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Historical View of Panchayati Raj in India: An Analysis

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Abstract: The institution of Panchayati Raj is not new to India. In the Vedic age panchayats are considered as an administrative unit. British administrators taken number of initiatives for the strengthening of panhayats in India. After Independence, Centre and State Governments have appointed a number of committees and commissions for development of panchayati raj. They gave number of recommendations for effective functioning of Panchayati Raj India. However, the governments failed pachayats as institutions of self-governing institutions. The Constitutional 73rd Amendment Act is significant landmark in the history of panchayati raj in India. Pachayats got constitutional status through this Act. Special Panchayats extension Acts are constituted for development of scheduled areas in various states in the lines of 73rd Constitutional Amendment Act. These two Acts are also failed in empowering panchayati raj institutions due to negligence of state governments and lack of awareness among the representative and people on the Panchayat Act. In this context, this paper analyses the historical trends of panchayati raj institutions in India, discuss the reasons for failures and make suggestions for effective implementation of Panchayati Raj Institutions in India.

Keywords: History of Panchayati raj System, Committees and Commissions, 73rd Constitutional Amendment Act, Panchayats extension Acts, Panchayati Raj Institutions in India.

Introduction:

Historically, every village in the country had a panchayat which was responsible for finding the solutions to the local problems within the village itself. Panchayats or the village councils are as old as India's history and have been a part of its tradition. In D*iscovery of India*, Pandit Nehru has provided a fairly exhaustive idea about the working of the Village Panchayats in ancient India. Panchayats had extensive powers, both executive and judicial. Its members were treated with great respect by the king's courtiers and the public. Land was

allotted by the panchayats. They also collected taxes out of agricultural produce and paid the share of the village to the kings. Over the Village Panchayats / Village Councils, there was a big panchayat to supervise and intervene, if necessary (Joshi R.P. and Narwani G.S., 2002: 20, 21).

Vedic and post - Vedic sources show the Indian village as a self - sufficient and autonomous miniature republic. Kingdoms and empires rose and fell but the village has survived. Village social organization can be clearly understood by centering the discussion on the panchayat, an effective agency of social control for ages. The autonomous village is best described by Metcalfe:

"The village communities are little republics, having nearly everything they can want within themselves… Dynasty after Dynasty tumbles down, revolution succeeds revolution but the village community remains the same This union of the village communities, each one forming a separate little state in itself, has contributed more than any other cause to the preservation of the people of India and the enjoyment of … freedom and independence" (as quoted by Mario D Zamora, 1990:13).

Vedic Age

In the Vedic Age, "Panch - Ayat" means a group of five persons selected by the villagers. Indirectly, it denotes the system through which rural people are governed. It indicates that there was some method of self – government. In the *Rigveda,* there is a mention of 'Sabha', 'Samiti' and 'Vidath' as local self-units. There is a description of 'Sabha' and 'Samiti', which were the democratic bodies at the local level. The king used to get the approval of the 'Sabha' or 'Samiti' regarding certain functions and decisions (Joshi R.P. and Narwani G.S., 2002: 21).

Epic Era

The study of the *Ramayana* indicates that administration was divided into two parts- 'Pur' and 'Janpad' or city and village. 'Sabha Parva' of the *Mahabharata* mentions the Gram Panchayats but it is not clear whether the panchas were elected by the people or nominated by the kings. *Manu Smriti* stresses on organized system of local self-government. Manu has mentioned 'village' as the smallest unit of governance. 'Rakshak' (saviour) was responsible for the village. His function was to maintain law and order. Lower Rakshak owed responsibility to the higher Rakshak (Joshi R.P. and Narwani G.S., 2002: 22).

Ancient Period:

Kautilya, in his *Arthshastra* advised the king to constitute units of villages having 100- 500 families. There would be centres of 10 villages, 200 villages, 400 villages and 800 villages. In Chandragupta Maurya's regime, the policy of decentratlisation of power was adopted. The village was the smallest unit of governance. A person elected by the people of the village was the 'Gramik' (head of village). Megastheness has described how Pataliputra town was administered by six committees consisting of five members each. In the Gupta period also the 'Gramik' was the village head and a village was the smallest unit of governance. The 'Chola' rulers also developed self-governance in the villages. 'Nadu Parishads' were representative bodies which were solely responsible for the maintenance of the villages (Joshi R.P. and Narwani G.S., 2002: 22- 23).

