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A CRITICAL VIEW OF PANCHAYATI RAJ BILL

BY Dr. Mumtaz Ali Kham

THE KARNATAKA Zilla Parishads, Mandal Panchayats and Nyaya Panchayats Bill, 1983 is now before the public for its reactions, comments and suggestions. This Bill is a vary significant piece of social legislation which is directed to bring about rural transformation.

The Karnataka State enacted the Village Panchayats and Taluk Boards Act of 1959 which enabled the Government to have a three-tier structure, namely, Village Panchayats, Taluk Development Boards and District Development Councils. After nearly a quarter of a century, it is now realised that notmuch could be done by these Panchayati Raj institutions either.

Having realised that the basic prerequisite for implementing its programmes is a well-knit and effective system of rural administration, the Janata Government has come forward with the present Bill. It is divided into 14 chapters containing 319 sections and five schedules. The most important chapters are: Chapter II (Gram Sabha) Chapter III, IV, V (Mandal Panchayats) Chapters VII, VIII & IX (Zilla Parishads), and Chapters X, XI, XII and XIII (Nyaya Panchayats).

As against the existing Act of 1959 which has a three-tier structure, the present Bill has primarily a two-tier structure, namely, the Mandal Panchayats and Zilla Parishads. The Mandal Panchayats replace the existing Village Panchayats and Taluk Development Boards, and the Zilla Parishads, the District Development Councils. The existing Act has no reference to the judicial functions of the Panchayati Raj, whereas the present Bill provides for a separate judicial system for the rural people.

GRAM SABHA

The Gram Sabha is the Village Assembly which consists of all persons whose names are included in the electoral rolls of the Zilla Parishad as applicable to the revenue village concerned. Its functions relate to implementation of the village developmental programmes, unity and integration of all sections of society in the village establishment of a Land Army for all able-bodied persons in the village and promotion of adult education programmes. The Gram Sabha is expected to offer recommendations and suggestions to the Mandal Panchayat and Zilla Parishad.

The Mandal Panchayat consists of a revenue village or a group of revenue villages having a population of not less than 15,000 and not more than 20,000. It will have 15 to 20 elected members at the rate of one member for every thousand population of the mandal. There is a provision for reserving 30 per cent seats for women, at least one for Backward Classes and such number of seats to the Scheduled Casts and Scheduled Tribes depending on their population in proportion to the total population and the total number of seats in the mandal. Every voter shall have as many votes as the members to be elected for the constituency.

The Deputy Commissioner is empowered to appoint an Administrative Committee consisting of persons qualified to be elected or appoint as administrator, if he is satisfied that a Mandal Panchayat cannot be constituted for certain reasons as laid down in the Bill. Such a committee or administrator shall not hold office for more than one year.

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will be paid a monthly salary of Rs. 300, the Upapredhane will get Rs. 150. The members are paid a sitting fee of Rs. 15 each.

ZILLA PARISHAD

Every Zilla Parishad shall consist of persons elected from the taluks at the rate of one member for every 50,000 or part thereof of the population of the taluk and one member from each of the Mandal Panchayats elected by rotation for a term of one year from among its members. The term of office of the elected members shall be five years. There is a provision for reservation for women at the rate of at least one from each taluk. The Scheduled Castes and Scheduled Tribes have also reserved quota as in the case of Mandal Panchayats.

The Bill lays down qualifications for a candidate to be elected to the Zilla Parishads. He should be a citizen of India and should have completed 25 years of age. Disqualifications are also mentioned in the Bill. The Adhyaksha is paid a monthly salary of the Minister of State. Each member gets the sitting fee of Rs. 30 per day. The number of meetings, procedures, quorum, etc., are laid down in the Bill.

SIGNIFICANT FEATURE

The provision for a Nyaya Panchayat is the most significant feature of the Bill. Each Mandal Panchayat shall have a Nyaya Panchayat consisting of five elected members of whom at least one should be a woman, one should be of Scheduled Castes or Scheduled Tribes and one of Backward Class. A person to be elected should have completed 30 years of age, be ordinarily resident of the Mandal Panchayat area and be able to read and write.

The constituency and every voter shall give all the votes which he is entitled to give". This mandate compelling a voter to exercise all his votes does not seem to be legally valid. No voter can be compelled to vote a candidate whom he does not want to. Therefore, this needs a change.

In section 8, there is a reference to appointment of an Administration Committee or an Administrator, if there is failure to elect members of the Mandal Panchayats. It is better to have Administrative Committee as laid down in Section 8(1) instead of appointing an Administrator because the former is representative in character.

In section 170 (1), (3) there is a reference to Zilla Panchayat which should be Ailla Parishad (may be typographical error). In section 173, there is a reference to "an officer not below the rank of a Deputy Commissioner of a district shall be the Chief Secretary of the Zilla Parishad", This maybe corrected as "the Deputy Commissioner of a district".

Nyaya Panchayat

The Bill stipulates that the members of the Nyaya Panchayat will be elected by the people. It is rather doubtful how far the elected judge can deliver the goods objectively since frictions and tensions would have been witnessed in the process of election and it is possible that either the judge becomes prejudiced or the people have no faith in his judgment.

The qualifications laid down do not seem to ensure the quality of a Nyaya Panchayat member. The minimum age limit of 30 years is too low and the suggestion that if a member is just able to read and write, he would be able to understand and deliver judgment, does not gain force.

What is required is that a Nyaya Panchayat member should be a fairly elderly person with a certain standard of education. Further, such a member should be known for honest, integrity and impartiality and generally acceptable to all. The term of the members is too short. It is laid down that one-third of the members should retire at the end of the second year. The term of office needs to be enhanced to a reasonable period.

The reference to creation of benches in Section 239(2) that, " every bench shall, as far as practicable, include a member from the village in which the party to a proceeding before the Nyaya Panchayat ordinarily resides" seems to be a very doubtful proposition since only five members constitute a Nyaya Panchayat and whether they could represent all the villages.

It is also heartening to note that there is a provision for amicable settlement of disputes before taking them to the Nyaya Panchayat. The exclusion of a legal practitioner is most welcome. Similarly, the provision for periodical inspection, guidance and training by judicial officers is a very important contribution.

The chiefs of the Mandal Panchayats and Zilla Parishads are paid monthly salary. The Zilla Parishat President is expected to play a very effective role in rural development. The fact that he has the status of Minister of State lends valuable support to this expectation.

The implementation of the provision of the depends largely on the delivery system. The most important factor in failure of many of the legislations and programmes is the ineffective role of the bureaucracy. This needs to be taken care of. The members of the Mandal Panchayat need periodical training to enable them to know what

the legislation stands for and how they can really help the traditionally deprived and exploited social groups. There is need for setting up of a panch committees in every Mandal and to promote communal harmony among all sections of the multi-structured rural society. It is also desirable to involve the village school teachers in this process.

It is hoped that when the Bill undergoes modifications, both minor and major relating to language and contents, omissions and commissions, it would definitely be a source of inspiration and an instrument for radical rural transformation. Mr. Nazir Sab, Minister for Panchayat Raj, deserves the gratitude of the people for bringing forward this Bill in such a short time.

ಗ್ರಾಮ ಸ್ವಾಸ್ಥ್ಯ ಸಂಜ್ಞಾನಿಯರ ಶ್ರೇಷ್ಠಿ.

ಕರ್ನಾಟಕ ಉಚ್ಚ ಸ್ವಾಸ್ಥ್ಯಾಲಯದಲ್ಲಿ ಒಂದು ಲಕ್ಷಕ್ಕೂ ಮಿಕ್ಕಿಲ್ಲದ ವ್ಯಾಜ್ಯಗಳಿಗೆ ಇತ್ಯರ್ಥವಾಗದೆ ಕೊಳೆಯುತ್ತಿವೆ. ಇದೇ ರಾಜ್ಯದ ಎಲ್ಲ ಸ್ವಾಸ್ಥ್ಯಾಲಯಗಳಲ್ಲೂ ಸುಮಾರು ಆರು ಲಕ್ಷ ಕೇಸುಗಳು ಇತ್ಯರ್ಥವಾಗದೆ ಕುಳಿತಿವೆ. ಕೆಲವು ಕೇಸುಗಳು ಚರ್ಮ ವರ್ಷಗಳಷ್ಟು ಹಳೆಯವು. ಅರೇಳು ವರ್ಷ ಇತ್ಯರ್ಥವಾಗದಿರುವ ಕೇಸುಗಳ ಸಂಖ್ಯೆ ಎಷ್ಟೋ ಸಹಸ್ರ ಹೃದಯಾಂಗುಲವಂಥ ಜರೂರು ಖಚ್ಚಿಗಳನ್ನೂ ತ್ಯಾಜ್ಯವಿಲ್ಲದ ಹೃದಯಾಂಗುಲ ಸ್ವಾಸ್ಥ್ಯಾಲಯವುಗಳೂ ಮತ್ತೂ ಸ್ವಾಸ್ಥ್ಯಾಲಯದ ಅರ್ಥವನ್ನೂ ಕಣ್ಮರೆಯಾಗಿ ನೋಡಬೇಡಿ ಎಂದಿವೆಯಂತೆ. ಕೇಸು ದಾಖಲೆ ಮಾಡಿದವರ ಮಕ್ಕಳಿಗೋ ನೋವುಕ್ಕಳಿಗೋ ಸ್ವಾಸ್ಥ್ಯಾಲಯ ಸಿಕ್ಕರೆ ಅವರೇ ಪುಣ್ಯ ವಂತರು.

ಇದು ವಿಳಂಬದ ಮಾತಾಯಿತು.

ಇನ್ನು ಈ ಸ್ವಾಸ್ಥ್ಯಾಲಯಗಳಿಗೆ ಬಂದು ಮನವರಿಕೆ ಹಾಳು ಮಾಡಿಕೊಂಡವರ ಗೋಳಿನ ಕತೆಯನ್ನು ಕೇಳಬಾರದು. ಅನುಭವದಿಂದ ಹುಟ್ಟಿದ ಒಂದು ಗಾದೆಯ ಮಾತಿನಂತೆ - ಸ್ವಾಸ್ಥ್ಯಾಲಯಕ್ಕೆ ಬಂದು ಕೇಸು ಗೆದ್ದವರು ನೋಡತಂತೆ; ನೋಡತನು. ಸತ್ತಂತೆ.

ಇದು ಸ್ವಾಸ್ಥ್ಯಾಲಯ ಪಡೆಯಲು ತೆರಬೇಕಾದ ಬೆಲೆಯಾಯಿತು.

ಈ ಪರಿಸ್ಥಿತಿಯನ್ನು ಹಿನ್ನೆಲೆಯಾಗಿ, ಬಲ್ಲ ಶ್ರೇಷ್ಠ ಸ್ವಾಸ್ಥ್ಯಾಲಯಗಳಿಂದ ಹಿಡಿದು ರಾಜ್ಯದ ಉಚ್ಚ ಸ್ವಾಸ್ಥ್ಯಾಲಯದ ಸ್ವಾಸ್ಥ್ಯಾಲಯಗಳವರೆಗೆ ಅವಕಾಶ ಸಿಕ್ಕರೆ ಸೂತನಾಡುವ ಅತಿ ಕೆಳ ದರ್ಜೆಯ ಸ್ವಾಸ್ಥ್ಯಾಲಯದವರೆಗೆ ಹಾಗೂ ಮಹಾಪ್ರಧಾನಿಯಿಂದ ಹಿಡಿದು ದುರ್ಗಾಣಿ ರಾಜಕಾರಣಿ ವರೆಗೆ ಎಲ್ಲರೂ ಸ್ವಾಸ್ಥ್ಯಾಲಯದ ಶೀಘ್ರವಾಗಿಯೂ ಸುಲಭವಾಗಿಯೂ ಸಿಗಿಸಿಕೊಡಬೇಕೆಂದು ಕುಟ್ಟುವವರೇ. ಕಳೆದ ಒಂದು ಶತಮಾನದಿಂದಲೂ ಮಾತೆಯ ಎಲ್ಲ ವರ್ಗದ ಜನರೂ ಕೇಳುತ್ತಿದ್ದೇ ಬಂದಿದ್ದಾರೆ.

ಆದರೆ ಸ್ವಾಸ್ಥ್ಯಾಲಯ ವಿತರಣೆಯ ಶೀಘ್ರವೂ ಆಗಿಲ್ಲ; ಸುಲಭವೂ ಆಗಿಲ್ಲ. ಇನ್ನೂ ದುಬಾರಿ ಆಗುತ್ತಲೇ ನಡೆದಿದೆ.

ಅನುಲ ಕಾರಣ:-

ಸ್ವಾಸ್ಥ್ಯಾಲಯ ವಿತರಣೆಯ ವಿಳಂಬಕ್ಕೆ ಸಾವಿರ ಕಾರಣ ಕೊಡುತ್ತಾರೆ. ಆದರೆ ಅನುಲ ಕಾರಣವನ್ನು ಗುರುತಿಸಿದವರು ಕೇವಲ ಕೆಲವರೂ ಆ ಕಾರಣವನ್ನು ನೀಡುವ ಜನಮಾತ್ರ ಈ ನೂರು ವರ್ಷಗಳಲ್ಲಿ ಯಾರೂ ಹುಟ್ಟಿ ಬಂದಿಲ್ಲ.

ಭಾರತದಲ್ಲಿ ಸ್ವಾಸ್ಥ್ಯಾಲಯ ವಿತರಣೆಯ ವಿಳಂಬ ಮತ್ತು ದುಬಾರಿ ವೆಚ್ಚಕ್ಕೆ ಬಹುಮುಖ್ಯ ಕಾರಣ ಈ ಸ್ವಾಸ್ಥ್ಯಾಲಯ ಬೈರಡ್ ಮಾಡರೆ ಪರಿವಾಲನಾ ಪದ್ಧತಿಯೇ ಎಂಬುದನ್ನು ಬಹುಜನ ತಿಳಿದಿಲ್ಲ. ಬ್ರಿಟಿಷ್ ಸ್ವಾಸ್ಥ್ಯಾಲಯವಿವರಣೆ ಪದ್ಧತಿ ನಮ್ಮ ದೇಶದ ಜಾಂಚುಮಾನಕ್ಕೆ ಒಗ್ಗಿಲ್ಲ ಎಂಬುದನ್ನು ತರಬೇತರರೂ ಆಗಾಗ ಕೇಳುತ್ತಲೇ ಬಂದಿದ್ದಾರೆ. ಈ ಪದ್ಧತಿಯನ್ನು ಜಾರಿಯಲ್ಲಿ ತರಬೇತರರು 1802ರಷ್ಟು ಕೊಡುವೇ ಸರಳವು ಮನುಷ್ಯ ಅಂದಿನ ಈ ನೈಜವಾದಿಂಟು ಕಂಪನಿಯ ಬೋರ್ಡ್ ಆಫ್ ಡೈರೆಕ್ಟರ್ಸ್ ಗೆ ಬರೆದ. ಆದರೆ ಆ ಸಂಸ್ಥಾಪಕನ ಸೂಚನೆಯನ್ನು

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ತಿರಸ್ಕರಿಸಿ ಬ್ರಹ್ಮವರ ತಪಸ್ಸು, ನ್ಯಾಯವಿವೇಕ ನಾ ಪದ್ಧತಿಯನ್ನು ಪಾರತತ್ವ ತಂದ ದೇರಿ
 ದರು. ಅದರ ನಮ್ಮ ಗ್ರಾಮಪಂಚಾಯತ್ ಪದ್ಧತಿಯನ್ನು ಕಗ್ಗಾಂಗೆ ಮಾಡಿದ ಮೂಲಾ ಪಾತಕ
 ಕೃತ್ಯ ಎಂದ ಜಿ. ಚಿ. ಸಂಕರರೇಡ ಎಂಬ ಅಂಗ್ಲ ಮಂತ್ರಿಯವರೇ ಕಟ್ಟುವಾಗಿ ಖಂಡಿಸಿದ ಇಂದಿಯಾ
 ಇನ ಬಾಂಡೇಜ ** ಪುಟ: 124 1929, ಎರಡನೆಯ ಮುದ್ರಣ) ಸಂಕರಲಾಂಕಗಿಂತ ಮೊದಲು
 ಗಾಂಧೀಜಿ, ಲಜಪತರಾಯ್, ತಿಲಕ್, ಮುಂತಾದವರು ಬ್ರಹ್ಮವ ನ್ಯಾಯವಿವೇಕನಾ ಪದ್ಧತಿ
 ಯನ್ನು ಬಹು ಕಠೋರವಾಗಿ ಖಂಡಿಸಿದ್ದರು. ಅದರ ಅವರು ಸಂಕರಲಾಂಕ ಅವರಷ್ಟು ಶಾಸ್ತ್ರೀ
 ಯವಾಗಿ ಆ ಘನಘೋರ ಅನ್ಯಾಯವನ್ನು ವಿಶ್ಲೇಷಿಸಿ ಸಾಧಾರಣವಾಗಿ ಎತ್ತಿ ತೋರಿಸಿರಲಲ್ಲ.
 ಸರಘಾಪನಮನೋ (1802) ಇಂದ ಹಿಡಿದು ಸಂಕರಲಾಂಕರ (1929) ವರೆಗೆ ಭಾರತಕ್ಕೆ
 ಬ್ರಹ್ಮವ ನ್ಯಾಯವಿವೇಕನಾ ಪದ್ಧತಿ ಒಳ್ಳೆಯದು ಎಂದ ಸಾರುತ್ತಲೇ ಬಂದರು. ಇತ್ತೀಚೆಗೆ
 ಕಳೆದ ವರ್ಷ ನುಪ್ರೀಂಕೋರ್ಡ್ ನ್ಯಾಯಮಂಡಳಿ ಶ್ರೀ ಒ. ಬೆನ್ನಪ್ಪರೆಡ್ಡಿ ಹೈದರಾಬಾದಿನಲ್ಲ
 ಒಂದು ಸಮಾರಂಭದಲ್ಲಿ ಮಾತನಾಡುತ್ತಾ ಗಾಂಧೀಜಿ ಸಂಕರಲಾಂಕರ ಹೇಳಿದ ಮಾತನ್ನೇ
 ಹೇಳಿದರು.

ಅದರೇ ಇನ್ನೊಂದು ವರ್ಷ ಬೇರೂರಿನ ಪದ್ಧತಿಯನ್ನು ಬದಲಾಯಿಸಲು ಸ್ವಾತಂತ್ರ್ಯ ಸಂಕರವಾ
 ಪ್ರಯತ್ನಿಸಲಲ್ಲ. ಮುಖ್ಯವಾಗಿ ಬದಲಾಯಿಸಿ ಅನುಕರಿಸುತ್ತಾ ಹಳ್ಳಿಗಾಡಿನವರೂ ಅದ ಭಾರತದ
 ಪ್ರಜೆಗಳು ಬ್ರಹ್ಮವರ ಸ್ಥಾಪಿಸಿದ, ಆ ತರುವಾಯ ನಮ್ಮವರೇ ತೆರೆದ ನಗರ ಕೇಂದ್ರೀಕೃತ
 ನ್ಯಾಯಾಲಯಗಳಿಗೆ ಎಡತಾಕುವ ನ್ಯಾಯಪದ್ಧತಿ ಒಳ್ಳೆಯದು ಎಂಬುದು ಅಚ್ಚೇದನೀ.
 ಅದರ ಬದಲು ಬ್ರಹ್ಮವರ ಬರುವುದಕ್ಕಿಂತ ಮೊದಲು ಇದಂತೆ ಗ್ರಾಮಪಂಚಾಯತ್ಯಯಲ್ಲೇ
 (ದೃವಪೂರ ಮುಂದೆ) ತಪ್ಪು ವಿವಾದಗಳನ್ನು ಪರಿಷ್ಕರಿಸಿಕೊಳ್ಳಬೇಕೆಂಬುದೇ ಪರಿಪಾಠ ಮಾರ್ಗ
 ಲಯ ಪ್ರತಿಪಾದಿಸಿದರು. ಇಂದ ಪ್ರತಿಯೊಂದು ಹಳ್ಳಿಯಲ್ಲೂ ಉದಿನ ಠಾಂಡು ಮನುಷ್ಯರ
 ಸಮೂಹದಲ್ಲೇ ವ್ಯಾಜ್ಯಗಳಿಗೂ ಒಂದು ಅಂಗವಿರುತ್ತದೆ. ಗಂಡುಬಂದ ಜಗಳ, ತುಡುಗುತನದ
 ಪಿಡುಗು ಸ್ಥಾಪಿಸಿ ಕಳುಹಿಸಿ, ಬೀದಿಜಗಳ ನೀರಿನಜಗಳ, ಬಾವಿನಜಗಳ, ಸಾಲ, ವಸಾಲ
 ಒತ್ತುವರೆ... ಇತ್ಯಾದಿ ವ್ಯಾಜ್ಯಗಳನ್ನು ಹಳ್ಳಿಯವರ ಠಾಂಡು ಮನುಷ್ಯರೇ ತೀರಿಸುತ್ತಿದ್ದರು.
 ಆ ಪದ್ಧತಿಯೇ ನಮ್ಮ ದೇಶಕ್ಕೆ ಒಳ್ಳೆಯದು ಎಂದ ಹೇಳಿ ಹೇಳಿ ಗಂಟಲು ಹಿಡಿದು ಬಾಯಿ
 ಒಣಗಿ ಹೋಗಿತ್ತು. ಯಾರೂ ಈ ಮಾತನ್ನು ಗಮನಿಸಿಯೇ ಇರಲಲ್ಲ.

ಗಮನಿಸಿದವರು ಹಳ್ಳಿಯಲ್ಲಿರುವ ಪಾರ್ಶ್ವ ವೈಷಮ್ಯ, ಅಪ್ರಮಾಣತೆಯನ್ನು ನೋಡಿದರೆ,
 ನ್ಯಾಯವಿವೇಕನೆಯ ಪವಿತ್ರ ಕೆಲಸವನ್ನು ಅಂಥ ಜನರ ಕೈಗೆ ಕೊಡುವುದು ಸುತರಾಂ
 ಅಪಾಯ ** ಎಂದ ಮಾರ್ಗ ಮುರಿಯುತ್ತಿದ್ದಾರೆ. ಇದಕ್ಕೆ ಉತ್ತರವನ್ನು ಸರಘಾಪನ
 ಮನೋ ನೋಂದಿಟ್ಟು ವರ್ಷಗಳ ಹಿಂದೆಯೇ ಹೀಗೆಯೇ ಕೊಟ್ಟಿದ್ದ ಇಲ್ಲವೆಂದು ಜನರ
 ಪ್ರಮಾಣಕತೆ ಬ್ರಹ್ಮವರ ಜಾರಿ ಪದ್ಧತಿಯನ್ನು ಜಾರಿಗೆ ತಂದಾಗ ಅವರಲ್ಲಿದ್ದ ಅಪ್ರಮಾಣಕತೆ
 ಗಿಂತ ಒಂದು ಗುಂಜ ಕೂಡ ಹೆಚ್ಚಿಲ್ಲ ** ಎಂದಿದ್ದ. ಆದರೂ ಇತ್ತೀಚೆಗೆ ಕರ್ನಾಟಕದಲ್ಲಿ ಭೂ
 ನ್ಯಾಯಮಂಡಳಿಗಳ ಕಾರ್ಯ ನಿರ್ವಹಣೆಯನ್ನು ಕಂಡವರು ಗ್ರಾಮನ್ಯಾಯ ಪಂಚಾಯತ್
 ಗಳನ್ನು ಸುತರಾಂ ಮಾಡಕೂಡದು ಎಂದ ಕೇಳಲೂ ಹೇಳುತ್ತಿದ್ದಾರೆ.

ಆದರೆ ಈ ಅಚ್ಚೇದನೆಯಲ್ಲೂ ಸಾಧ್ಯ ಇಲ್ಲದಿಲ್ಲ. ಭೂನ್ಯಾಯ ಮಂಡಳಿಯ ಸದಸ್ಯರು
 ಜನರನ್ನು ಹಿಡಿದುತಿದ್ದ ಸಂಗತಿಯನ್ನು ನಡೆಸಬಲ್ಲರು. ಆದರೆ, ಗ್ರಾಮನ್ಯಾಯ ಪಂಚಾಯತ್
 ಗಳ ಹೊರತು ಈ ದೇಶಕ್ಕೆ ಮೋಕ್ಷ ಯೋಗವೇ? ಇದುವರೆಗೂ ಬ್ರಹ್ಮವರ ನ್ಯಾಯ

ಪರಿಪಾಲನಾ ಪದ್ಧತಿಯು ರುಷ್ಯರಿಣಾವುಗಳನ್ನು ನೆಂಬುವಿನಂತೆ, ಬಂದಿದ್ದೇವೆ. ಅದು ತಾಲೂಗುಗಳೆಂದು ಎಂಬುದಾದರೆ ಗ್ರಾಮನಾಟ್ಯವು ಪಂಚಾಯತ್ಗಳೇ ಈ ದೇಶಕ್ಕೆ ಅತ್ಯಂತ ಶ್ರೇಷ್ಠ.

ಸ್ವತಃ ದೇಶ:-

ಅತ್ಯಂತ ಅಗತ್ಯವಾದ ಬಸುಡೀಫೆ ಕಾಲದಿಂದಲೂ ಪ್ರತಿಪಾದಿಸಲ್ಪಟ್ಟ ಸುಧಾರಣೆಯನ್ನು ಕರ್ನಾಟಕ ಪರಿಷ್ಕೃತ ಕಾಯಿದೆಯಲ್ಲಿ ಅಳವಡಿಸಿಕೊಂಡಿರುವುದು ಅತ್ಯಂತ ಸ್ವಾಗತಾರ್ಹ ಮತ್ತು ಸ್ವತಃವಾದ ದೇಶ. ಜನತಾ ಸರ್ಕಾರಕ್ಕೆ ವಿಚಾರದಲ್ಲಿ ನಿಜವಾಗಿಯೂ ಗಾಂಧೀಜಿಯು ಮಾತನ್ನು ಅಕ್ಷರಶಃ ಪಾಲಿಸಿದ ಕೀರ್ತಿ, ಭರತಖಂಡದ ಯುನೈಟೆಡ್ ಸರ್ಕಾರಕ್ಕಿಂತ ದೇಶವಾಗಿ ಕರ್ನಾಟಕದ ಜನತಾ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲುತ್ತದೆ. ಅಶಾಲಕಮಹಾತ್ಮಾ ಸಮಿತಿಯು ಎಷ್ಟೋ ಸರ್ವಗಳ ಹಿಂದೆ ಶಿಫಾರಸು ಮಾಡಿದಂ. ಆದರೆ ಗಮನಿಸಬೇಕಾದ ಧೂಳುಕೂತು ಹುಳು ಹಿಡಿದು ಮೋಲಗುತ್ತಿದ್ದ ಈ ಅತ್ಯಂತ ಮುಖ್ಯವಾದ ಗ್ರಾಮನಾಟ್ಯವು ಪಂಚಾಯತ್ಗಳನ್ನು ಕರ್ನಾಟಕದಲ್ಲಿ ಸ್ಥಾಪಿಸುವ ಪ್ರಯತ್ನಕ್ಕೆ ಅತ್ಯಂತ ಸ್ವಾಗತಾರ್ಹ.

ಆದರೆ ಕೆಲವು ಜನತಾ ನಾಯಕರಿಗೇ ಈ ವಿಚಾರದಲ್ಲಿ ಮುಜುಗರ ಇದ್ದಂತೆ ಕಾಣುತ್ತದೆ. ಅದಕ್ಕೆ ಕಾರಣವೂ ಉಂಟು. ಭೂ ನಾಟ್ಯವು ಮಂಡಲಗಳು ಮಾಡಿದ ಫೋರಲ್ ಅನಾಟ್ಯವೆಂದು ಗಾಂಧಿಯ ಇನ್ನೂ ಮಾಗಿಯಲ್ಲ. ಆದರೆ ಮೋಲವು ಇನ್ನೂ ಅರಿಲ್ಲ. ಆದ್ದರಿಂದ ಭ್ರಷ್ಟರ ಕೈಗೆ ನಾಟ್ಯವು ಪರಿಪಾಲನೆ ಯಂಥ ಪವಿತ್ರ ಕೆಲಸ ಕೊಟ್ಟರೆ ಯಾರೂ ಸ್ವಾತಂತ್ರ್ಯವೂ ಯಾರೂ ಮಾನವನೂ ಯಾರೂ ಅಸ್ತಿತ್ವವು ಉಳಿಯಲಾರದು ಎಂಬ ಸಹಜ ಭೀತಿ ಇರುವುದು ಸಹಜ. ನನಗೇ ಗೊತ್ತಿರುವಂತೆ ಎಮರ್ಜೆನ್ಸಿ ಕಾಲ ದಲ್ಲಿ ಶುಭವಿಮೋಚನೆ ಕಾಯಿದೆಯು ಗುರುಪಂಚಾಯತ್ಗಳ ಮೂಲಕವಾಗಿಯೂ ಎಷ್ಟೋ ಜನ ಸಂಘಾ ವಿತರಣೆ, ಮೋಲವನ ಕೈಕೊಡುವ ಬೆದರಿ ಕೇಳಿದಷ್ಟು ಲಂಚ ಕೊಟ್ಟು ಬದುಕಿದರು.

ಈ ಎಲ್ಲ ಅನಾಟ್ಯವುಗಳ ಹಿಂದೆ ಇರುವ ಮೂಲಭೂತ ಸತ್ಯ ಎಂದರೆ ನಾಟ್ಯವು ಪರಿಪಾಲನೆ ಆಯೋಗ ಗಳಿಗೆ ಕೈಗೆ ಕೊಡಬೇಕಾದುದು ಎಂಬುದು. ಆದರೆ ಹಳ್ಳಿಗಳಲ್ಲೇ ಅಲ್ಲದೇ ನಾಟ್ಯವು ಅತ್ಯಂತ ವಾಗಬೇಕೆಂಬುದನ್ನು ಯಾರೂ ಅಲ್ಲಗಳೆಯುವುದಿಲ್ಲ. ಅಂದ ಮೇಲೆ ಹಳ್ಳಿಯ ನಾಟ್ಯವು ಪಂಚಾಯತ್ಗಳಿಗೆ ಎಂಥವನ್ನು ನೇಮಿಸಬೇಕು ಎಂಬುದು ಮುಖ್ಯವಾದ ಪ್ರಶ್ನೆ. ಒಳ್ಳೆಯ ಜನರು - ಅಂಥವನ್ನು ದೈವ ಎಂಬ ಹಿಂದೆ ಕರೆಸುತ್ತಿದ್ದಂತೆ ನಾಟ್ಯವು ಪಂಚಾಯತ್ ಮಾಡಿದರೆ ಅಕ್ಷೇಪಣೆ ಇರಲಾರದು.

ಹಾಗಾದರೆ ಹಳ್ಳಿಯಲ್ಲಿ ಒಳ್ಳೆಯ ಜನ ಎಲ್ಲರಾದರೆ? ಎಂಬ ಪ್ರಶ್ನೆ ಎಳೆಯುತ್ತದೆ. ಈಗಿನ ಪರಿ ಸ್ಥಿತಿಯನ್ನು ನೋಡಿದರೆ ಪರಿಸ್ಥಿತಿ 'ಎನೋ ನಿರಾಶಾಧಾನವು ನಾಟ್ಯವು ಮಾಡುವಂಥ ಪುನಾಟ್ಯವು ಯಾರಿದಾರೋ? ಎಂಬ ಸಹಜ ಸಂದೇಹ ಮೂಡುತ್ತದೆ. ನಿಜ. ಆದರೆ ಒಂದು ಹಳ್ಳಿಯಲ್ಲಿ ಒಂದು ಗುಂಪು ಹಳ್ಳಿಯಲ್ಲಿ ಒಟ್ಟುಬೃಹದಾರೂ ಒಳ್ಳೆಯ ಜನ, ನೀತಿ ನಿಂತು ಅಲ್ಲ ಇರುವಂಥ ಜನ ಇಲ್ಲವೆಂದು ನಾನು ನಂಬಲಾರೆ. ಒಂದು ನೇಳೆ ಅಂಥವರು ಲಕ್ಷಕೊಟ್ಟು ಬೃಹದಾರೂ ಅಲ್ಲ ದಿದ್ದರೆ ಈ ದೇಶ ಬದುಕಿರಲು ಸುತಾರಾಂ ಯೋಗ್ಯವಲ್ಲ. ಇದನ್ನು ಅಗುಬಾಂಬು ಡಾಕ್ಟಿ ನಿರ್ವಾಪು ಮಾಡುವುದೇ ಸರಿ.

ಇದು ಪರಿಹಾರ ಮಾರ್ಗವಲ್ಲ. ಹಳ್ಳಿಯಲ್ಲಿ ಒಳ್ಳೆಯ ಜನ ಈಗಲೂ ಇದ್ದಾರೆ. ಆದರೆ ಅವರ ಮಾತು ಯಾರೂ ಕೇಳುತ್ತಾರೆ? ಅವರು ಜನನಾಥನೆಗೆ ನಿಲ್ಲುವುದಿಲ್ಲ. ನಿಂತರೂ ಗೆದ್ದುಬರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಒಳ್ಳೆಯವರಿಗೆ ಜಾಗರಣೆ. ಆದಕಾರಣ ಜನನಾಥನೆಯಲ್ಲಿ ಗೆದ್ದು ಬಂದವರು

ನ್ಯಾಯ ಪಂಚಾಯ್ತಿಯಲ್ಲಿದ್ದರೆ ನ್ಯಾಯ ಸಿಕ್ಕುತ್ತದೆ. ಮತ್ತೆ ಅದು ಪಾರ್ಲಿಮೆಂಟ್ ಭೇದಿಸಿದರೆ ಸಿಕ್ಕುತ್ತದೆ. ಈ ವಿಷಯವನ್ನು ಈಗ ಉಪನಿರ್ದೇಶಕರು ನಾವು ಕರಣ ಮಾಡಿದ ಸದಸ್ಯರೂ ನ್ಯಾಯಪರಿಷತ್ತಿಗೆ ಅರ್ಜಿ ಹಾಕಿ ಭೂನ್ಯಾಯ ಪಂಚಾಯ್ತಿಯ ನಾವುಕರಣಗೊಂಡ ಸದಸ್ಯರನ್ನು ಜನ ಸೇರಿಸಿದ್ದಾರೆ.

