking traditional roles and helping them solve practical and strategic needs," she said.[vii]

So what is it that has made democratic decentralization a success in Kerala? One reason is the States progressive track record. This has enabled the state to boast of high material quality of life indicators collectively referred to as the `Kerala Model'. With an official per capita income of \$180 in 1993 (All India was \$300), Kerala had an adult literacy rate of 91 percent (versus an All India rate of 48 percent), life expectancy of 69 for men and 73 for women (All India average of 61) an infant mortality of 13 per 1000 (better than Washington DC and versus the All India rate of 80) and a birth rate of 17 (All India 29). Virtually all additional statistical indicators such as vaccination rates, maternal mortality, child labour, nutritional status, access to medical care and availability of roads, schools and other public facilities show Kerala

with a substantial lead over the rest of India and all similar income third world countries.

## **A GLIMPSE INTO THE WORKING OF SOME PANCHAYATS**

The office of the Pinarayi gram Panchayat in Thalasseri block of Kannur district has a population of around 32, 000 divided into 15 wards of around 600 families each and was chosen as the best Panchayat in the district in the year 2000 and to quote a report in Frontline, June 2000 issue, ' is a busy, focused unit of administration that has its ears to the ground'. Its Gram Sabha meetings registered a consistently high attendance, its 121 neighborhood committees have been active, it has achieved a 100 per cent revenue and tax collection record, and its utilization of plan funds - especially those in the productive sector - has been outstanding. It has been particularly successful in the implementation of its total sanitation program whereby 2, 500 houses have been provided with private latrines.

Pinarayi is not an isolated case of achievement. The social change brought about by purposeful social activity is evident in the gram panchayats of Olavanna, Vallikunnu, Kalliasseri, Kannapuram and Chapparapadava, located in the picturesque north Kerala districts of Kannur, Kozhikode and Malappuram and can be discerned in the authority and ease with which Panchayat functionaries and ordinary people use the new vocabulary spawned by the people's campaign. Terms such as " key resource persons", " task force member", " development report", " development seminar", " participatory resource mapping", " neighborhood committees" and " expert group member" have become part of a new language that, does not

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constitute a new bureaucratise, but is reflective of a dynamic new development partnership between people and a decentralized state mechanism. The number of levels at which change is taking place is bewildering. According to the guidelines issued by the State Planning Board, 40 per cent of the funds devolved to each Panchayat are to be spent on the productive sector, 30 per cent on the infrastructure and 30 per cent on the service sector. The provision of drinking water is an important area of activity for most Panchayats. It is usually conceived and planned with the beneficiaries at Gram Sabha meetings, who make contributions, mainly in the form of free labour, and in some cases cash. Technological expertise is sought and usually found from within the Panchayat. The Kakkadukunnu mini water supply scheme in Vallikunnu Panchayat is a case in point. The scheme, built on a steep hill, supplies water to 100 households. The entire scheme cost the Panchayat Rs. 5. 2 lakhs, of which the beneficiaries contributed 591 person days of voluntary labour.[viii]

## **A REVIEW OF KERALA'S ECONOMY**

An important feature of Kerala's economy in the nineties is the significant growth rate the economy recorded. While in the 70's and 80's the economy was relatively stagnant, the growth rate in the 90's was estimated at 5. 99 percent. Information Technology has started showing promise. With a view to promoting IT enabled services; the E-literacy program of ' Akshaya' is under implementation and is being expanded targeting E-Literacy for one member per family. In the four years that followed the year 2000, the IT sector has attracted an investment of over Rs. 5000 crores and employs about 80, 000 people.

Tourism has continued to grow and is becoming a major provider of jobs and generator of wealth in the State.[ix]. However, water supply, roads and waterways need to be upgraded to higher standards. Large investments are necessary, calling for private-public partnership and an enhanced role in the decentralization experiment. The 'Jala Nidhi' program implemented in select 80 Gram Panchayats of 4 districts with the objective of assisting the Government of Kerala in improving the quality of rural water supply and environmental sanitation service delivery and to achieve sustainability of investments in the water sector is an example of a positive outcome.

An innovative exercise was undertaken in 2003 to identify the poorest of the poor, the most deprived destitutes living on the margins of the economy, society and polity. Data collected from 147 village Panchayats shows that about 2% of the households belong to this category and need a mix of measures, enhanced levels of assistance and continuous handholding to come out of their present state.