Medieval Period:

During the Medieval Period, there are three important officials to rule the village. They are Mukkadam for administration, Patwari for collection of revenues and Choudhrie for decision on disputes with the help of the Panch. Panchayats were prevalent in villages in the medieval period. Agricultural produce from villages was the main source of the revenue of the state (Joshi R.P. and Narwani G.S., 2002: 21-23).

British Period:

Self –governance was not the objective of the British government. Their main objective was the protection of imperial interests. It was only with such an object that the powers were given at the local level. More attention was paid to urban administration rather than rural areas. The year 1870 marks a further stage in the evolution of local government. In that year Lord Mayo's famous resolution which advocated a measure of decentralization from the centre of the provinces, emphasized the desirability of associating Indians in administration, and indicated the municipal government as the most promising field for this purpose (Maheshwari S.R., 1984: 15). Lord Rippon was appointed as the Viceroy in 1880. The Local Self Government Resolution, 1882 was the most important act of his tenure (Joshi R.P, Narwani G.S., 2002:25). He was recommended that local bodies must be endowed with adequate financial resources to carry out their functions. To this end, certain sources of local revenue should be made available to the local bodies which should also receive suitable grants from the provincial budget (Maheshwari S.R., 1984:17, 18).

During 1883 – 1885, the local self-government acts were passed in many provinces. Local boards could be superseded in case of abuse of powers. The British bureaucracy did not think of Indians as Mature and experienced enough for local self – government. Hence, Lord Curzon subsequently opposed such liberalism and increased government control over such local bodies (Joshi R.P, Narwani G.S, 2002: 26).

Another significant stage in the history of local government was the publication in 1909 of the report of Royal Commission upon Decentalisation, set up in 1906 (Maheshwari S.R, 1984 : 18). In 1907 the British Government set up the Royal Commission on Decentralization to examine administrative and financial relations between the central government and provincial governments and recommend any needed changes.

However, actually in various provinces (except Madras) revamping of local boards and establishment of panchayats did not make very substantial progress. This was partly on account of innate conservatism and partly due to administrative slow down during World War I period (Khanna B.S. 1999: 9-10).

In 1918 the Montague- Chelmsford Report suggested that the local boards be made representative bodies. State intervention should be minimum. They should learn from their mistakes. The suggestions of the Royal Commission were incorporated in 1918 with the proposed scheme of dyarchy. The Municipalities were vested with more powers to impose taxes. The Village Panchayat Act was also passed and panchayats became a legal body (Joshi R.P, Narwani G.S, 2002:26, 27).

Meanwhile the national movement for constitutional reforms demanding grant of self – government to India was gathering increased momentum in response to this national demand the British Government ultimately decided to introduce substantial constitutional reforms in the country. Government of India Act, 1919 was passed by the British Parliament for this purpose (Khanna B.S, 1999:10). This was made local self – government a transferred subject and hence a responsibility of the popular ministry (Naseem Ahmad, 2005: 219).

With the outbreak of the first Great War (1914-1918) the British Government felt it necessary to gain support and cooperation from the people in India. The Government of India Act 1919 was enforced in 1920 to lead the country towards this goal. The local government was thus set to move in the direction of democracy. Corruption increased; favoritism and nepotism became rather rampant, and the local civil service came under the influence of the local politicians and even started working for them and, as a consequence jobbery in

Municipal appointments increased. Jawaharlal Nehru was Chairman of the Allahabad municipal board in 1924 and 1925 (Maheshwari S.R, 1984: 19, 20).

In 1930, evaluation of the implementation of self –government was done by the Simon Commission. It reported that except Uttar Pradesh, Bengal and Madras they did not find any progress in the rural areas. The condition of the local bodies deteriorated between 1919 and 1930. Hence, it was suggested by the Simon Commission to increase the control of the state over these local bodies (Joshi R.P., and Narwani G.S., 2002: 27).