ಹಾಗಾದರೆ ದಾರಿ ಯಾವುದು? ಸಿಬಿಲಿ ನ್ಯಾಯಾಧಿಕಾರ ವ್ಯಾಪ್ತಿಗಳನ್ನು ಸಂಬಂಧಿಸಿದ ವಾದಿ - ಪ್ರತಿವಾದಿಗಳು, ತಮ್ಮ ತಮ್ಮ ಪ್ರತಿನಿಧಿಗಳನ್ನು ಒಪ್ಪಿಸಿಬಿಟ್ಟರೆ ನ್ಯಾಯಪಂಚಾಯ್ತಿಗೆ ಸೂಚನೆಬೇಕು. ಆ ಇಬ್ಬರೂ ಒಪ್ಪಿತದಿಂದ ಮತ್ತೊಬ್ಬರನ್ನು ನೇಮಿಸಿಕೊಳ್ಳಬೇಕು ಅವರಿಬ್ಬರೂ ಒಪ್ಪಿತ ಆಗದಿದ್ದರೆ ಹಳೆಯ ಉತ್ತರವನ್ನು ಒಪ್ಪಿದರೆ ಜೀವಿ ಎತ್ತುವುದರ ಮೂಲಕ ನೇಮಕ ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಆ ಹತ್ತಿ ಜನ ಉತ್ತರವು ಒಂದು ಪಟ್ಟಿಯನ್ನು ಬೇಕಾದರೆ ಗ್ರಾಮಪಂಚಾಯ್ತಿ ಸರ್ವಾನುಮತದಿಂದ ನಿದ್ಧಪಡಿಸತಕ್ಕದ್ದು.

ಆ ಸರ್ವಾನುಮತದ ಯಾದಿಯನ್ನು ಜಿಲ್ಲಾ ನ್ಯಾಯಾಧಿಕಾರ ಅಂಗೀಕಾರ ಮುಂದೆ ಒತ್ತಿ ಒಪ್ಪಿಗೆ ಕೊಡಬೇಕು. (ಇದೂ ಅನಾವಶ್ಯಕವಾಗಬಹುದು) ಹೀಗೆ ಒಂದೊಂದು ವಿವಾದದ ಇತ್ಯರ್ಥಕ್ಕೆ ಮೂವರು ಅಥವಾ ಐವರು ನ್ಯಾಯಪಂಚಾಯ್ತಿ ರಚನೆಯಾಗಬೇಕು. ಕಾಯಂ ಸದಸ್ಯರು ಇರಬೇಕಾಗಿಲ್ಲ. ಕಾಯಂ ಜನರಾದರೆ ಅವರಿಗೆ ಸಭಾಭಿಷೇಕ, ಸಂಭಾವನೆ ಇತ್ಯಾದಿ ದಂಡ ಬಾಬು ತಲೆ ಕಾಣುತ್ತದೆ. ಈ ಇದ್ದಲ್ಲಿ ಅನಿರೀತಿಯಾಗುತ್ತದೆ. ಹಿಂದೆ ಬೃಹದ್ದರ ಕಾಲದಲ್ಲಾಗಲಿ ಗೌರವ ಮಾನ್ಯತೆಗಳಿರುತ್ತಿದ್ದವು. ಅವರು ಸಂಬಳಕ್ಕಾಗಿ, ಸಂಭಾವನೆಗಾಗಿ ಕೆಲಸ ಮಾಡತಕ್ಕವರಲ್ಲ. ಹಾಗೆಯೇ ಈಗಲೂ ಅಂಥ ಗೌರವ ಮಾನ್ಯತೆಗಳಿರುತ್ತವೆ. ಕ್ರಿಮಿನಲ್ ಮೇಕಪದವಿಗಳ ಇತ್ಯರ್ಥಕ್ಕೆ ನೇಮಕ ಮಾಡಬಹುದು.

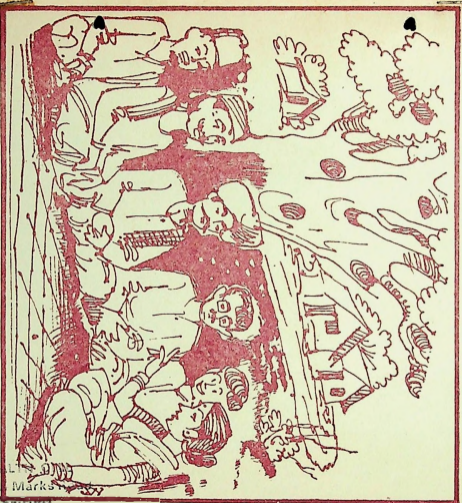
ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ಸಿಬ್ಬಂದಿಯಲ್ಲಿ ಒಬ್ಬರು, ಕಾನೂನಿನ ಅಂಶಗಳನ್ನು ತಿಳಿದವರು ಇರಬೇಕು. ಅವರು ನ್ಯಾಯಪಂಚಾಯ್ತಿ ಕಾರ್ಯದರ್ಶಿಗಳು ಅಥವಾ ರಿಜಿಸ್ಟ್ರಾರ್ ಕೆಲಸ ಮಾಡಬೇಕು. ಅವರ ಕೆಲಸ ಬರುವ ಫಿರಾದಿಗಳನ್ನು ನೋಡುವುದು ಸಿಕ್ಕಿಸುವುದು ವಿವಾದಗಳ ವಿಚಾರಣೆಗೆ ಜಾಲಿನ ಕೊಡಬೇಕು. ಒಪ್ಪಿಸುವ ನ್ಯಾಯಪಂಚಾಯ್ತಿ ಬೇಡಿ ಬರುವ ಜನರಿಗೆ ಮಾರ್ಗದರ್ಶನ ಕೆಲಸ ಮಾಡುವುದೂ ಅವರ ಕೆಲಸವಾಗಬೇಕು. ಅದರಲ್ಲಿ ತಪ್ಪೇನೂ ಇಲ್ಲ.

ಅಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಮಾತುಗಳು ಈಗ ಯೋಚಿಸಿರುವ ಗ್ರಾಮ ನ್ಯಾಯಪಂಚಾಯ್ತಿಗಳ ಸ್ಥಾನ ರೂಪರೇಷೆ ಮಾತ್ರ. ಇದರ ಬಗ್ಗೆ ಜನ ತೀವ್ರ ಚಿಂತನೆ ಮಾಡಬೇಕು. ಹಳೆಯ ಜನ 'ನನು ಜೇಳುತ್ತಾರೆ ಎಂಬುದನ್ನು ಕೇಳಿ ತಿಳಿಯಬೇಕು. ಅವರಿಗೆ ತಿಳಿಯದಂಥ ಅಂತರಿಕ್ಷ ಯಾನದಂಥ ಯಂತ್ರ, ಕಾಶರು ಪ್ರಶ್ನೆ ಇದರಲ್ಲಿ 'ನನು ಇಲ್ಲ. ತಮ್ಮ ಬದುಕಿಗೆ ದತ್ತಿರವಾದ ಈ ವಿಚಾರದಲ್ಲಿ ಅವರಿಗೆ ತಿಳಿದಷ್ಟು ಮಾಯನಿಯಂತ್ರಣ ಕೊಡುವುದನ್ನು ಕುಳಿತು ಬಿಡುವುದು ಐವನ ಅಧಿಕಾರಿಗಳಿಗೆ ತಿಳಿದಿತ್ತೆಂದು ನಾನು ತಿಳಿದಿಲ್ಲ.

ಈ ಬಗ್ಗೆ ಶಾಸಕರು ಯೋಚಿಸಬೇಕು. ಈ ಯೋಚನೆಯನ್ನು ಕೈಬಿಡಬಹುದು. ಕಷ್ಟ ಬಂದಿತ್ತೆಂದು ಅಂಜದರೆ ಕಷ್ಟ ನಿವಾರಣೆ ಇಲ್ಲ. 'ನಡೆವರೆಡವೆ ಕುಳಿತರೆಡವುವರೆ? ತನ್ನಿರಲಿಲ್ಲ ಬೀಳದ ಈಜುಬಾರದು. ಈಜು ಬರುವವರೆಗೆ ತನ್ನಿರಲಿಲ್ಲ ಇಳಿಯುವುದಿಲ್ಲ ಎಂದು ಅಂಜದ ಕಾನೂನು ಈಜು ಬರುವುದೇ ಇಲ್ಲ. ನೀರನ್ನು ಧುಮುಕಬೇಕು. ಒಮ್ಮೆ ನೀರು ಕುಡಿದು ಉಸಿರು ಸಿಕ್ಕು ಒದ್ದಾಡಬಹುದು. ಎಲ್ಲದರಲ್ಲೂ ಒಂದಿಷ್ಟು ಅಪಾಯ ಇದ್ದೇ ಇದೆ. ಧೈರ್ಯವಾಗಿ ಮುನ್ನೂಗುವುದೇ ಗೆಲುವು.

— ಕೋ. ಬೆನ್ನಬಸವ್ವ.

ಸಂಚಾರಿಯತಿ ರಾಜ್ಯ ಸರ್ಕಾರಿ ಒಂದು ಪ್ರಯತ್ನ



|| ಡಾ|| ಟಿ. ಎನ್. ಮಂಜುನಾಥ

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ಪಂಚಾಯಿತಿ ರಾಜ್ಯ

ರಂಗೇನಹಳ್ಳಿಯಲ್ಲಿ ಒಂದು ವಿದ್ಯಾಮಂದಿರ

ರಂಗೇನಹಳ್ಳಿಯಲ್ಲಿ ಒಂದು ರಾತ್ರಿಶಾಲೆ. ಶಾಲೆಗೆ ಸೇರಿದ್ದು ಮೂವತ್ತು ಮಂದಿ ವಯಸ್ಕರು. ಅವರ ಪೈಕಿ ಚೆನ್ನಾಗಿ ಓದು ಬರಹ ಕಲಿತವರು ಹದಿನೈದು ಮಂದಿ. ಶಾಲೆಯ ಯಶಸ್ಸಿಗೆ ಗ್ರಾಮಸ್ಥರ ಸಹಕಾರ ಚೆನ್ನಾಗಿತ್ತು. ಉಪಾಧ್ಯಾಯರಿಗೆ ನೆರವು ನೀಡಲು ಗ್ರಾಮಸ್ಥರ ಒಂದು ಸಲಹಾ ಸಮಿತಿ ರಚನೆ ಆಗಿತ್ತು.

ಓದು ಬರಹ ಕಲಿತವರು ತಮ್ಮ ಕಲಿಕೆ ಮುಂದುವರಿಸಲು ಅಸೆ ಪಟ್ಟರು. ಅದಕ್ಕಾಗಿ ಅಲ್ಲಿ ಒಂದು ವಿದ್ಯಾಮಂದಿರ ಪ್ರಾರಂಭವಾಯಿತು. ವಯಸ್ಕರ ಶಿಕ್ಷಣ ಇಲಾಖೆ ವಿದ್ಯಾಮಂದಿರಕ್ಕೆ ಒಂದು ಕಟ್ಟು ಪ್ರಸ್ತುತ ನೀಡಿತು.

ಕಲಿತವರು ಅವರ ಪೈಕಿ ಒಂದು ಸಣ್ಣ ಸಮಿತಿ ರಚಿಸಿಕೊಂಡಿದ್ದರು. ಪ್ರತಿನಿತ್ಯ ಸಂಜೆ ಅವರು ಊರ ಚಾವಡಿಯಲ್ಲಿ ಸೇರುವರು. ಅವರ ಜೊತೆಗೆ ಇತರ ಗ್ರಾಮಸ್ಥರು ಕೂಡ ಸೇರುವರು. ಯಾರೂ ಸುಮ್ಮನೆ ಕಾಲ ಕಳಿಯಲು ಇಚ್ಛಪಡರು.

ಪ್ರತಿನಿತ್ಯ ವಿದ್ಯಾಮಂದಿರ ಸೇರಲು ಹತ್ತು ನಿಮಿಷ ಮುಂಚೆ ಚಾವಡಿಯ ಬಳಿ ಒಂದು ಒಳಗೆ ಕಸ ಗುಡಿಸುವರು. ನೆಲಕ್ಕೆ ಚಾಪೆ ಹಾಸುವುದು, ದೀಪ ಹಚ್ಚುವುದು - ಇವೆಲ್ಲಾ ಕಲಿಯುವವರ ಸಮಿತಿ ಸದಸ್ಯರ ಕೆಲಸ. ಈ ಏರ್ಪಾಡು ಇತರ ಶಾಲೆಗಳಿಗೆ ಮಾದರಿ.

ಇಂದು ಶನಿವಾರ. ಎಂದಿನಂತೆ ಎಲ್ಲರೂ ಸೇರಿದ್ದಾರೆ. ಭಜನೆ ಮುಗಿಯಿತು. ಉಪಾಧ್ಯಾಯರು ಅಂದಿನ ವ್ಯತ್ಯಪತ್ರಿಕೆ ಓದಿ ಹೇಳಿದರು.

“ಸರಕಾರ ನಮ್ಮದು, ನಮ್ಮದು ರಾಮರಾಜ್ಯ ಅಗಬೇಕು ಎಂದು ಮಂತ್ರಿಗಳು ಮೊನ್ನೆ ಸಭೆಯಲ್ಲಿ ಹೇಳಿದರು. ಅದು ಹೇಗೆ?” ರಂಗಪ್ಪ ಕೇಳಿದ. ರಂಗಪ್ಪ ರಾತ್ರಿಶಾಲೆಯಲ್ಲಿ ಕಲಿತವನು. ಇತರರೂ ಆತನೊಂದಿಗೆ ದನಿಗೂಡಿಸಿದರು. ಕಾರಣ, ಈ ವಿಚಾರ ತಿಳಿಯಲು ಅವರಿಗೂ ಕುತೂಹಲ.

ಉಪಾಧ್ಯಾಯರು : "ನನ್ನ ಪ್ರಶ್ನೆ ಒಳ್ಳೆಯದು. ಈ ಪ್ರಶ್ನೆಗೆ ಒಂದೇ ಮಾತಿನಲ್ಲಿ ಉತ್ತರ ಹೇಳಲು ಆಗದು. ಆದ್ದರಿಂದ ಈ ವಿಚಾರ ವಿವರವಾಗಿ ಹೇಳುವೆ. ಎಲ್ಲರಿಗೂ ಈ ವಿಷಯ ತಿಳಿಯಲು ಆಸೆ ಅಲ್ಲವೆ ?"

"ಹೌದು" "ಹೌದು"-ಎಂಬ ಕೂಗು ಸಭೆಯಿಂದ ಕೇಳಬಂತು.

ನಮ್ಮ ದೇಶ ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆದಿದ್ದು ಹೇಗೆ ?

ನಮ್ಮ ದೇಶ ಭಾರತ. ನಾವು 1947ರ ಆಗಸ್ಟ್ ಹದಿನೈದರಂದು ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆದವು. ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆಯಲು ಸುಮಾರು ನೂರು ವರ್ಷ ಹೋರಾಡಿದವು. ಅದೇ ಒಂದು ರೋಮಾಂಚಕಾರಿ ಕಥೆ. ಇಂದು ನಾವೇ ಸರ್ಕಾರದ ಒಡೆಯರು. ಅದಿರಲಿ. ಈಗ ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆದ ಬಗೆಯನ್ನು ತಿಳಿಯೋಣ.

ಈಗ ಸುಮಾರು ಐನೂರು ವರ್ಷಗಳ ಒಂದಕ್ಕೆ ಹೋಗೋಣ. ಆಗ ಯೂರೋಪಿನ ಹಲವಾರು ದೇಶಗಳು ಭಾರತದೊಡನೆ ವ್ಯಾಪಾರ ಮಾಡಲು ಬಯಸಿದವು. ಪೊಲಲು ನಮ್ಮ ದೇಶಕ್ಕೆ ವ್ಯಾಪಾರಕ್ಕೆ ಬಂದವರು ಪೋರ್ಚುಗೀಸರು. ಅನಂತರ ಬಂದವರು ಹಾಲ್ಲ್ಯಾಂಡರು. ಹದಿನಾರನೆಯ ಶತಮಾನದಲ್ಲಿ ಬ್ರಿಟನ್ನಿನ ವರ್ತಕರು ಭಾರತಕ್ಕೆ ಬಂದರು. ವೋಗಲ್ ಚಕ್ರವರ್ತಿ ಜಹಾಂಗೀರ ನನ್ನು ಭೇಟಿ ಮಾಡಿದರು. ತಮ್ಮ ವ್ಯಾಪಾರಕ್ಕೆ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವಂತೆ ಆ ಚಕ್ರವರ್ತಿಯನ್ನು ಬೇಡಿಕೊಂಡರು. ವ್ಯಾಪಾರದ ಸೋಗಿನಲ್ಲಿ ಬಂದವರು ಕ್ರಮೇಣ ತಮ್ಮ ಪ್ರಭಾವ ವಿಸ್ತರಿಸಿಕೊಂಡರು. ಇಲ್ಲಿ ಸಾಮ್ರಾಜ್ಯವನ್ನು ಕಟ್ಟಿದರು. ಭಾರತದಲ್ಲಿ ಬಹುಕಾಲ ನಿಂತವರು ಬ್ರಿಟಿಷರು. ಅವರ ದೇಶ ಬ್ರಿಟನ್. ಬ್ರಿಟಿಷರನ್ನು ಇಂಗ್ಲಿಷರು ಎಂದು ಕರೆಯುವುದು ರೂಢಿ. ಅವರ ಹತ್ತೊಂಟಿಗೆ ಭಾರತದ ಬಹುಭಾಗ ಸೇರಿತು. ಇಲ್ಲಿನ ಕಚ್ಚಿಣ, ಬಂಗಾಳ, ಬೆಳ್ಳೆ, ಹತ್ತಿ ಮುಂತಾದ ಪದಾರ್ಥಗಳನ್ನು ತಮ್ಮ ದೇಶಕ್ಕೆ ಒಯ್ದರು. ಇಲ್ಲಿಯ ಹತ್ತಿ ಬ್ರಿಟನ್ನಿಗೆ ಹೋಗಿ ಬಟ್ಟೆ ರೂಪದಲ್ಲಿ ವಾಪಸು ಬರುತ್ತಿತ್ತು. ಅವಕ್ಕೆ ನಾವು ಹೆಚ್ಚಿನ ಬೆಲೆ ತೆರುತ್ತಿದ್ದೆವು. ಪ್ರಪಂಚದ ಪೊದಲನೆಯ ಮಹಾಯುದ್ಧ ನಡೆಯಿತಷ್ಟೆ. ಆಗ ನಮ್ಮ ಸೈನಿಕರು ಬ್ರಿಟಿಷರಿಗಾಗಿ ಯುದ್ಧ ಮಾಡಿದರು. ಭಾರತದ ಕೋಟ್ಯಾಂತರ ರೂಪಾಯಿ ಯುದ್ಧಕ್ಕೆ ಹರಿಯಿತು. ಅಲ್ಲಿಗೇ ಮುಗಿಯಲಿಲ್ಲ. ಪ್ರಪಂಚದ ಎರಡನೆಯ ಮಹಾಯುದ್ಧವಲ್ಲೂ ನಮ್ಮ ಸೈನಿಕರು ಹೋರಾಡಿದರು. ಆಗ ಬ್ರಿಟಿಷರಿಗೆ ಬರ್ಮ ದೇಶದಲ್ಲಿ ಸೋಲಾಯಿತು. ಆಗ ಭಾರತೀಯ ಸೈನಿಕರನ್ನು ಅಲ್ಲಿಯೇ ಬಿಟ್ಟು ಓಡಿದರು.

ಭಾರತೀಯರ ಬಾವುಟ ಇಂಗ್ಲಿಷರ 'ಯೂನಿಯನ್ ಜಾಕ್' ಆಗಿತ್ತು. ಭಾರತೀಯರ ರಾಷ್ಟ್ರಗೀತೆ ಇಂಗ್ಲಿಷರ 'ಗಾಡ್ ಸೇವ್ ದಿ ಕಿಂಗ್'; ಣಾವು ನಮ್ಮ ದೇಶ ಎಂದು ಹೇಳುವುದು ಅಪರಾಧ ಆಯಿತು. ಬ್ರಿಟಿಷರನ್ನು ದೇಶಬಿಟ್ಟು ತೊಲಗಿ ಎಂದು ಹೇಳುವುದು ಮಹಾ ಅಪರಾಧ ಆಯಿತು. ಮೇಲಾಗಿ ವೇಶ ದ್ಯೋಹ ಆಯಿತು. ಪರಿಸ್ಥಿತಿ ಹೀಗಿತ್ತು. ಆದರೂ ಭಾರತ ಬ್ರಿಟಿಷರ ಪಾಲಿಗೆ ಕಾಮಧೇನು ಆಗಿತ್ತು. ಕಾಮಧೇನು ಮೂತ್ರ ಬಡಕಲಾಗುತ್ತ ಬಂತು. ಈ ದಾರುಣ ಪರಿಸ್ಥಿತಿ ನಮ್ಮ ಮುಖಂಡರಿಗೆ ಸಹಿಸಲಿಲ್ಲ. ಆದ್ದರಿಂದ 1857ರಲ್ಲಿ ಹಲವಾರು ದೇಶಭಕ್ತ ಮುಖಂಡರು ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆಯಲು ಬ್ರಿಟಿಷರೊಡನೆ ಹೋರಾಡಿದರು. ಅವರ ಪೈಕಿ ಕಿತ್ತೂರು ರಾಣಿ ಚೆನ್ನಮ್ಮ, ಸಂಗೊಳ್ಳಿ ರಾಯಣ್ಣ ಮುಂತಾದವರು ಮುಖ್ಯರು. ಇವರು ಕನ್ನಡಿಗರು ಎಂಬುದನ್ನು ಬಲ್ಲರಿ. ನಾವು ಅಗೆ ಗೆಲ್ಲಲಿಲ್ಲ. ಕಾರಣ, ನಮ್ಮಲ್ಲಿ ಒಗ್ಗಟ್ಟು ಇರಲಿಲ್ಲ. ಆದರೆ ನಮ್ಮ ಹೋರಾಟ ಅಲ್ಲಿಗೇ ನಿಲ್ಲಲಿಲ್ಲ. ಬದಲಾಗಿ ಹೆಚ್ಚು ಹುರುಪಿನಿಂದ ಮುಂದುವರಿಯಿತು. ಬಾಲ ಗಂಗಾಧರ ತಿಲಕ್, ಮಹಾತ್ಮ ಗಾಂಧೀಜಿ, ಜವಹರಲಾಲ್ ನೆಹರು, ಸರದಾರ್ ಪಟೇಲ್, ವೀರ ಸಾವರ್ಕರ್, ಡಾ|| ಬಾಬು ರಾಜೇಂದ್ರ ಪ್ರಸಾದ್, ಚಕ್ರವರ್ತಿ ರಾಜಗೋಪಾಲಾಚಾರಿ, ಸುಭಾಸ್ ಚಂದ್ರ ಬೋಸ್ ಮುಂತಾದ ಅನೇಕ ಮುಖಂಡರು ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆಯಲು ತಮ್ಮ ಸದ್ವ್ಯವನನ್ನು ತ್ಯಾಗ ಮಾಡಿದರು. ಇಡೀ ದೇಶ ಒಂದಾಗಿ ಅವರಿಗೆ ಬೆಂಬಲ ನೀಡಿತು. ಸಾವಿರಾರು ಮಂದಿ ಪ್ರಾಣ ತೆತ್ತರು. ಅಸ್ತಿಪಾಸ್ತಿಗಳನ್ನು ಕಳೆದುಕೊಂಡರು. ಸರಕಾರ ದಲವಾರು ದೇಶಭಕ್ತರ ಅಸ್ತಿಯನ್ನು ಕಿತ್ತುಕೊಂಡಿತು. ಅವರು ಭಿಕಾರಿಗಳಾದರು. ಲಕ್ಷಾಂತರ ಮಂದಿ ಜೈಲುವಾಸ ಅನುಭವಿಸಿದರು. ಬ್ರಿಟಿಷರ ಗುಂಡಿನ ವಿಟಿಗೆ ಬಲಿ ಆದವರ ಸಂಖ್ಯೆ ಲೆಕ್ಕವಿಲ್ಲ. ಮಹಿಳೆಯರು, ವಿದ್ಯಾರ್ಥಿಗಳು, ರೈತರು ಮತ್ತು ಕಾರ್ಮಿಕರು ಸ್ವಾತಂತ್ರ್ಯ ಚಳುವಳಿಯಲ್ಲಿ ಪಾಲುಗೊಂಡರು. ಇವರೆಲ್ಲರ ಬಲಿದಾನದ ಫಲವೇ ಭಾರತಕ್ಕೆ ಪೂರ್ಣ ಸ್ವಾತಂತ್ರ್ಯ. ಬ್ರಿಟಿಷರು ಕಡೆಗೂ ಭಾರತ ಬಿಟ್ಟು ತೊಲಗಬೇಕಾಯಿತು.

ಅನಂತರ ದೇಶದ ಹಿರಿಯರು ಮತ್ತು ಮುಖಂಡರು ಕೂಡಿ ರಾಜ್ಯಾಂಗ ರಚಿಸಿದರು. ಮುಂದಿನ ಸರಕಾರ ಹೇಗಿರಬೇಕು ? - ಎಂಬುದನ್ನು ತಿಳಿಸುವುದೇ ರಾಜ್ಯಾಂಗ. ಅದನ್ನು ಸಂವಿಧಾನ ಎಂದು ಕರೆಯುವರು. ಸಂವಿಧಾನದ ಪ್ರಕಾರ ಮೊಟ್ಟಮೊದಲನೆಯ ಪ್ರಜಾತಂತ್ರ ಸಂಸ್ಥೆ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಅಥವಾ ಪಂಚಾಯಿತಿ ರಾಜ್ಯ.

ಭಾರತ ಹಳ್ಳಿಗಳ ರಾಜ್ಯ. ಮಹಾತ್ಮ ಗಾಂಧಿ 'ಹಳ್ಳಿಗಳಿಗೆ ಸ್ವಾತಂತ್ರ್ಯದ ಹೊಳೆ ಹರಿಯಬೇಕು. ಗ್ರಾಮರಾಜ್ಯ ಆಗಬೇಕು. ಗ್ರಾಮರಾಜ್ಯ ಯಶಸ್ವಿ

ಆದರೆ ರಾಮರಾಜ್ಯ ಆದೀತು' ಎಂದು ಹೇಳುತ್ತಿದ್ದರು. ಅಂತೂ ಬಾಪೂಜಿ ರಾಮರಾಜ್ಯದ ಕನಸು ಕಾಣುತ್ತಿದ್ದರು.

ರಾಮರಾಜ್ಯ ಅಂದರೆ ಸ್ವರ್ಗ ಅಲ್ಲ. ಅಲ್ಲಿಯೂ ಸಹ ಈಗಿನ ಹಾಗೆ ಹುಟ್ಟು-ಸಾವು ಇದ್ದೇ ಇತ್ತು. ಅನ್ನ, ವಸತಿ, ಬಟ್ಟೆಯ ಕೊರತೆ ಇರಲಿಲ್ಲ. ಜನರಲ್ಲಿ ವಿವೇಕ ಇತ್ತು. ಹೆಚ್ಚಾಗಿ ರೋಗರುಜಿನಗಳಿರಲಿಲ್ಲ. ಜನ ಸರಳ ಸ್ವಭಾವದವರು. ಆಗ ಅವರಿಗೆ ಹೆಚ್ಚು ಸುಖ ಇತ್ತು. ರಾಮರಾಜ್ಯ ಎಂದರೆ ಸುಖೀ ರಾಜ್ಯ. ರಾಮ ಅಯೋಧ್ಯೆಯ ಪ್ರಭು-ಸೇವಕ. ಅಂತಹ ಪ್ರಭು-ಸೇವಕರು ಪ್ರತಿ ಹಳ್ಳಿಯಲ್ಲೂ ಇದ್ದರು. ಆತನೇ ಈಗಿನ ಸರಪಂಚ. ಈತನಿಗೆ ಪಂಚಾಯತರು ಸಲಹೆಗಾರರು. ಅವರನ್ನು ಗ್ರಾಮಸ್ಥರ ಸಭೆಯಲ್ಲಿ ಆ ಗ್ರಾಮದ ಇಡೀ ವಯಸ್ಕರು ಸೇರಿ ಆರಿಸುತ್ತಿದ್ದರು. ಈ ವಿಷಯದಲ್ಲಿ ಬಹುಮಟ್ಟಿಗೆ ಏಕಾಭಿಪ್ರಾಯ ಇತ್ತು. ಸರ್ವಸಮ್ಮತಿ ಇತ್ತು. ಈಗಿನಂತೆ ಆಗ ಅನಾರೋಗ್ಯ ಮತ್ತು ಅಹಿತವಾದ ಪ್ರಚಾರ ಇರಲಿಲ್ಲ.

ಗ್ರಾಮ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆ ಚೆನ್ನಾಗಿತ್ತು. ಕ್ರಮೇಣ ಅದು ಹಾಳಾಗುತ್ತ ಬಂದಿತು. ಭಾರತ ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆಯಿತಷ್ಟೆ. ಅದಿನಿಂದ ಗ್ರಾಮ ಪಂಚಾಯತಿ ರಾಜ್ಯವನ್ನು ಸ್ಥಾಪಿಸಲು ಪ್ರಯತ್ನ ನಡೆಯುತ್ತಿದೆ. ಅದು ಸ್ವಾರಸ್ಯವಾದ ಕಥೆ. ಅದನ್ನು ಸೂಕ್ಷ್ಮವಾಗಿ ತಿಳಿಸುತ್ತೇನೆ !

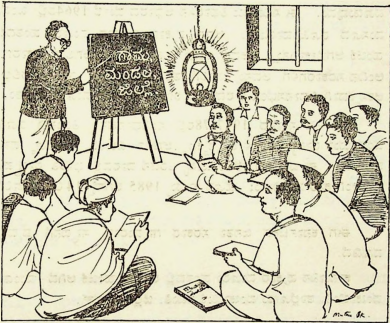
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“ತಿಳಿಸಿ ಸ್ವಾಮಿ. ವಿಷಯ ಸ್ವಾರಸ್ಯ ಆಗಿವೆ” ಎಂಬ ಧ್ವನಿ ಸಭೆಯಿಂದ ಕೇಳಬಂತು.

ಕರ್ನಾಟಕದಲ್ಲಿ ಪಂಚಾಯತಿ ರಾಜ್ಯ

“1956ರಲ್ಲಿ ಭಾಷಾವಾರು ತತ್ವದಂತೆ ರಾಜ್ಯಗಳು ಪುನಃ ರಚನೆ ಆದವು. ಆಗ ಹಳೆಯ ಮೈಸೂರಿಗೆ ವಿದಿಧ ರಾಜ್ಯಗಳಿಂದ ಕನ್ನಡ ಮಾತನಾಡುವ ಪ್ರದೇಶಗಳು ಸೇರಿದವು. ಅವೆಲ್ಲವೂ ಸೇರಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಆಯಿತು. ಆದರೆ ಕರ್ನಾಟಕದ ಒಂದೊಂದು ಪ್ರದೇಶದಲ್ಲಿ ಒಂದೊಂದು ರೀತಿಯ ಗ್ರಾಮ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆ ಇತ್ತು. ಅದು ಹೋಗಿ ಒಂದೇ ರೀತಿಯ ವ್ಯವಸ್ಥೆ ಜಾರಿಗೆ ಬಂದಿದ್ದು 1959ರಲ್ಲಿ. 1959ರಿಂದ ಜಾರಿಗೆ ಬಂದ ವ್ಯವಸ್ಥೆಯ ಮುಖ್ಯ ಲಕ್ಷಣ - ಗ್ರಾಮ, ತಾಲ್ಲೂಕು, ಜಿಲ್ಲೆ ಎಂಬ ಮೂರು ಮಜಲಿನ ಅಧಿಕಾರ ಸೋಪಾನ.

1952ರಲ್ಲಿ ಭಾರತಾದ್ಯಂತ ಸಮುದಾಯ ಅಭ್ಯುದಯ (ಕಮ್ಯುನಿಟಿ ಡೆವಲಪ್ ಮೆಂಟ್) ಯೋಜನೆ ಜಾರಿಯಾಗಿತ್ತು. ಅದು ಆರಂಭವಾದ ಅಲ್ಪ ಕಾಲದಲ್ಲಿಯೇ



ಕಂಡುಬಂದ ಕೊರತೆಯೆಂದರೆ ಯೋಜನೆಗಳೆಲ್ಲ ರಾಜಧಾನಿಯಲ್ಲಿ ರೂಪಗೊಳ್ಳುವುದರಿಂದ. ಸ್ಥಳೀಯ ಗ್ರಾಮಸ್ಥರು ಅವುಗಳಲ್ಲಿ ಸಂಕಷ್ಟ ಉತ್ಪಾದಿಸಿದ ಪಾಲ್ಗೊಳ್ಳುತ್ತಿರಲಿಲ್ಲವೆಂಬುದು. ಗ್ರಾಮಸ್ಥರಲ್ಲಿ ಉತ್ಪಾದನೆಯನ್ನು ಹುಟ್ಟಿಸಬೇಕಾದರೆ ಯೋಜನೆಗಳನ್ನು ರೂಪಿಸುವುದರಲ್ಲಿಯೂ ಕಾರ್ಯಗತಗೊಳಿಸುವುದರಲ್ಲಿಯೂ ಅವರಿಗೆ ಪ್ರಮುಖ ಪಾತ್ರ ನೀಡಬೇಕು. ಇದು ರಕ್ಷಣಾಂಗವಾದ ಪಂಚಾಯತಿ ರಾಜ್ಯ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ. ಇಂಥ ವ್ಯವಸ್ಥೆಯ ರೂಪರೇಷೆ ತಯಾರಿಸಲು ಬಲವಂತರಾಯ್ ಮಹತಾ ಅವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಸಮಿತಿಯೊಂದು ನೇಮಕಗೊಂಡಿತು.

ಗ್ರಾಮಗಳ ಹಂತದಲ್ಲಿ ಅಧಿಕಾರ ವಿಕೇಂದ್ರೀಕರಣ ಮಾಡುವುದು ಅದರ ಉದ್ದೇಶ. ಅಂದರೆ ಗಾಂಧೀಜಿಯ 'ರಾಜಾರಾಜ್ಯ'ದ ಕಲ್ಪನೆಯನ್ನು ಕಾರ್ಯರೂಪಕ್ಕೆ ತರುವುದು. ಅದರ ಆ ಸಮಿತಿಯ ಶಿಫಾರಸುಗಳು ಕಾರ್ಯರೂಪಕ್ಕೆ ಬರಲಿಲ್ಲ.

