

Politics of Decentralization in Rural Bihar

Abstract

Constitutional Amendment Act, 1992 popularly known as 73rd Amendment is a milestone towards democratic decentralization and self-governance, consequent upon the Act, Bihar State Panchayati Raj Act, 1993 further amended as Bihar State Panchayati Raj Amendment Act, 2006 has given great impetus to gender equity and empowerment of weaker sections of the society in Bihar. Despite the constraints of funds, functions and functionaries Panchayati Raj Institutions are playing crucial role in better delivery of basic services to the people, improvement of governance, economic growth and poverty alleviation.

Keywords: Decentralization, Devolution, Market Economy, Democratic Principle, Allocation, Resources, Basic Services, Delivery, Marginalized Communities, Empowerment, Weaker Sections, Gram Sabha, Panchayati Raj Institutions, Social Justice, Activity Mapping, Governance, Grassroots, Power Structure

Introduction

Devolution of administrative, political and fiscal power to lower levels of government is a worldwide phenomenon. Inefficiency of centralized systems of service delivery, transition from centralized planning to market economy, deepening democratic principle, and an increasing need to recognize social, economic, and political diversities in different regions within the countries are some of the important reasons cited for this phenomenon. In many countries, policy makers see decentralization as a panacea for many ills afflicting the society. It is perceived as an important means to enable efficient allocation of resources, provide delivery of basic services to the people especially in rural areas, improve governance, accelerate economic growth, reduce poverty, achieve greater gender equity, and empower weaker sections of the society.¹

Description

In India, meaningful and concrete step towards decentralization was taken by 73rd Amendment in the Constitution. With the passage of the Constitution (73rd Amendment) Act, 1992 (The CAA) panchayats were recognized in the statute book as institutions of self government. Under the CAA, it become mandatory for each state to enact conformity acts and make the following provisions:

- 1 The establishment of three tier panchayats with elected members at village, intermediate, and district levels. The intermediate rung need not be constituted in state with a population under 2 million.
- 2 Direct elections to all seats in panchayats at all levels.
- 3 One third of seats reserved for women and marginalized communities Scheduled Castes (SCs) and Scheduled Tribes (STs) in all panchayats, according to the population. This provision also applies to the office of Chairperson.
- 4 A uniform five– year term in all panchayats, with elections held within six months in cases of premature dissolution or vacancy.
- 5 Constitution of a state Election Commission to supervise and to organize free and fair elections at all levels.
- 6 Setting up of a State Finance Commission at a regular interval of five years and to review and revise the financial position of panchayats.
- 7 Establishment of District Planning Committees.
- 8 Establishment of a Gram Sabha (village assembly) in each village, to exercise such powers and perform such functions at the village level as the state may provide by law.²

The state is expected to assign responsibilities to panchayats on various matters including those listed in the 11th schedule in the Constitution, such as drinking water, roads, culverts, bridges, waterways,



Mukul Bihari Verma

Associate Professor,
Dept of Political Science,
R.B. College,
Dalsinghsarai, Bihar, India

rural electrification and distribution of electricity, health and sanitation, monitoring of primary schools, maintenance of community assets and so on. The state is also required to provide framework, funds, functions and functionaries to Panchayats.

The first fifteen years from 1993 to 2005 succeeding the 73rd Amendment to Constitution comprised first generation reforms, with the central theme being creating and empowering strong Panchayats at the District, Intermediate and Village levels. These reforms aimed to combine social justice with devolution, with its emphasis on reservations for deprived classes of the population in Panchayats and leadership position in Panchayats. The objective of creating a strong base of political empowerment of ordinary people has been largely achieved, as the statistics of the year 2010 on Panchayats would reveal. Today, 2.8 million representatives stand elected to the three levels of Panchayats. Of these, more than 37 percent are women, 19 percent belong to SCs, and 11 percent to the STs. At the Village Panchayats level, each Panch's constituency comprises of about 340 people (70 families) making India the largest and most intensely democratic country worldwide.³

In concise terms, the five main pillars of the national strategy to strengthen Panchayati Raj in India are,

1. ensuring the role clarity between different levels of Governments including Panchayats through "Activity Mapping".
2. ensuring the financial allocations to Panchayats to match the functional assignments and are separately and clearly indicated in the State budgets through a separate Panchayat sector window,
3. ensuring that participative plans are prepared at each Panchayat level, which are then consolidated at the district level into the district plan,
4. strengthening the capabilities of local governments in core areas of public financial management, such as planning, collection of own revenues, budgeting, procurement, financial management, reporting and auditing,
5. deepening accountability of local government to citizens through strengthening opportunities for citizens participation and review through Gram Sabhas, particularly among historically marginalized groups. Under Article 243G read with Eleventh Schedule, it is the State Panchayati Raj Act concerned that is the fountainhead for the devolution of functions to Panchayats.⁴