The Government of India Act, 1935 gave powers to the provincial governments. Popular elected governments in the provinces got provincial autonomy and they were duty bound to enact legislation for further democratization of the local self – government institutions, including the Village Panchayats. Thus, the local bodies were organized properly during the British period, through during the Second World War in 1939, the popular government vacated the office. But the position of the local self government institutions remained unchanged till August 1947, when the country attained independence.

Thus, the spirit of democratic decentralization at the village level was existent right since the ancient period. It became more and more organized and took proper shape by the time India became independent in 1947 (Joshi.R.P., Narwani G.S., 2000: 27, 28).

To sum, in India modern type of local rural self – government started evolving gradually since the last quarter of the nineteenth century. It expanded spatially and was increasingly democratised during the last phase of the British rule (1919 – 47).But it did not blossom sufficiently on account of various constraints: Politico – administrative and financial.

Evolution: Post – Independence Period:

During first decade in independent India the State Governments adopted certain legislative and administrative measures with a view to expand and develop rural local self government (Khanna B.S, 1999 : 11).

The plea for greater autonomy to rural local bodies received conceptual strength with the advent of Mahatma Gandhi on national scene and his enumeration of the doctrine of national development through autonomous rural organization which he desired to model on the lines of Panchayat system as it prevailed an ancient India. Mahatma Gandhi was careful to state that his concept of "Ram Rajya" of which Panchayat autonomy was an integral component was not derived from any specific historical period but it was an ideal construct based on

the best features of different periods of Indian History (Iqbal Narain, et, al 1970: 4).

Article 40 requires the state to take steps to organize village panchayats and to confer on them necessary powers and authority to enable them to function as units of self - government. The idea underlying this constitutional provision is to introduce democracy at the grassroots. This provision does not prescribe as to what powers should be given to the panchayats or what their structure should be and that is why panchayati laws vary from one state to another.

Panchayat Raj System in India has evolved out of the Community Development Programme (CDP) introduced on October 2, 1952 intended to bring socio – economic development of rural masses in a democratic way. It was further supplemented by National Extension Service (1953). However, after a few days, it was realised that the programme had not delivered the desired results due to lack of people's participation in the development programmes (Shamser Singh Malik, 2002: 3- 4). This drew the attention of the Second Plan which said that democratic institutions within the district should be created where the entire community, particularly the weaker sections might get involved in developmental activities (Maheswari S.R, 1984: 60).

Balwantray Mehta Committee:

In 1957, January 16, The Team for the Community Projects and National Extension Service was appointed by the Committee on Plan Projects in order to study and report on the Community Projects and National Extension Service (Naseem Ahmad, 2005: 220). It was popularly known as Balwantray Mehta Committee after the name of its chairman (Maheswari S.R, 1984: 60).

The team broadly suggested two directions for inducting people's participation in local decision making. First, administrative decentralization, and, second, bringing it under the control of elected bodies for effective implementation of development programmes. The team's recommendations envisaged a three-tier system for decentralization (Mahi Pal, 2004:6), popularly known as Panchayati Raj, at three levels viz. Village Panchayat at Village level, the Panchayat Samiti at the Block level and the Zilla Parishad at the District level (Nasem Ahmad, 2005 : 224). Of these three, however, the most effective body was visualized at the block level. The committee had visualised the Zilla Parishad mainly as a supervisory and co-ordinating body (Naseem Ahmad, 2005: 228). The committee had visualised the Zilla Parishad mainly as a supervisory and co-ordinating body (Naseem Ahmad, 2005: 228). The committee opined that the system could be affected by devolution of powers to these bodies and handling

over the entire charge of development work within its jurisdiction (Shamser Singh Malik, 2002: 4).

Following the recommendations of Mehta Committee, Rajasthan was the first state which inaugurated Panchayati Raj on 2nd October 1959 at Nagur. Nine days later, Andhra Pradesh introduced the system by mid -1960's. Panchayati Raj had been constituted across the country. Later on, some States set up committees to assess the progress made by the Panchayats and suggested measures for their improvement. Evaluations on the functioning of the Panchayati Raj revealed that these bodies had enabled the people to participate in their own affairs (Mahi Pal, 2004:6).