ಕರ್ನಾಟಕದಲ್ಲಿ ಅಧಿಕಾರ ವಿಕೇಂದ್ರೀಕರಣ ಉದ್ದಿಷ್ಟ ಪ್ರಮಾಣದಲ್ಲಿ ಆಗದ ಕಾರಣ ಕೊಂಡಜ್ಜಿ ಬಸಪ್ಪನವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಒಂದು ಸಮಿತಿಯನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರ ರಚಿಸಿತು. ಉದ್ದೇಶ ಕರ್ನಾಟಕಕ್ಕೆ ಹೊಂದುವಂತೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆ

ಮಾಡುವುದು. ಈ ಸಮಿತಿಯ ಶಿಫಾರಸಿನ ಆಧಾರದ ಮೇಲೆ 1964ರಲ್ಲಿ ಒಂದು ಮಸೂದೆ ರೂಪಿತವಾಯಿತು. ಅದರ ಪ್ರಕಾರ ಅಧಿಕಾರ ಮೂರು ಹಂತದಲ್ಲಿ ಹಂಚಿಕೆ ಆಗಬೇಕಾಗಿತ್ತು. ಆದರೆ ಅದೂ ಸಹ ಕಾರ್ಯಗತ ಆಗಲಿಲ್ಲ. ಕಾರಣ. ಅಂದಿನ ಸರ್ಕಾರಗಳಿಗೆ ಅದನ್ನು ಜಾರಿಗೆ ತರಲು ಪ್ರಾಯಶಃ ಇಚ್ಛೆ ಇರಲಿಲ್ಲ. ಆಕಸ್ಮಿಕವಾಗಿ ವಿಧಾನಸಭೆಯೂ ರದ್ದಾದ ಕಾರಣ ಆ ಶಿಫಾರಸು ಮೂಲೆ ಸೇರಿತು.

ಕರ್ನಾಟಕ ಸರ್ಕಾರ 1977-78ರಲ್ಲಿ ಸಂವಿಧಾನವನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಿ ಪಂಚಾಯತ ರಾಜ್ಯ ಸಂಸ್ಥೆಗಳ ಅಸ್ತಿತ್ವಕ್ಕೂ ಅಡಳಿತ ವಿಕೇಂದ್ರೀಕರಣಕ್ಕೂ ದಾರಿ ಮಾಡಿತು. ಈ ಮಸೂದೆ 1985 ಜುಲೈ ಎರಡನೆ ವಾರದಲ್ಲಿ ಭಾರತ ರಾಷ್ಟ್ರಪತಿಗಳ ಅಂಗೀಕಾರ ಪಡೆಯಿತು; ಹೊಸ ಕಾಯ್ದೆ 1985 ಆಗಸ್ಟ್ 14 ರಿಂದ ಜಾರಿಗೆ ಬಂದಿದೆ.

ಈಗ ಕರ್ನಾಟಕದ ಜನತಾ ಸರ್ಕಾರ ಗ್ರಾಮರಾಜ್ಯ ಸ್ಥಾಪನೆಗೆ ವ್ಯವಸ್ಥೆ ಮಾಡಿದೆ.

ಕಾನೂನಿನ ಪ್ರಕಾರ ಮೂರು ಹಂತದಲ್ಲಿ ಅಧಿಕಾರ ಹಂಚಿಕೆ ಆಗಿದೆ - ಮಂಡಳ ಪಂಚಾಯತಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿ ಸಮಿತಿ, ಜಿಲ್ಲಾ ಪರಿಷತ್.

ಗ್ರಾಮಗಳಲ್ಲಿ ಓಂದೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳು ಇದ್ದವು. ಈಗ ಅಲ್ಪ ಸ್ವಲ್ಪ ಬದಲಾವಣೆಯೊಂದಿಗೆ ಒಂದಕ್ಕಿಂತ ಹೆಚ್ಚು ಗ್ರಾಮಗಳು ಸೇರಿ ಮಂಡಳ ಪಂಚಾಯತಿಗಳು ರೂಪಿಸಿ ಆಗುವುವು. ಮಂಡಳ ಪಂಚಾಯತಿಗಳಿಗೆ ಮೂಲದಲ್ಲಿ ಸ್ಕೂರ್ತಿ ಕೊಡುವ ಸಂಸ್ಥೆ ಗ್ರಾಮಸಭೆಗಳು. ಮೊದಲು ಗ್ರಾಮಗಳಲ್ಲೇ ನ್ಯಾಯ ತೀರ್ಮಾನ ಮಾಡುವ ವ್ಯವಸ್ಥೆ ಇತ್ತು. ಅದನ್ನು ಕಾನೂನಿನ ಪ್ರಕಾರ ಪುನಃ ಜಾರಿಗೆ ತರುವ ವ್ಯವಸ್ಥೆ ಆಗಿದೆ.

“ಈಗಿನ ಸರ್ಕಾರ ಗ್ರಾಮಸ್ಥರ ಸರ್ಕಾರ, ಸ್ವಾಮಿ. ವಿಷಯ ಚೆನ್ನಾಗಿದೆ. ನಮಗೆ ಕೇಳುವ ಕುತೂಹಲ ಹೆಚ್ಚಿದೆ.”

“ಇಲ್ಲಿಗೆ ನಿಲ್ಲಿಸೋಣ. ಪುನಃ ನಾಳೆ 8 ಘಂಟೆಗೆ ಸಭೆ ಸೇರೋಣ.”

★ ★ ★ ★

ಮರುದಿನ ಮಾಮೂಲಿನಂತೆ ಸಭೆ ಸೇರಿತು. ಒಂದಿನ ದಿನಕ್ಕಿಂತ ಎರಡು ಹೆಚ್ಚು ಜನ ಸೇರಿದರು. ಮಹಿಳೆಯರೂ ಸಹ ಸಭೆಗೆ ಬಾರದ ಇರಲಿಲ್ಲ.

ಉಪಾಧ್ಯಾಯರಿಗೆ ತುಂಬಿದ ಸಭೆ ನೋಡಿ ಆನಂದ ಆಯಿತು. “ನಿನ್ನೆ ಸ್ವಾತಂತ್ರ್ಯ ಪಡೆದ ಬಗೆ ವಿವರಿಸಿದೆ. ಹಾಗೆ ಗ್ರಾಮೀಣ ಮಟ್ಟದಲ್ಲಿ ಅಧಿಕಾರ

ಹಂಚಲು ಸರಕಾರದ ಪ್ರಯತ್ನವೇನೆಂಬುದನ್ನು ತಿಳಿಸಿದ್ದೇನೆ. ಇಂದು ಗ್ರಾಮೀಣ ಮಟ್ಟದಲ್ಲಿ ಸರಕಾರ ಗ್ರಾಮ ಪಂಚಾಯತಿ ರಾಜ್ಯದ ತತ್ವ ಹೇಗೆ ಅಳವಡಿಸಿದ ಎಂಬುದನ್ನು ತಿಳಿಯೋಣ."

ಗ್ರಾಮಸಭೆಯ ರಚನೆ

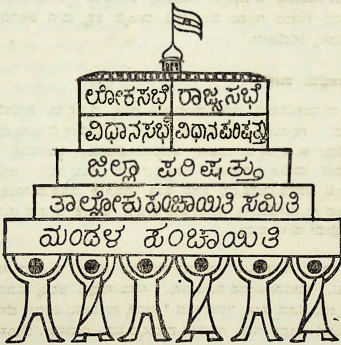
ಗ್ರಾಮಸಭೆಯನ್ನು ಇಡೀ ಪಂಚಾಯತಿ ರಾಜ್ಯ ವ್ಯವಸ್ಥೆಯ ಸಾಧನವೆಂದು ಬಹುದು. ಗ್ರಾಮಸಭೆ ಎಷ್ಟು ಸಮರ್ಥವಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತದೆ ಎನ್ನುವುದರ ಮೇಲೆಯೇ ಈ ವ್ಯವಸ್ಥೆಯ ಯಶಸ್ಸು ಅವಲಂಬಿಸಿರುವುದು. ಆಡಳಿತದಲ್ಲಿ ಜನ ಸೇರವಾಗಿ ಪಾಲ್ಗೊಳ್ಳಲಾಗುವುದು ಗ್ರಾಮಸಭೆಯ ಮಟ್ಟದಲ್ಲಿ. ಅಲ್ಲಿಂದ ಮೇಲ್ನುಟ್ಟ ಆಡಳಿತ ಯಂತ್ರದಲ್ಲಿ ಜನರ ಪಾತ್ರ ಪರೋಕ್ಷ ಮಾತ್ರವಾಗಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ಗ್ರಾಮಸಭೆಯನ್ನು ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಅಷ್ಟೇಕೆ ಪ್ರಜಾಪ್ರಭುತ್ವದ ಅಡಿಗಲ್ಲೆಂದೇ ಹೇಳಬಹುದು.

ಗ್ರಾಮ ಪಂಚಾಯತಿ ಗ್ರಾಮದ ನಾಗರಿಕರು ಆರಿಸಿದ ಗ್ರಾಮದ ಸಚಿವ ಸಂಪುಟ. ಸಚಿವರು ಎಂದರೆ ಮಂತ್ರಿಗಳು. ಸಚಿವ ಸಂಪುಟ ಆಯ್ಕೆ ಮಾಡಲು ಇನ್ನೊಂದು ದೊಡ್ಡ ಸಂಸ್ಥೆ ಇರಬೇಕಲ್ಲವೆ? ಅದಕ್ಕೆ ಗ್ರಾಮಸಭೆ ಎಂದು ಹೆಸರು. ಗ್ರಾಮಸಭೆ ಎಂದರೆ ಇಡೀ ಗ್ರಾಮದ ವಯಸ್ಕರ ಸಭೆ - ಗಂಡಸರು. ಹೆಂಗಸರು, ಮುದುಕರು, ಯುವಕರು ಮತ್ತು ಯುವತಿಯರು. ಗ್ರಾಮಸಭೆ ನಿಗದಿಯಾದ ಕಾಲಕ್ಕೆ ಸೇರಬೇಕು. ಪಂಚಾಯತಿಯ ಕೆಲಸವನ್ನು ಪರಿಶೀಲಿಸಬೇಕು. ಅದರ ಕೆಲಸಗಳಿಗೆ ಬೆಂಬಲ ಅಗತ್ಯ. ಆದರೆ ಗ್ರಾಮಪಂಚಾಯತಿ ಇಷ್ಟ ಬಂದಂತೆ ವರ್ತಿಸಿದಲ್ಲಿ ದಂಡಿಸಬೇಕು.

ಗ್ರಾಮಸಭೆಯ ಸದಸ್ಯರು ಯಾರು? ಎಂಬುದನ್ನು ತಿಳಿಯೋಣ. ಗ್ರಾಮದಲ್ಲಿ ವಾಸವಾಗಿರಬೇಕು. 18 ವಯಸ್ಸಾಗಿರತಕ್ಕದ್ದು. ಆತನ ಹೆಸರು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಮತದಾರರ ಪಟ್ಟಿಯಲ್ಲಿ ಇರಬೇಕು. ಆತ ಮಾತ್ರ ಗ್ರಾಮಸಭೆಯ ಸದಸ್ಯ. ಗ್ರಾಮಸಭೆ ಕಡೆಯ ಪಕ್ಷ ವರ್ಷದಲ್ಲಿ ಎರಡು ಬಾರಿ ಸಭೆ ಸೇರಬೇಕು.

ಗ್ರಾಮಸಭೆಯ ಹೊಣೆ

1) ಗ್ರಾಮದಲ್ಲಿ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಕ್ರಮಗಳನ್ನು ಕಾರ್ಯಗತ ಮಾಡುವುದು;



- 2) ಗ್ರಾಮದ ಏಳಿಗೆಗೆ ಹೊಸ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ರೂಪಿಸುವುದು, ಗ್ರಾಮಗಳಲ್ಲಿ ಒಗ್ಗಟ್ಟು ಮತ್ತು ಸಮಗ್ರತೆಯನ್ನು ಕಾಪಾಡುವುದು.
- 3) ಆರೋಗ್ಯ ದೃಢಕಾಯವಿರುವ ಕೂಡಿದ ಭೂಸೈನ್ಯ ರಚನೆ;
- 4) ವಯಸ್ಕರ ಶಿಕ್ಷಣ;
- 5) ವಹಿಸಬಹುದಾದ ಇತರ ಕಾರ್ಯಗಳು.

ಹಿಂದಿನ ವರ್ಷ ನಡೆದ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳ ವರದಿಯನ್ನು ಮಂಡಳ ಪಂಚಾಯತಿ ಗ್ರಾಮಸಭೆಗೆ ಒಪ್ಪಿಸುವುದು. ಅಂತೆಯೇ ಪ್ರಸಕ್ತ ವರ್ಷದಲ್ಲಿ ಕೈಕೊಳ್ಳುವ ಕಾರ್ಯಕ್ರಮಗಳ ವಿಷಯವೂ ಸಭೆಯ ಮುಂದೆ ಬರುವುದು. ಇವೆರಡು ವಿಷಯಗಳನ್ನು ಗ್ರಾಮಸಭೆ ಪರಿಶೀಲಿಸುವುದು. ಗ್ರಾಮಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ಪ್ರಧಾನರು ವಹಿಸುವರು.

ಗ್ರಾಮಸಭೆಗೆ ಇನ್ನೂ ಕೆಲವು ಜವಾಬ್ದಾರಿಗಳಿವೆ. ಅವು ಹೀಗಿವೆ:

ಅ) ಗ್ರಾಮದ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯನ್ನು ತಯಾರಿಸುವುದು;

ಆ) ಗ್ರಾಮನೈರ್ಮಲ್ಯ ಮತ್ತು ಜರಂಡಿ ವ್ಯವಸ್ಥೆ ನೋಡಿಕೊಳ್ಳುವುದು;

ಇ) ಗ್ರಾಮಗಳಲ್ಲಿ ಮೊದಲು ಸೋಮವಾರದ ಕೆಲಸ ನಡೆಯುತ್ತಿತ್ತು. ಆಗ ಮನೆಗೆ ಬಂದಾಳು ಬಂದು ಗ್ರಾಮದ ಒಟ್ಟಾರೆ ಕೆಲಸವನ್ನು ಮಾಡುತ್ತಿದ್ದರು. ಈ ಓನ್ನೆಲೆಯಲ್ಲಿ ಗ್ರಾಮದಲ್ಲಿ ಸೇವೆ ಸಲ್ಲಿಸುವ ಸ್ವಯಂಸೇವಕರ ತಂಡದ ನಿರ್ಮಾಣ; ಗ್ರಾಮದ ಸಮಾಜ ಕಲ್ಯಾಣ ಕಾರ್ಯಕ್ರಮಗಳಿಗೆ ದ್ರವ್ಯರೂಪದಲ್ಲಿ ಅಥವಾ ಸೇವೆಯ ರೂಪದಲ್ಲಿ ಕಾಣಿಕೆ ಎತ್ತುವುದು;

ಈ) ಮಂಡಳ ಪಂಚಾಯಿತಿ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಸಹಕರಿಸುವುದು.

ಗ್ರಾಮಸಭೆಯ ಲಿಫಾರಸುಗಳನ್ನು ಮಂಡಳ ಪಂಚಾಯಿತಿ ಮತ್ತು ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳತಕ್ಕದ್ದು. ಗ್ರಾಮಸಭೆಯ ವ್ಯವಸ್ಥೆ ಹೊಸದು. ಈ ಸಭೆಯ ಕಾರ್ಯಕಲಾಪಗಳಲ್ಲಿ ಪ್ರತಿಯೊಬ್ಬ ವಯಸ್ಕನೂ ಪಾಲುಗೊಳ್ಳಲು ಅವಕಾಶ ಇದೆ. ಅವನು ತನ್ನ ಗ್ರಾಮದ ಕುಂದುಕೊರತೆಗಳ ಬಗ್ಗೆ ವಿಚಾರ ಮಾಡಬಹುದು. ಗ್ರಾಮದ ಏಳಿಗೆಗೆ ಸಲಹೆ ನೀಡಬಹುದು. ಪ್ರಜಾಪ್ರಭುತ್ವದ ತಿರುಳು ಪ್ರಜೆಗಳ ಅಡಳಿತ. ಆ ತತ್ವದ ಅನುಸರಣೆಯನ್ನು ಗ್ರಾಮಸಭೆಯ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ನೋಡಬಹುದು.

ಮಂಡಳ ಪಂಚಾಯಿತಿಗಳು

ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಕ್ಷೇತ್ರವನ್ನು ನಿರ್ಧರಿಸುವವರು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು. ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ವ್ಯಾಪ್ತಿಗೆ ಒಂದು ಅಥವಾ ಅದಕ್ಕಿಂತ ಹೆಚ್ಚು ಹಳ್ಳಿಗಳು ಬರುವುವು. ಆ ಹಳ್ಳಿಗಳ ಜನಸಂಖ್ಯೆ 10,000ಕ್ಕೆ ಕಡಮೆ ಇರಬಾರದು, 15,000ಕ್ಕೆ ಮೀರಬಾರದು. ಈ ನಿಯಮ ಮಲೆನಾಡು ಹಳ್ಳಿಗಳಿಗೆ ಅನ್ವಯ ಆಗುವುದಿಲ್ಲ, ಅಲ್ಲಿ ಹಳ್ಳಿಯಿಂದ ಹಳ್ಳಿಗೆ ದೂರ. ಜನಸಂಖ್ಯೆ ಕಡಮೆ. ಮಧ್ಯೆ ಮಧ್ಯೆ ಕಾಡುಗಳು ಬೇರೆ. ಶಿವಮೊಗ್ಗ, ಚಿಕ್ಕಮಗಳೂರು, ಹಾಸನ, ಕೊಡಗು, ದಕ್ಷಿಣ ಕನ್ನಡ, ಉತ್ತರ ಕನ್ನಡ ಮಲೆನಾಡು ಜಿಲ್ಲೆಗಳು. ಹಾಸನದ ವಿನಾ ಉಳಿದ ಜಿಲ್ಲೆಗಳಲ್ಲಿ 5,000 ಪ್ರಜಾಸಂಖ್ಯೆಯಿಂದ ಕೂಡಿದ ಹಳ್ಳಿಗಳ ಗುಂಪಿಗೆ ಒಂದು ಮಂಡಳ ಪಂಚಾಯಿತಿ. ಅದರ ವ್ಯಾಪ್ತಿ ಹೆಚ್ಚುಬಹುದು ಅಥವಾ ಕಡಮೆ ಆಗಬಹುದು. ಆದರೆ ಜನಸಂಖ್ಯೆಯ ಮಿತಿಯನ್ನು ಕಡಮೆ ಮಾಡುವಂತಿಲ್ಲ.

ಮಂಡಳ ಪಂಚಾಯಿತಿ ರಚನೆ

ಮಂಡಳ ಪಂಚಾಯಿತಿ ಗ್ರಾಮದ ಸಭಾ ಸದಸ್ಯರಿಂದ ಆಯ್ಕೆ ಆದ ಸಂಖ್ಯೆ. ಅಂತಹ ಆಯ್ಕೆ ಕಾನೂನಿಗೆ ಅನುಗುಣವಾಗಿ ಇರತಕ್ಕದ್ದು.

ಐದುನೂರು ಅಥವಾ ಛಾಗರ: ಜನಸಂಖ್ಯೆ ಇರುವ ಮಂಡಳಕ್ಕೆ ಒಬ್ಬ ಪ್ರತಿನಿಧಿ. ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಪ್ರತಿನಿಧಿಗಳ ಸಂಖ್ಯೆ 20 ರಿಂದ 22. ಆದರೆ ಮಲೆನಾಡು ಜಿಲ್ಲೆಗಳ ಮಂಡಳ ಪಂಚಾಯಿತಿಗಳ ಪ್ರತಿನಿಧಿಗಳ ಸಂಖ್ಯೆ 10.

ಮಹಿಳೆಯರಿಗೆ, ಹರಿಜನ, ಗಿರಿಜನರಿಗೆ ಮತ್ತು ಹಿಂದುಳಿದ ವರ್ಗಗಳಿಗೆ ಸ್ಥಾನಗಳು ಮೀಸಲು. ಶೇಕಡ 25ರಷ್ಟು ಸ್ಥಾನಗಳು ಮಹಿಳೆಯರಿಗೆ ಮೀಸಲು. ಮಂಡಳ ಪಂಚಾಯಿತಿಗೆ ಕೆಲವು ವೇಳೆ ಹಿಂದುಳಿದ ವರ್ಗದವರು ಆಯ್ಕೆ ಆಗದಿರಬಹುದು. ಆಗ ಇಬ್ಬರನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ನಾಮಕರಣ ಮಾಡುವರು.

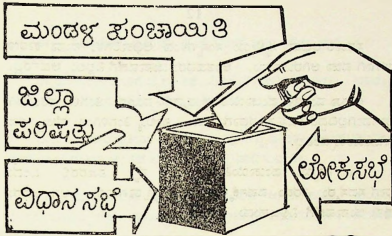
ಹರಿಜನ, ಗಿರಿಜನ ಪ್ರತಿನಿಧಿಗಳ ಸಂಖ್ಯೆ ನಿಯಮದ ರೀತ್ಯಾ ಆ ವರ್ಗದವರ ಜನಸಂಖ್ಯೆಗೆ ಅನುಗುಣವಾಗಿ ಇರುತ್ತದೆ. ಉದಾಹರಣೆಗೆ, ಒಂದು ಮಂಡಳಿಯಲ್ಲಿ 10,000 ಜನಸಂಖ್ಯೆ ಇರಬಹುದು. ಅದರ ಜೈಕಿ ಹರಿಜನ ಮತ್ತು ಗಿರಿಜನರ ಜನಸಂಖ್ಯೆ 2,000. ಆಗ ನಾಲ್ಕು ಸ್ಥಾನಗಳನ್ನು ಹರಿಜನ ಗಿರಿಜನರಿಗೆ ಮೀಸಲಾಗಿಡತಕ್ಕದ್ದು.

ಮಂಡಳ ಪಂಚಾಯಿತಿ ಸದಸ್ಯರ ಅಧಿಕಾರದ ಅವಧಿ ಐದು ವರ್ಷ. ಹರಿಜನ, ಗಿರಿಜನ ಮತ್ತು ಹಿಂದುಳಿದ ವರ್ಗದವರು ಸಾಮಾನ್ಯ ಸ್ಥಾನಗಳಿಗೆ ಚುನಾವಣೆಗೆ ನಿಲ್ಲಬಹುದು.

ಚುನಾವಣಾಕ್ಷೇತ್ರ ಏಕಸದಸ್ಯ ಕ್ಷೇತ್ರ ಆಗಿರಬಹುದು. ಅಥವಾ ಬಹು ಸದಸ್ಯ ಕ್ಷೇತ್ರ ಆಗಿರಬಹುದು. ಈ ಅಂಶಗಳನ್ನು ನಿರ್ಧರಿಸುವವರು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು. ಚುನಾವಣೆಗೆ ಗುಪ್ತ ಮತದಾನ ಪದ್ಧತಿ.

ನ್ಯಾಯ ಪಂಚಾಯಿತಿ ವ್ಯವಸ್ಥೆ

ಹಿಂದೆ ಗ್ರಾಮಗಳು ಸ್ವಯಂಪರಿಪೂರ್ಣ ಆಗಿದ್ದವು; ನ್ಯಾಯ ಆಯಾ ಗ್ರಾಮದಲ್ಲೇ ತೀರ್ಮಾನ ಆಗುತ್ತಿತ್ತು ಎಂದು ಕೇಳಿದ್ದೇವೆ. ನ್ಯಾಯ ತೀರ್ಮಾನ ಊರಿನಿಂದ ಹೊರಗೆ ಹೋಗುತ್ತಿರಲಿಲ್ಲ. ನ್ಯಾಯ ತೀರ್ಮಾನದಲ್ಲಿ ವೃಥಾ ಕಾಲಹರಣ ಆಗುವುದು ತಪ್ಪುತ್ತಿತ್ತು. ನ್ಯಾಯ ಬೇಡಿದವರಿಗೆ ಹೆಚ್ಚು ಹಣ ಖರ್ಚು



ಗ್ರಾಮೀಣರುಂಕಡಿಂದ ರಾಷ್ಟ್ರಮಟ್ಟದ ವರೆಗೆ ಚುನಾವಣೆ

ಮತ್ತು ಕಿರುಕುಳ ಇರಲಿಲ್ಲ. ಕರ್ನಾಟಕ ಸರ್ಕಾರ ಅಂತಹ ನ್ಯಾಯ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆಯನ್ನು ಕೊಡಲು ಒಪ್ಪಿದೆ. ಆದರೆ ಇಂತಹ ವ್ಯವಸ್ಥೆ ಐದು ವರ್ಷಗಳ ನಂತರ ಚಾರಿಗೆ ಬರುವುದು.

1) ಸರ್ಕಾರ ಮಂಡಳ ಪಂಚಾಯತಿಗೆ ಒಂದರಂತೆ ನ್ಯಾಯ ಪಂಚಾಯತಿ ಯನ್ನು ನೀಡಬಹುದು.

2) ನ್ಯಾಯ ಪಂಚಾಯತಿ ಸದಸ್ಯರ ಸಂಖ್ಯೆ ಐದು. ಅವರ ಪೈಕಿ ಕೊನೆಯ ಪಕ್ಷ ಒಬ್ಬ ಮಹಿಳೆ, ಪರಿಶಿಷ್ಟ ಅಥವಾ ಬುಡಕಟ್ಟು ವರ್ಗದವರು ಒಬ್ಬರು, ಹಿಂದುಳಿದ ವರ್ಗದವರು ಒಬ್ಬರು ಇರಲೇಬೇಕು.

3) ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವ ಉಮೇದುದಾರನ ವಯಸ್ಸು 30. ಆತ ಮಂಡಳಿಯ ಕ್ಷೇತ್ರದಲ್ಲಿ ವಾಸವಾಗಿರಬೇಕು. ಜೊತೆಗೆ ಅವನಿಗೆ ಓದುಬರಹ ಬರಬೇಕು.

4) ಮಂಡಳ ಪಂಚಾಯತಿ ಸದಸ್ಯರು ನ್ಯಾಯ ಪಂಚಾಯತಿಗೆ ನಿಲ್ಲುವಂತಿಲ್ಲ. ಒಂದು ಪಕ್ಷ ನಿಂತಲ್ಲಿ ಅವರು ಪಂಚಾಯತಿ ಸದಸ್ಯತ್ವ ಕಳೆದುಕೊಳ್ಳುವರು.

ಸರಕಾರಿ ಅಥವಾ ಸ್ವಲ್ಪೇಯ ಸಂಸ್ಥೆಗಳಿಂದ ಅಧಿಕಾರಿಗಳು ನಾನಾ ಕಾರಣಗಳಿಗಾಗಿ ವಜಾ ಆಗಿರಬಹುದು. ಅಂತಹವರು ಚುನಾವಣೆಗೆ ನಿಲ್ಲಲು ಅರ್ಹರಲ್ಲ.

ಆಯಾ ಮಂಡಳಿ ಪಂಚಾಯಿತಿ ಕ್ಷೇತ್ರದಲ್ಲಿ ಮೂರು ತಿಂಗಳು ಸತತವಾಗಿ ವಾಸವಾಗಿಲ್ಲದಿದ್ದರೆ ಸದಸ್ಯತ್ವ ರದ್ದಾಗುವುದು. ನಾಲ್ಕು ತಿಂಗಳಿಗಿಂತ ಹೆಚ್ಚು ರಜ ತೆಗೆದುಕೊಳ್ಳುವಂತಿಲ್ಲ.

5) ನ್ಯಾಯ ಪಂಚಾಯಿತಿ ಸದಸ್ಯರ ಜೈಕಿ ಮೂರರಲ್ಲಿ ಒಂದು ಭಾಗ ಸದಸ್ಯರು ಎರಡು ವರ್ಷಕ್ಕೆ ಒಮ್ಮೆ ನಿವೃತ್ತರಾಗುವರು. ಆಗ ಅವರು ಪುನಃ ಚುನಾವಣೆಗೆ ನಿಲ್ಲಬಹುದು.

6) ನ್ಯಾಯ ಪಂಚಾಯಿತಿ ಸದಸ್ಯರ ಜೈಕಿ ಒಬ್ಬರು ಮುಖ್ಯ ನ್ಯಾಯ ವಿಚಾರಕರು. ಅವರ ಆಯ್ಕೆ ಚುನಾವಣೆಯ ಮೂಲಕ. ಅವರು ನ್ಯಾಯ ಪಂಚಾಯಿತಿ ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆ ವಹಿಸುವರು. ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ನ್ಯಾಯ ವಿಚಾರಕರ ಆಯ್ಕೆ ಆಗದೆ ಇರಬಹುದು. ಆಗ ಅವರ ನೇಮಕವನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿ ಮಾಡುವರು.

7) ಮುಖ್ಯ ನ್ಯಾಯ ವಿಚಾರಕರನ್ನು ಅವಿಶ್ವಾಸ ನಿರ್ಣಯದ ಮೂಲಕ ತೆಗೆಯಬಹುದು. ಹಾಗೆ ತೆಗೆಯಲು ಸಾಲ್ಕರಲ್ಲಿ ಮೂರು ಭಾಗ ಪಂಚಾಯಿತಿ ಸದಸ್ಯರು ಅವರ ವಿರುದ್ಧ ಅವಿಶ್ವಾಸ ನಿರ್ಣಯದ ಪರ ಮತ ನೀಡಬೇಕು.

ಮಂಡಳಿ ಪಂಚಾಯಿತಿಯ ಕಾರ್ಯದರ್ಶಿಗಳೇ ನ್ಯಾಯ ಪಂಚಾಯಿತಿಯ ಕಾರ್ಯದರ್ಶಿಗಳು.

ನ್ಯಾಯ ಪಂಚಾಯಿತಿಯ ಹೊಣೆ

1) ಸಿವಿಲ್ ಮತ್ತು ಕ್ರಿಮಿನಲ್ ಮೊಕದ್ದಮೆಗಳನ್ನು ವಿಚಾರಿಸಬಹುದು. ಸಿವಿಲ್ ಮೊಕದ್ದಮೆಯ ಮೊತ್ತ 1.000 ರೂ.ಗಳಿಗೆ ಮೀರಿರಬಾರದು. ನ್ಯಾಯ ಪಂಚಾಯಿತಿಯ ಹೊಣೆ ಹೀಗಿದೆ.

ಅ) ಗುತ್ತಿಗೆ (ಕಾಂಟ್ರಾಕ್ಟ್) ಕರಾರಿನ ಪ್ರಕಾರ ಹಣ ಪಾವತಿ ಆಗದಿದ್ದಲ್ಲಿ;

ಆ) ಚರ ಆಸ್ತಿ ಅಥವಾ ಅದರ ಬೆಲೆ ವಾಪಸು ಪಡೆಯುವ ಬಗ್ಗೆ ಉಂಟಾದ ವಿವಾದಗಳು;

ಇ) ಚರ ಆಸ್ತಿಗೆ ಜಖಂ ಮಾಡುವುದು ಇಲ್ಲವೆ ಅಪಹರಿಸುವುದು;

ಈ) ದನಕರುಗಳ ಅತಿಕ್ರಮ ಪ್ರವೇಶದಿಂದ ಉಂಟಾಗುವ ಹಾನಿ.

ನ್ಯಾಯ ಪಂಚಾಯಿತಿಗೆ ಜೈಲು ಶಿಕ್ಷೆ ವಿಧಿಸುವ ಅಧಿಕಾರ ಇಲ್ಲ. ಐಪಿತ್ತ ರೂಪಾಯಿ ಮೀರದಂತೆ ಜುಲ್ಮಾನೆ ಹಾಕಬಹುದು.

ನ್ಯಾಯ ಪಂಚಾಯಿತಿಯ ವಿಚಾರಣೆಯನ್ನು ಸಾರ್ವಜನಿಕರು ನೋಡಬಹುದು. ಆದರೆ ಲಾಯರುಗಳು ಅಂತಹ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ವಾದಿಸುವಂತಿಲ್ಲ.

ಕೆಲವು ಮೊಕದ್ದಮೆಗಳು ಕ್ಲಿಷ್ಟ ಮತ್ತು ಕಠಿಣ ಆಗಿರಬಹುದು. ಅಂತಹ ಮೊಕದ್ದಮೆಗಳನ್ನು ಜಿಲ್ಲಾ ಅಥವಾ ಸೆಷನ್ಸ್ ಕೋರ್ಟಿಗೆ ವರ್ಗಾಯಿಸಲು ಅವಕಾಶ ಇದೆ.

ನ್ಯಾಯ ಪಂಚಾಯಿತಿಯ ತೀರ್ಪಿನ ಮೇಲೆ ಮನವಿ ಮಾಡಬಹುದು. ಅಂತಹ ಮನವಿಯನ್ನು ತೀರ್ಪು ನೀಡಿದ ಎರಡು ತಿಂಗಳಿನ ಒಳಗೆ ಕಳುಹಿಸಬೇಕು. ಜಿಲ್ಲಾ ನ್ಯಾಯಾಲಯವು ನ್ಯಾಯ ಪಂಚಾಯಿತಿ ತೀರ್ಪಿನ ದಾಖಲೆಗಳನ್ನು ತರಿಸಿ ನೋಡಬಹುದು. ಕ್ರಿಮಿನಲ್ ಮೊಕದ್ದಮೆಗಳನ್ನು ವಿಚಾರಿಸಬಹುದು. ಕಾನೂನಿಗೆ ಅನುಗುಣವಾಗಿ ತೀರ್ಪು ಇದೆಯೆ ? ಶಿಕ್ಷೆ ನೀಡಿರುವುದು ಸರಿಯೆ ? ಈ ಅಂಶಗಳನ್ನು ಪರಿಶೀಲಿಸಬಹುದು. ವಿಚಾರಣೆಯನ್ನು ಮಧ್ಯದಲ್ಲೇ ನಿಲ್ಲಿಸಬಹುದು. ಜಿಲ್ಲಾ ಅಥವಾ ಸೆಷನ್ಸ್ ನ್ಯಾಯಾಲಯದ ತೀರ್ಪೇ ಕಡೆಯದು. ಆದರೆ ತೀರ್ಪಿನ ವಿಮರ್ಶೆಗೆ ಅಥವಾ ಪುನಃಪರಿಶೀಲನೆಗೆ ಅವಕಾಶ ಇಲ್ಲ.

