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## **Random Thoughts**

### **Women-empowered Panchayats and the MDGs**

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The other day I was requested by our newly elected Adhyaksha of Dehradun Zila Panchayat to be a witness to the swearing in ceremony of the newly elected members and office bearers. Having been involved with the rural development sector for nearly three and a half decades of my public service it was obviously very difficult for me to miss out on any such celebration.

#### **Celebratory Hugs-of-Confidence !**

Indeed every change of 'government' in India, with or without an anti-incumbency factor, is an occasion for celebration for our nascent democratic polity. Our six decade old democracy deserves support from all quarters, unconditional support. Three revolutions which are sweeping across our sub-continent and changing the very face of our country-side at present deserve an extremely careful handling, deft regulation and a states-manly over-sight, and these three are ( i ) Democratic-governance, ( ii ) Communication, and ( iii ) Information. The revolution ushered in fifteen years ago through the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments certainly deserve a far better treatment, both from our bureaucrats and legislators.

Before I briefly touch upon our present status and the agenda of our grass-root self-governing institutions towards what the world

has resolved as the Millennium Development Goals ( MDGs), let me share with you one of the most enduring moments of this particular celebration. The most heartening sight was easily the sight of seeing young, literate women members in a sizeable number this time coming over to the dais, being garlanded and hugging each other with beaming smiles ! There was absolutely no doubt that this was a celebration of our youth power with an ample doze of women-empowerment. These two factors viz., our youth and women, are going to take forward this 'revolution' in the right direction and correct whatever aberrations seem to have crept in during this period. This was a celebration with a difference and I was more than happy to be a witness to this change of guard, in more than one sense.

### **Are we in the Van-guard ?**

Those who are following the progress of easily the most important revolution of the three revolutions I have just mentioned, would recall that this is the fifteenth year of the epoch-making decision the country's highest policy-making body took when it passed the two historic amendments in our Constitution. Where exactly are we in the comity of Indian states ?

We have a three-tier Panchayat structure and its legal basis is set out in the UP Kshetra Panchayat and Zila Panchayat Act of 1861 and the UP Panchayat Raj Act of 1947 as modified by the Uttarakahnd government under the UP Kshetra Panchayat and Zila Panchayat Act ( Uttarakhand Adoption and Modification Orders ) in October 2001 and in January 2002.Uttarakhand Panchayat Law ( Amendment ) Bill has been tabled in the state Assembly on 10<sup>th</sup> March 2008. Our first Panchayat elections were held in 2003, with 70% voting and as a legacy of UP simultaneous election in all 13 districts could not be held as the state had had these elections on different dates in the hill and plains districts. I remember all our efforts to harmonize these dates were dashed on the hard rock of

the Constitutional provisions ! The 'Doctrine of Impossibility' had to be invoked to reconcile the reservation quotas for the SCs, STs and the OBCs vis a vis the ground realities, highlighting yet another 'ethnic diversity' we have inherited from our past.

According to the State Profile prepared by the state Government in 2007, which has been shared with the Ministry of Panchayati Raj, highlights certain areas which deserve out attention.

### **Elections and the One Point Agenda**

A separate electoral is prepared for Panchayat elections and there are no provisions for disclosing of election expenses and for filing annual property returns, for elected representatives. The Gram Panchayat Chairperson is directly elected. Certain news-items appeared in this context, which becomes a cause for worry, and if these were correct, certainly it should be on our agenda of reform before the next round. The work is said to be in progress 'to prepare the details of the District Planning Committees' and a provision has perhaps been made to the effect that 4/5<sup>th</sup> of the DPC members election would also be conducted by our State Election Commission. Need it be pointed out that the states where these DPCs have not been devolved the 'funds, accompanied with related functions and functionaries' have so far implemented these reforms only in letter but not in the spirit. Our newly elected Panchayat representatives must make this central devolution of 'fund, functions and functionaries' through constitution and effective operationalization of the District Planning Committees as their One Point Agenda, if asked to name just one most important action Uttarakhand yet needs to take hereafter.