The phase of decline of PR in India started after mid-sixties. During this period, Panchayati Raj lost its glamour and the centralized tendencies played havoc with its functioning all over the country. The elections were not held regularly and the people's participation was weakened in these bodies. Panchayati Raj Institutions (PRIs) were blamed for inefficiency, corruption, favouritism, uncertainty and irregularity (Shamser Singh Malik, 2002: 4- 5).

The study team on the position of Gram Sabha in Panchayati Raj Movement (1963) recommended that Gram Sabha should be statutorily recognized and encouraged to play a more active role in village affairs. The study team on the Audit of Accounts of Panchayati Raj Bodies (1965) suggested measures for activising the system of the financial transactions of Panchayati Raj Institutions. The Committee on Panchayati Raj Elections (1965) made recommendations on the size and composition of, and the mode of election to the Panchayat Raj bodies at the village, block and district levels. It suggested size ranging between nine and nineteen for the Panchayats twenty and forty for the Panchayat Samitis and forty and sixty for the Zilla Parishads (Shakuntla Sharma, 1994:138).

Ashok Mehta Committee:

The second most important committee was set up in 1977 after the Janata Party came into power at the centre. The committee, popularly known as Ashok Mehta Committee, submitted its report on 17-08-1978 and made 132 recommendations (Anirban Kashyap, 1989 : 112-114).

The main recommendations of the committee were decentralization of power to district and below; a two-tier Panchayat Raj Institutions i.e., Zilla Parishad and a Mandal Panchayat covering a population of 15,000 to 20,000 with the Zilla Parishad playing the pivotal role; preponderance of elected members over the others at all levels; election to the Panchayati Raj Institutions to be

conducted by the Chief Election Officer of the state in consultation with the Chief Election Commissioner.

The committee suggested regular elections of these bodies; involvement of political parties in PR elections; reservation of seats for weaker sections and women, adequate financial resources; requirement of constitutional sanction and to extend people's participation in development activities through PRIs. Although, the recommendations of this committee were not accepted, it succeeded in initiating debates and discussions for improvement in the PR system throughout the country (Anirban Kashyap, 1989: 114,115 and Shamser Singh Malik, 2002: 5). However, the Report of the Ashok Mehta Committee could not be implemented because of the change of government at the Centre in 1980 (Shakuntla Sharma, 1994: 143, 144).

Other Committees:

The planning commission appointed a Working Group in 1983 known as the Hanumantha Rao Committee to suggest measures for making decentralized planning at the district level more effective. The Committee stressed the need for public participation at the local level. The people's participation being a necessary ingredient of the planning especially at the grass roots level, the PRI's have, naturally significant contribution to make in the formulation, execution and evaluation of the planning at the local level. Panchayati Raj Institutions are supposed to provide the framework for the popular participation and organising development programme.

Rural development as an integrated concept for growth, social justice and poverty alleviation continued to be one of the principal areas of emphasis in the Seventh Five Year Plan. The development strategy of the Seventh Plan aimed as the direct attack on the problems of poverty, unemployment and regional imbalances.

Therefore, the planning commission set up the G.V.K.Rao Committee (1985) to review the existing arrangements for rural development and poverty alleviation programmes and to recommend appropriate structural mechanism to ensure that they are planned in an integrated manner and implemented effectively. The committee recommended strengthening of zilla parishads and district level planning as well as better integration of block and lower level of planning with lower level Panchayati Raj Institutions (Shakuntla Sharma, 1994: 145 – 146).

The Singhvi Committee (1986-87) had prepared the concept paper on Panchayati Raj. This committee recommended that Village Panchayats (of group

of small villages if necessary) should be made viable by combining 2-3 villages in one panchayat and by strengthening their finances (Shakuntla Sharma, 1994: 146).