ಕೆಲವು ವೇಳೆ ನ್ಯಾಯ ಪಂಚಾಯಿತಿ ತನ್ನ ಅಧಿಕಾರ ದುರುಪಯೋಗ ಮಾಡಬಹುದು. ಇಲ್ಲವೆ ತನ್ನ ಕಾರ್ಯವನ್ನು ಸರಿಯಾಗಿ ಮಾಡದಿರಬಹುದು. ಆಗ ನ್ಯಾಯ ಪಂಚಾಯಿತಿಯ ವಿವರಣೆಯನ್ನು ಕೇಳಬಹುದು. ಅನಂತರ ಅದನ್ನು ರದ್ದು ಮಾಡಬಹುದು. ಆಗ ಬದಲಾಗಿ ಹೊಸ ಪಂಚಾಯಿತಿಯನ್ನು ರಚಿಸಬಹುದು.

ಮಂಡಳ ಪಂಚಾಯಿತಿ ಸರಿಯಾಗಿ ಕೆಲಸ ಮಾಡದಿದ್ದರೆ ಪರಿಹಾರ ಏನು ?

“ಮಂಡಳ ಪಂಚಾಯಿತಿಗೆ ಕಾನೂನಿನ ಪ್ರಕಾರ ಕೆಲವು ಅಧಿಕಾರಗಳಿವೆ. ಅವುಗಳನ್ನು ಮಂಡಳ ಪಂಚಾಯಿತಿಗಳು ಮೀರಬಹುದು. ಇಲ್ಲವೆ ಸಮರ್ಪಕವಾಗಿ ಕೆಲಸ ಮಾಡದೆ ಇರಬಹುದು. ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ನಿರ್ದೇಶನಗಳನ್ನು ಪಾಲಿಸದೆ ಇರಬಹುದು. ಅಂತಹ ಮಂಡಳ ಪಂಚಾಯಿತಿಗಳನ್ನು ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ರದ್ದು ಮಾಡಬಹುದು.

ಇದೇ ರೀತಿ ಜಿಲ್ಲಾ ಪರಿಷತ್ ಆಗಬಹುದು. ಆಗ ಸರ್ಕಾರ ಅದನ್ನು ರದ್ದು ಮಾಡಬಹುದು. ಹೀಗೆ ರದ್ದಾದ ಆರು ತಿಂಗಳಲ್ಲಿ ಪುನರ್ರಚನೆ ಆಗತಕ್ಕದ್ದು. ರದ್ದಾದ ಅವಧಿಯಲ್ಲಿ ಮಂಡಳ ಪಂಚಾಯಿತಿ ಅಥವಾ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಕೆಲಸ ಕಾರ್ಯಗಳು ನಡೆಯಬೇಡವೆ ? ಅದನ್ನು ನಿಯೋಜಿತ ಅಧಿಕಾರಿ ನಡೆಸಬಹುದು.

ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ಸಮಿತಿ

ಮಂಡಳ ಪಂಚಾಯಿತಿ ಹಾಗೂ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ನಡುವೆ ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ಸಮಿತಿ ಇದೆ. ಅದರ ರಚನೆ ಹೀಗಿದೆ:

- 1) ಆಯಾ ತಾಲ್ಲೂಕಿನ ವಿಧಾನಸಭಾ ಸದಸ್ಯರು;
- 2) ಆಯಾ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ವಾಸ ಮಾಡುವ ವಿಧಾನ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರು;
- 3) ಮಂಡಳ ಪಂಚಾಯಿತಿ ಪ್ರಧಾನರು;
- 4) ಪ್ರಾಥಮಿಕ ಭೂ ಅಭಿವೃದ್ಧಿ ವ್ಯಾಂಕಿನ ಅಧ್ಯಕ್ಷರು;
- 5) ತಾಲ್ಲೂಕು ವ್ಯವಸಾಯ ಉತ್ಪಾದನಾ ಮಾರುಕಟ್ಟೆ ಸಹಕಾರ ಸಂಘದ ಅಧ್ಯಕ್ಷರು;
- 6) ಬದುಮಂದಿ ಕೋಆರ್ಪ್ಸ್ ಆದ ಸದಸ್ಯರು: ಅವರು ಹರಿಜನ, ಗಿರಿಜನ, ಹಿಂದುಳಿದ ವರ್ಗ ಮತ್ತು ಮಹಿಳೆಯರು.

ತಾಲ್ಲೂಕಿನ ವಿಧಾನಸಭಾ ಸದಸ್ಯರು ಆ ತಾಲ್ಲೂಕಿನ ಮಂಡಲ ಪಂಚಾಯತದ ಪ್ರಧಾನರಾಗಿರುತ್ತಾರೆ.

ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿಯ ಅಧಿಕಾರ

- 1) ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿಗಳಿಗೆ ಅಪ್ಪಾಗಿ ಅಧಿಕಾರವಿಲ್ಲ. ಅವುಗಳ ಕಾರ್ಯ ಕೇವಲ ಮೇಲ್ವಿಚಾರಣೆ, ಪರಿಶೀಲನೆ ಮತ್ತು ಸಮನ್ವಯ ಕಾರ್ಯ;
- 2) ಆಯಾ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಸೇವೆ ಸಲ್ಲಿಸುವ ಜಿಲ್ಲಾ ಪರಿಷತ್ ಅಧಿಕಾರಿಗಳ ಕೆಲಸದ ಉಸ್ತುವಾರಿ;
- 3) ಆಯಾ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ನಡೆಯುವ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳ ಪರಿಶೀಲನೆ;

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ರಚನೆ

ಬದಲಾಗುವ ಜನಸಂಖ್ಯೆಗೆ ಅನುಗುಣವಾಗಿ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರ ಸಂಖ್ಯೆ ನಿಗದಿ ಆಗುವುದು. ಜನಸಂಖ್ಯೆ ಎಷ್ಟೇಬಂದರೂ ನಿರ್ಧರಿಸುವುದು ಪ್ರತಿ ಹತ್ತು ವರ್ಷಕ್ಕೆ ಒಮ್ಮೆ ಜನಗಣತಿ ಆದಾಗ.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನಲ್ಲಿ ಮೂರು ಬಗೆಯ ಸದಸ್ಯರಿರುವರು: 1) ಚುನಾಯಿತ ಸದಸ್ಯರು. 2) ಅಸೋಸಿಯೇಟ್ ಸದಸ್ಯರು. 3) ನಾಮಕರಣ ಸದಸ್ಯರು.

ಅ) ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಕ್ಷೇತ್ರ ಏಕಸದಸ್ಯ ಚುನಾವಣಾ ಕ್ಷೇತ್ರ.

ಆ) ಮಹಿಳೆಯರಿಗೆ ಮೀಸಲಾತಿ. ಮೀಸಲಾತಿ ಪ್ರಮಾಣ ಶೇಕಡ 25.

ಇ) ಹರಿಜನ, ಗಿರಿಜನರಿಗೆ ಮೀಸಲಾತಿ ಉಂಟು. ಅದು ಅವರ ಜನ ಸಂಖ್ಯೆಯ ಪ್ರಮಾಣ ಅನುಸರಿಸಿದೆ. ಏನಾದರೂ ಆಗಲಿ; ಈ ವರ್ಗದವರಿಗೆ ತಾಲ್ಲೂಕಿಗೆ ಒಂದು ಸ್ಥಾನ. ಈ ವರ್ಗದವರು ಮತ್ತು ಮಹಿಳೆಯರು ಸಾಮಾನ್ಯ ಕ್ಷೇತ್ರದಿಂದ ನಿಲ್ಲಬಹುದು.

ಈ) ಚುನಾವಣೆಗೆ ನಿಲ್ಲಲು ಉಪೇದುವಾರನ ಹೆಸರು ಜಿಲ್ಲಾ ಪರಿಷತ್ ಮತದಾರರ ಪಟ್ಟಿಯಲ್ಲಿರಬೇಕು. ಮತದಾರನ ವಯಸ್ಸು 18. ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವ ವಯಸ್ಸು 25.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಸದಸ್ಯತ್ವ

1) ಜಿಲ್ಲೆಯ ಪ್ರತಿ 35,000 ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬ ಚುನಾಯಿತ ಪ್ರತಿನಿಧಿ;

2) ಪ್ರತಿಯೊಂದು ಮಂಡಳ ಪಂಚಾಯತಿ ಸರದಿಯ ಪ್ರಕಾರ ವರ್ಷಕ್ಕೆ ಒಬ್ಬರಂತೆ ಸದಸ್ಯರನ್ನು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿಗೆ ಕಳುಹಿಸುವುದು;

3) ಜಿಲ್ಲಾ ಕೇಂದ್ರ ಕೋಆಪರೇಟಿವ್ ಬ್ಯಾಂಕಿನ ಅಧ್ಯಕ್ಷ. ಇವರು ಸಭೆಯ ಕಾರ್ಯಕಲಾಪಗಳಲ್ಲಿ ಪಾಲುಗೊಳ್ಳಬಹುದು. ಆದರೆ ಮತದಾನ ಮಾಡುವಂತಿಲ್ಲ. ಇವರು ಅಸೋಸಿಯೇಟ್ ಸದಸ್ಯರು;

4) ಆಯಾ ಜಿಲ್ಲೆಯ ಲೋಕಸಭೆ ಮತ್ತು ವಿಧಾನಸಭೆ ಸದಸ್ಯರು;

5) ಆಯಾ ಜಿಲ್ಲೆಯಲ್ಲಿ ವಾಸಿಸುವ ವಿಧಾನಪರಿಷತ್ತಿನ ಸದಸ್ಯರು ಮತ್ತು ರಾಜ್ಯಸಭಾ ಸದಸ್ಯರು. 4 ಮತ್ತು 5ರಲ್ಲಿ ಸೂಚಿತರಾದವರು ಸಭೆಯಲ್ಲಿ ಭಾಗ

ವಹಿಸಿ ಮತದಾನ ಮಾಡಬಹುದು. ಆದರೆ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷ ಪದವಿ ಅಂಗೀಕರಿಸುವಂತಿಲ್ಲ.

ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಚುನಾವಣೆ

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರ ಅವಧಿ 5 ವರ್ಷ. ಅಂತೆಯೇ ಆಯ್ಕೆ ಆದ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಅವಧಿ ಕೂಡ ಐದು ವರ್ಷಗಳು. ೩ ಭಾಗ ಸದಸ್ಯರು ಅವಿಶ್ವಾಸ ಸೂಚಿಸಿದಲ್ಲಿ ಪದವಿ ಹೋಗುವುದು (ಯಾರ ಮೇಲೆ ಅವಿಶ್ವಾಸ ನಿರ್ಣಯ ಪಾಸಾಗಿದೆಯೋ ಅವರ ಪದವಿ). ಎರಡನೆಯದಾಗಿ ಅವರ ನಡವಳಿಕೆ ಸರಿ ಆಗಿಲ್ಲದಿರಬಹುದು (Misconduct). ಅಥವಾ ಕೆಲಸದಲ್ಲಿ ಒಂದೇ ಸಮನ ಅಲಕ್ಷ್ಯ ತೋರಬಹುದು. ಆಗ ಸರಕಾರ ಅಂತಹವರನ್ನು ತೆಗೆದುಹಾಕಬಹುದು.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರು ತಮ್ಮತಮ್ಮಲ್ಲೇ ಒಬ್ಬ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರನ್ನು ಆರಿಸುವರು. ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವವರ ವಯಸ್ಸು, 30 ಆಗಿರಬೇಕು. ಲೋಕಸಭೆ, ರಾಜ್ಯಸಭೆ ಮತ್ತು ವಿಧಾನ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರು ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವಂತಿಲ್ಲ.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಅಧ್ಯಕ್ಷರಿಗೆ ರಾಜ್ಯ ಸಚಿವರಿಗೆ ಕೊಡುವಷ್ಟು ಸಂಬಳ. ಉಪಾಧ್ಯಕ್ಷರ ಸಂಬಳ ಡೆಪ್ಯುಟಿ ಮಂತ್ರಿಗಳ ಸಂಬಳಕ್ಕೆ ಸಮಾನ. ಸರಕಾರದ ಕಾನೂನಿನ ಪ್ರಕಾರ ಇತರ ಭತ್ಯೆಗಳು.

ಅಧ್ಯಕ್ಷರು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಮುಖ್ಯಸ್ಥರು: ಅವರು ತಮಗೆ ನಿಗದಿ ಆದ ಅಧಿಕಾರ ಚಲಾಯಿಸುವರು.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ಕನಿಷ್ಠ ತಿಂಗಳಿಗೆ ಒಂದು ಬಾರಿ ಸಭೆ ಸೇರಬೇಕು. ಸಭೆಗೆ ಸದಸ್ಯರು ಗೈರುಹಾಜರಾಗಲು ಪೂರ್ವಭಾವಿಯಾಗಿ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಅನುಮತಿ ಪಡೆಯಬೇಕು. ಇಲ್ಲದಿದ್ದರೆ ಅವರು ತಮ್ಮ ಅಧಿಕಾರ ಕಳೆದುಕೊಳ್ಳುವರು.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಆಡಳಿತ ನೋಡಿಕೊಳ್ಳುವವರು ಒಬ್ಬರು ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ. ಅವರು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಮಟ್ಟದ ಹುದ್ದೆಯವರು. ಅವರನ್ನು ಮತ್ತು ಇತರ ಮುಖ್ಯ ಸಿಬ್ಬಂದಿಯನ್ನು ಸರಕಾರ ನಿಯೋಜಿಸುವುದು.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಹೊಣೆ

ಅ) ಜಿಲ್ಲೆಯ ಸಮಗ್ರ ಅಭಿವೃದ್ಧಿಗೆ ವಿವಿಧ ಯೋಜನೆಗಳ ರಚನೆ ಮತ್ತು ನಿರ್ವಹಣೆ - ಮೇಲ್ವಿಚಾರಣೆ ಮತ್ತು ಕಾರ್ಯನಿರ್ವಹಣೆಯಲ್ಲಿ ಸಮನ್ವಯತೆ ಉಂಟು ಮಾಡುವುದು;

ಆ) ವ್ಯವಸಾಯ ಮತ್ತು ಹೈನುಗಾರಿಕೆ ಅಭಿವೃದ್ಧಿ;

ಇ) ವ್ಯವಸಾಯಕ್ಕೆ ಬೇಕಾದ ಬೀಜ ಸಂರಕ್ಷಣಾ ಕೇಂದ್ರಗಳನ್ನು ತೆರೆಯುವುದು ಮತ್ತು ನಿರ್ವಹಣೆ;

ಈ) ವ್ಯವಸಾಯದ ಶಾಲೆಗಳ ನಿರ್ಮಾಣ;

ಉ) ಆಸ್ಪತ್ರೆಗಳ ನಿರ್ಮಾಣ ಮತ್ತು ಆರೋಗ್ಯ ರಕ್ಷಣೆಗೆ ಬೇಕಾದ ಯೋಜನೆಗಳನ್ನು ಕಾರ್ಯಗತ ಮಾಡುವುದು;

ಊ) ನೀರಾವರಿ ಮತ್ತು ತೋಟಗಾರಿಕೆ;

ಋ) ಗ್ರಾಮೀಣ ಕೈಗಾರಿಕೆಗಳ ಅಭಿವೃದ್ಧಿ;

ಋ) ಶಿಕ್ಷಣ ಕಾರ್ಯಕ್ರಮಗಳು.

ಈ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ತಜ್ಞ ಅಧಿಕಾರಿಗಳ ನೆರವು ಉಂಟು. ಜಿಲ್ಲಾ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಗಳ ತಯಾರಿಕೆ ಮತ್ತು ನಿರ್ವಹಣೆ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಮುಖ್ಯ ಹೊಣೆ. ಆದ್ದರಿಂದ ಈಗಿರುವ ಜಿಲ್ಲಾ ಯೋಜನಾ ಘಟಕಗಳು ರದ್ದಾಗುವುವು. ಆ ಸಿಬ್ಬಂದಿ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಆಶ್ರಯದಲ್ಲಿ ಕೆಲಸ ಮಾಡುವುವು.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ತನ್ನ ಆಡಳಿತ ಸೌಕರ್ಯಕ್ಕಾಗಿ ಒಂದು ಸ್ಥಾಯಿ ಸಮಿತಿಗಳನ್ನು ಹೊಂದಿರುವುದು. ಇದಲ್ಲದೆ ಅವಶ್ಯಕತೆ ಬಿದ್ದಾಗ ಸಮಿತಿಗಳನ್ನು ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ರಚಿಸಬಹುದು. ಅವು ತಮಗೆ ವಹಿಸಿದ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ನಿರ್ವಹಿಸುವ ನಂತರ ರದ್ದಾಗುವುವು.

ಸಮಿತಿಯ ಸದಸ್ಯರ ಆಯ್ಕೆ ಮತ್ತು ಅವರ ನಡವಳಿಕೆ ಬಗ್ಗೆ ಸೂಕ್ತ ನಿಯಮಗಳನ್ನು ರಚಿಸುವುದು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಹೊಣೆ.

ಪ್ರತಿಯೊಂದು ಸಮಿತಿಯ ಅಧ್ಯಕ್ಷರು ತಮಗೆ ಬೇಕಾದ ಮಾಹಿತಿಗಳನ್ನು ಮತ್ತು ಲೆಕ್ಕ ಪತ್ರಗಳನ್ನು ಪರಿಶೀಲಿಸಲು ಅಧಿಕಾರ ಪಡೆದಿರುವರು.

ವಿವಿಧ ಸಮಿತಿಗಳು ಹೀಗಿವೆ :—

ಅ) ಸಾಮಾನ್ಯ ವ್ಯವಹಾರ ಸಮಿತಿ;

ಆ) ಹಣಕಾಸು ಮತ್ತು ಲೆಕ್ಕ ಪರಿಶೋಧನಾ ಸಮಿತಿ;

ಇ) ಯೋಜನೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ ಸಮಿತಿ;

ಈ) ಲೋಕೋಪಯೋಗಿ ಮತ್ತು ಇತರ ಸೌಕರ್ಯಗಳ ಸಮಿತಿ;

ಉ) ಸಾಮಾಜಿಕ ನ್ಯಾಯ ಸಮಿತಿ - (ಹರಿಜನ, ಗಿರಿಜನ ಮತ್ತು ಹಿಂದು ಉದ್ಧಾರಣೆಗಳು ವಿಳಾಸಗಳನ್ನು ಕೋರುವುದು)

ಊ) ಶಿಕ್ಷಣ ಸಮಿತಿ;

ಋ) ವ್ಯವಸಾಯ ಮತ್ತು ಇತರ ಸೌಕರ್ಯಗಳ ಸಮಿತಿ;

ಋ) ಆರೋಗ್ಯ ಸಮಿತಿ;

ಎ) ಕೈಗಾರಿಕಾ ಸಮಿತಿ.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ಸ್ಥಾಯಿಸಮಿತಿಯ ಸದಸ್ಯರನ್ನು ಆಯ್ಕೆ ಮಾಡುತ್ತದೆ, ಸಮಿತಿಯ ಸದಸ್ಯರ ಸಂಖ್ಯೆ ಆರಕ್ಕೆ ಸೀಮಿತ, ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಅಧ್ಯಕ್ಷರು ಸಾಮಾನ್ಯ ವ್ಯವಹಾರ ಸಮಿತಿ ಉಳಿದು ಮಿಕ್ಕಿಲ್ಲ ಸಮಿತಿಗಳ ಸದಸ್ಯರು. ಉಪಾಧ್ಯಕ್ಷರು ಸಾಮಾನ್ಯ ವ್ಯವಹಾರ ಸಮಿತಿಯ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಉಳಿದ ಸಮಿತಿಗಳ ಸದಸ್ಯರು.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಕಾರ್ಯದರ್ಶಿ ಎಲ್ಲ ಸಮಿತಿಗಳ ಕಾರ್ಯದರ್ಶಿ.

ಹಣಕಾಸಿನ ವ್ಯವಸ್ಥೆ

ಜಿಲ್ಲಾ ಪರಿಷತ್ ಹಲವಾರು ಕೆಲಸಗಳನ್ನು ಮಾಡಬೇಕು. ಅದಕ್ಕೆ ಹಣ ಬೇಡವೆ? ಅದಕ್ಕಾಗಿ ಪ್ರತಿಯೊಂದು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿಗೆ "ಜಿಲ್ಲಾಪರಿಷತ್ ನಿಧಿ" ಇದೆ. ಅದರ ಹಣ ಜಿಲ್ಲಾ ಸರ್ಕಾರಿ ವಿಜಾನೆಯಲ್ಲಿ ಇರುವುದು.

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ವರಮಾನ ಹೀಗಿದೆ :

ಅ) ರಾಜ್ಯನಿಧಿಕೋಶದಿಂದ ಜಿಲ್ಲಾ ಪರಿಷತ್ ನಿಧಿಗೆ ವರ್ಗಾಯಿಸುವ ಹಣ;

ಆ) ಸರ್ಕಾರ ನೀಡುವ ಅನುದಾನ, ವಂತಿಕೆಗಳು, ಸಾಲ ಇತ್ಯಾದಿ;

ಇ) ಜಿಲ್ಲಾ ಪರಿಷತ್ ಕಾನೂನಿನ ರೀತ್ಯಾ ಎಲ್ಲ ರೀತಿಯ ಫೀ ಮತ್ತು ಜುಲ್ಮಾನೆಯಿಂದ ವಸೂಲಾಗುವ ಹಣ;

ಈ) ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಆಸ್ತಿಪಾಸ್ತಿಯಿಂದ ಬರುವ ಆದಾಯ;

ಉ) ಎಲ್ಲ ರೀತಿಯ ಬಡ್ಡಿ ಹಣ. ಲಾಭ ಮತ್ತು ಇತರ ರೀತಿಯಲ್ಲಿ ಜಮಾ ಆಗುವ ಹಣ, ಅಂದರೆ ಖಾಸಗಿ ವ್ಯಕ್ತಿಗಳು ಮತ್ತು ಸಂಸ್ಥೆಗಳು ನೀಡುವ ಹಣ ಇತ್ಯಾದಿ;

ಊ) ಜಿಲ್ಲಾ ಪರಿಷತ್ ಮಾರಬಹುದಾದ ಆಸ್ತಿ ಸೆಕ್ಯೂರಿಟಿ ಮುಂತಾದ ಬಾಬುಗಳು;

ಋ) ಕಾನೂನಿನ ಪ್ರಕಾರ ಪರಿಷತ್ತಿಗೆ ಬರುವ ಹಣ.

ಜಿಲ್ಲಾ ಪರಿಷತ್ ಕಾನೂನು ಜಾರಿಗೆ ಬರುವಷ್ಟೆ, ಅಂದಿನಿಂದ ಪ್ರತಿ ಯೊಂದು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿಗೆ ಎರಡುಕೋಟಿ ರೂಪಾಯಿ ಹಣವನ್ನು ಸರ್ಕಾರ ನಿಗದಿ ಮಾಡುವುದು.

ಕಾಲ ಮುಂದುವರಿದಂತೆ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಬೇಡಿಕೆಗಳು ಹೆಚ್ಚಿಬಹುದು. ಅಂತೆಯೇ ಅದರ ವರಮಾನವೂ ಹೆಚ್ಚಬೇಡವೆ ? ಅದರಿಂದ ಸರ್ಕಾರ ಆಗಾಗ್ಗೆ ಹಣಕಾಸಿನ ಆಯೋಗ ರಚಿಸುವುದು. ಅದು ಆದಾಯದ ಮೂಲಗಳನ್ನು ಮತ್ತು ವೆಚ್ಚದ ಬಾಬುಗಳನ್ನು ಪರಿಶೀಲಿಸುವುದು. ಅನಂತರ ಸರ್ಕಾರಕ್ಕೆ ಸೂಕ್ತ ಶಿಫಾರಸು ಮಾಡುವುದು. ಈ ಶಿಫಾರಸುಗಳನ್ನು ಅಂಗೀಕರಿಸುವುದು ಸರ್ಕಾರಕ್ಕೆ ಸೇರಿವುದು. ಸರ್ಕಾರ ಪಾಗೆಯೇ ಬಿಟ್ಟುಬಹುದು. ಇಲ್ಲವೆ ಕೆಲವು ಮಾರ್ಪಾಡುಗಳೊಡನೆ ಅಂಗೀಕರಿಸಬಹುದು.

ಉಮೇದುವಾರರು ಮತ್ತು ಚುನಾವಣೆ

ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಮತದಾರರ ಪಟ್ಟಿಯಲ್ಲಿ ಹೆಸರು ಇರುವವರು ಮತದಾನ ಮಾಡಲು ಅರ್ಹರು. 21 ವಯಸ್ಸಾಗಿರುವವರು ಚುನಾವಣೆಗೆ ನಿಲ್ಲಬಹುದು.

ಪ್ರತಿ ಮಂಡಳಿ ಪಂಚಾಯತಿಯ ಮತದಾರರ ಪಟ್ಟಿಯನ್ನು ಆಯಾ ಪಂಚಾಯತಿ ಕಛೇರಿಯಲ್ಲಿ ಇಡತಕ್ಕದ್ದು.

ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವ ಉಮೇದುವಾರ ಆಯಾ ಕ್ಷೇತ್ರದಲ್ಲೇ ವಾಸವಾಗಿರಬೇಕು. ಅಂದರೆ ಯಾವ ಕ್ಷೇತ್ರದ ಮತದಾರರ ಪಟ್ಟಿಯ ಹೆಸರು ಇರುವುದೋ ಅಲ್ಲಿ.

21 ವಯಸ್ಸಿಗೆ ಕಡಿಮೆ ಇದ್ದವರು ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವಂತಿಲ್ಲ. ಮತದಾರನ ಹೆಸರು ಇರುವ ಕ್ಷೇತ್ರದಲ್ಲಿ ವಾಸವಾಗಿಲ್ಲದಿದ್ದರೆ ಆತ ಆ ಕ್ಷೇತ್ರದಿಂದ ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವಂತಿಲ್ಲ.

ಸರ್ಕಾರದ ಸೇವೆಯಿಂದ ವಜಾ ಆದವರು ಚುನಾವಣೆಗೆ ನಿಲ್ಲುವಂತಿಲ್ಲ. ಚುನಾವಣೆ 1951ರ ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಕಾಯ್ದೆಯ ಪ್ರಕಾರ ಚುನಾವಣಾ ತಕರಾರುಗಳನ್ನು ಮುನ್ನಿಚ್ಛಾ ನ್ಯಾಯಾಧೀಶರು ಇತ್ಯರ್ಥ ಮಾಡುವರು.

ಮಂಡಳಿ ಪಂಚಾಯತಿ ಸಭೆಗಳು

ಮಂಡಳಿ ಪಂಚಾಯತಿ ರಚನೆಯಾದ ಒಂದು ವಾರದೊಳಗೆ ಸಭೆ ಸೇರತಕ್ಕದ್ದು. ಆ ಸಭೆಯಲ್ಲಿ ಪ್ರಧಾನ ಮತ್ತು ಉಪಪ್ರಧಾನರ ಆಯ್ಕೆ ನಡೆಯತಕ್ಕದ್ದು.

ಪ್ರಧಾನರಿಗೆ ಮಾಸಿಕ ಸಂಬಳ 300 ರೂ.ಗಳು. ಉಪಪ್ರಧಾನರ ಸಂಬಳ 150 ರೂ.ಗಳು. ಮಂಡಳಿ ಪಂಚಾಯತಿ ಕಡೆಯ ಪಕ್ಷ ತಿಂಗಳಿಗೆ ಒಮ್ಮೆ ಸಭೆ ಸೇರಬೇಕು. ಅಂತಹ ಸಭೆ ಮಂಡಳಿ ಪಂಚಾಯತಿ ಕಛೇರಿಯಲ್ಲಿ ನಡೆಯತಕ್ಕದ್ದು.

ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ಪ್ರಧಾನರು ವಹಿಸುವರು. ಅವರ ಗೈರುಹಾಜರಿಯಲ್ಲಿ ಉಪಪ್ರಧಾನರು ಅಧ್ಯಕ್ಷತೆ ವಹಿಸುವರು.

ಸದಸ್ಯತ್ವ ರದ್ದತಿ

ಸದಸ್ಯರು ಪೂರ್ವಭಾವಿಯಾಗಿ ಒಪ್ಪಿಗೆ ಇಲ್ಲದ ಸತತವಾಗಿ ಮೂರು ಸಭೆಗಳಿಗೆ ಗೈರುಹಾಜರಾಗುವಂತಿಲ್ಲ. ಹಾಗೆ ಆದಲ್ಲಿ ಅವರ ಸದಸ್ಯತ್ವ ರದ್ದಾಗುವುದು.

ಸದಸ್ಯರು ಸತತವಾಗಿ ತಮ್ಮ ಕ್ಷೇತ್ರದಿಂದ ನಾಲ್ಕು ತಿಂಗಳು ಹೊರಗೆ ಇರುವಂತಿಲ್ಲ. ವಾಗಿಧ್ವಲ್ಲಿ ಅವರ ಸದಸ್ಯತ್ವ ರದ್ದಾಗುವುದು.

ಪ್ರಧಾನರು ಮತ್ತು ಉಪಪ್ರಧಾನರು

ಪ್ರಧಾನ ಮತ್ತು ಉಪಪ್ರಧಾನರು ಭ್ರಷ್ಟಾಚಾರದ ಆಪಾದನೆಗೆ ಒಳಗಾಗಬಹುದು. ಅಥವಾ ಅಕ್ರಮ ನಡವಳಿಕೆಯ ಆರೋಪಕ್ಕೆ ಗುರಿ ಆಗಬಹುದು. ಅವು ರುಜುವಾತಾದಲ್ಲಿ ಅವರನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ತೆಗೆದುಹಾಕಬಹುದು.

ಪ್ರಧಾನ ಮತ್ತು ಉಪಪ್ರಧಾನರಿಗೆ ಒಂದು ತಿಂಗಳಿಗೆ ಕಡಿಮೆ ಇಲ್ಲದೆ ಜೈಲುವಿಧಿ ಆಗಬಹುದು. ಆಗ ಅವರನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಅನಾಮತ್ತಿ ನಲ್ಲಿ ಇಡಬಹುದು.

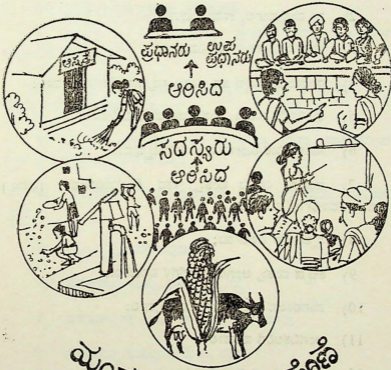
ಪ್ರಧಾನ ಮತ್ತು ಉಪಪ್ರಧಾನರ ಮೇಲೆ ಸದಸ್ಯರು ಅವಿಶ್ವಾಸ ನಿರ್ಣಯ ತರಲು ಇಚ್ಛಿಸಬಹುದು. ಆಗ ಸದಸ್ಯರ ಪೈಕಿ ಅರ್ಧಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದಷ್ಟು ಮಂದಿ ಬರವಣಿಗೆಯಲ್ಲಿ ಅವಿಶ್ವಾಸ ನಿರ್ಣಯದ ನೋಟೀಸನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ ಕೊಡಬಹುದು. ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಸಭೆಯನ್ನು ಕರೆಯುವರು. ಅವರೇ ಅದರ ಅಧ್ಯಕ್ಷತೆ ವಹಿಸುವರು. ಸಭೆಯಲ್ಲಿ ಅವರಿಗೆ ಮಾತನಾಡುವ ಅಥವಾ ಮತದಾನ ಮಾಡುವ ಹಕ್ಕಿಲ್ಲ. ಮೂರರಲ್ಲಿ ಎರಡು ಭಾಗ ಸದಸ್ಯರು ಅವಿಶ್ವಾಸ ನಿರ್ಣಯಕ್ಕೆ ಬೆಂಬಲ ನೀಡಿದಲ್ಲಿ ಪ್ರಧಾನರು ಅಥವಾ ಉಪಪ್ರಧಾನರು ತಮ್ಮ ಪದವಿ ಕಳೆದುಕೊಳ್ಳುವರು. (ಯಾರ ಮೇಲೆ ಅವಿಶ್ವಾಸ ನಿರ್ಣಯ ಆಗಿದೆಯೋ ಅವರು ಮಾತ್ರ ತಮ್ಮ ಸ್ಥಾನ ಕಳೆದುಕೊಳ್ಳುವರು.)

ಸದಸ್ಯರಿಗೆ ದಿನಭತ್ಯೆ

ಮಂಡಳ ಪಂಚಾಯಿತಿ ಸಭೆಗೆ ಹಾಜರಾಗುವ ಸದಸ್ಯರಿಗೆ ದಿನಭತ್ಯೆ 15 ರೂಪಾಯಿ. ಕೆಲವು ವೇಳೆ ಮಂಡಳ ಪಂಚಾಯಿತಿ ಸಮಿತಿಗಳನ್ನು ರಚಿಸಬಹುದು. ಅಂತಹ ಸಭೆಗಳಿಗೆ ಹಾಜರಿರುವ ಸದಸ್ಯರಿಗೂ ಸಹ ದಿನಭತ್ಯೆ ಉಂಟು.

ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಅಧಿಕಾರ ಮತ್ತು ಕರ್ತವ್ಯಗಳು

ಮಂಡಳ ಪಂಚಾಯಿತಿಗೆ ಸಾಕಷ್ಟು ಹೊಣೆ ಇದೆ. ಅವು ಮೂರು ಬಗೆ :
1) ಕೆಲವು ಮಾದಲೇಬೇಕಾದ ಕರ್ತವ್ಯಗಳು 2) ಕೆಲವು ಕಾರ್ಯಕ್ರಮಗಳು ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಇಚ್ಛೆಗೆ ಬಿಟ್ಟಿದ್ದು. 3) ಸರ್ಕಾರದಿಂದ ವಹಿಸಲ್ಪಟ್ಟ



ಮಂಡಳ ಪಂಚಾಯತಿ, ಹೊಣೆ

ಮತ್ತು ವರ್ಗಾಯಿಸುವ ಕರ್ತವ್ಯಗಳು. ಮಂಡಳ ಪಂಚಾಯತಿಗಳಿಗೆ ಕೆಲಸ ಹೆಚ್ಚು. ಆದರೆ ಸಂಪನ್ಮೂಲಗಳು ಕಡಿಮೆ. ಹೆಚ್ಚಿನ ಆದಾಯದ ಮೂಲ ಸರಕಾರ. ಆದ್ದರಿಂದ ಮಂಡಳ ಪಂಚಾಯತಿಗಳು ತಮ್ಮ ಪರಮಾನಕ್ಕೆ ಸೀಮಿತಗೊಳಿಸಬೇಕು. ಇಲ್ಲವೆ ಜನರ ಉತ್ಪಾದನೆಯನ್ನು ಉಳಿಸಿ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳಿಗೆ ಬಳಸಿಕೊಳ್ಳಲು ಪ್ರಯತ್ನಿಸ ತಕ್ಕದ್ದು. ಈಗ ಮಂಡಳ ಪಂಚಾಯತಿಯ ಹೊಣೆ ಏನೆಯಾದನ್ನು ತಿಳಿಯೋಣ.