I distinctly remember once visiting the Mantralaya of one North Indian state several years ago and was amazed to see the corridors of the Secretariat totally bereft of any hubbub and flocks of people from the districts visiting the building, used as I was to the

crowded corridors of UP Vidhan Bhawan at Lucknow. I was told that the 'raunak' ( shine ) has gone out since the 'district funds' had been devolved to the District Planning Committees ! Our Secretariat must resolve to 'decentralize' first all 'divisible resources' in one single budget-line. As a matter of fact it should not be difficult at all to decentralize district-wise at least 75% of our annual budget, only if a real will exists to do so.

## **Two Simple Next Steps**

If the 'raunak' ( shine ) has to be shifted from the state headquarters and the Constitutional Amendments have to be implemented 'in spirit' as well all it requires are a few simple next steps. First, 'Vikas Bhawans' must house the Adhyaksh Zila Panchayat, as it must 'absorb and amalgamate' the Zila Panchayat staff with the Panchayat Raj department staff, and Secondly, commencing with the Chief Development Officer down to the village level, all the 29 departments/ activities listed in the Eleventh Schedule, the functionaries must be brought under the effective administrative control of the Adhyaksh Zila Panchayat, who should 'finalize' the Annual Confidential Reports ( ACRs) of all district level officers.

## **Zila Sarkar**

Time has come to discontinue the existing fallacy to keeping separate the functioning of the Panchayat department as a departmental activity, the Additional Chief Executive Officer ( CEO) as the 'administrative head' of the Zila Panchayat staff. On the contrary the entire 'district development governance' has to be modeled on a Panchayati model and not purveyed through the Panchayat Raj Department ! It is the Chief Development Officer who should be empowered to function as the Chief Executive Officer of the Zila Panchayat and Zila Panchayat should become synonymous with District Government. It is the age of Zila Sarkar

in common parlance, towards which the next important steps ought to be taken. This immediate necessity underscores fast-forwarding the constitution and effective operationalization of the District Planning Committees, as the One Point Agenda for our newly elected Panchayati Raj office –bearers. No prizes here for guessing where the opposition is going to come from and is bound to continue till the objective of the Constitutional reforms is achieved in this state.

### **A Changing Profile of our Panchayats**

We had 13 Zila Panchayats, 95 Kshetra Panchayats and as many as 7,227 Gram Panchayats before the current round of elections. There were 41,717 elected representatives at the Gram Panchayat level of whom 10,413 belonged to SCs, 1,858 STs and women consisted of just 20,319 ( 37.6%). Now this 37.6% of last round is bound to go beyond 50%, around 62-63% by a most liberal estimate. The ‘women-empowerment’, I mentioned at the beginning, stems from here. This is easily the most enduring and enabling change in the profile of our Panchayats, across the board. A similar jump in women representation at the Kshetra Panchayat takes a jump from 34 % to a minimum of 52% and from 35% to a minimum of 50% at the Zila Panchayat level.

### **Devolution: Fund, Functions and Functionaries**

A study undertaken by IRMA ( Institute of Rural Management Anand ) points out that the State has ‘ issued government orders for devolution of funds, functions and functionaries for eleven departments, related to fourteen departments. Yet such orders do not seem to have taken effect...although most of the activities of drinking water, education, and animal husbandry departments are done through Panchayat Adhyaksha, but when and where about of the activities remain with respective departments...role of Kshetra Panchayat remains in darkness about what they have to do, what

other tiers of Panchayats doing and what the line departments are doing for any given activity.’ According to this evaluation ‘the present condition of Panchayat in the State is such that even in case of full devolution they will not be in a position to carry out the activities’.