The report of the Sarkaria Commission on Centre-State relations (1988) also dealt with the Panchayati Raj (Shakuntla Sharma, 1994: 146). This commission was primarily setup to look into the existing arrangements of separation of powers between the centre and the states. Sarkaria Commission discussed in detail matters related to decentralized multi level planning and strongly advocated participation of people's representatives for better planning and improved functions of the administrative machinery at the local level. It recommended the creation of body similar to finance commission at the state level which would facilitate devolution or transfer of resources to the districts (Sanyal B.M.,2001:15-16). The Thungon Committee (1988), Work Shop of Collectors / District Magistrates on responsive administration (1987-88), Panchayati Raj - Sammelans (1989) and the Chief Ministers and 'Chief Secretaries' Conferences (1989) also dealt with P.R. Expressing a political zeal, Rajiv Government introduced a much -discussed constitution (Sixty – Fourth Amendment Bill on PR in 1989 (Shamser Singh Malik, 2002 :6).

In 1990, National Front Government succeeding Congress Government introduced another Bill (Seventy Fourth Amendment) for reorganizing of both Panchayats and Municipalities. It provided very substantial discretion to the State Governments for making detailed provisions within the basic framework prescribed by it. The Constitution Amendment Bill was introduced in the Lok Sabha (Bhargava, B.S. 1994: 35), but it lapsed undiscussed due to dissolution of Lok Sabha in March 1991.

73rd Constitutional Amendment Act:

Realising the need to revamp PR System the Congress Government at the centre again introduced a fresh Bill on PR in September 1991 with some modifications and got it passed in December 1992, which is known as the Constitution (Seventy – Third Amendment) Act. After ratification by 17 state assemblies, the President of India accorded his assent and the Act came into effect from April 24, 1993 (Shamser Singh Malik, 2002: 6-8) and did not apply to the Schedule V areas of the nine states, Schedule VI Areas of the North-East and the District of Darjeeling in West Bengal as well as J&K (Goodpal, 2012).

The following are the salient features of this Act.

1. Establishing of Gram Sabha in each village comprising all the eligible voters.
2. Provision of three-tier system of PR (except the states whose population is less than 20,00,000), i.e., Panchayats at village, intermediate and district levels.
3. Direct elections of the members at village, intermediate and district level and to the offices of chairpersons of village panchayats.
4. Fixed tenure of 5 years for all levels of panchayats and holding mid-term elections within a period of 6 months in the event of supersession of any panchayats.
5. Provision of reservations of one –third seats for women in all the panchayats for the offices of members and chairpersons.
6. Reservations of seats for Scheduled Castes and Scheduled Tribes in proportion to their population in all panchayats for offices of members and chairpersons.
7. Minimum age to hold any office of a panchayat is fixed at 21 years and disqualification for members of these bodies will be similar to the method adopted in respect of MPs and MLAs.
8. Elections to the panchayats will be held under the direction and control of Chief Electoral Officers/ State Election Commissioner.
9. Provision of State Finance Commission after every five years to review the financial position of panchayats and to suggest the principles governing distribution of funds to the panchayats.
10. Provision of ex-officio membership for the concerned MLAs and MPs at intermediate and district level panchayats.
11. Panchayats have been empowered to impose and collect the assigned taxes, duties, tolls, fees, etc., and are entitled to grants – in-aid from the consolidated fund of the state.
12. The states would devolve to panchayats the powers to prepare plans for economic development and social justice and for the implementation of development schemes in their respective areas.

The Eleventh Schedule has been inserted in part – IX of the Constitution consisting of 29 subjects assigned to PRIs covering the activities relating rural areas (Shamser Singh Malik, 2002: 6-8).

Thus, the Panchayats have been endowed with such powers and authority as may be necessary to function as institutions of self-government and social

justice. Providing real functional autonomy at the village level is at the core of the amendment Act.

Achievements

As a result of the enactment of the Act, 2,32,278 Panchayats at village level; 6,022 Panchayats at intermediate level and 535 Panchayats at district level have been constituted in the country. These Panchayats are being manned by about 29.2 lakh elected representatives of Panchayats at all levels. This is the broadest representative base that exists in any country of the world – developed or under-developed.