Though the employment scenario in the formal sector is quite bleak and Kerala continues to have the highest rate of unemployment at 20.77% compounded by problem that there is a wide gap between the emerging needs and the skills and knowledge of those coming out of the formal educational and training systems, employment through micro enterprises has shown an encouraging trend. Though the State has the lowest work participation rate for women at 13.5%, employment through micro enterprises has promoted self-employment. Women below poverty line organized through Kudumbashree[x] alone have run 1342 Group Enterprises, each employing about 10 persons and 13452 individual units. It is <https://assignbuster.com/democratic-decentralization-and-the-public-participation-politics-essay/>



noteworthy that many of them are in the non-traditional areas like information technology, biotechnology, service units etc. indicating that while “unemployment” in the conventional sense, in the formal sector persists there is growing self-employment in the service sector, most of whom consider themselves unemployed as the expectation is for a life-time permanent job with terminal benefits. However greater acceptance of new forms of employment will prevail if there is adequate social security and health assurance for the people, for these are the factors which prompt educated persons to go in search of even the lowest grade jobs providing permanent employment especially in the government. The increase in the availing of micro finance by self-help groups is again a positive development.

[xi]

### **THE IMPACT OF MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE ACT (NREGA) ON PRIS IN KERALA:**

The NREGA, enacted in India on August 25, 2005 was a unique scheme that provided a legal guarantee for one hundred days of employment in every financial year to adult members of any rural household willing to do public work-related unskilled manual work at the statutory minimum wages of Rs. 100 per day.[xii] Since NREGS was a program which combined economic development and social justice functions in a context of local planning and implementation it was only in the fitness of things that PRIs played the central role given that the Constitution itself had assigned these two roles to PRIs. With more than a decade of experience in local level planning and development, the PRIs of Kerala were in a vantage position to take over full

responsibility for implementation of a rights based pro-poor program of large magnitude like NREGA.

The salient features of integrating NREGA in Panchayats of Kerala has been summed up by S. M. Vijayanand, Principal Secretary Local Self Government Department, Government of Kerala, as follows-

1) NREGA was perceived as an opportunity for strengthening and institutionalizing decentralization in all respects and therefore a decision was taken that the whole program would be implemented through PRIs and, by and large, through Grama Panchayats which are closer to people.

2) Right from the beginning an attempt was made at deconstruction and de-schooling vis-à-vis the employment generation schemes of the past so that NREGA does not get contaminated by vestiges of past practice. To serve this end a clear distinction was drawn between the past schemes and NREGA and communicated to all stakeholders especially the elected leaders of Panchayats.

3) Though it was widely realized that NREGA was not the ultimate solution to the unemployment problem of the poor in Kerala and despite recognizing that a large number of unemployed sought not manual work but self-employment and wage employment in the formal/ informal sectors, the State was never the less able to foresee a niche for NREGA in reducing poverty of at least half a million poor agricultural laborer families who were expected to turn up for works under NREGA and get an additional annual cash income of Rs. 12, 500 per annum.

4) Realizing that the vast majority of the workers were to be women it was decided to involve the Kudumbashree network of poor women in a big way – for awareness creation, for demand generation, for identification of work; for organization of work and for concurrent social audit (Kudumbashree is a unique program for poverty reduction and women’s empowerment under which every Below Poverty Level (BPL) family in the State and a few APL families – families in rural areas are organized into – neighborhood groups (NHGs) at the local level, networked with – Area Development Societies (ADCs) at the Village Panchayat Ward level which are then federated into 999 Community Development Societies (CDSs), at the Village Panchayat level. This large community-based organization works in partnership with the PRIs.

5) In a State which has very little public land, to enhance the quality of environment using NREGA, a policy decision has been taken to focus on natural resource management in forest areas, river basins and watershed areas in agricultural land.

6) To prevent NREGA from being seen as an extraneous Centrally Sponsored Scheme the processes and procedures were designed in such a way that they could be woven seamlessly into the fabric of the administrative operating systems now existing in Panchayats.[xiii]

## **FORAY INTO E-GOVERNANCE:**

In 1997 the State-level Informatics System for Strengthening the Decentralized Plan Implementation (SLIDE), was conceived to focus on creating efficient and responsive mechanisms for governance at the local

level. The project, which has evolved into what is now known as the Information Kerala Mission, seeks to computerize and establish a wide area network (WAN) to connect the 1, 215 local governing bodies throughout the state.[xiv]

Computerization of Local bodies, being implemented by Information Kerala Mission (IKM) aims at networking the

991 Grama Panchayats

152 Block Panchayats

14 district Panchayats

53 municipalities

5 corporations

14 district planning offices

Deputy Director of Panchayats and 3 Regional directors.

' E-SHRINGALA' is another ambitious e-governance project in the State. In collaboration with Kerala State Electronics Development Corporation Limited (KELTRON), community information kiosks are being installed in all Panchayats of Kerala. The kiosks are designed to provide information of various schemes, facilitate downloading of applications, farmer counseling, online SSI unit registration etc. and have been launched with the active involvement of Panchayats and local bodies.

The Ernakulam district Panchayat recently made a quiet entry into the IT world by taking up a unique model of e-governance. The Electronic Industrialization Infrastructure Development (EIID), a scientific society under the distr