### **Immediate Tasks**

There are cases, the report points out, when thirteen Panchayats are being handled by one Gram Panchayat Vikas Adhikari, showing the extreme situation of employee crunch for the functioning of the Panchayats. The role of Panchayat representatives in terms of control over the devolved functionaries remains limited as they have not been devolved the powers to assess the functionaries under them. This must begin, as I have pointed out at the very outset, with the empowering of the Zila Adhyaksh writing the ACR of the CDO and other devolved district level functionaries. I see absolutely no hitch in this dispensation as when the Chief Minister finalizes the ACR of the top bureaucrat of the State, the Chief Secretary, what could possibly be the objection to the CDO’s being ‘initiated’ by the Zila Adhyaksh and ‘reviewed’ by the Minister for Panchayati Raj and ‘finalized’ by the Chief Minister. Such a control will kick-start other attendant reforms in budget and man-power control. Crash filling-up of the field and intermediary functionaries, followed by their mandatory training and the above ‘control’ through ACR seem a sine quo non of next stage reform in this state.

IRMA report by highlighting Zila Panchayat resource mobilization tends to underplay, if not altogether ignore, effective devolution of ‘devolved funds’ through the Panchayats through the DPC mechanism, and re-crafting of the existing ‘Zila Panchayat’ staff and mechanism into the envisioned larger role of the Zila Panchayat, a la 73<sup>rd</sup> Constitutional Amendment.

## **Parallel Bodies**

Fortunately there is a clear shift in giving due recognition to the 'Van Panchayats', when it comes to their accommodation as one of the various 'parallel bodies'. IRMA study could have made a distinction between two sets of so-called 'parallel bodies' viz., between those which are anchored in some statutory enactment like the Van Panchayats, the 'co-operatives' etc from those which are not, say the DRDAs, VECs etc. The efforts and larger sentiments which have gone into the shaping and moulding of the oldest 'parallel bodies' like the Van Panchayats must be used to further strengthen and empower the post-1947 bodies like the Gram and other Panchayats, which is not very difficult. But for the deep understanding exhibited by our seasoned public representatives, the MOU which had been drafted by the Ministry of Panchayati Raj, could have dealt a death-blow to the pride of Uttarakhand identification marks like our Van Panchayats. The draft MOU and the single amendment made there to by Uttarakhand speaks volumes for its vigilance towards its enduring institutions like the Van Panchayats, Patwari system of revenue policing, gharats etc.

I remember having dashed off a very strong rejoinder to the Ministry of Rural Development when there was a move by certain quarters to brand our Van Panchayats, as 'undesirable parallel bodies', which are well known here to have successfully espoused the cause of 'control of our village communities over our natural resources', clear full two decades ahead of the rest of the country, before the latter took its first tentative steps on panchayats in 1947. Even today, like our mountains, there exists a sense of romanticism about our Van Panchayats and their strengthening, than hard-core efforts to ensure that they really strike deep-roots and withstand periodical shocks like the recent one I have just described. We have to be extremely watchful about our continuing home-grown learnings, legacies and apparent strengths.

## **MDGs and Women-empowerment Panchayats**

The World, India and Uttarakhand have reached the half-way mark of the time –frame given to achieve the eight Millennium Development Goals ( MDGs) ( 1990-2015) and their concomitant 18 targets. Out of the eight MDGs, and in as many as five Goals and six targets, viz., ( i ) ‘eradication of extreme poverty and hunger’, ( ii ) ‘universal primary education’, (iii) ‘promoting gender equity and empowering women’, (iv) ‘reduction in child mortality’, and ( v ) ‘improvement in maternal health’; the Panchayats directly or through their ‘parallel bodies’ can, and have to, play a major role. With an increased representation of women all round, both as the single biggest lobby ( plus 50% representation ) at all the three levels and at all level of decision cum policy making viz., chairpersons and members, they will be required to ensure substantially increased flow of funds for schemes meant for ‘women and children’ on the one hand, and hitherto neglected segments of population like the BPL, girl-child and pregnant and lactating mothers, on the other.

As the youth in general and women in particular seem to have taken over the reins of district –governance through a clear majority in the recently concluded round of our three-tier Panchayat elections there are ample reason to assume that during the eleventh five year plan there would be ‘Inclusive Growth through Inclusive Governance’. I take this opportunity and join others in congratulating all the new office-bearers and members of our Panchayats and in reminding them that it is on their shoulders now that the responsibility has devolved to bring in such an ‘inclusive governance’.

**Article ends....**