1. ಆರೋಗ್ಯ ಮತ್ತು ಗ್ರಾಮಸ್ವೇಚ್ಛೆ

ಮೊಟ್ಟಮೊದಲನೆಯ ಕಾರ್ಯ ಗ್ರಾಮಸ್ವೇಚ್ಛೆ ಮತ್ತು ಗ್ರಾಮೀಣರ ಆರೋಗ್ಯ ರಕ್ಷಣೆ. ನೀರಿನ ಸರಬರಾಜು ಅಷ್ಟೇ ಮುಖ್ಯ.

1) ಸಾರ್ವಜನಿಕರ, ಕೆರೆ, ಕೊಳ ಮತ್ತು ಭಾವಿಗಳ ನಿರ್ಮಾಣ ಮತ್ತು ದುರಸ್ತಿ. ಮನೆಗಳಿಗೆ ದನಗಳಿಗೆ ಮತ್ತು ಸಾರ್ವಜನಿಕ ಕಾರ್ಯಗಳಿಗೆ ನೀರಿನ ಸರಬರಾಜು ಅಗತ್ಯ.

- 2) ಗ್ರಾಮನೈರ್ಮಲ್ಯ ಕಾಪಾಡುವುದು;
- 3) ಸಾರ್ವಜನಿಕ ಕೃಷ್ಣುಗಳ ನಿರ್ಮಾಣ;
- 4) ವಾರಸುದಾರರಿಲ್ಲದ ರವ ಮತ್ತು ಸತ್ತ ಪ್ರಾಣಿಗಳ ವಿಲೇವಾರಿ;
- 5) ಊರಿನಲ್ಲಿನ ಕಸಕಡ್ಡಿ ಮತ್ತು ಹೊಲಸಿನ ವಿಲೇವಾರಿ;
- 6) ಸಾಂಕ್ರಾಮಿಕ ರೋಗಗಳನ್ನು ತಡೆಗಟ್ಟುವುದು;
- 7) ಮಾಂಸ, ಮೀನು ಮತ್ತು ಇತರ ಕೊಳೆಯುವಂತಹ (ಹಣ್ಣು) ಆಹಾರ ಪದಾರ್ಥಗಳ ಮಾರಾಟ,
- 8) ಸ್ಮಶಾನಗಳ ವಿರ್ಪಾಡು;
- 9) ಕಟ್ಟಡ ಮತ್ತು ಅಂಗಡಿ ಮಳಿಗೆಗಳ ನಿರ್ಮಾಣ;
- 10) ಪುನರಂಜನ ಕಾರ್ಯಕ್ರಮಗಳ ಉಸ್ತುವಾರಿ;
- 11) ಅಂಗವಿಕಲರಿಗೆ ಪರಿಹಾರ;
- 12) ಇಲಿ ಮತ್ತು ಬೀದಿನಾಯಿಗಳ ನಾಶ;
- 13) ಚರ್ಮಪದ ಮತ್ತು ತೋಗಲಿಗೆ ಬಣ್ಣ ಹಾಕುವ ಕಾರ್ಯ ನಿಯಮ ಬದ್ಧವಾಗಿ ನಡೆಯುವಂತೆ ಮಾಡುವುದು;
- 14) ಆಕಸ್ಮಿಕ ವೆಂಕಿಯ ಅನಾಹತದಿಂದ ಉಂಟಾಗುವ ತೊಂದರೆ ತಪ್ಪಿಸುವುದು;
- 15) ಅಪಾಯಕಾರಿ ಮತ್ತು ಸಮಾಜಬಾಹಿರವಾದ ವ್ಯಾಪಾರವನ್ನು ನಿಲ್ಲಿಸುವುದು;
- 16) ಸಾರ್ವಜನಿಕ ರಸ್ತೆ, ಚರಂಡಿ, ಕೆರೆ, ಬಾವಿ ಮತ್ತು ಇತರ ಸಾರ್ವಜನಿಕ ಸ್ಥಳಗಳನ್ನು ಶುಚಿಯಾಗಿ ಇಡುವುದು.
- 17) ಮಂಡಳ ಪಂಚಾಯತಿಯಲ್ಲಿ ವಾಸಿಸುವವರಿಗೆ ನಿವೇಶನಗಳನ್ನು ಹಂಚುವುದು;

2. ಸಾರ್ವಜನಿಕ ಕಾಮಗಾರಿ ಮತ್ತು ಸೌಕರ್ಯಗಳು

1) ಸಾರ್ವಜನಿಕ ರಸ್ತೆ, ಚರಂಡಿ, ಸೇತುವೆ ಮತ್ತು ಬದುಗಳ ನಿರ್ಮಾಣ ಮತ್ತು ದುರಸ್ತಿ.

2) ಸಾರ್ವಜನಿಕ ರಸ್ತೆ ಮತ್ತು ಇತರ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಂಡುಬರುವ ಅಡ್ಡಿ ಆತಂಕಗಳನ್ನು ತೆಗೆದುಹಾಕುವುದು;

3) ಮಂಡಳ ಪಂಚಾಯಿತಿ ಆಶ್ರಯದಲ್ಲಿರುವ ಮತ್ತು ಸರ್ಕಾರದಿಂದ ವರ್ಗಾಯಿಸಲ್ಪಟ್ಟ ಕಟ್ಟಡಗಳ ದುರಸ್ತಿ;

4) ಹುಲ್ಲುಗಾವಲು ಮತ್ತು ಕುಡಿಯುವ ನೀರಿನ ಕೆರೆ ಮತ್ತು ಬಾವಿಗಳ ರಕ್ಷಣೆ;

5) ವಿದ್ಯುಚ್ಛಕ್ತಿ ಒದಗಿಸುವುದು;

6) ಧರ್ಮಶಾಲೆ ಮತ್ತು ಛತ್ರಗಳ ವ್ಯವಸ್ಥೆ;

7) ಮಾರುಕಟ್ಟೆಗಳ ನಿರ್ಮಾಣ ಮತ್ತು ಉಸ್ತುವಾರಿ;

8) ಮರಗಳನ್ನು ನೆಡುವುದು ಮತ್ತು ರಕ್ಷಣೆ;

9) ಸಂತೆ, ಜಾತ್ರೆ ಮತ್ತು ಸಾರ್ವಜನಿಕ, ಸಾಂಸ್ಕೃತಿಕ ಹಬ್ಬಗಳ ಆಚರಣೆ ಮತ್ತು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನಿಂದ ವಹಿಸಲ್ಪಟ್ಟ ಕಾರ್ಯಕ್ರಮಗಳ ನಿರ್ವಹಣೆ;

10) ಮಂಡಳ ಪಂಚಾಯಿತಿ ಸಿಬ್ಬಂದಿ ಮತ್ತು ಇತರ ಕಾರ್ಯಕರ್ತರಿಗೆ ಗೃಹ ನಿರ್ಮಾಣ;

11) ಮಕ್ಕಳಿಗೆ ಅಟವ ಮೈದಾನ ಮತ್ತು ಬಾಕುಗಳ ನಿರ್ಮಾಣ;

12) ಉಗ್ರಾಣ, ವ್ಯಾಪಾರದ ಮಳಿಗೆ ಮತ್ತು ಕೇಂದ್ರಗಳನ್ನು ನಿರ್ಮಿಸುವುದು.

3. ವ್ಯವಸಾಯ ಮತ್ತು ಹೈನುಗಾರಿಕೆ

1) ಮಂಡಳ ಪಂಚಾಯಿತಿ ಕ್ಷೇತ್ರಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಕೃಷಿ ಉತ್ಪಾದನಾ ಯೋಜನೆಯನ್ನು ತಯಾರಿಸುವುದು;

- 2) ಗ್ರಾಮೀಣ ಏಳಿಗೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ:
- 3) ವ್ಯವಸಾಯ ಅಭಿವೃದ್ಧಿ:
- 4) ಕೃಷಿ ಅಭಿವೃದ್ಧಿ ಆಗಲು ಸುಧಾರಿಸಿದ ಬೀಜ, ಗೊಬ್ಬರ, ಕ್ರಮಿಸಾರಕ ಮತ್ತು ವ್ಯವಸಾಯದ ಉಪಕರಣಗಳ ಮಾರಾಟ; ಕೃಷಿಯ ಬಗ್ಗೆ ಪ್ರಚಾರ ಮತ್ತು ಪ್ರಾತ್ಯಕ್ಷಿಕೆಗಳ ರಚನೆ:

- 5) ಉಗ್ರಾಣ ಮತ್ತು ವಾಸ್ತಾನು ಮಳಿಗೆಗಳ ವ್ಯವಸ್ಥೆ:
- 6) ದನದ ಕೊಟ್ಟಿಗೆಗಳ ನಿರ್ಮಾಣ:
- 7) ಕಾಂಪೋಸ್ಟ್ ಗುಂಡಿಗಳ ನಿರ್ಮಾಣ:
- 8) ಉತ್ಪಾದನಾ ತಳಿ ಅಭಿವೃದ್ಧಿ:
- 9) ಮೀನುಗಾರಿಕೆ, ಹಂದಿಸಾಕಣೆ ಮತ್ತು ಕೋಳಿಸಾಕಣೆ ಅಭಿವೃದ್ಧಿ.

4. ಪರಿಶಿಷ್ಟ ವರ್ಗ, ಬುಡಕಟ್ಟು ಮತ್ತು ಹಿಂದಳಿದ ವರ್ಗದವರ ಶೈಕ್ಷಣಿಕ, ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ ಮತ್ತು ಸಾಂಸ್ಕೃತಿಕ ಏಳಿಗೆ

ಅ) ಮೇಲ್ಕಂಡ ವರ್ಗದವರನ್ನು ಶೋಷಣೆಯಿಂದ ವಿಮುಕ್ತಗೊಳಿಸುವುದು:

ಆ) ಮನೆಕಟ್ಟಲು ನಿವೇಶನಗಳ ನಿರ್ಮಾಣ;

5. ಇತರ ವಿಷಯಗಳು

- 1) ಮಂಡಳ ಪಂಚಾಯಿತಿ ಕ್ಷೇತ್ರದ ಅಭಿವೃದ್ಧಿಗೆ ಯೋಜನೆ ತಯಾರಿಕೆ;
- 2) ಸರ್ಕಾರದ ಭೂಸಂರಕ್ಷಣಾ ಕಾರ್ಯಕ್ರಮಗಳಿಗೆ ಸಹಕಾರ;
- 3) ವಯಸ್ಕರ ಅಕ್ಷರಪ್ರಚಾರ, ವಾಚನಾಲಯ ಮತ್ತು ಪ್ರಾಥಮಿಕ ಭಂಡಾರಗಳ ವ್ಯವಸ್ಥೆ:

4) ಬರೆಗಾಲ ಮುಂತಾದ ಪ್ರಾಕೃತಿಕ ವಿಕೋಪದಿಂದ ಉಂಟಾಗುವ ಅನಾಹುತಗಳು ಸಂಭವಿಸಿದಾಗ ನೆರವು;

5) ಸ್ನಾನಘಟ್ಟ ಮತ್ತು ಬಟ್ಟಿಬಗೆಯಲು ವ್ಯವಸ್ಥೆ ಮತ್ತು ಮೇಲುಸ್ನಾನವಾರಿ.

6) ಗೃಹಕ್ಕೆ ಗಾರಿಕೆಗಳ ಅಭಿವೃದ್ಧಿ:

7) ಕರ್ನಾಟಕ ಖಾದಿ ಗ್ರಾಮೋದ್ಯೋಗ ಮಂಡಳಿ ಮತ್ತು ಖಾದಿ ಮತ್ತು ಗ್ರಾಮೀಣ ಕೈಗಾರಿಕಾ ಕಮಿಷನ್ ಯೋಜನೆಗಳನ್ನು ಕಾರ್ಯಗತಮಾಡುವುದು:

8) ಗ್ರಾಮೀಣ ಸೇವೆಸಲ್ಲಿಸಲು ಸ್ವಯಂಸೇವಕರ ತಂಡದ ನಿರ್ಮಾಣ;

9) ಅಲ್ಪಸಂಖ್ಯಾತ ಧಾರ್ಮಿಕ ಸಂಸ್ಥೆಗಳ ವ್ಯವಸ್ಥೆ:

10) ಸರ್ಕಾರ ಸಂಘಗಳ ಬೆಳವಣಿಗೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ;

11) ಗ್ರಾಮದ ಅಂಕಿಅಂಶಗಳ ಸಂಗ್ರಹ:

12) ರಾತ್ರಿ ಕಾವಲು ಮತ್ತು ಬೆಳಿಗಲ ರಕ್ಷಣೆಗೆ ಕಾವಲು ವ್ಯವಸ್ಥೆ:

13) ಗ್ರಾಮೀಣ ಅರಣ್ಯಗಳ ಸ್ಥಾಪನೆ ಮತ್ತು ರಕ್ಷಣೆ:

14) ಗ್ರಾಮೀಣ ಪ್ರದೇಶಗಳಲ್ಲಿರುವ ನಿರೀಕ್ಷಿಸಿದ ಸಾರ್ವಜನಿಕ ಮತ್ತು ಖಾಸಗಿ ಅಸ್ತಿಪಾಸ್ತಿಗಳ ಬಗ್ಗೆ ದಾಖಲಾತಿಗಳನ್ನು ಇಡುವುದು;

15) ವಸದ ದೋಡ್ಡಿಗಳ ವಿರ್ಪಾಡು;

16) ತಾಯಿ ಮತ್ತು ಮಕ್ಕಳ ಏಳಿಗೆ;

17) ಆಟೋಟಿ ಮತ್ತು ಸಾಂಸ್ಕೃತಿಕ ಕಾರ್ಯಕ್ರಮಗಳ ಬಗ್ಗೆ ತರಬೇತು:

18) ಯುವಕರ ಉತ್ಸಾಹವನ್ನು ಉತ್ಸಾಹದನು ಕಾರ್ಯಕ್ರಮಗಳ ಕಡೆ ತಿರುಗಿಸುವುದು;

19) ಸರ್ಕಾರ ಮತ್ತು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನಿಂದ ವಹಿಸಬಹುದಾದ ಕಾರ್ಯಕ್ರಮಗಳು.

ಒಟ್ಟಿನಲ್ಲಿ ಮಂಡಳ ಪಂಚಾಯಿತಿಯಲ್ಲಿ ವಾಸಿಸುವ ಜನರ ಆರೋಗ್ಯ, ರಕ್ಷಣೆ, ಶಿಕ್ಷಣ, ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಇತರ ಸೌಕರ್ಯಗಳನ್ನು ಒದಗಿಸಲು ಬೇಕಾದ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವುದು ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಹೊಣೆ.

* * *

“ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಹೊಣೆ ತುಂಬಾ ಇದೆ. ಅದನ್ನು ವಿವರವಾಗಿ ಹೇಳಿದ್ದು ಒಳ್ಳೆಯದು. ಈ ಕೆಲಸಗಳನ್ನು ಮಾಡಲು ಪಂಚಾಯತಿಗೆ ಹಣ ಬೇಡವೆ?” ಕೇಳಿದ ನೀಲಪ್ಪ.

“ಸ್ವಾಮಿ, ತಮಗೆ ನಮಸ್ಕಾರ. ಒಳ್ಳೆಯ ವಿಷಯ. ಚೆನ್ನಾಗಿ ತಿಳಿಸುತ್ತಿದ್ದೀರಿ” ಎಂದ ರಂಗಪ್ಪ.

“ಗ್ರಾಮದ ಏಳಿಗೆಯೇ ದೇಶದ ಏಳಿಗೆ. ಆದ್ದರಿಂದ ಮಂಡಳ ಪಂಚಾಯತಿ ವಿಷಯ ಚೆನ್ನಾಗಿ ತಿಳಿಯಿರಿ, ನಿಮ್ಮ ಗ್ರಾಮದ ಏಳಿಗೆಗೆ ದುಡಿಯಿರಿ. ಅದು ನನ್ನ ಇಚ್ಛೆ” ಎಂದರು ಉಪಾಧ್ಯಾಯರು.

“ಹೌದು, ಹೌದು, ನಾವೆಲ್ಲರೂ ನಮ್ಮ ಹಳ್ಳಿಯ ಏಳಿಗೆಗೆ ದುಡಿಯುವೆವು” ಎಂಬ ಕೂಗು ಸಭೆಯಿಂದ ಕೇಳಿಬಂತು.

“ನೀವು ಉತ್ಸಾಹದಿಂದ ಕೇಳುತ್ತಿದ್ದೀರಿ. ನನಗೆ ಸಂತೋಷ. ಈಗ ನಾನು ಪಂಚಾಯಿತಿಯ ಆದಾಯದ ಮೂಲಗಳನ್ನು ತಿಳಿಸುವೆ”.

ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ವರಮಾನ

- 1) ಸರಕಾರ ಅಥವಾ ಜಿಲ್ಲಾ ಪರಿಷತ್ ನೀಡುವ ಅನುದಾನ ಮತ್ತು ಸಾಲ;
- 2) ಸರಕಾರದ ಒಪ್ಪಿಗೆ ಪಡೆದು ಮಂಡಳ ಪಂಚಾಯತಿ ಎತ್ತುವ ಸಾಲ;
- 3) ಮನೆ, ಮಾರುಕಟ್ಟೆ ಮತ್ತು ಮನರಂಜನ ಬಾಬುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ವಂಡ;
- 4) ಮಂಡಳ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಇರುವ ಆಸ್ತಿಪಾಸ್ತಿಗಳಿಂದ ಬರುವ ಹಣ;
- 5) ಖಾದಿ ಮತ್ತು ಗ್ರಾಮೋದ್ಯೋಗ ಮಂಡಳಿ, ಕರ್ನಾಟಕ ಖಾದಿ ಮತ್ತು ಗ್ರಾಮ ಕೈಗಾರಿಕಾ ಕಮಿಷನ್ ಮತ್ತು ಇತರ ಸಂಘಸಂಸ್ಥೆಗಳಿಂದ ಬರುವ ಹಣ;

6) ಊರಿನ ಕಸಕಡ್ಡಿ ಮುಂತಾದ ವಸ್ತುಗಳನ್ನು ಮಾರುವುದರಿಂದ ಸಿಗುವ ಆದಾಯ;

7) ಗ್ರಾಮಗಳಲ್ಲಿ ನಡೆಯುವ ಜಾತ್ರೆ, ಉತ್ಸವ ಮುಂತಾದ ಸಾಂಸ್ಕೃತಿಕ ಸಮಾರಂಭಗಳಿಗೆ ಹೊರಗಿನಿಂದ ಜನ ಬರುವರು. ಅವರಿಗೆ ನೀರು, ವಸತಿ ಮುಂತಾದ ಸೌಕರ್ಯಗಳನ್ನು ಏರ್ಪಡಿಸಬೇಕು. ಈ ಖರ್ಚು ಬಾಬುಗಳಿಗೆ ಹಣ ಬೇಡವೆ ? ಆದ್ದರಿಂದ ತಲಾ 50 ಪೈಸೆಯಂತೆ ಹೊರಗಿನವರಿಗೆ ತೆರಿಗೆ ಹಾಕಬಹುದು;

8) ಈ ಕೆಳಗಿನ ಬಾಬುಗಳ ಮೇಲೆ ತೆರಿಗೆ ಹಾಕಬಹುದು :

ಅ) ಮನರಂಜನ ತೆರಿಗೆ (ಸಿನಿಮಗಳ ಮೇಲೆ ಇಲ್ಲ);

ಆ) ವಾಹನಗಳ ಮೇಲೆ ತೆರಿಗೆ (ಮೋಟಾರ್ ವಾಹನಗಳ ಮೇಲೆ ಇಲ್ಲ);

ಇ) ಬಸ್ಸು ನಿಲ್ದಾಣಗಳ ಮೇಲೆ ತೆರಿಗೆ. ಮಂಡಳ ಪಂಚಾಯಿತಿ ಬಸ್ಸಿನ ಪ್ರಯಾಣಿಕರಿಗೆ ಸೌಕರ್ಯಗಳನ್ನು ಬಸ್ಸು ನಿಲ್ದಾಣಗಳಲ್ಲಿ ಒದಗಿಸಬೇಕು. ಆಗ ಮಾತ್ರ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಅನುಮತಿ ಪಡೆದು ತೆರಿಗೆ ಹಾಕಬಹುದು.

ಈ) ಗಾಡಿ ನಿಲ್ದಾಣಗಳ ಮೇಲೆ ತೆರಿಗೆ;

ಉ) ಪಂಚಾಯಿತಿಗೆ ಸೇರಿದ ಹುಲ್ಲುಗಾವಲಿನಲ್ಲಿ ದನಗಳು ಮೇಯಲು ತೆರಿಗೆ ಹಾಕಬಹುದು;

ಊ) ಮಂಡಳ ಪಂಚಾಯಿತಿ ಗ್ರಾಮಕ್ಕೆ ನೀರು ಸರಬರಾಜು ಮಾಡಿದಲ್ಲಿ ತೆರಿಗೆ.

ಪಂಚಾಯಿತಿ ವಿಧಿಸುವ ತೆರಿಗೆಯನ್ನು ಕಡಮೆ ಅಥವಾ ಹೆಚ್ಚು ಮಾಡುವ ಅಧಿಕಾರ ಸರ್ಕಾರಕ್ಕೆ ಸೇರಿದ್ದು.

ಮಂಡಳ ಪಂಚಾಯಿತಿ ಆಡಳಿತ

ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಹಣಕಾಸಿನ ವ್ಯವಹಾರ ಮತ್ತು ಸಿಬ್ಬಂದಿ ವಿಚಾರ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಮೇಲ್ವಿಚಾರಣೆಗೆ ಒಳಪಟ್ಟಿದ್ದು. ಮಂಡಳ ಪಂಚಾಯಿತಿಯಲ್ಲಿ ಅಂಗೀಕೃತವಾದ ಆಯವ್ಯಯ ಪಟ್ಟಿಯನ್ನು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಒಪ್ಪಿಗೆಗೆ ಕಳುಹಿಸ ತಕ್ಕದ್ದು.

ಮಂಡಳ ಪಂಚಾಯಿತಿಗೆ ಜಿಲ್ಲಾ ಪರಿಷತ್ ಒಬ್ಬ ಕಾರ್ಯದರ್ಶಿಯನ್ನು ನೇಮಕ ಮಾಡುವುದು. ಆತ ಪೂರ್ಣಕಾಲದ ಅಧಿಕಾರಿ. ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ಇಡುವುದು ಅತನ ಹೊಣೆ. ಕಾರ್ಯದರ್ಶಿ ವಾರ್ಷಿಕ ಆಡಳಿತದ ವರದಿಯನ್ನು ಮತ್ತು ವಾರ್ಷಿಕ ಆಯವ್ಯಯ ಪಟ್ಟಿಯನ್ನು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿಗೆ ಕಳುಹಿಸಬೇಕು.

ಸರಕಾರದ ಲೆಕ್ಕಪತ್ರಗಳ ತನಿಖಾ ಇಲಾಖೆ (ಆಡಿಟ್ ಇಲಾಖೆ) ಮಂಡಳ ಪಂಚಾಯಿತಿಯ ಲೆಕ್ಕ ತನಿಖೆ ಮಾಡುವುದು. ತನಿಖೆಯ ವರದಿಯನ್ನು ಮಂಡಳ ಪಂಚಾಯಿತಿ ಮತ್ತು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿಗೆ ಕಳುಹಿಸಬೇಕು. ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿಗೆ ಎರಡು ವಿಶೇಷ ಅಧಿಕಾರಿಗಳಿವೆ. 1) ಲೆಕ್ಕಪತ್ರದಲ್ಲಿ ಕಂಡುಬರುವ ತೋಪದೋಷಗಳನ್ನು ಸರಿಪಡಿಸಬಹುದು. 2) ಕಾನೂನಿಗೆ ವಿರುದ್ಧವಾಗಿ ವಜ್ಜೆ ಮಾಡಿದಲ್ಲಿ ಅದನ್ನು ಕೈಬಿಡಬಹುದು.

ಮಂಡಳ ಪಂಚಾಯಿತಿ ತನಗೆ ಬೇಕಾದ ಸಿಬ್ಬಂದಿಯನ್ನು ನೇಮಕ ಮಾಡಬಹುದು. ಆದರೆ ಅಂತಹ ಸಿಬ್ಬಂದಿಯ ಪಟ್ಟಿಯನ್ನು ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಅಪಗಾಹನೆಗೆ ಕಳುಹಿಸಬೇಕು. ಅಪರ ಸಂಬಳ, ಭತ್ಯೆ ಮುಂತಾದುವುಗಳನ್ನು ಮಂಡಳ ಪಂಚಾಯಿತಿ ಕೊಡಬೇಕು.

ಮಂಡಳ ಪಂಚಾಯಿತಿಯನ್ನು ಒಲುಪರಿಣಾಮಕಾರಿಯಾದ ಸಂಸ್ಥೆಯನ್ನಾಗಿ ಮಾಡುವ ಉದ್ದೇಶ ಇತ್ತು. ವಿತಸ್ಕಂಧ್ಯ ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ವ್ಯವಸ್ಥೆ ಬಂದಿತು. ಅದರಿಂದ ಮಂಡಳ ಪಂಚಾಯಿತಿ ಮೂರನೆಯ ಸ್ಥಾನಕ್ಕೆ ಇಳಿಯಿತು.

ವ್ಯವಸಾಯ ಉತ್ಪಾದನಾ ಯೋಜನೆ, ತನ್ನ ಕ್ಷೇತ್ರದ ವಿಳಿಗೆಗೆ ಯೋಜನೆಯ ತಯಾರಿ - ಈ ಎರಡು ಮುಖ್ಯ ಜವಾಬ್ದಾರಿಗಳು ಮಂಡಳ ಪಂಚಾಯಿತಿಗೆ ಇವೆ. ಇದು ಒಂದು ರೀತಿಯಲ್ಲಿ ಹಿಂದಿನ (1959) ಕಾನೂನಿಗಿಂತ ಹೆಚ್ಚು ಪ್ರಭಾವಯುತ ಅಗಿದೆ. ಸಾಕಷ್ಟು ಪಣ ರೋರಕಿಸಿಕೊಟ್ಟಲ್ಲಿ ಮಂಡಳ ಪಂಚಾಯಿತಿಗಳು ಚೆನ್ನಾಗಿ ಕೆಲಸ ಮಾಡಿಯಾವು.

ಪ್ರಜಾತಂತ್ರದ ತಾಯಿಬೇರು ಪಂಚಾಯಿತಿ ರಾಜ್ಯ

ಇಂದು ರಾಷ್ಟ್ರಮಟ್ಟದಿಂದ ಗ್ರಾಮೀಣಮಟ್ಟದವರೆಗೆ ಪ್ರಚೀನ ಪ್ರಭು. ಆದರೆ ಅವರೇ ನೇರವಾಗಿ ಅಧಿಕಾರ ವಡೆಸಲು ಸಾಧ್ಯವಿಲ್ಲ. ಒಂದು ಕಾಲಕ್ಕೆ ಜನರೇ ರಾಜ್ಯದ ಕಾರ್ಯಕಲಾಪಗಳಲ್ಲಿ ನೇರವಾಗಿ ಭಾಗವಹಿಸಲು ಸಾಧ್ಯವಿತ್ತು. ಅದೂ ಒಂದೆರಡು ಕಡೆಗಳಲ್ಲಿ ಮಾತ್ರ. ಅಥೆನ್ಸ್, ಎಂಬುದು ಗ್ರೀಸ್ ದೇಶಕ್ಕೆ

ಸೇರಿದ್ದು. ಅಲ್ಲಿ ಜನರೇ ನೇರವಾಗಿ ಅದೇನೂ ವಿಚಾರದಲ್ಲಿ ಪಾಲುಗೊಳ್ಳುವುದು ಸಾಧ್ಯವಿತ್ತು. ಆದರೆ ಈಗ ಅಂಥ ವ್ಯವಸ್ಥೆ ಸಾಧ್ಯವಿಲ್ಲ. ಕಾರಣ ದೇಶ ದೊಡ್ಡದು. ಜನಸಂಖ್ಯೆ ಬಹಳ. ಅದರಿಂದ ನಮ್ಮ ಪರವಾಗಿ ಸರ್ಕಾರ ನಡವಲು ಯೋಗ್ಯರು ಬೇಕು; ಅವರು ದಕ್ಷರಾಗಿಯೂ, ಸತ್ಯವಂತರಾಗಿಯೂ ಇರಬೇಕು. ಅಷ್ಟೇ ಸಾಲದು, ನೀಸ್ಕಾರ್ಥ ಸೇವೆ ಸಲ್ಲಿಸುವ ಮನೋಭಾವ ಹೊಂದಿರತಕ್ಕದ್ದು. ಈಗ ಆಯ್ಕೆ ಮಂಡಳ ಪಂಚಾಯತಿಯಿಂದ ಹಿಡಿದು ರಾಜ್ಯ ಮಟ್ಟದವರೆಗೆ ನಡೆಯುತ್ತಿದೆ.

ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯಗಳಲ್ಲಿ ಜನರಿಂದ ಆಯ್ಕೆ ಆದ ಸರ್ಕಾರಗಳಿವೆ. ರಾಜ್ಯ ರಕ್ಷಣೆ, ಹಣಕಾಸು ವ್ಯವಹಾರ, ವಿವೇಚನೆಗಳೊಡನೆ ಸಂಬಂಧ ಇವು ಕೇಂದ್ರ ಸರ್ಕಾರಕ್ಕೆ ಸೇರಿದ್ದು. ಆರೋಗ್ಯ ಮತ್ತು ನೈರ್ಮಲ್ಯ, ನೀರು ಸರಬರಾಜು, ವಿದ್ಯುತ್, ಉತ್ಪಾದನೆ, ವಿತರಣೆ ಮುಂತಾದವು ರಾಜ್ಯ ಸರ್ಕಾರಗಳ ಹೊಣೆ. ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳು ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ನಿರ್ವಹಿಸುವ ಬಗ್ಗೆ ನೀತಿ ನಿಯಮಗಳನ್ನು ರೂಪಿಸುತ್ತವೆ. ಈ ಚೌಕಟ್ಟಿನಲ್ಲಿ ಆಯಾ ಸ್ಥಳದ ಸನ್ನಿವೇಶ ಮತ್ತು ವಾತಾವರಣಕ್ಕೆ ತಕ್ಕಂತೆ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ನಡೆಸಬೇಕು. ಅದಕ್ಕಾಗಿ ಸ್ಥಳೀಯ ವಾತಾವರಣ ಮತ್ತು ಸಮಸ್ಯೆಗಳನ್ನು ತಿಳಿದ ಜನ ಬೇಡವೆ? ಈ ಕೆಲಸಗಳು ಸ್ಥಳೀಯ ಜನರಿಂದಲೇ ಸಾಧ್ಯ. ಸ್ಥಳೀಯ ಸರ್ಕಾರ ಪ್ರಜಾಪ್ರಭುತ್ವದ ತಾಯಿಬೇರು. ತಾಯಿಬೇರು ಭದ್ರ ಆಗಿದ್ದರೆ ಇಡೀರಾಷ್ಟ್ರ ಸೌಖ್ಯ ಮತ್ತು ಸುಭದ್ರವಾಗಿ ಇದ್ದೀತು.

ನಗರ ಪ್ರದೇಶಗಳಲ್ಲಿ ಪುರಸಭೆ, ಕಾರ್ಪೊರೇಷನ್ ಮುಂತಾದ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿವೆ. ಈ ಸಂಸ್ಥೆಗಳನ್ನು ನಡೆಸುವವರು ಆಯ್ಕೆಆದ ಜನತಾ ಪ್ರತಿನಿಧಿಗಳು. ಅಂತೆಯೇ ಗ್ರಾಮೀಣ ಪ್ರದೇಶಗಳಲ್ಲಿ ಪಂಚಾಯತಿ ರಾಜ್ಯ, ಪಂಚಾಯತಿ ರಾಜ್ಯ ನಮಗೆ ಹೊಸದಲ್ಲ. ಇದು ಪ್ರಾಚೀನ ಕಾಲದಿಂದಲೂ, ಬಹಳ ಹಿಂದಿನಿಂದ ನಡೆದುಬಂದಿದೆ. ಮಹಾಭಾರತದ ಕಾಲದಲ್ಲೂ ಸಹ ಗ್ರಾಮ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆ ತನ್ನದೇ ಆದ ರೀತಿಯಲ್ಲಿ ಇತ್ತು. ಹೊರಗಿನವರು ನಮ್ಮ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆಯನ್ನು ಹೊಗಳಿದ್ದಾರೆ. ಗ್ರೀಕ್ ರಾಯಭಾರಿ ಮೆಗಾಸ್ತನೀಸ್. ಆತ ಇಲ್ಲಿಯ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆಯನ್ನು ಮನಸಾರ ಹೊಗಳಿರುವನು. ಈ ವ್ಯವಸ್ಥೆ ಬ್ರಿಟಿಷರ ಕಾಲದಲ್ಲಿ ಕುಸಿದುಬಿತ್ತು. ನ್ಯಾಯ ತೀರ್ಮಾನ ಮಾಡುವ ಜವಾಬ್ದಾರಿಯೂ ಆಯಾ ಪಂಚಾಯತಿಗಳಿಗೆ ಇತ್ತು.