Issues in Implementation of the Panchayati Raj Act:

Despite the positives like enactment of State Panchayati Raj Acts, Setting up of State Election Commission and State Finance Commissions, and holding of regular Panchayat elections providing reservation for SCs/STs/Women in Panchayats, the results of implementation of the Constitution (73rd Amendment) Act, 1992 at the ground level have fallen far short of expectations. Stating specifically,

- Although the political decentralization can be clearly seen in the regular Panchayat elections with good participation of people, the administrative and fiscal decentralization have remained rather limited. The State Governments have failed to give up their control on matters of local administration and finance.
- Panchayats have not been granted enough powers for revenue generation. As a result, they only have limited functional autonomy.
- Recommendations of State Finance Commissions (SFCs) are generally not taken seriously.
- Powers given to the State Election Commissions also vary from State to State. They should have been given powers to deal with all matter relating to Panchayat elections namely, delimitation of constituencies, rotation of reserved seats in Panchayats, finalization of electoral rolls, etc.

Gram Sabhas have not been empowered and strengthened to ensure greater people's participation and transparency in functioning of Panchayats as envisaged in the Panchayat Act (Goodpal, 2012).

The enactment of 73rd Amendment did go a long way in arousing the aspirations among the people including the Scheduled Tribes of the country for a

stronger and institutionalized system of self-governance through its adaptation in an appropriate manner. Because, it promised the endowing of the Panchayats not only with statutory tenure and wider representation of weaker sections including STs, SCs, OBCs and women, but also with powers and responsibilities in respect of formulation and implementation of schemes for economic development and social justice (Article 243-G). In such a situation of heightened expectation, a High Powered Committee comprising select Members of Parliament and Experts with Shri Dileep Singh Bhuria, MP as the Chairman was appointed in 1994 to recommend exceptions and modifications to the Part IX (73rd Amendment) of the Constitution in its application to the Scheduled Areas. The Committee (popularly known as Bhuria Committee) submitted its Report in 1995. What is now known as PESA or Provisions of Panchayats (Extension to Scheduled Areas) Act, 1996 is nothing but the Committee's well thought charter of exceptions and modifications necessitated by the unique position of the Scheduled Tribes, subject to which the 73rd Amendment for introduction of a 3-tier Panchayati Raj could be applied to the Scheduled Areas. PESA was enacted on 24 December 1996. PESA is also a proactive instrument for deepening and strengthening the processes of self-governance further in the Fifth Schedule Areas, because it expects the concerned State legislatures to redesign their administrative arrangements in line with a more radical system of self-government that is in vogue in Sixth Schedule Areas (Bikash Rath, 2013:7-8).

Panchayats (Extension to the Scheduled Areas) Act, 1996 (or PESA Act, 1996)

The PESA Act, 1996 is regarded as a corrective legal measure to the 73rd amendment (Panchayati Raj Act) in order to extend the provisions of the Panchayat Raj to the Scheduled and Tribal areas falling under the Schedule Five areas of the nine States, namely Andhra Pradesh, Chhattisgarh, Jharkhand, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan. The PESA Act, 1996 which came into force on 24th December, 1996. It gave radical governance powers to the tribal community and recognizes its traditional community rights over local natural resources.

It not only accepts the validity of "customary law, social and religious practices, and traditional management practices of community resources", but also directs the state governments not to make any law which is inconsistent with these. Accepting a clear-cut role of the community, it gives wide-ranging powers to *Gram Sabhas*, which had hitherto been denied to them by the lawmakers of the country. The State Governments were required to enact their legislation in

accordance with the Provisions of Act before the expiry of one year i.e. 23rd December, 1997 (Goodpal, 2012).

The introduction of PESA in 1996 was a welcome event that conferred relatively greater autonomy to *Gram Sabhas*. However, PESA's sincere implementation has not been seriously attempted by the government, which is still dominated by centralised structures and laws that are in contradiction with the progressive provisions of PESA. In a few places, since the appearance of PESA, an attempt has been made to restore control over the village resources to the people. Following these efforts, people have faced sometimes violent reactions from the ruling class. As such, conflicting areas were identified prior to advocating the implementation of various provisions of PESA. There are policy loopholes between self-governance laws and existing laws (Planning Commission (2000:3).