As ancient republics of Lichhavi and Sakya existed in Bihar, the state has a rich history of local self government. After independence, provision was made to make the district board areas smaller than revenue boards by Bihar Local Self-Government Act. An amendment in 1950 made provision for elected representatives in local boards. In 1961, the Bihar Panchayat Samiti and Zila Parishad Act was enacted to create block and district level Panchayats. This Act was amended in 1964 so as to shift the focus from village to block and district level units. By 1970, three

tier structures were in place all over the State. By then the scenario of Panchayats was entering the phase of stagnation, as noted by Ashok Mehta Committee and Bihar was no exception. In pursuance of 73rd Amendment of the Constitution of India, the Bihar State Panchayat Raj Act was passed in 1993 and according to the Act elections to three tier Panchayati Raj in Bihar were held in 2001. Before this election to Panchayati Raj Institutions (PRIs) in Bihar were conducted in 1978. In 2001 elections, 33% seats were reserved for women as per provisions of Bihar State Panchayati Raj Act, 1993 and the Act itself was comprehensively revised by the Bihar State Panchayati Raj Amendment Act, 2006. Salient features of the Amendment Act, 2006 are as follows -

1. Reservation of all categories would be under 50 percent.
2. The Schedule Castes and Schedule Tribes reservations would be in proportion to their population.
3. In all maximum 20 percent reservation would be provided to the backward class.
4. In all categories 50 percent reservation would be provided for the women candidates.

Thus, Bihar became the first state in India to provide 50 % reservation to women in PRIs. Elections to three tier PRIs were held in Bihar according to the provisions of the Amendment Act, 2006 as mentioned above. In 2006 elections, 252466 representatives were elected of which 130031 were women representatives. 8458 Mukhiyas were elected of which 4222 were women. 8461 Surpanches were elected of which 4022 women.⁵

In three tier Panchayat elections in 2011, in Bihar total 1,36,680 were elected of which 73,807 are women that is the 54 percent of the total representatives.⁶ Presently, Bihar has 38 Zila Parishads, 534 Panchayat Samitis and 8474 Gram Panchayats.⁷ As a result of the Amendment Act, 2006 rural and urban local bodies came to be dominated by women – women of all castes, upper, backward and Dalit, as well as from Muslim and tribal communities. This phenomenon caused a social revolution in Bihar by drawing women from households and placing them in public offices.⁸

Nitish government's intervention for the marginalized sections of the society-Extremely Backward Castes (EBCs), Maha Dalits and women-has advanced them politically but not economically. If there is no improvement in their economic condition soon, the effect of their political advancement on the hitherto privileged classes would vanish and the privileged would be back at their game of dominating the scene.⁹

As a result of decentralization with reservation weaker sections of the society are in PRIs in overwhelming numbers. They are asserting their rights and taking their own decisions. It is not that local power structure controls them, but they are influencing and changing the local power structure in rural Bihar.

Most of welfare and development schemes of the government are being implemented in Bihar involving the PRIs. Still PRIs are yet to be effective for

the lack of funds, functionaries and basic infrastructure hindering their functioning. Politicians do not want PRIs to be strong and effective. There are allegations of rampant corruption in PRIs. In spite of these shortcomings PRIs are playing crucial role in delivering basic services to people and extension of democracy to the grassroots level in rural Bihar.

Aim/Objective of the Research

- a) Democratic decentralization in the form of Bihar State Panchayati Raj Amendment Act, 2006 has ensured the political participation of marginalized and deprived sections of the society.
- b) Panchayati Raj Institutions in Bihar has been able to augment women's empowerment.
- c) It has facilitated better delivery of basic services to the rural population.

Conclusion

Bihar State Panchayati Raj Act, 1993 further amended as Bihar State Panchayati Raj Amendment Act, 2006 has created a strong base for political empowerment of ordinary people especially women and weaker sections of the society. Despite allegations of rampant corruption in Panchayati Raj Institutions (PRIs) and constraints of funds, functions and functionaries PRIs have certainly facilitated better delivery of basic services to the people, micro level planning and its execution, improvement of governance, economic growth, poverty alleviation,

gender equity and empowerment of weaker sections of the society.

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