ಪಂಚಾಯತಿ ರಾಜ್ಯ ಎಂದರೇನು? ಬಿಡುಮಂದಿ ಹಿರಿಯರು ಮತ್ತು ಅನುಭವಿಗಳನ್ನು ಕೂಡಿ ನಡೆಸುವ ಅಧಿಕಾರ. ಪಂಚಾಯತಿ ರಾಜ್ಯ ರಾಮರಾಜ್ಯ ಸ್ಥಾಪನೆಗೆ ಬುನಾದಿ ಎಂಬುದು ರಾಷ್ಟ್ರಪಿತ ಶುಕಾಕ್ಷ ಗಾಂಧಿಯವರ ಅಭಿಪ್ರಾಯ.

ಆದ್ದರಿಂದ ಸ್ವಾತಂತ್ರ್ಯಾನಂತರ ಪಂಚಾಯಿತಿ ರಾಜ್ಯ ವ್ಯವಸ್ಥೆಗೆ ಹೊಸ ಚೈತನ್ಯ, ಶಕ್ತಿ ತುಂಬುವ ವ್ಯವಸ್ಥೆ ನಡೆದಿದೆ. ಈ ವ್ಯವಸ್ಥೆಯಿಂದ ಬಹಳ ಲನೂಕೂಲ. ಸ್ಥಳೀಯ ಸಮಸ್ಯೆಗಳನ್ನು ಆರಿತವರು ಸೇವೆ ಸಲ್ಲಿಸಲು ಅವಕಾಶ ಇದೆ. ಅದ್ದರಿಂದ ಗ್ರಾಮೀಣ ಮಟ್ಟದಲ್ಲಿ ನಾಯಕತ್ವ ಹುಟ್ಟಿ ಬೆಳೆಯಬಹುದು. ಸ್ಥಳೀಯರ ಉತ್ಸಾಹ ಕ್ರೋಡೀಕರಿಸಿದಲ್ಲಿ ಕಾರ್ಯಕ್ರಮದ ಮೇಲಿನ ಖರ್ಚು ಉಳಿಯಲು ಅಥವಾ ಕಡಮೆ ಆಗಲು ಸಾಧ್ಯ. ಸ್ಥಳೀಯ ಸರ್ಕಾರ ಯಶಸ್ವಿಯಾಗಿ ನಡೆದಲ್ಲಿ ಸರ್ಕಾರದ ಆಡಳಿತದ ಭಾರ ಸ್ವಲ್ಪ ಹಗುರ ಆಗಬಹುದು. ಅಧಿಕಾರ ನಿರೀಕ್ಷಿಸಿದಂತೆ ಗ್ರಾಮೀಣ ಮಟ್ಟಕ್ಕೆ ಇಳಿಯುವುದು. ಎಲ್ಲಕ್ಕಿಂತ ಮೇಲಾಗಿ ರಾಜಕೀಯ ವಿಚಾರದಲ್ಲಿ ಹಳ್ಳಿಗರಿಗೆ ತಿಳಿವಳಿಕೆ ಮೂಡುವುದು.

ಈ ಹೊಣೆಯನ್ನು ಹೊರಲು ಜನ ಓದುವರಹ ಕಲಿತು ವಿದ್ಯಾವಂತರಾಗಬೇಕು. ಗ್ರಾಮೀಣರಿಗೆ ಪಂಚಾಯಿತಿ ಆಡಳಿತ ನಡೆಸಲು ಸರ್ಕಾರ ತರಬೇತಿ ನೀಡುವುದು ಅಗತ್ಯ. ಅಷ್ಟೇ ಅಲ್ಲ, ಕಾಲಕಾಲಕ್ಕೆ ಅವರಿಗೆ ಸೂಕ್ತ ತಿಳಿವಳಿಕೆ, ನಿರ್ದೇಶನ ಮತ್ತು ಸಾಕಷ್ಟು ಹಣ ನೀಡುವುದು ಅನಿವಾರ್ಯ. ಅಗಮಾತ್ರ ಪಂಚಾಯಿತಿ ರಾಜ್ಯ ವ್ಯವಸ್ಥಿತವಾಗಿ ನಡೆಯುವುದು. ಅದರಿಂದ ಜನತೆಯ ಕಲ್ಯಾಣ ಸಾಧನೆ ಆಗಿ ಸುಖೀರಾಜ್ಯ ಆಗಲಿದೆ. ಒಟ್ಟಿನಲ್ಲಿ ಪಂಚಾಯಿತಿ ರಾಜ್ಯ ಪ್ರಜಾತಂತ್ರದ ತಾಯಿಬೇರು.

ನಾನು ಇದುವರೆಗೆ ಪಂಚಾಯಿತಿ ರಾಜ್ಯದ ವಿಚಾರ ತಿಳಿಸಿದ್ದೇನೆ. ಮಂಡಳ ಪಂಚಾಯಿತಿ, ತಾಲ್ಲೋಕು ಪಂಚಾಯಿತಿ ಸಮಿತಿ ಮತ್ತು ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳ ಬಗ್ಗೆ ತಿಳಿಸಿದ್ದೇನೆ. ತಾವೂ ಸಹ ಗಮನವಿಟ್ಟು ಕೇಳಿದ್ದೀರಿ. ನನ್ನ ಶ್ರಮ ಸಾರ್ಥಕ ಆಯಿತು. ನಿಮಗೆ ಪಂದನೆಗಳು" ಎಂದು ಹೇಳಿ ಉಪಾಧ್ಯಾಯರು ಕುಳಿತರು.

ಈರಯ್ಯ ಸಭೆಯಿಂದ ಎದ್ದುಬಂದು ಹೀಗೆ ಹೇಳಿದ : "ನಾವು ಹಳ್ಳಿಗರು. ನಮಗೆ ಪಂಚಾಯಿತಿ ಚುನಾವಣೆಯಲ್ಲಿ ಮತ ಕೊಡುವುದು ಮಾತ್ರ ಗೊತ್ತಿತ್ತು. ಬಾಕಿವಿಚಾರಗಳು ತಿಳಿದಿರಲಿಲ್ಲ. ಈಗ ಪಂಚಾಯಿತಿ ರಾಜ್ಯದ ಬಗ್ಗೆ ತಿಳಿದಿದ್ದೇವೆ. ಮುಂದೆ ಅದರ ಯಶಸ್ಸಿಗೆ ನಾವು ಕೆಲಸ ಮಾಡುತ್ತೇವೆ".

ಉಪಾಧ್ಯಾಯರಿಗೆ ಹಾರ ಹಾಕಿದರು. ಸಭೆಯಲ್ಲಿ ಚಪ್ಪಾಳೆ ಮೊಳಗಿತು.

ಜೈ ಭಾರತ. ಪಂಚಾಯಿತಿ ರಾಜ್ಯಕ್ಕೆ ಜಯವಾಗಲಿ.

ಕ.ಗ್ರಾ.ಸ್ವ.ಸಂ. ಒಕ್ಕೂಟದ ಪ್ರಕಟನೆಗಳು

ಅ) ನಿಯತಕಾಲಿಕಗಳು

- ೧) Swayam Gramabhyudaya ಇಂಗ್ಲಿಷ್ ತ್ರೈಮಾಸಿಕ
 ೨) ಸ್ವಯಂ ಗ್ರಾಮಾಭ್ಯುದಯ ಕನ್ನಡ ಅರ್ಧವಾರ್ಷಿಕ

ಆ) ಪುಸ್ತಕಗಳು (ಕನ್ನಡದಲ್ಲಿ)

- ೧) ಪಂಚಾಯತಿ ರಾಜ್ಯ : ಒಂದು ಸಮೀಕ್ಷೆ
 (ಕರ್ನಾಟಕ ಜಿಲ್ಲಾ ಪರಿಷತ್, ಮಂಡಲ ಪಂಚಾಯತ ಮತ್ತು ನ್ಯಾಯ ಪಂಚಾಯತ ಮಸೂದೆಯು (1983) ವಿಶ್ಲೇಷಣೆ)
- ೨) ಅಭ್ಯುದಯದ ಹಾದಿಯಲ್ಲಿ
 (ಗ್ರಾಮಾಭಿವೃದ್ಧಿಗೆ ಮೀಸಲಾದ ಸ್ವಯಂಸೇವಾ ಸಂಘಟನೆಗಳ ಅನುಭವ ಕಥನ)
 ಸಂಕಲನ : ಶಾರದಾ ಹೆಗಡೆ
- ೩) ಗ್ರಾಮಾಭ್ಯುದಯ : ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ ಪಾತ್ರ
 ಲೇಖಕರು : ನಾಗೇಶ್ ಹೆಗಡೆ
- ೪) ಪಂಚಾಯತಿ ರಾಜ್ಯವೆದ್ದತಿ : ಒಂದು ಪರಿಚಯ
 ಲೇಖಕರು : ಡಾ|| ಟಿ. ಎನ್. ಮಂಜುನಾಥ್

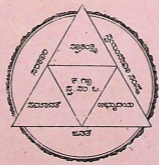
ಪ್ರತಿಗಳು ಮೊರೆಯುವ ಸ್ಥಳ :

ಕರ್ನಾಟಕ ಗ್ರಾಮಾಭ್ಯುದಯ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ ಒಕ್ಕೂಟ
 (FEVORD-KARNATAKA) ಪೋಸ್ಟ್ ಬಾಕ್ಸ್ 2541,
 ರಿಪಬ್ಲಿಕ್ ಟೌನ್, ಬೆಂಗಳೂರು-560 025

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ಪಂಚಾಯತಿ ರಾಜ್ಯ ಒಂದು ಸಮೀಕ್ಷೆ

ಕರ್ನಾಟಕ ಜಿಲ್ಲಾ ಪರಿಷತ್, ಮಂಡಲ ಪಂಚಾಯತ
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ವಿಶ್ಲೇಷಣೆ



ಕರ್ನಾಟಕ
ಗ್ರಾಮಾಭ್ಯುದಯ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ
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ಗ್ರಾಮಸಭೆಯಿಂದ ಲೋಕಸಭೆವರೆಗೆ

ನಮಗೆ ಈಗ ಕಾಣುವಂತೆ ಪಂಚಾಯತಿ ರಾಜ್ಯ ಎಂದರೆ, ನೆಲದಿಂದ ಮೇಲುಗಡೆಗೆ ಕ್ರಮವಾಗಿ ದಕ್ಷತೆ ಸಾಮರ್ಥ್ಯಗಳ ವೃದ್ಧಿ ಮತ್ತು ಕೇಂದ್ರದಿಂದ ನೆಲಕ್ಕೆ ಅದೇ ರೀತಿಯ ಜವಾಬ್ದಾರಿಯ ವರ್ಗಾವಣೆ. ಮೇಲಕ್ಕೆ ಏರಬೇಕು ಎನ್ನುವವರು ತನ್ನ ಹೆಗಲಿನ ಭಾರವನ್ನು ಸಾಧ್ಯವಿದ್ದಷ್ಟು ತಗ್ಗಿಸಿಕೊಳ್ಳಬೇಕು. ಇಲ್ಲದಿದ್ದರೆ ಅವಾಯ ಎಂಬುದು ಪರ್ವತಾರೋಹಿಗಳಿಗೆ ಗೊತ್ತು. ತನ್ನ ಹಂತಕ್ಕೆ ಸರಿಯಾಗಿ ಕೆಲಸ ಮಾಡಬೇಕು, ಎಂದರೆ, ರಾಜ್ಯಸರ್ಕಾರ ಮಾಡಬಹುದಾದ ಕೆಲಸಗಳನ್ನೆಲ್ಲ ನಮ್ಮ ಕೇಂದ್ರದಿಂದ ತಪ್ಪಿಸಬೇಕು. ಪಂಚಾಯತಿ ರಾಜ್ಯವ ಸಂಸ್ಥೆಗಳು—ಜಿಲ್ಲಾ ಪರಿಷತ್ತು, ಕ್ಷೇತ್ರ ಪಂಚಾಯತಿ ಸಮಿತಿ, ಪಂಚಾಯತಿ, ಸ್ವಯಂಸೇವಕ ಅಂಗಸಂಸ್ಥೆಗಳು, ಬಿಡಿ ಕುಟುಂಬಗಳು—ಹೊರಬಹುದಾದ ಜವಾಬ್ದಾರಿಗಳನ್ನು ರಾಜ್ಯಸರ್ಕಾರದ ಭುಜಗಳ ಮೇಲಿನಿಂದಲೂ ಅವೇ ರೀತಿ ಇಳಿಸಬೇಕು. ಹೀಗಾದರೆ ಪಂಚಾಯತಿ ರಾಜ್ಯ ಕೇವಲ ಸರ್ಕಾರದ ಒಂದು ಘಟಕ ಆಗದೆ ಒಂದು ಜೀವನಮಾರ್ಗ, ಸರ್ಕಾರದ ಬಗ್ಗೆ ಹೊಸ ರೀತಿಯ ಸಂಬಂಧ ಆಗುತ್ತದೆ. ಗ್ರಾಮಸಭೆಯಿಂದ ಲೋಕಸಭೆಯವರೆಗೆ ನಮ್ಮ ಜನರಲ್ಲಿ ಒಂದು ಸಂಬಂಧ ಸರಣಿಯನ್ನು ರೂಪಿಸುತ್ತದೆ. ನಮ್ಮ ಪ್ರಜಾತಂತ್ರದ ಮೂಲ ಘಟಕ ಒಂದು ಕುಟುಂಬ. ಲೋಕಸಭೆಯಿಂದ ಕೆಳಗಿನವರೆಗೂ ಸಾಗಿಬರುವ ಮಾರ್ಗದರ್ಶನವನ್ನು ಪ್ರತಿ ಕುಟುಂಬಕ್ಕೂ ಒದಗಿಸುತ್ತದೆ ಪಂಚಾಯತಿ ರಾಜ್ಯ. ಆಯಾ ಮಟ್ಟದಲ್ಲಿ ಜನರು ತಾವೇ ನಡೆಸಬಹುದಾದ ವ್ಯವಹಾರಗಳಲ್ಲಿ ಇತರರ ಹಿಡಿತದ ಭಾರ ಬೀಳದಂತೆ ಇದು ತಡೆಯುತ್ತದೆ.

ಪಂಚಾಯತಿ ರಾಜ್ಯ
ಒಂದು ಸಮೀಕ್ಷೆ

ಕರ್ನಾಟಕ ಜಿಲ್ಲಾ ಪರಿಷತ್, ಮಂಡಲ ಪಂಚಾಯತ
ಮತ್ತು ನ್ಯಾಯ ಪಂಚಾಯತ ಮಸೂದೆಯ (೧೯೮೩)
ವಿಶ್ಲೇಷಣೆ

ಕರ್ನಾಟಕ
ಗ್ರಾಮಾಭ್ಯುದಯ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ
ಒಕ್ಕೂಟ

ಅರಿಕೆ

ರಾಜ್ಯದ ರಾಜಕೀಯ ಹುದ್ದೆಗಳ ಮೇಲೆ, ವಿಶೇಷವಾಗಿ ಗ್ರಾಮಜೀವನದ ಮೇಲೆ ವ್ಯಾಪಕ ಪರಿಣಾಮ ಬೀರಲಿವೆ, ಇದೀಗ ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆಯ ಪರಿಶೀಲನೆಯಲ್ಲಿರುವ 'ಕರ್ನಾಟಕ ಜಿಲ್ಲಾ ಪರಿಷತ್, ಮಂಡಲ ಪಂಚಾಯತ ಮತ್ತು ನ್ಯಾಯ ಪಂಚಾಯತ ಮಸೂದೆ, ೧೯೮೩'.

ಕರ್ನಾಟಕ ಗ್ರಾಮಾಭಿವೃದ್ಧಿಯ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ ಒಕ್ಕೂಟ (ಫೆಡರೇಶನ್ ಆಫ್ ವಾಲಂಟರಿ ಆರ್ಗಾನಿಸೇಶನ್ಸ್ ಫರ್ ರೂರಲ್ ಡೆವಲಪ್‌ಮೆಂಟ್ ಇನ್ ಕರ್ನಾಟಕ-- FEVORD-K) ೧೯೮೩ ಆಗಸ್ಟ್ ೨೨ರಂದು ಬೆಂಗಳೂರಿನಲ್ಲಿ ಸಭೆಸೇರಿ, ಜಿಲ್ಲಾ ಪರಿಷತ್ ಮಸೂದೆಯನ್ನು ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲಿಸಲು ಉಪಸ್ಥಿತಿಯೊಂದನ್ನು ನೇಮಿಸಿತು. ಸಮಿತಿಯ ಸದಸ್ಯರು :

- (೧) ಪ್ರೊ|| ಬಿ. ಕೆ. ನಾರಾಯಣ್,
ಪ್ರಾಧ್ಯಾಪಕರು, ಸಾಮಾಜಿಕ ಮತ್ತು ಆರ್ಥಿಕ ಪರಿವರ್ತನ
ಅಧ್ಯಯನ ಸಂಸ್ಥೆ (ISOEC), ಬೆಂಗಳೂರು.
- (೨) ಶ್ರೀ ಬಿ. ರುದ್ರಮೂರ್ತಿ,
ಅಧ್ಯಕ್ಷರು, ಮಲ್ಟಿ ಪ್ರಾಜೆಕ್ಟ್ ಅಂಡ್ ಡೆವಲಪ್‌ಮೆಂಟ್ ಕನ್ಸಲ್ಟೆನ್ಸಿ
(MPDC), ಬೆಂಗಳೂರು.
- (೩) ಶ್ರೀ ಎಸ್. ಆರ್. ರಾಮಸ್ವಾಮಿ
ಸಂಪರ್ಕಾಧಿಕಾರಿ, ಆರೋಗ್ಯ ವಿಕಾಸ ಪ್ರಕಲ್ಪ, ಬೆಂಗಳೂರು.

ಸಮಿತಿಯು ಅಧ್ಯಯನಾನಂತರ ಕರ್ನಾಟಕ ಸರ್ಕಾರಕ್ಕೆ ೧೯೮೩ರ ಸೆಪ್ಟೆಂಬರಿನಲ್ಲಿ ಮನವಿಯೊಂದನ್ನು ಸಲ್ಲಿಸಿತು. ಆ ಮನವಿಯನ್ನು ಈ ಪುಸ್ತಕಿಯಲ್ಲಿ (ಭಾಗ-೩) ಸಾರ್ವಜನಿಕರ ಅವಗಾಹನೆಗಾಗಿ ಉದ್ಘಾಟಿಸಲಾಗಿದೆ. ಪೀಠಿಕಾಭಾಗದಲ್ಲಿ (ಭಾಗ ೧-೨) ಪಂಚಾಯತಿ ರಾಜ್ಯವ್ಯವಸ್ಥೆಯ ಸ್ವರೂಪವನ್ನೂ ತಮ್ಮ ಪ್ರತಿನಿಧಿಗಳಲ್ಲಿ ಗ್ರಾಮೀಣ ಜನರು ಅಪೇಕ್ಷಿಸಬೇಕಾದ ಅರ್ಹತೆಗಳನ್ನೂ ಪ್ರಸ್ತಾವಿಸಲಾಗಿದೆ.

ಈ ಸಮೀಕ್ಷೆಯನ್ನು ಸಿದ್ಧಪಡಿಸಿದ ಉಪಸಮಿತಿಗೂ, ಈ ಪುಸ್ತಕಿಯ ಪ್ರಕಟಣೆಯಲ್ಲಿ ನೆರವಾದ ರಾಯಚೂರು ಜಿಲ್ಲೆ ಗಿಲ್ಲೆಕೂಗೂರಿನ 'ಇನ್‌ಗ್ರಿಡ್' (INGRID) ಸಂಸ್ಥೆಗೂ ಕೆ. ಗ್ರಾ. ಸ್ವ. ಸಂ. ಒಕ್ಕೂಟ ಆಭಾರಿಯಾಗಿದೆ.

ಸಾಮಯಿಕವಾದ ಈ ಪ್ರಕಟಣೆಯು ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಬಗೆಗೆ ಆಸಕ್ತರಾದ ಎಲ್ಲರಿಗೂ ಪ್ರಯೋಜನಕರವಾದೀತೆಂಬುದು ಕೆ. ಗ್ರಾ. ಸ್ವ. ಸಂ. ಒಕ್ಕೂಟದ ಆಶಯ.

ಮೆಡ್ಲೇರಿ-೨೦೧೧ ೨೦೧೧

ಅಕ್ಟೋಬರ್ ೨೦, ೧೯೮೩

ಎಸ್. ಆರ್. ಹಿರೇಮಠ

ಅಧ್ಯಕ್ಷ, ಕೆ. ಗ್ರಾ. ಸ್ವ. ಸಂ. ಒ.

೧. ಪಂಚಕಾಯತಿ ರಾಜ್ಯದ ಸ್ವರೂಪ, ಮಹತ್ವ

ಪಂಚಾಯತಿ ರಾಜ್ಯವೆಂಬುದು ಜನಗಳಿಗಾಗಿ ಯೋಜಿತವಾಗಿ ಜನಗಳಿಂದಲೇ ನಡೆಸಲ್ಪಡುವ ಕಂಸೈ. ಆಡಳಿತದಲ್ಲಿ ಜನಗಳೇ ನೇರವಾಗಿ ಪಾಲ್ಗೊಳ್ಳುವುದು, ಜನಗಳ ನಿರ್ಣಯಾಧಿಕಾರ, ವಿವಾದಗಳನ್ನು ಜನಗಳೇ ಇತ್ತರ್ಪ ಮಾಡುವುದು, ಅಭ್ಯುದಯದ ಯೋಜನೆಗಳು ಜನ ತಾವೇ ರೂಪಿಸಿ ನಡೆಸುವುದು—ಇದು ಪಂಚಾಯತಿ ರಾಜ್ಯ ಸಂಸ್ಥೆಯ ಹೃದಯ. ಇದು ಗ್ರಾಮಮಟ್ಟದಲ್ಲಿ, ಗ್ರಾಮೀಣ ಜನರಿಂದಲೇ ನಡೆಯುವುದಾದ್ದರಿಂದ, ಈಗ ಸಾಮಾನ್ಯ ರೂಢಿಯಲ್ಲಿರುವ ಆಡಳಿತದ ಪರೋಕ್ಷ ಸ್ವರೂಪವನ್ನು ತಪ್ಪಿಸುವುದೆಂಬುದು ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಮುಖ್ಯ ಲಕ್ಷಣ. ಜನಗಳು ನೇರವಾಗಿ ಪಾಲ್ಗೊಳ್ಳುವುದಕ್ಕೆ ಅಲ್ಲದೆ, ತಮ್ಮ ಕಲ್ಪನೆ-ಆಭಿಪ್ರಾಯ—ಯೋಜನೆಗಳು ತಮ್ಮ ಕಣ್ಣೆದುರಲ್ಲಿ ಕಾರ್ಯಗತವಾಗುವುದು ಈ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಸಾಧ್ಯ. ಈ ವ್ಯವಸ್ಥೆಯನ್ನು ಜನ ಆದರಿಸುವುದೂ ಇದೇ ಕಾರಣದಿಂದ; ಪಂಚಾಯತಿ ರಾಜ್ಯವನ್ನು ರಾಮರಾಜ್ಯವೆಂದು ಹೊಗಳುವುದೂ ಇದೇ ಕಾರಣದಿಂದ. ಜನತೆಯ ನೇರ ಸಹಭಾಗಿತ್ವ, ಕಾರ್ಯ ಪ್ರಯತ್ನ, ಸಂಪನ್ಮೂಲಗಳ ಬಳಕೆ, ಫಲಿತಾಂಶ—ಈ ವಿವಿಧ ಅಂಗಗಳ ನಡುವೆ ನಿಕಟವಾದ ಹೊಂದಾಣಿಕೆ ಈಗಿನ ಬೃಹದ್ವ್ಯಾಪ್ತಿಯ ಪರೋಕ್ಷ ಸರ್ಕಾರ ರೀತಿಯಲ್ಲಿ ಅಲ್ಲದ್ದೆಂಬುದು ಎಲ್ಲರಿಗೂ ತಿಳಿದ ಸಂಗತಿ.

ಪ್ರಯತ್ನ, ಸಲಹಾಂಶಗಳ ನಡುವಣ ನಿಕಟತೆಯಿಂದಾಗಿ ಪಂಚಾಯತಿ ರಾಜ್ಯ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಕಾರ್ಯಕ್ರಮಗಳ ಪ್ರಗತಿಯನ್ನು ಅಗಿಂದಾಂತೇ ಪರೀಕ್ಷಿಸಿ, ಸಾಧನ ಅಸಮರ್ಪಕವಾಗಿದ್ದಲ್ಲಿ ಅಗತ್ಯವಾದ ಸುಧಾರಣಕರ್ಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವುದು ಸಾಧ್ಯವಾಗುತ್ತದೆ.

ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆ ಸಾಕಷ್ಟು ಹಿಂದಿನ ಕಾಲದಿಂದ ರೂಢಿಯಲ್ಲಿದ್ದದ್ದೇ. ಮೊದಮೊದಲು ನ್ಯಾಯನಿರ್ಣಯಕ್ಕೆ ಸೀಮಿತವಾಗಿದ್ದ ಪಂಚಾಯತಿಗಳು ಕ್ರಮೇಣ ರಾಜಕೀಯ, ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ ಹೊಣೆಗಾರಿಕೆಗಳನ್ನೂ ವಹಿಸಿಕೊಂಡಿತು. ಬ್ರಿಟಿಷರ ಆಳ್ವಿಕೆಯಲ್ಲಿ ಈ ಹಳೆಯ ಗ್ರಾಮವ್ಯವಸ್ಥೆ ಕುಂಠಿತವಾಯಿತು. ಹಳೆಯ ವ್ಯವಸ್ಥೆಗೆ ಪರ್ಯಾಯವಾಗಿ ಯಾವ ಸರಕಾರ ಪದ್ಧತಿಯೂ ಸ್ಥಳೀಯ ಎಂದರೆ ಗ್ರಾಮಮಟ್ಟದಲ್ಲಿ ಅಸ್ತಿತ್ವಕ್ಕೆ ಬರಲಿಲ್ಲ. ಹೀಗೆ ಕೇಂದ್ರ ಹಾಗೂ ಪ್ರಾಂತಮಟ್ಟಗಳಲ್ಲಿ ಸರ್ಕಾರಗಳು ಅಧಿಷ್ಠಿತವಾದುವು; ಗ್ರಾಮಮಟ್ಟದ ಸಹಭಾಗಿತ್ವ ಮಾಯವಾಯಿತು.

ಸ್ಥಳೀಯ ಅಂದರೆ ಗ್ರಾಮಮಟ್ಟದಲ್ಲಿ ಜನದ ಸಹಭಾಗಿತೆಯ ಅಭಾವವೇ ಕೇಂದ್ರದ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರಗಳ ಬೃಹದ್ಯೋಜನೆಗಳು ವಿಫಲವಾಗುವುದಕ್ಕೆ ಕಾರಣವೆಂಬುದು ಎಲ್ಲರ ಮನವರಿಕೆ. ಕೊಂಚಮಟ್ಟಿನ ಸಾಧನೆ ಆಗಿದ್ದರೂ ಅದು ಗರಿಷ್ಠ ಮಟ್ಟದ ಸರ್ವಾಂಗೀಣ ದೀರ್ಘಕಾಲದ ಅಭ್ಯುದಯಕ್ಕೆ ದಾರಿಮಾಡಲಿಲ್ಲ. ಈ ಅಂತಿಮ ಗುರಿಯ ಸಾಧನೆಗೆ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆಯೇ ಮಾರ್ಗ.

ಅಭ್ಯುದಯ ಪ್ರಯತ್ನ ವ್ಯಕ್ತಿಕೇಂದ್ರಿತವೆಂಬುದು ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆಯ ಮತ್ತೊಂದು ಗುಣಾಂಶ. ಪ್ರಯತ್ನವು ಮೊದಲು ಪ್ರತ್ಯೇಕ ವ್ಯಕ್ತಿಯಿಂದ ಸ್ಥಳೀಯ ಮಟ್ಟದಲ್ಲಿ ಆರಂಭವಾಗಿ, ಕ್ರಮೇಣ ಸ್ಥಳೀಯ ಸಮುದಾಯವನ್ನು ಒಳಗೊಳ್ಳುತ್ತದೆ. ಈ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಎಲ್ಲರಿಗೂ ಸಮಾನಾವಕಾಶ ದೊರೆಯುತ್ತದೆ. ಪ್ರಯತ್ನದ ಸಹಜ ವಿಸ್ತಾರದ ಪ್ರಗತಿಗೂ ಅವಕಾಶ ಕಲ್ಪಿತವಾಗುವುದರ ಜೊತೆಗೆ, ವ್ಯಕ್ತಿವಿಕಾಸ-ವ್ಯಕ್ತಿ ಪ್ರಯತ್ನಗಳ ಮೂಲಕ ನಿಜವಾದ ಸಮುದಾಯಾಭ್ಯುದಯ ಹೀಗೆ ಸಾಧ್ಯವಾಗುತ್ತದೆ. ಪರೋಕ್ಷ ಆಸಳಿತದಿಂದ ಪ್ರಗತಿಗೆ ತೋರುವ ಪ್ರತಿಬಂಧಕಗಳನ್ನು ನಿವಾರಿಸುವುದರಲ್ಲಿ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆಯ ಪಾತ್ರ ಮಹತ್ವದ್ದಿದೆ.

೨. ಜನತೆಯ ಪ್ರತಿನಿಧಿಗಳಿಗಿರಬೇಕಾದ ಅರ್ಹತೆಗಳು

ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸಭೆಗಳಲ್ಲಿ ಸರ್ಕಾರ ಅಧಿಷ್ಠಿತವಾಗಿದ್ದಲ್ಲಿ ಅಭ್ಯುದಯ ಪ್ರಯತ್ನದಲ್ಲಿ ಜನದ ಸಹಭಾಗಿತೆ ಇರಲಾರದು. ಒಂದು ಅನುಭವಜನ್ಯ ಗಾಡೆಮಾತು ಇದು :

I here, I forget;
I see, I remember;
I do, I understand.

("ಕಿವಿಯಿಂದಷ್ಟೇ ಕೇಳಿದ್ದನ್ನು ಮರೆಯುತ್ತೇವೆ. ಕಣ್ಣಿಂದ ನೋಡಿದ್ದನ್ನು ನೆನಪಿನಲ್ಲಿ ಉಳಿಸಿಕೊಳ್ಳುತ್ತೇವೆ. ನಾವೇ ಕೈಯಿಂದ ಮಾಡಿದಾಗ ವಿಷಯದ ಪೂರ್ಣಸ್ವರೂಪ ನಮಗೆ ಅರ್ಥವಾಗುತ್ತದೆ.")

ಅಭ್ಯುದಯದ ಹೃದಯವೇ ಜನರ ಸಹಭಾಗಿತೆ. ಎಲ್ಲ ಮಟ್ಟಗಳಲ್ಲೂ ಪ್ರಜಾ ಪ್ರಭುತ್ವ ಅಭ್ಯಾಸಗತವಾಗಬೇಕಾದರೆ ಜನರಿಗೆ ಅಭ್ಯುದಯ ಪ್ರಯತ್ನದಲ್ಲಿ ಭಾಗವಹಿಸುವ ಅವಕಾಶಗಳಿರಬೇಕು. ನಿತ್ಯ ಜಾಗರೂಕತೆಯೇ ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ನಾವು ತೆರಬೇಕಾದ ಬೆಲೆ.

ಈ ಜಾಗರೂಕತೆಯ ಆಚರಣೆ ಹೇಗೆ ?

- i) ಯೋಗ್ಯರಾದ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡುವುದರಿಂದ;
- ii) ಆಯ್ಕೆಯಾಗಿ ನಿಯುಕ್ತವಾದ ಪ್ರತಿನಿಧಿ ಮಂಡಳಿಯ ಕಾರ್ಯದ ಪರೀಕ್ಷಣೆಯಿಂದ;
- iii) ಆಗಿಂದಾಗಲೇ ಅಗತ್ಯ ಸುಧಾರಣ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವುದರಿಂದ;
- vi) ಅನರ್ಪರೆಂದು ಸಿದ್ಧ ಪಟ್ಟ ಪ್ರತಿನಿಧಿಗಳನ್ನು ಅಧಿಕಾರಚ್ಯುತಗೊಳಿಸುವುದರಿಂದ.

ಪ್ರತಿನಿಧಿ ಮಂಡಳಿಯ ಸಾಧನೆ-ವೈಫಲ್ಯಗಳ ಪರೀಕ್ಷಣೆ, ಮೌಲ್ಯಮಾಪನದಲ್ಲಿ ಖಾಸಗಿ ಗ್ರಾಮಾಭ್ಯುದಯ ಸ್ವಯಂಸೇವಾಸಂಸ್ಥೆಗಳು ನೆರವಾಗಬಲ್ಲವು. ಆದರೆ ಅಭ್ಯರ್ಥಿಗಳ ಆಯ್ಕೆ-ತಿರಸ್ಕಾರಗಳು ಸಂಪೂರ್ಣವಾಗಿ ಜನರ ಹೇಣಿಗಾರಿಕೆ. ಪ್ರಜಾಪ್ರಭುತ್ವ ವ್ಯವಸ್ಥೆಯು ದಾರಿತಪ್ಪದಂತೆ ನೋಡಿಕೊಳ್ಳುವ ಮುಖ್ಯಾಂಗ—ಖಾಸಗಿ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳು.