Poor Implementation of the PESA Act, 1996:

It also needs to be pointed out that tribal areas represent the last sumps of natural resources on this planet, simply because tribal lifestyle and culture have inherent respect for the forests and natural resources and tribal religions and outlook ensures survival of all living beings, through holistic and ecologically sound belief system. PESA offers a wonderful way to strengthen their hands in the larger interest of social justice as well as deepen grass-root democracy. Implementing the following suggestions will achieve both the goals.

- Even after a decade and a half after the PESA Act, there is very little awareness about the Gram Sabha being designated as a self-governing body or having legal jurisdiction over the natural resources and forests. Neither is there any support mechanism for the Gram Sabhas to play any significant role.
- It is a clear indication that sincere implementation of PESA has not been seriously attempted by the state governments. They still want to govern the PESA areas through the centralized administration and laws that actually weaken what PESA provisions offer the tribal community. There is hardly any willingness on the part of the officials of various departments to relinquish control on resources and functions that are given to the Gram Sabhas by PESA. Nor do they have any respect for tribal lifestyle and culture. What is needed is the empowerment and capacity building of the tribal community through a sustained awareness campaign so they can take charge of their lives as envisioned in the PESA provisions.

- There is an urgent need to amend the Indian Forest Act, Land Acquisition Act, and other related Acts so that the ownership on minor forest produce, water bodies and land resources are explicitly handed over to the Gram Sabhas of the PESA areas.
- The current system of governance is still largely colonial in nature and the bureaucracy conditioned on centralized authority has been unable to accept the radical change envisioned in the PESA Act. Therefore, in order to sensitize them an immediate extensive training-cum-awareness campaign for all relevant officials of various ministries should be initiated.
- There is a need that Gram Sabha institutions should be developed as institutions of **self-governance** and not treated merely as institutions of **local governance**. The required administrative structure and machinery should be provided for making the Gram Sabha an effective body of district administration. It is also imperative that the Gram Sabhas have direct access to funds so that they can exercise their power rather independently.
- Physical infrastructure in interior areas should be strengthened in order to protect the life and property of tribals. Special attention should be paid to the construction of culverts, bridges, check dams, compound walls for schools, etc.
- The concept of community ownership of resources in PESA areas should be integrated into the provisions of the Centrally Sponsored Schemes. All community resource based schemes should involve Gram Sabhas in planning and implementation (Goodpal, 2012).

Conclusion:

Panchayat Raj is an old phenomenon. Before independence panchayat is considered as an administrative unit. After Independence, Government of India took number of initiatives for development of Panchayti Raj. However they are failed in empowering panchayats. In India, Panchayati Raj Institutions are empowered through 73rd Constitutional Amendment Act and Panchayats in Scheduled Areas are empowered through Panchayats (Extension to the Scheduled Areas) Act, 1996 (or PESA Act. But these are Act are failed due to negligence of the state governments and unawareness of elected representatives and people on Panchayati Raj Acts. Therefore there is a need for allocation of adequate resources for conducting training programmes for the elected representatives of the PRIs and create awareness among the people through phamplets and electronic media like TV and Telefilms presented in villages

especially in scheduled areas for awareness of the people. In the same manner, there is a need for awareness generation among the tribal community on the provisions provided in PESA Act. The empowerment of tribal communities, especially those who are cutoff from mainstream development, may be possible through PESA.

It is also suggested that there is a need to translate PESA Act into action and sustained by a process of awareness and capacity building among the tribal communities. Gram Sabha institutions should be developed as institutions of self-governance and not treated merely as institutions of local governance. The required administrative structure and machinery should be provided for making, the Gram Sabha as effective bodies of district administration and having the Gram Panchayat as its main implementing agency. Finally, the third set of factors are lack of capacities at grassroots, lack of information among common people about PESA Act an lack of political education among the ordinary people whose political role is critical for effective Gram Sabha functioning.

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