ಪಂಚಾಯತಿ ರಾಜ್ಯದಲ್ಲಿ ವಿವಿಧ ಪ್ರತಿನಿಧಿ ಮಂಡಳಿಗಳ ಅಭ್ಯರ್ಥಿಗಳು ಎಂಥವ ರಾಗಿರಬೇಕು ? ಪ್ರತಿನಿಧಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡುವಲ್ಲಿ ಜನರು ಮನಸ್ಸಿನಲ್ಲಿರಿಸಿಕೊಳ್ಳ ಬೇಕಾದ ಕೆಲವು ದಿಕ್ಕೊಚ್ಚಿಗಳು ಇವು :

- ೧) ಅಭ್ಯರ್ಥಿ ಸ್ಥಳೀಯ ಜನಜೀವನದ ಮತ್ತು ಸ್ಥಳೀಯ ವಿದ್ಯಮಾನಗಳ ಪರಿಚಯ ಪಡೆದಿರಬೇಕು.
- ೨) ಹೊಸ ಪ್ರಗತಿಪರ ಯೋಜನೆಗಳಿಗೆ ವಿಮುಖನಾಗದಿರುವುದು; ಸ್ವಂತ ಆಲೋಚನೆ, ಕಾರ್ಯೋತ್ಸಾಹ, ಹೊಂದಿಕೊಂಡು ನಡೆಯುವ ಗುಣ.
- ೩) ಪ್ರಾಮಾಣಿಕತೆ.
- ೪) ನಿಸ್ವಾರ್ಥತೆ.
- ೫) ಇತರರಿಗೆ ಮಾರ್ಗದರ್ಶನ ಕೊಡಬಲ್ಲ ಸಾಮರ್ಥ್ಯ.
- ೬) ಪ್ರಜಾಪ್ರಭುತ್ವ ಪದ್ಧತಿಯಲ್ಲಿ ವಿಶ್ವಾಸ.
- ೭) ಜನರಿಗೆ ತಾನು ಬಾಧ್ಯನೆಂಬ ಹೋಣೆಗಾರಿಕೆಯ ಅರಿವು.
- ೮) ಜನರ ಅಗತ್ಯಗಳಿಗೆ ಸ್ಪಂದಿಸುವ ಮನೋಧರ್ಮ.
- ೯) ಎಲ್ಲರೊಡನೆ ತೆರೆದ ಮನಸ್ಸಿನಿಂದ ವ್ಯವಹರಿಸಬಲ್ಲ ಕೌಶಲ.
- ೧೦) ವಿವಾದಗಳನ್ನು ಸಮರ್ಪಕವಾಗಿ ಇತ್ಯರ್ಥಮಾಡಬಲ್ಲ ನ್ಯಾಯದೃಷ್ಟಿ.
- ೧೧) ಭಿನ್ನ ಅಭಿಪ್ರಾಯಗಳನ್ನು ತಳೆದ ಜನಸಮೂಹಗಳ ಸೌಹಾರ್ದ ಗಳಿಸುವ ಸಾಮರ್ಥ್ಯ.
- ೧೨) ಅಭ್ಯುದಯಕ್ಕೆ ಪೋಷಕವಾದ ಮನೋವೃತ್ತಿ, ಅಭ್ಯುದಯದ ಗಮ್ಯ ಹಾಗೂ ಕಲ್ಪನೆಯ ಸರಿಯಾದ ಮನವರಿಕೆ.

ಒಬ್ಬೊಬ್ಬ ಪ್ರತಿನಿಧಿಯಲ್ಲಿಯೂ ಮೇಲಣ ಎಲ್ಲ ಗುಣಗಳೂ ಇದ್ದಾವೆಂದು ಅಶಿಸುವುದು ಅಪಾಸ್ವವಿಕವಾಗುತ್ತದೆ. ಇವುಗಳಲ್ಲಿ ಕೆಲಕೆಲವು ಗುಣಗಳನ್ನಾದರೂ ಪ್ರತಿನಿಧಿಗಳು ಪಡೆದಿದ್ದಲ್ಲಿ, ಅಂಥವರ ಸಮೂಹದಿಂದ ರಚನಾತ್ಮಕ ಕಾರ್ಯ ಶಕ್ತಿ ಪಾಗುತ್ತದೆ. ತ್ಯಾಗಬುದ್ಧಿ, ಸೇವಾ ಮನೋಭಾವ, ಕಾರ್ಯಶ್ರದ್ಧೆ—ಇವು ಅಭ್ಯರ್ಥಿ ಗಳಲ್ಲಿ ಎಷ್ಟು ಮೇಲ್ನುಟ್ಟಿದ್ದಾಗಿರುತ್ತವೋ ಅಷ್ಟುಮಟ್ಟಿಗೆ ಪಂಚಾಯತಿ ರಾಜ್ಯವ್ಯವಸ್ಥೆ ಕೃತಾರ್ಥವಾಗುತ್ತದೆ.

೩. ಕರ್ನಾಟಕ ಜಿಲ್ಲಾ ಪರಿಷತ್, ಮಂಡಲ ಪಂಚಾಯತ ಮತ್ತು ನ್ಯಾಯ ಪಂಚಾಯತ ಮಸೂದೆ, ೧೯೮೩

೧. ಭೂಮಿಕೆ

ಕರ್ನಾಟಕ ಜಿಲ್ಲಾ ಪರಿಷತ್, ಮಂಡಲ ಪಂಚಾಯತ ಹಾಗೂ ನ್ಯಾಯ ಪಂಚಾಯತ ಮಸೂದೆ ಇದೀಗ ಶಾಸನಸಭೆಯ ಮುಂದಿನ. ಈ ಮುಖ್ಯವಾದ, ವ್ಯಾಪಕವಾದ ಮಸೂದೆಯನ್ನು ಕುರಿತು ವಿವಿಧ ವೇದಿಕೆಗಳಲ್ಲಿ ಚಿಂತನೆ, ಚರ್ಚೆ ನಡೆದಿದೆ. ಕರ್ನಾಟಕದ ಗ್ರಾಮಾಭ್ಯುದಯ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ ಒಕ್ಕೂಟವೂ (ಕೆ. ಗ್ರಾ. ಸ್ವ. ಸಂ. ಒ.-FEVORD-K) ಮಸೂದೆಯನ್ನು ಪರಿಶೀಲಿಸಿ, ಕೆಲವು ಸಲಹೆಗಳನ್ನು ಮಂಡಿಸಿ ಬಯಸಿದೆ ಪ್ರಸ್ತುತ ಮಸೂದೆಯಲ್ಲಿನ ಅನೇಕ ಸಂಗತಿಗಳು ಪ್ರಜಾಪ್ರಭುತ್ವ ತತ್ವಕ್ಕೆ ಎಷ್ಟು ಮಟ್ಟಿಗೆ ಹೊಂದುತ್ತವೆಂಬುದನ್ನು ಪರೀಕ್ಷಿಸಬೇಕಾಗಿದೆ. ಮಹಾತ್ಮ ಗಾಂಧಿ ಹಾಗೂ ಇತರ ರಾಷ್ಟ್ರೀಯ ನಾಯಕರುಗಳ ವಿಚಾರಧಾರೆ, ಸ್ವಾತಂತ್ರ್ಯದಾರಭ್ಯ ಆಗಿರುವ ಬೆಳವಣಿಗೆಗಳು, ಸಾಮಾಜಿಕ-ಆರ್ಥಿಕ ಸಮಂಜಸತೆ ಹಾಗೂ ಭವಿಷ್ಯದ ಅಗತ್ಯಗಳು- ಇವುಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಪರಾಮರ್ಶೆ ನಡೆಸಿ ಕೆ. ಗ್ರಾ. ಸ್ವ. ಸಂ. ಒ. ಮಸೂದೆಯನ್ನು ಕುರಿತು ಅಭಿಪ್ರಾಯ ನಿರ್ಮಿಸಿಕೊಂಡಿದೆ.

ಪಂಚಾಯತಿ ರಾಜ್ಯವು ಸಾರ್ಥಕವಾಗಬೇಕಾದರೆ ಅದು ಕೆಲವೊಂದು ಪ್ರಾಥಮಿಕ ಆವಶ್ಯಕತೆಗಳನ್ನು ಪೂರೈಸಲೇಬೇಕು. ಪ್ರಜೆಗಳು ಚುನಾಯಿತ ಪ್ರತಿನಿಧಿಗಳಿಗೆ ಆಡಳಿತಾಧಿಕಾರ ಒಪ್ಪಿಸುತ್ತಾರೆ. ನಂತರ ಅವರುಗಳು ತಮಗಿದ್ದ ಅಧಿಕಾರಾವಧಿಯ ವರೆಗೆ ಕೇಂದ್ರ ಹಾಗೂ ರಾಜ್ಯಗಳ ಆಡಳಿತಕ್ಕೆ ಆವಶ್ಯಕ ಅಂಗಗಳನ್ನು ರಚಿಸುತ್ತಾರೆ.

೨. ಅಧಿಕಾರದ ವರ್ಗಾವಣೆ

ಪ್ರಜೆಗಳೇ ಅಧಿಕಾರದ ನಿಜವಾದ ಆಧಾರ, ಹಾಗೂ ಆಡಳಿತದಲ್ಲಿರುವವರು ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳು-ಎಂಬ ತಿಳಿವಳಿಕೆ ನಮ್ಮ ಜನಗಳಲ್ಲಿ ಇನ್ನೂ ವ್ಯಾಪಕವಾಗಿ ಮೂಡಿಲ್ಲ. ಪ್ರಜಾಪ್ರಭುತ್ವದ ಶಕ್ತಿ ಇಂಥ ಜಾಗೃತ ಪ್ರಜ್ಞೆಯಲ್ಲೇ ಅಡಗಿರುವುದು ಅಲ್ಲದೆ ಎಲ್ಲ ಸ್ತರಗಳಲ್ಲಿನ ಪ್ರಜಾಪ್ರಭುತ್ವವಾದಿ ಸಂಸ್ಥೆಗಳು ಬಲಿಷ್ಠಗೊಳ್ಳುವುದೂ ಈ ತಿಳಿವಳಿಕೆಯಿಂದಲೇ. ಜನರ ಕೈಯಲ್ಲಿರುವ ಅಧಿಕಾರ ಚಲಾವಣೆಯ ದೃಷ್ಟಿಯಿಂದ

ರೂಪಿಸುವ ಎಲ್ಲ ಕಾನೂನುಗಳನ್ನೂ ಎರಡು ದೃಷ್ಟಿಕೋನಗಳಿಂದ ನೋಡಬೇಕಾಗುತ್ತದೆ :

- ೧) ಸಿದ್ಧಾಂತದ ದೃಷ್ಟಿಯಿಂದ;
- ೨) ಆಚರಣೆಯ ದೃಷ್ಟಿಯಿಂದ.

೩. ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಅವಶ್ಯಕತೆ

ಪ್ರಚಲಿತ ಭಾರತೀಯ ರಾಜ್ಯವ್ಯವಸ್ಥೆಯು ಸಮತೋಲ ಹಾಗೂ ದೃಢತೆಗಳ ಕೊರತೆಯಿಂದಾಗಿ ಅಪೇಕ್ಷಿತ ಫಲ ನೀಡುತ್ತಿಲ್ಲ. ಇದಕ್ಕೆ ಒಂದು ಮುಖ್ಯ ಕಾರಣವೆಂದರೆ ರಾಜ್ಯದ ವ್ಯವಹಾರಗಳಲ್ಲಿ ಪ್ರಜೆಗಳು ತಮ್ಮ ಪಾತ್ರವನ್ನು ಕೇವಲ ಕಾಲಕಾಲಕ್ಕೆ ಬರುವ ಚುನಾವಣೆಗಳಲ್ಲಿ ಮತ ಹಾಕುವುದಕ್ಕೆ ಮಾತ್ರ ಸೀಮಿತಗೊಳಿಸಿದ್ದು, ಚುನಾವಣೆಗಳು ಬರಿಯ ಒಂದು ಕಟ್ಟಳೆಯಾಗಿದೆ. ಚುನಾವಣೆಯು ಜನಗಳೇ ಅಧಿಕಾರದ ಆಧಾರ ಎಂಬುದರ ಸಂಕೇತ ಮಾತ್ರ ಎಂಬ, ಅಭಿವೃದ್ಧಿಕಾರ್ಯ ಮುಂತಾದ ಕ್ಷೇತ್ರಗಳಲ್ಲಿ ಜನರ ಭಾಗವಹಿಸುವಿಕೆ ಏನೇನೂ ಸಾಲದಂಬ ತಿಳಿವಳಿಕೆ ಇಂದು ಮರೆಯಾಗಿದೆ.

ಪ್ರಜಾಪ್ರಭುತ್ವ, ವಿಕೇಂದ್ರೀಕರಣ, ವಿಕಾಸ—ಇವು ಒಂದನ್ನೊಂದು ಕೈಹಿಡಿದು ಮುಂದೊಯ್ಯುತ್ತವೆ. ಪ್ರಜಾತಂತ್ರಾತ್ಮಕ ಆಡಳಿತದ ವ್ಯವಹಾರಗಳನ್ನು ಅರಿತುಕೊಂಡು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಭಾಗವಹಿಸಬಹುದಾಗಿದ್ದ ತಳಮಟ್ಟದಲ್ಲಿ, ಎಂದರೆ ಗ್ರಾಮೀಣ ಜನಸಾಮಾನ್ಯರ ಮಟ್ಟದಲ್ಲಿ ಬೇರೂರಬೇಕಾದ ಸಾಂಸ್ಥಿಕ ಪ್ರಜಾಸತ್ತಾತ್ಮಕ ವ್ಯವಸ್ಥೆ ಅಲ್ಲಿಗೆ ಪ್ರಸರಿಸದೆ ಕೇವಲ ರಾಜ್ಯ ಮಟ್ಟಕ್ಕೇ ಸೀಮಿತವಾದದ್ದರಿಂದ ಈ ವಿಕೇಂದ್ರೀಕರಣ ಸಿದ್ಧಾಂತ ಶಿಥಿಲವಾಯಿತು.

ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳಲ್ಲಿ ಜನಸಾಮಾನ್ಯರ ಸಹಭಾಗಿತ್ವ ಅನಿವಾರ್ಯ ; ಅದಿಲ್ಲದೆ ಅಭಿವೃದ್ಧಿ ಅರ್ಥವಿಲ್ಲದ್ದಾಗಿ ಕುಂಠಿತಗೊಳುತ್ತದೆ—ಎಂದು ಅರಿತುಕೊಂಡಿದ್ದ ಮುಖಂಡರು ಪಂಚಾಯತಿ ರಾಜ್ಯ ಕಲ್ಪನೆಯನ್ನು ೧೯೫೨ರಲ್ಲಿ ಉಗಮಗೊಂಡಿದ್ದ ಸಮುದಾಯಾಭ್ಯುದಯ ಪ್ರಕ್ರಿಯೆಯಲ್ಲಿ ಅಳವಡಿಸಿದರು. ಸಮುದಾಯ ಅಭ್ಯುದಯದ ಯೋಗ್ಯಸಾಧನ ಇದೊಂದೇ ಎಂಬ ಇತ್ಯರ್ಥಕ್ಕೆ ಅವರು ಬಂದಿದ್ದರು. ಪಂಚಾಯತಿ ರಾಜ್ಯ ಸಿದ್ಧಾಂತದ ಪ್ರವರ್ತಕರಾದ ಬಲವಂತರಾಯ್ ಮೆಹ್ತಾ, ಜಯಪ್ರಕಾಶ್ ನಾರಾಯಣ್, ಪಂಡಿತ ಜವಹರಲಾಲ್ ನೆಹರು, ಎಸ್. ಕೆ. ಡೇ ಮುಂತಾದವರಲ್ಲಿ ಪಂಚಾಯತಿ ರಾಜ್ಯವನ್ನು ಕುರಿತು ಸಮಗ್ರ ಕಲ್ಪನೆಯಿತ್ತು. ೧೯೬೪ರ ಜನಪರಿಯಲ್ಲಿ ಪಂಚಾಯತಿ ರಾಜ್ಯ ಕುರಿತು ನಡೆದ ವಿಚಾರಗೋಷ್ಠಿಯೊಂದರಲ್ಲಿ (ಈ ದಿಶೆಯ ಮೊದಮೊದಲ ಗೋಷ್ಠಿಗಳಲ್ಲೊಂದು ಅದು) ಜಯಪ್ರಕಾಶ್ ನಾರಾಯಣರು ತಮ್ಮ ವಿಚಾರವನ್ನು ಈ ರೀತಿ ಮಂಡಿಸಿದರು :

“ಸ್ಥೂಲವಾಗಿ ಹೇಳುವುದಾದರೆ ಇದನ್ನು ಕುರಿತು ಎರಡು ವಿರುದ್ಧವಾದ ಅಭಿಪ್ರಾಯವಿರುವುದು ಅಭಿಪ್ರಾಯಗಳಿವೆ. ಈ ಎರಡು ಅಭಿಪ್ರಾಯಗಳ ವಿವಿಧ ಸಮ್ಮಿಶ್ರಣಗಳೂ ಹಲವಿವೆ. ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಸಂಸ್ಥೆಗಳಾದ ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳು, ಪಂಚಾಯತಿ ಸಮಿತಿಗಳು ಹಾಗೂ ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳು ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಂಗಗಳಾಗಿ ಹಾಗೂ ಸಿಬ್ಬಂದಿ ಮಾತ್ರ-ಎಂಬುದು ಒಂದು ಅಭಿಪ್ರಾಯ. ಮತ್ತೊಂದು ಅಭಿಪ್ರಾಯ, ಈ ಸಂಸ್ಥೆಗಳು ಪ್ರಾಥಮಿಕವಾಗಿ ಅವುಗಳ ಮಟ್ಟದಲ್ಲಿ ಸರ್ಕಾರಗಳೇ. ಅನಂತರ ಪರಂಪರೆಯಾ ಅವು ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಂಗಗಳೂ ಆಗುತ್ತವೆ-ಎಂಬುದು. ಮೊದಲನೆಯದನ್ನು ನಾನು ಸಂಪೂರ್ಣವಾಗಿ ತಿರಸ್ಕರಿಸುತ್ತೇನೆ. ಎರಡನೆಯ ಅಭಿಪ್ರಾಯವೇ ಸರಿಯಾದದ್ದು ಎಂಬುದು ನನ್ನ ಅಭಿಪ್ರಾಯ. ಈ ವೈಚಾರಿಕ ಗೊಂದಲವನ್ನು ಶಾಶ್ವತವಾಗಿ ಪರಿಹರಿಸುವ ಕೆಲಸ ಮಾಡಿದರೆ ಈ ಗೋಚ್ಚಿಯಿಂದ ಒಂದು ಉತ್ತಮ ಕೆಲಸ ನೆರವೇರಿದಂತೆ ಆಯಿತೆಂದು ಭಾವಿಸುತ್ತೇನೆ. ಪಂಚಾಯತಿ ರಾಜ್ಯಗಳನ್ನು ಕೇವಲ ರಾಜ್ಯ ಸರ್ಕಾರದ ಅಂಗಗಳೆಂದು ಭಾವಿಸಿ ಹೊಸ ಸಿಬ್ಬಂದಿಯನ್ನು ಹುಟ್ಟುಹಾಕುವ ದೃಷ್ಟಿಯಿಂದ ಮಾತ್ರ ಪಂಚಾಯತಿ ರಾಜ್ಯವನ್ನು ಆಳವಡಿಸಲು ಇಷ್ಟೊಂದು ಹಣ ಹಾಗೂ ಶ್ರಮಗಳನ್ನು ಸುರಿದಿದ್ದರೆ ಅದೊಂದು ಮೂರ್ಖತನದ ಹಾಗೂ ವ್ಯರ್ಥಶ್ರಮದ ಕೆಲಸ ಎಂದು ನನ್ನ ಅಭಿಪ್ರಾಯ. ಅಪೇಕ್ಷೆ ಇಷ್ಟೇ ಇದ್ದಿದ್ದರೆ ಇದಕ್ಕಿಂತಲೂ ಉತ್ತಮವಾದ, ಪರಿಣಾಮಕಾರಿಯಾದ ಹಾಗೂ ಅಲ್ಪವೆಚ್ಚದ ಅಂಗಗಳನ್ನು ಹುಟ್ಟುಹಾಕಬಹುದಿತ್ತು.”

೪. ಪ್ರಚಲಿತ ಮಸೂದೆ : ಕೆಲವು ಅನಿಸಿಕೆಗಳು

ಕರ್ನಾಟಕ ಶಾಸನ ಸಭೆಯ ಮುಂದಿರುವ ೧೯೮೩ರ ಜಿಲ್ಲಾ ಪರಿಷತ್, ಮಂಡಲ ಪಂಚಾಯತಿ ಹಾಗೂ ಸ್ಥಾನ ಪಂಚಾಯತಿಗಳ ಮಸೂದೆಯ ಮೇಲೊಂದು ಸ್ಥೂಲ ನೋಟ ಹರಿಸಿದಾಗ ಕಂಡುಬರುವ ಅಂಶವೆಂದರೆ, ಇದು ಮೂಲಭೂತವಾಗಿ ಈ ಹಿಂದಿನ ಪಂಚಾಯತ, ಪಂಚಾಯತ ಸಮಿತಿ, ಜಿಲ್ಲಾ ಮಂಡಳಿಗಳ ಕುರಿತ ಕಾನೂನುಗಳು ಹಾಗೂ ಜಿಲ್ಲಾ ಅಭಿವೃದ್ಧಿ ಮಂಡಳಿಗಳ ಕಾಯಿದೆಗಳಿಂದ ಆಯ್ದ ಕೆಲವು ನಿಯಮಗಳ ಆಳವಡಿಕೆಯಾಗಿದೆ, ಅಷ್ಟೆ. ಮಸೂದೆಯನ್ನು ಗಮನಿಸಿದಾಗ ಥಟ್ಟನೆ ತೋರಿಬರುವ ಕೆಲವು ಸಂಗತಿಗಳೆಂದರೆ : (೧) ಮಸೂದೆ ಅತಿ ದೀರ್ಘವಾಗಿದೆ. (೨) ಮಸೂದೆಯು ಅಡಳಿತ ದೃಷ್ಟಿಯನ್ನು ಪ್ರಧಾನವಾಗಿ ಹೊಂದಿದ್ದು, ಕಾನೂನಿನ ಜಾಲವಾಗಿದೆ. (೩) ಜಿಲ್ಲಾಧಿಕಾರಿ (ಡೆಪ್ಯೂಟಿ ಕಮಿಷನರ್) ಗಳಿಗೆ ವಿಶೇಷ ಅಧಿಕಾರ ಒದಗಿಸುತ್ತದೆ. (೪) ಗ್ರಾಮೀಣರ ಬುದ್ಧಿ ಸಾಮರ್ಥ್ಯಕ್ಕೆ ಮೀರಿದ ಕಾರ್ಯಾಚರಣೆಗಳನ್ನು ಪಂಚಾಯತ ಮಂಡಲಗಳಿಗೆ ವಿಧಿಸಲಾಗಿದೆ ; ಆ ಪರಿವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಜನರ ಸಾಮರ್ಥ್ಯ ಹಾಗೂ ಸಂಪನ್ಮೂಲಗಳಿಗೆ ಮೀರಿದ ಕಾರ್ಯಾಚರಣೆಯನ್ನು ಮಂಡಲ ಪಂಚಾಯತಿಗಳಿಗೆ ವಹಿಸಿಕೊಡಲಾಗಿದೆ.

ಕರ್ನಾಟಕ ಮಸೂದೆಯ ಒಳಹೊಕ್ಕು ನೋಡಿದಾಗ ಪಂಚಾಯತಿ ರಾಜ್ಯ ಎಂದರೆ ಅದೊಂದು ಸರಕಾರವೆ ಅಂಗ ಹಾಗೂ ಪ್ರತಿನಿಧಿ ಎಂಬ ಕಲ್ಪನೆಯೇ ಒರುತ್ತದೆ. ರಾಜ್ಯದ ತಳಮಟ್ಟದಲ್ಲಿನ ಪ್ರಜಾಶಂತ್ರ ವ್ಯವಸ್ಥೆಯನ್ನು ಸುಧಾರಿಸುವ ಉದ್ದೇಶವನ್ನು ಮಸೂದೆಯಲ್ಲಿ ವ್ಯಕ್ತಪಡಿಸುವುದಿಲ್ಲ. ಪ್ರಸ್ತುತ ಮಸೂದೆಯ ಅವಶ್ಯಕತೆ ಈಗ ಏನಿತ್ತು?—ಎಂಬ ಪ್ರಶ್ನೆಗೆ ಸಮಾಧಾನ ದೊರೆಯುವುದೇ ಇಲ್ಲ. ೧೯೫೯ ರಲ್ಲಿ ಪಂಚಾಯತಿ ವ್ಯವಸ್ಥೆಯನ್ನು ಜಾರಿಗೆ ತಂದ ಲಾಗಾಯಿತು ರಾಜ್ಯದ ತಳಮಟ್ಟದಲ್ಲಿ ಪ್ರಜಾಪ್ರಭುತ್ವ ವ್ಯವಸ್ಥೆ ಯಾವ ರೀತಿ ಕೆಲಸ ಮಾಡುತ್ತಿದೆ—ಎಂಬುದರ ವಿಶ್ಲೇಷಣೆಯನ್ನೇ ನಡೆಸದೆ ಪ್ರಚಲಿತ ಮಸೂದೆಯ ನಿಯಮ, ನಿಬಂಧನೆಗಳನ್ನು ರಚಿಸಲಾಗಿದೆ. ಉದಾಹರಣೆಗೆ, ಈಗಿರುವ ಮೂರು ಮಜಲಿನ (three-tier) ವ್ಯವಸ್ಥೆಯನ್ನು [ಗ್ರಾಮ, ತಾಲ್ಲೂಕು, ಜಿಲ್ಲೆ], ಎರಡು ಮಜಲಿಗೆ (two-tier) [ಮಂಡಲ, ಜಿಲ್ಲೆ] ಬದಲಾಯಿಸುವ ಅಪೇಕ್ಷೆಯನ್ನು ವ್ಯಕ್ತಪಡಿಸಿದೆ. ಆದರೆ ಈ ಬದಲಾವಣೆಯ ಅವಶ್ಯಕತೆಯೇನು?—ಎಂಬುದರ ಕುರಿತು ಸಮಾಧಾನ ದೊರೆಯುವುದಿಲ್ಲ.

ಈ ಸ್ವರೂಪಾತ್ಮಕ ಬದಲಾವಣೆಯನ್ನು ಮಾಡಲು ಸಾಕಷ್ಟು ಭೂಮಿಕೆ ಅಥವಾ ಕಾರಣ ಇದೆಯೇ? ಅಧಿಕಾರವರ್ಗವಾಗಲಿ ಪರಿಣತರಾಗಲಿ ಯಾರೂ ಕೂಡ ಇಂಥ ಬದಲಾವಣೆಯ ಋಜುತ್ವವನ್ನು ಸಮರ್ಥಿಸುವ ಪ್ರಯತ್ನಕ್ಕೆ ಕೈಹಾಕಿಲ್ಲ. ಈ ಕುರಿತು ಅಧ್ಯಯನ ನಡೆಸಿರುವ ಕೆಲವರೂ ಬದಲಾವಣೆಯ ಅವಶ್ಯಕತೆಯನ್ನು ಕಂಡಿದ್ದಾರೆ ರಾದರೂ ಅವರಿಗೆ ವ್ಯವಸ್ಥೆಯ ಸ್ವರೂಪದಲ್ಲೇ ದೋಷವೇನೂ ಕಂಡಿಲ್ಲ; ವ್ಯವಸ್ಥೆಯ ವಿಫಲತೆಗೆ ಬೇರೆಯೇ ಕಾರಣಗಳಿವೆ ಎಂದು ಅವರು ನಿಶ್ಚಯಿಸಿದ್ದಾರೆ.

ಒಂದು ವ್ಯವಸ್ಥೆಯನ್ನು ಇನ್ನೊಂದಕ್ಕೆ ಬದಲಾಯಿಸಿದರೆ—ಬದಲಾವಣೆಗೋಸ್ಕರ ವಜ್ರೇ ಬದಲಾವಣೆ—ಹೊಸ ಸಂಘಟನೆಯು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಕಾರ್ಯಗತವಾಗಿ ಬಿಡುತ್ತದೆ—ಎಂಬ ಭ್ರಮೆ ಪ್ರಚಲಿತವಾಗಿದೆ. ವ್ಯವಸ್ಥೆಯಲ್ಲಿರುವ ದೋಷವೇನು? ವಿಫಲತೆಗೆ ಕಾರಣವೇನು?—ಎಂಬುದನ್ನು ವಿಶ್ಲೇಷಿಸುವ ಗೊಡವೆಗೆ ಯಾರೊಬ್ಬರೂ ಹೋದಂತಿಲ್ಲ.

ಈಗ ರೂಪಿಸಲಾದ ಹೊಸ ವ್ಯವಸ್ಥೆ ಮೊದಲಿನದಕ್ಕಿಂತ ಹೆಚ್ಚು ಪರಿಣಾಮಕಾರಿಯಾಗುತ್ತದೆ ಎಂಬುದರ ಬಗ್ಗೆ ಯಾವ ಭರವಸೆಯೂ ಇಲ್ಲ. ಪ್ರಚಲಿತ ಮಸೂದೆಯು ಹಳೆಯ ವಿವಿಧ ನಿಯಮಗಳ ಒಂದು ಗೊಂದಲಮಯ ಮಿಶ್ರಣವೇ ಹೊರತು ವಿವೇಚನಾ ಪೂರ್ವಕವಾದ ಪರ್ಯಾಯ ವ್ಯವಸ್ಥೆಯಲ್ಲ—ಎಂಬುದು ಮಸೂದೆಯನ್ನು ಓದಿದವರಿಗೆಲ್ಲ ಮನವರಿಕೆಯಾಗುತ್ತದೆ.

ಅಲ್ಲದೆ ಉದ್ದಿಷ್ಟ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ವಿಕೇಂದ್ರೀಕರಣವು ಮಂಡಲದ—ಎಂದರೆ ೨೦,೦೦೦ ಜನಸಮೂಹದ—ಮಟ್ಟಕ್ಕೇ ನಿಂತುಬಿಡುತ್ತದೆ. ಗ್ರಾಮವು ಆಡಳಿತದ

ಒಂದು ಅಂಗವಾಗಿ ಪರಿಗಣಿತವಾಗಿಲ್ಲ. ಹಳ್ಳಿಯೂ ಸಾಮಾಜಿಕ, ಆರ್ಥಿಕ ಹಾಗೂ ರಾಜಕೀಯ ವ್ಯವಸ್ಥೆಯ ಒಂದು ಅವಿಭಾಜ್ಯ ಅಂಗ ಎಂಬುದನ್ನು ಹೊಸ ಧೋರಣೆ ಅಲಕ್ಷಿಸಿದೆ. ಗಾಂಧಿಜೀಯವರ ಗ್ರಾಮ ಸ್ವರಾಜ್ಯ ಕಲ್ಪನೆಗೆ ಕೊನೆಯ ನಮಸ್ಕಾರ ಹೇಳಿದಂತಾಗಿದೆ ಇದು.

ಸುಧಾರಣೆ ಎಷ್ಟೇ ಆರ್ಥಪೂರ್ಣವಾಗಿರಬಹುದು, ಆದರೆ ಕೇಂದ್ರ ಅಥವಾ ರಾಜ್ಯ ಸರ್ಕಾರಗಳ ಮಟ್ಟದಲ್ಲಿನ ಮೂಲಭೂತ ತತ್ತ್ವಗಳೇ ಗ್ರಾಮಮಟ್ಟಕ್ಕೂ ಅನ್ವಯ ವಾಗಬೇಕು. ಎಂದರೆ, ಮುಖ್ಯವಾಗಿ, ರಾಜಕೀಯ ನಾಯಕತ್ವಕ್ಕೆ ಅಧಿಕಾರಶಾಹಿಯು ಅಧೀನವಾಗಿರುವಂತಹ ಪ್ರಜಾತಂತ್ರಾತ್ಮಕ ವ್ಯವಸ್ಥೆ ಜಾರಿಗೆ ಬರಬೇಕು. ಸ್ಥಳೀಯ ಸ್ವಯಂ-ಸರ್ಕಾರದ್ದೇ (self-government) ಒಂದು ವ್ಯವಸ್ಥೆ, ಕೇಂದ್ರ ಹಾಗೂ ರಾಜ್ಯ ಸರ್ಕಾರಗಳದ್ದು ಇನ್ನೊಂದು ವ್ಯವಸ್ಥೆ-ಹೀಗಿರುವ ಇಬ್ಬರೂ ಆಡಳಿತ ಸಂಸ್ಥೆ ತಾರ್ಕಿಕವಾದದ್ದೂ ಅಲ್ಲ. ಸಮರ್ಥನೀಯವೂ ಆಗಿಲ್ಲ. ಈ ದೃಷ್ಟಿಯಿಂದ ಕರ್ನಾಟಕದ ಈಗಿನ ಮಸೂದೆ ಪ್ರಗತಿಪರವಾಗಿದೆ. ಅಧಿಕಾರಶಾಹಿಯು ರಾಜಕೀಯ ಮುಖಂಡರಿಗೆ ಅಧೀನವಾಗಿರುವಂಥ ಸ್ಥಿತಿ ತರುವಲ್ಲಿ ಅದು ಭಾಗಶಃ ಯಶಸ್ವಿಯಾಗಿದೆ. ಆದರೆ ಈ ಕಲ್ಪನೆಯನ್ನು ಮಸೂದೆ ಸಾಕಷ್ಟು ದೂರ ಒಯ್ಯದೆ, ಅದರಲ್ಲಿ ಅಹಿತವೆನಿಸುವಷ್ಟರ ವಟ್ಟಿಗೆ ಸುರಕ್ಷತೆಯ ನಿರ್ವೇಧಾತ್ಮಕ ಕಲಮುಗಳನ್ನು ಸೇರಿಸುವುದರ ಮೂಲಕ ಜನಗಳ ಬುದ್ಧಿವಂತಿಕೆಯಲ್ಲೇ ಸಂಶಯ ಹಾಗೂ ಅಪನಂಬಿಕೆಗಳನ್ನು ವ್ಯಕ್ತಪಡಿಸಿ ಪ್ರಜಾತಂತ್ರಾ ತ್ವಕ ಅಂಶವನ್ನು ಮೂಲೆಗೊತ್ತಿದೆ.

ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ಹೆಚ್ಚು ಅಧಿಕಾರ ಹಾಗೂ ಕಾರ್ಯಗಳನ್ನು ಕೊಡಲು ನಿರ್ಣಯಿಸಲಾಗಿದೆ. ಆದ್ದರಿಂದ ಮಂಡಲ ಪಂಚಾಯತಿಗಳ ಸಂಪನ್ಮೂಲಾಧಾರವನ್ನು ಬಲಗೊಳಿಸುವುದು ಅವಶ್ಯ.

ವ್ಯವಸ್ಥೆ ಹಾಗೂ ಕಾರ್ಯಾಚರಣೆಗಳ ದೃಷ್ಟಿಯಿಂದ ನೋಡಿದಾಗ ಈಗಿರುವ ಮೂರು ಮಜಲುಗಳ ವ್ಯವಸ್ಥೆಯೇ ಉತ್ತಮ ಎನಿಸುತ್ತದೆ. ಪ್ರಚಲಿತ ಮಸೂದೆ ಮುಂದಿಟ್ಟಿರುವ ಎರಡು ಮಜಲಿನ ವ್ಯವಸ್ಥೆಯು ಒಂದು ಗ್ರಾಮಸಮೂಹವನ್ನು ಆಡಳಿತದ ಒಂದು ಅಂಗವಾಗಿ ಪರಿಗಣಿಸುತ್ತದೆ. ಇಂಥ ಗ್ರಾಮಸಮೂಹವು ಸೀಮಿತ ಸ್ಥಳೀಯ ಕಾರ್ಯಾಚರಣೆಯ ದೃಷ್ಟಿಯಿಂದ ಅತ್ಯಂತ ಗಾತ್ರದ್ದಾಗುತ್ತದೆ. ಹಾಗೂ ಜಿಲ್ಲೆಯಿಂದ ಪರಿಮುಖವಾದ ಅಧಿಕಾರ ಹಾಗೂ ಕಾರ್ಯಾಚರಣೆಗಳ ದೃಷ್ಟಿಯಿಂದ ತುಂಬ ಚಿಕ್ಕದಾಗುತ್ತದೆ. ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳುವುದಾದರೆ, ಮಂಡಲ ಪಂಚಾಯತವು, ಮಸೂದೆ ಅದಕ್ಕೆ ವಹಿಸಿರುವ ಕಾರ್ಯಾಚರಣೆಯ ದೃಷ್ಟಿಯಿಂದ ತುಂಬ ದೊಡ್ಡದು. ಆದರೆ ಈ ಮೊದಲು ತಾಲೂಕಾಭಿವೃದ್ಧಿ ಮಂಡಳಿಗಳು ನಿರ್ವಹಿಸುತ್ತಿದ್ದ ಕಾರ್ಯಾಚರಣೆಗಳ ದೃಷ್ಟಿಯಿಂದ ತುಂಬ ಚಿಕ್ಕದು. ಹೀಗೆ ಇಬ್ಬಂದಿ ಪರಿಸ್ಥಿತಿ ಏರ್ಪಡಲಿದೆ.

೫. ಕೆಲವು ಕೊರತೆಗಳು

ಇನ್ನು ಕೆಲವು ಗಮನಿಸಬೇಕಾದ ಸಂಗತಿಗಳು ಇವು :

೧) ಸಂಪನ್ಮೂಲಾಧಾರ ತುಂಬ ಸಂಕುಚಿತವಾದ್ದಾಗಿದೆ. ತೆರಿಗೆಯ ಬಾಬುಗಳ ಕಡಿಮೆಯಿವೆ. ತೆರಿಗೆ ವಿತ್ತವ ಅಧಿಕಾರ ತುಂಬ ಸೀಮಿತವಾಗಿದೆ. ತೆರಿಗೆಯ ಬಾಬುಗಳು ಅನಿಶ್ಚಿತವಾಗಿವೆ. ಇದರ ಪರಿಣಾಮವಾಗಿ, ಕಲ್ಪನೆಯಲ್ಲಿ ಮಂಡಲ ಪಂಚಾಯತಿಗಳು ಆಕಾಶದವರೆಗೆ ಏರಬಹುದು, ಆದರೆ ನೆಲದಲ್ಲಿ ಕಾಲೂರಲು ಅವುಗಳಿಗೆ ಒಂದಿಷ್ಟು ಸ್ಥಳವಿಲ್ಲವಾಗಿದೆ.

೨) ಚುನಾವಣೆ, ಮೇಲ್ಮನವಿ ಮುಂತಾದವುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕಲಮುಗಳು ಅತಿಯಾಗಿವೆ. ಅವು ತೀರ ಸಾಂಪ್ರದಾಯಿಕವೂ ಹಾಗೂ ನಿಷೇಧಾತ್ಮಕವೂ ಆಗಿವೆ.

೩) ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳ ಮೇಲೆ ವಿಪರೀತ ಕಾರ್ಯಭಾರವನ್ನು ಹೇರಲಾಗಿದೆ. ರಾಜ್ಯದ ಬಹುತೇಕ ಎಲ್ಲ ಕಾರ್ಯಾಚರಣೆಗಳನ್ನೂ (ಬೃಹತ್ ಒಂಡವಾಳ ಹೂಡುವಿಕೆ, ಅಂತರ್ ಜಿಲ್ಲಾ ಯೋಜನೆಗಳನ್ನು ಹೊರತುಪಡಿಸಿ) ಹೊರಿಸಲಾಗಿದೆ ಎಂದೆನಿಸುತ್ತದೆ. ಆದರೆ ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳ ಕಾರ್ಯಾಚರಣೆ ಹಾಗೂ ಜಿಲ್ಲೆಯಲ್ಲಿರುವ ಸರ್ಕಾರೀ ಇಲಾಖೆಗಳ ಕಾರ್ಯಾಚರಣೆಗಳ ನಡುವಣ ಸಂಬಂಧವನ್ನು ಸ್ಪಷ್ಟವಾಗಿ ತಿಳಿಸಿಲ್ಲ. ಇದರಿಂದಾಗಿ ಬೇಜವಾಬ್ದಾರಿತನ ಹಾಗೂ ಕೆಲಸಗಳ ಪುನರಾವರ್ತನೆಗಳು ಆಗುವ ಸಂಭವವಿದೆ.

೪) ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳ ಕಾರ್ಯಾಚರಣೆ ಪರಿಣಾಮಕಾರಿಯಾಗಬೇಕಾದರೆ, ಸರ್ಕಾರಿ ಇಲಾಖೆಗಳು ಹಾಗೂ ವಿಭಾಗಗಳು ಅವಕ್ಕೆ ಅಧೀನವಾಗಿ ತಮ್ಮ ಕಾರ್ಯಾಚರಣೆ ನಡೆಸುವಂತಾಗಬೇಕಾದ್ದು ಅನಿವಾರ್ಯ. ಒಂದೇ ಕೆಲಸವನ್ನು ಹಲವು ಅಂಗಗಳು ಪುನರಾವರ್ತಿಸುವುದನ್ನು ತಪ್ಪಿಸಿ ಸಮಗ್ರ, ಕ್ಷೇತ್ರಾಭಿವೃದ್ಧಿಯ ಉದ್ದೇಶವನ್ನೂ ಇದರಿಂದಾಗಿ ಸಾಧಿಸಬಹುದಾಗಿದೆ.

೫) ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಸದಸ್ಯನೊಬ್ಬ ತಪ್ಪು ಮಾಡಿದರೆ ಅವನ ಮೇಲೆ ಶಿಸ್ತಿನ ಕ್ರಮ ಕೈಕೊಳ್ಳುವ ಅಧಿಕಾರವನ್ನು ಮಸೂದೆಯಲ್ಲಿ ಜಿಲ್ಲಾ ಧೀಶರಿಗೆ ಕೊಡಲಾಗಿದೆ. ಈ ಸಂಬಂಧದಲ್ಲಿ ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಅಧ್ಯಕ್ಷರ ಪಾತ್ರವೇನೆಂಬುದನ್ನು ಉಲ್ಲೇಖಿಸಿಯೇ ಇಲ್ಲ. ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ವಿಧಾನಸಭೆಯಂತೆ ಸ್ವಯಂಪೂರ್ಣವಾಗಿರಬೇಕು. ಸರ್ಕಾರ ಹಾಗೂ ಅದರ ವಿವಿಧಾಂಗಗಳು ತಮ್ಮ ಮನಬಂದಂತೆ ನಡೆದು ಅನಂತರ ತಮ್ಮ ಆಚರಣೆಗೆ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಂದ ಮನ್ನಣೆ ದಾಖಲೆ ಮಾಡಿಸುವ ಪರಿಪಾಠ ಹೊಸದೇನಲ್ಲ.

೬) ಮಂಡಲ ಪಂಚಾಯತಿಗಳಂತೆ ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳಿಗೂ ಅಪಾರ ಕಾರ್ಯಾಭಾರಗಳ ಹೊರೆಯಿದ್ದು, ವಹಿಸಿಕೊಟ್ಟ ಕರ್ತವ್ಯಗಳನ್ನೆಲ್ಲ ಅವು ನಿರ್ವಹಿಸುವಷ್ಟು ಸಂಪನ್ಮೂಲಗಳನ್ನು ಕೊಡಬೇಡಿಲ್ಲ.

೭) ಜಿಲ್ಲಾ ಶಾಸಕರಿಗೆ ಪರಿಷತ್ತಿನ ಕಲಾಪಗಳಲ್ಲಿ ಭಾಗವಹಿಸುವ ಮತ್ತು ಮತದಾನ ಮಾಡುವ ಹಕ್ಕನ್ನು ಕೊಟ್ಟಿರುವುದರಿಂದ ಇಡೀ ವ್ಯವಸ್ಥೆಯೇ ಏರುಪೇರಾಗುವ ಸಂಭವವಿದೆ.

೮) ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳು ಶೈಕ್ಷಣಿಕ, ವೈದ್ಯಕೀಯ ಹಾಗೂ ಕೃಷಿ ಶಾಲೆಗಳನ್ನು ನಡೆಸುವುದಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ವಿವರಗಳು ಅಸ್ಪಷ್ಟವಾಗಿವೆ. ಅವುಗಳಿಗೆ ಪಠ್ಯಪುಸ್ತಕಗಳನ್ನು ಸಿದ್ಧಪಡಿಸುವ ಹಾಗೂ ಪಠ್ಯವನ್ನು ಸೂಚಿಸುವ ಅಧಿಕಾರವಿದ್ದಂತಿಲ್ಲ. ಇವುಗಳನ್ನು ಮಾಡುವವರು ಯಾರು ?

೯) ವಾಹನಗಳ ಓಡಾಟವನ್ನೂ ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳು ನಿಯಂತ್ರಿಸಬೇಕೆಂದು ಮನೂದೆಯಲ್ಲಿದೆ. ಆದರೆ ಇದು ಈಗ ಅಸ್ತಿತ್ವದಲ್ಲಿರುವ ಪ್ರಾದೇಶಿಕ ಸಾಕ್ಷಾತ್ಕಾರ ಅಧಿಕಾರಿ ಕಾರ್ಯಾಲಯಗಳೊಂದಿಗೆ ಯಾವ ರೀತಿ ಹೊಂದಾಣಿಕೆಯಾಗುತ್ತದೆ ? ಈ ಬಗೆಯ ಅಸ್ಪಷ್ಟತೆಗಳು ಮನೂದೆಯಿಡೀ ಕಾಣಿಸುತ್ತವೆ. ತೆರಿಗೆಯ ಪ್ರನರಾಪ್ಯತ್ತಿಯ ಸಂಭವವೂ ಇದೆ.

೧೦) ನ್ಯಾಯ ಪಂಚಾಯತವು ತಾತ್ಕಾಲಿಕವಾಗಿ ಒಕ್ಕಿಯವೆನಿಸುತ್ತದೆ. ಆದರೆ ಹೊಸ ಹೊಸ ಸಮಸ್ಯೆಗಳ ಹಾಗೂ ವ್ಯಾಜ್ಯಗಳ ಉದ್ಭವವಿಂದಾಗಿ ಅದರ ಕಾರ್ಯಾಚರಣೆ ಜಟಿಲವಾಗಿ ಪರಿಣಮಿಸಬಹುದು. ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳ ಸ್ವರೂಪ, ಸಂವಿಧಾನ, ವ್ಯಾಪ್ತಿ ಹಾಗೂ ಅಧಿಕಾರಗಳ ರಚನೆಯ ಸಂದರ್ಭದಲ್ಲಿ ನ್ಯಾಯಾಂಗ ವಿಕೇಂದ್ರೀಕರಣವೂ ಶಾಸಕಾಂಗ-ಕಾರ್ಯಾಂಗ ಸಂಬಂಧದ ಪ್ರನರ್ಘಟನೆಯೂ ಅಳತೆ ತಪ್ಪಿ ಮುಂದೆ ಹೋಗಿದೆಯೆನಿಸುತ್ತದೆ. ಇವುಗಳ ಸಂಯೋಜನೆಯಿಂದಾಗಿ ಮಂಡಲ ಪಂಚಾಯತಿಗಳೂ ಸುಶಯುಕ್ತವಾಗಿ ಜನರ ವಿಶ್ವಾಸವನ್ನು ಕಳೆದುಕೊಂಡಾವು. ಮತ್ತು ನಿರೀಕ್ಷಿಸಿದ ಪರಿಣಾಮವನ್ನು ಉಂಟುಮಾಡದೆ ಇರಬಹುದು.

೧೧) ಮನೂದೆಯಲ್ಲಿನ ಅವಕಾಶಗಳು ಪಟ್ಟಭದ್ರ ಹಿತಾಸಕ್ತಿಗಳನ್ನು ಪ್ರೋತ್ಸಾಹಿಸುವ ಸಂಭವವಿದೆ.

೧೨) ನ್ಯಾಯ ಪಂಚಾಯತ ಸದಸ್ಯತ್ವಕ್ಕೆ ಸೂಚಿಸಿರುವ ಅರ್ಹತೆಗಳು ಆ ಕೆಲಸಕ್ಕೆ ಬೇಕಾದ ಅವಶ್ಯಕ ಅರ್ಹತೆಗಳಿಗೆ ತಕ್ಕವಾಗಿಲ್ಲ. 'ನೈಸರ್ಗಿಕ ನ್ಯಾಯ' ದೊರಕಿಸಲು ನ್ಯಾಯಪೀಠದಲ್ಲಿ ಇರಬೇಕಾದ ವ್ಯಕ್ತಿಯ ಯೋಗ್ಯತೆ ಪೂರ್ಣ ಬೇರೆಯೇ ಇದೆ.

ಪ್ರಚಲಿತ ಮನೋವಾದ್ಯಲ್ಲಿ ಧ್ವನಿಕವಾಗಿರುವ ಯೋಗ್ಯತೆ ಸಮಾಧಾನಕರ ಫಲ ನೀಡಲಾರದು. ಹೊಸ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಅತಿ ಮುಖ್ಯ ಪಾತ್ರ ವಹಿಸಲಿರುವ ನ್ಯಾಯ ಪಂಚಾಯತಗಳ ಸದಸ್ಯತ್ವದ ಅರ್ಹತೆಗಳನ್ನು ವಯಸ್ಸು, ನ್ಯಾಯಾಂಗ ಅನುಭವ ಹಾಗೂ ನೈತಿಕ ಯೋಗ್ಯತೆಗಳನ್ನು ಆಧರಿಸಿ ನಿರ್ಧರಿಸಬೇಕು. ಕ್ರಮಶೀಲತೆ ಮನೋವಾದ್ಯಲ್ಲಿ ಕೇವಲ ಅನರ್ಹತೆಗಳನ್ನು ಪೂರ್ಣ ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ.

೧೩) ನ್ಯಾಯಪಂಚಾಯತಿಗಳು ಬಗೆಹರಿಸಬೇಕಾದ ಅಪರಾಧಗಳ ಸ್ವರೂಪ ಹೇಳುವಲ್ಲಿ ವೈಯಕ್ತಿಕ ಪ್ರತೀಕಾರ, ಪಕ್ಷಪಾತಗಳಿಗೆ ಅವಕಾಶ ಲಭಿಸುವ ಸಂಭವ ಏರ್ಪಟ್ಟಿದೆ.

೧೪) ನ್ಯಾಯ ಪಂಚಾಯತಿಗಳು ನ್ಯಾಯಾಲಯಗಳ ಮೇಲಿರುವ ಭಾರವನ್ನು ಸಾಕಷ್ಟು ಮಟ್ಟಿಗೆ ಕಡಿಮೆಗೊಳಿಸಬಹುದೆಂಬುದೇನೂ ನಿಜ, ಆದರೆ ನ್ಯಾಯ ಪಂಚಾಯತದ ಸದಸ್ಯರು ಚುನಾಯಿತ ಪ್ರತಿನಿಧಿಗಳಾಗಿರುವುದರಿಂದ ಒಂದಿಲ್ಲೊಂದು ಗುಂಪಿಗೆ ಸೇರಿದವರಾಗಿರುತ್ತಾರೆ. ತಮ್ಮ ಕ್ಷೇತ್ರಗಳಲ್ಲಿನ ಜನರ ಅಪೇಕ್ಷೆಯನ್ನು ಮೀರಲಾರದಂಥವರಾಗಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ ನ್ಯಾಯ ಪಂಚಾಯತ ಸದಸ್ಯರು ಪಕ್ಷಪಾತದಿಂದ ನಿರ್ಣಯ ನೀಡಿ 'ನೈಸರ್ಗಿಕ ನ್ಯಾಯ'ದ ತತ್ವವನ್ನು ಗಾಳಿಗೆ ತೂರಬಹುದು-ಎಂದು ಸಂಶಯ ಬರುವುದು ಸಹಜವಾಗಿದೆ. ಇದರಿಂದಾಗಿ, ಮೊದಲೇ ಗುಂಪುಗಾರಿಕೆಯಲ್ಲಿ ಬೇಯುತ್ತಿರುವ ನಮ್ಮ ಪಕ್ಷಗಳ ಪರಿಸ್ಥಿತಿ ಇನ್ನಷ್ಟು ಹದಗೆಡುವ ಸಂಭವವಿದೆ.

೧೫) ನ್ಯಾಯ ಪಂಚಾಯತವು ನೀರಾವರಿ ಮೇಲ್ವಿಚಾರಣೆ, ಬೆಳೆಗಳ ಮಾದರಿ ನೀರಿನ ದರ, 'ಬೆಟರ್ ಮೆಂಟ್ ಆವಿ' ಮುಂತಾದವುಗಳ ಕುರಿತೂ ವ್ಯಾಜ್ಯಗಳನ್ನು ಬಗೆಹರಿಸಬೇಕಾಗುವುದು.

೬. ಸಂಗ್ರಹ ಸಮೀಕ್ಷೆ

೧) ಭಾರತದ ಈವರೆಗಿನ ರಾಜ್ಯಾಡಳಿತ ಕ್ರಮ ಹಾಗೂ ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಅನುಭವಗಳಿಂದ ಸರಕಾರ ಹಾಗೂ ಅದರ ಪ್ರತಿನಿಧಿಗಳು ಕೆಲವು ಪಾಠಗಳನ್ನು ಕಲಿತುಕೊಳ್ಳಬೇಕಾಗಿದೆ. ಜನರು ತಪ್ಪುಗಳನ್ನೆ ಸಗಿದ್ದಾರೆ ಎಂಬುದು ನಿಜ. ಅವರ ಪರಿಣಾಮಕಾರಿ ಸಹಭಾಗಿತ್ವಕ್ಕೆ ಧಕ್ಕೆಯೊದಗಿಸಿರುವ ಸಂಗತಿಗಳಲ್ಲಿ ಮುಖ್ಯವಾದವುಗಳೆಂದರೆ—೧) ಅನುಭವದ ಕೊರತೆ, ೨) ಕಾರ್ಯವಿಧಾನದ ಜಟಿಲತೆ, ೩) ಸ್ವಸಾಮರ್ಥ್ಯದಲ್ಲಿ ಅಪನಂಬಿಕೆ, ೪) ಅಧಿಕಾರಾಂಗದ ಮಧ್ಯಪ್ರವೇಶ. ಜನರು ಸಹಭಾಗಿತ್ವವನ್ನು ಪರಿಣಾಮಕಾರಿಗೊಳಿಸಬೇಕೆಂದರೆ, ಅಧಿಕಾರಾಂಗದ ಅತಿನಿಯಂತ್ರಣ ಹಾಗೂ ಮೇಲ್ವಿಚಾರಣೆಗಳನ್ನು ಕಡಿಮೆಗೊಳಿಸಿ ತರಬೇತಿ, ಮಾರ್ಗದರ್ಶನ ಹಾಗೂ

ಮಾನ್ಯತೆಗಳನ್ನು ಹೆಚ್ಚಿಸಬೇಕು. ಸ್ಥಳೀಯ ಅಡಳಿತಾಂಗಗಳ ಮಧ್ಯದ ಸೌಹಾರ್ದವನ್ನು ವಿಸ್ತರಿಸಿ ಕೌಟುಂಬಿಕ ವಾತಾವರಣವನ್ನು ನಿರ್ಮಿಸಬೇಕು. ಪ್ರಜೆಲಿತ ಮನೋಧರ್ಮವನ್ನು ಹೆಚ್ಚಾಗಿ ನಿಯಂತ್ರಣಾಭಿಮುಖವಾಗಿದೆಯೇ ಹೊರತು ಜನರ ಸಹಭಾಗಿತ್ವಕ್ಕೆ ಹೆಚ್ಚಿನ ಪ್ರೋತ್ಸಾಹನ ನೀಡುವಂಥದಾಗಿಲ್ಲ.

೨) ದಂಡನೆ ಹಾಗೂ ನಿಯಂತ್ರಣಗಳ ಅಂಶವೇ ಅಧಿಕವಾಗಿದ್ದು, ಜನಕ್ಕೆ ಬೇಕಾದ ತರಬೇತಿ, ಮಾರ್ಗದರ್ಶನ ಹಾಗೂ ಸರಕಾರದ ವಿವಿಧಸ್ತರಗಳ ಪರಸ್ಪರ ಹೊಂದಾಣಿಕೆ ಒಂದೆ ಬಿದ್ದಿವೆ. ಪ್ರಜಾತಾಂತ್ರಿಕ ಸಂಸ್ಥೆಗಳ ನಿಯಂತ್ರಣದಲ್ಲಿ ಅಧಿಕಾರಾಂಗದೇ ಮೇಲುಗೈಯಾಗಿದೆ.

೩) ಈ ತೆರದ ಅಧಿಕಾರಾಂಗದ ಅತಿಪ್ರವೇಶ ಪ್ರಜಾಭಿಮಾನದ ಸಿಪ್ಪಾಂತ್ಯಕ್ಕೆ ಏರುವುದಾದುದಾಗಿದೆ. ಜವಾಬ್ದಾರಿ, ಅಧಿಕಾರ ಹಾಗೂ ಸಂಪನ್ಮೂಲಗಳು ಒಂದಕ್ಕೊಂದು ಯಾವಾಗಲೂ ಗಾಢ ಸಂಬಂಧ ಹೊಂದಿರಬೇಕು. ಪಂಚಾಯತಿ ರಾಜ್ಯಕ್ಕೆ ಅದರ ಕಾರ್ಯಗಳನ್ನು ಸಫಲಗೊಳಿಸುವಲ್ಲಿ ಸಹಾಯ ಮಾಡಬೇಕು. ಅಧಿಕಾರ ವನ್ನು ಯಾವಾಗಲೂ ಸಂಸ್ಥೆಗಳಿಗೆ ವಹಿಸಬೇಕೆಂದು ಹೊರತು ಅದು ವ್ಯಕ್ತಿಗಳಲ್ಲಿ ಕೇಂದ್ರೀಕೃತವಾಗಬಾರದು.

೪) ಒಂದೇ ಉದ್ದೇಶಕ್ಕೆ ಅನೇಕ ಅಧಿಕಾರಿಗಳನ್ನು ನೇಮಿಸುವುದು ಕಾರ್ಯಾಚರಣೆಯನ್ನೇ ದುರ್ಬಲಗೊಳಿಸುತ್ತದೆ. ಏಕಮಾರ್ಗ ನಿಯಂತ್ರಣ ಹಾಗೂ ಕಾರ್ಯಾಚರಣೆಯು ಅಪೇಕ್ಷಣೀಯ.

೫) ಸ್ಥಳೀಯ ಪ್ರಕರಣಗಳಲ್ಲಿ ಲೋಕಸಭೆ ಹಾಗೂ ವಿಧಾನಸಭೆಗಳ ಸದಸ್ಯರ ಮಧ್ಯಪ್ರವೇಶ ಸಂಗತವೂ ಅಲ್ಲ, ಅಪೇಕ್ಷಣೀಯವೂ ಅಲ್ಲ.

೬) ಮನೋಧರ್ಮ ಸದುತ್ಕೃತವನ್ನೇ ಹೊಂದಿದೆ. ಆದರೆ ಸೂಚಿಸಿದ ತಂತ್ರ, ಘೋಷಿತ ವಿಕೇಂದ್ರೀಕರಣದ ಉದ್ದೇಶಸಾಧನೆಯ ದೃಷ್ಟಿಯಿಂದ ಅಸಮರ್ಪಕವಾಗಿದೆ.

೭) ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳ ಮೇಲ್ವಿಚಾರಣೆ ಹಾಗೂ ಆಯಾ ವರ್ಷದ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ನಿಶ್ಚಯಿಸುವುದಕ್ಕಾಗಿ ಗ್ರಾಮಸಭೆಗೆ ನೀಡಿದ ಅಧಿಕಾರ ಗಮನಾರ್ಹ. ಆದರೆ, ಆದಕ್ಕಾಗಿ ಒದಗಿಸಿರುವ ಅವಕಾಶ ಅನುಕೂಲಗಳು ಸಾಲದು.

೮) ಪ್ರತಿಯೊಂದು ಮಂಡಲ ಪಂಚಾಯತವೂ ೧೫ ರಿಂದ ೨೦ ಸಾವಿರ ಜನರನ್ನೊಳಗೊಂಡಿರುತ್ತದೆ. ಆದಕ್ಕೆ, ಅದರ ಕಾರ್ಯಾಚರಣೆಗಳನ್ನು ಸೂಚಿಸಿದ ಸಂದರ್ಭದಲ್ಲೇ, ಅದರ ಹಣಕಾಸಿನ ಮೂಲ ಹಾಗೂ ವ್ಯಾಪ್ತಿಗಳನ್ನೂ ಸೂಚಿಸಬೇಕು.

೯) ಮಂಡಲ ಪಂಚಾಯತಿಯ ಅಧ್ಯಕ್ಷನ, ಉಪಾಧ್ಯಕ್ಷನ ಮೇಲೆ ಕ್ರಮ ಕೈಕೊಳ್ಳುವ ಅಧಿಕಾರವನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗೆ ಕೊಟ್ಟಿರುವುದು ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ವಿರೋಧಿಯಾಗಿದೆ. ಸಭಾ ಅಥವಾ ಉಪಸಭಾನರ ಅಧಿಕಾರದಲ್ಲಿ ಮುಂದುವರಿಯಬೇಕೆ ಅಥವಾ ಅವರನ್ನು ತೆಗೆಯಬೇಕೆ ಎಂಬುದರ ಕುರಿತು ವಿಶೇಷ ಸಭೆ ಕರೆದು ಅಲ್ಲಿ ನಿರ್ಣಯ ತೆಗೆದುಕೊಳ್ಳುವಂಥ ಅಧಿಕಾರವನ್ನು ಸ್ವತಃ ಅಧ್ಯಕ್ಷ ಹಾಗೂ ಸದಸ್ಯರುಗಳಿಗೆ ನೀಡಬಹುದು.

೧೦) ಜಿಲ್ಲಾ ಪರಿಷತ್ತಿನ ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಉಪಾಧ್ಯಕ್ಷರುಗಳೇ ಎಲ್ಲ ಉಪಸಮಿತಿಗಳ ಚಾಲನೆಯ ಸೂತ್ರಧಾರಿಗಳೂ ಆಗುವಂತೆ ಮಸೂನೆ ವಿಧಿಸಿದೆ. ಇದು ಸ್ಪಷ್ಟವಾಗಿ ಅಸಂಗತ. ಉಪಸಮಿತಿಗಳ ರಚನೆ-ನೇಮಕಗಳನ್ನು ಕುರಿತ ಸೂಚಿತ ಕ್ರಮವನ್ನು ಬದಲಾಯಿಸಬೇಕು.

೧೧) ಜಿಲ್ಲಾ ಪರಿಷತ್ತುಗಳ ಹಣಕಾಸಿನ ಅನುದಾನ ಕುರಿತು ಶಿಫಾರಸು ಮಾಡುವ ತ್ರಿಸದಸ್ಯ ಹಣಕಾಸು ಆಯೋಗಕ್ಕೇ ಮಂಡಲ ಪಂಚಾಯತಗಳ ಅನುದಾನ ಶಿಫಾರಸಿನ ಅಧಿಕಾರವನ್ನೂ ವಹಿಸಬಹುದು.

೧೨) ಪಂಚಾಯತಿಗಳಿಗೆ ವಹಿಸಲಾದ ತೆರಿಗೆ, ಶಿಕ್ಷಣ, ನ್ಯಾಯದಾನ ಇವುಗಳ ಬಾಬಿನಲ್ಲಿ ಈಗ ಅಸ್ತಿತ್ವದಲ್ಲಿರುವ ಆಡಳಿತ ವ್ಯವಸ್ಥೆಯೊಂದಿಗಿನ ಸಂಬಂಧದ ಸ್ವರೂಪ ಅಸ್ಪಷ್ಟವಾಗಿದೆ.

೧೩) ಜಿಲ್ಲಾ ಮೂಲಗಳಿಂದ ಪಂಚಾಯತಿಗಳಿಗೆ ಬರಬೇಕಾದ ಹಣದ ಪ್ರಮಾಣ ಖಚಿತವಾಗಿ ಸೂಚಿಸಿಲ್ಲ.

೧೪) ಸರ್ಕಾರೀ-ಮಾನ್ಯ ಸಂಸ್ಥೆಗಳಿಗೆ ಮಾತ್ರ ಪ್ರಾತಿನಿಧ್ಯದ ಅವಕಾಶವಿದ್ದು, ಯೋಗ್ಯ ಸೇವೆ ಸಲ್ಲಿಸುವ ಸ್ವತಿಯಲ್ಲಿರುವ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳನ್ನು ದೂರವಿರಿಸಲಾಗಿದೆ.

೧೫) ಧಾರ್ಮಿಕ ಸಂಸ್ಥೆಗಳ ಆಡಳಿತದ ಭಾರವನ್ನು ಮಂಡಲ ಪಂಚಾಯತಿಗಳ ಮೇಲೆ ಹೇರಬಾರದು.

೧೬) ಪರಿಸರ ಮಾಲಿನ್ಯಕ್ಕೆ ಕಾರಣವಾಗುವವರನ್ನು ಉಗ್ರ ಶಿಕ್ಷೆಗೆ ಒಳಪಡಿಸಬೇಕು. ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ಈ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಅನುಮತಿ ಪತ್ರ ಕೊಡುವಾಗ ಮಂಡಲ ಪಂಚಾಯತಿಗಳ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಕೇಳುವಂತಿರಬೇಕು.

೧೭) ಮಂಡಲ ಪಂಚಾಯತಿಗಳನ್ನು ವಿಸರ್ಜಿಸುವ ಹಕ್ಕು ಸರ್ಕಾರಕ್ಕಿರುವುದರಿಂದ ಪ್ರಭಾವೀ ಕೈಗಾರಿಕೋದ್ಯಮಿಗಳು ಹಾಗೂ ಇತರರು ಇದನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಳ್ಳುವುದು ಖಂಡಿತ. ಇದಕ್ಕೆ ಅವಕಾಶವಿರಬಾರದು.

ಪ್ರತಿಗಳು ಹೊರೆಯುವ ಸ್ಥಳ :

ಕರ್ನಾಟಕ ಗ್ರಾಮಾಭಿವೃದ್ಧಿಯ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ ಒಕ್ಕೂಟ
39 (ಮಹಡಿ), 8ನೇ ಮೇಯ್ಸ್, 13ನೇ ಕ್ರಾಸ್, ಮಲ್ಲೇಶ್ವರಂ,
ಬೆಂಗಳೂರು - 560 003

ಬೆಲೆ : 50 ಪೈಸೆ

ಕರ್ನಾಟಕದಲ್ಲಿ ಪಂಚಾಯಿತಿ ರಾಜ್ಯದ

ಒಂದು ಹೊಸ ಅಧ್ಯಾಯ

ಪ್ರಜೆಯೇ ಪ್ರಭು

ಸಂಕ್ಷಿಪ್ತ ಪರಿಚಯ

ಪೀಠಿಕೆ :

ಭಾರತದ ಇತರೆಡೆಯಲ್ಲಿರುವಂತೆ ಕರ್ನಾಟಕದಲ್ಲೂ ಗ್ರಾಮೀಣ ಸ್ಥಳೀಯ ಸರ್ಕಾರಗಳು ಬಹಳ ಹಿಂದಿನಿಂದಲೂ ಇವೆ. ಆದರೆ 1959 ರಿಂದೀ ಹಿಡಿದು ಇವುಗಳನ್ನು " ಪಂಚಾಯಿತಿ ರಾಜ್ಯ "ವೆಂದು ಕರೆಯಲಾಗುತ್ತಿದೆ. 1959ರಲ್ಲಿ ಜಾರಿಗೆ ಬಂದ ಗ್ರಾಮಪಂಚಾಯಿತಿ ಮತ್ತು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಕಾನೂನಿನ ಪ್ರಕಾರ ಗ್ರಾಮಪಂಚಾಯಿತಿ, ತಾಲ್ಲೂಕು ಅಭಿವೃದ್ಧಿ ಮಂಡಲ ಮತ್ತು ಜಿಲ್ಲಾ ಅಭಿವೃದ್ಧಿ ಮಂಡಲಗಳು ಇದುವರೆವಿಗೂ ಕಾರ್ಯ ಮಾಡುತ್ತಿದ್ದವು.

1983ರ ಚುನಾವಣೆಯ ನಂತರ ಅಧಿಕಾರಕ್ಕೆ ಬಂದ ಜನತಾ ಸರ್ಕಾರವು ಪಂಚಾಯಿತಿ ರಾಜ್ಯ ಸಂಸ್ಥೆಗಳ ಪುನಃಜೀವನ ಗೊಳಿಸುವ ಮತ್ತು ಇನ್ನೂ ಹೆಚ್ಚು ಅಧಿಕಾರಗಳನ್ನೂ ಮತ್ತು ಹಣಕಾಸುಗಳನ್ನೂ ವಿಕೇಂದ್ರೀಕರಣಗೊಳಿಸುವ ಉದ್ದೇಶದಿಂದ ಕರ್ನಾಟಕ ಜಿಲ್ಲಾ ಪರಿಷದ್‌ಗಳು, ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ಸಮಿತಿಗಳು, ಮಂಡಲ ಪಂಚಾಯಿತಿಗಳು ಮತ್ತು ನ್ಯಾಯ ಪಂಚಾಯಿತಿಗಳ ಕಾಯಿದೆ 1983 ಎಂಬ ಕಾನೂನನ್ನು ರಚಿಸಿತು. ಈ ಕಾನೂನು ಈ ವರ್ಷ ಅಂದರೆ 1985ರ ಜನವರಿ, ಆಗಸ್ಟ್ ತಿಂಗಳ 14ನೇ ತಾರೀಖಿನಿಂದ ಜಾರಿಗೆ ಬಂದಿದೆ. ಇದರ ಪ್ರಕಾರ ಈಗ ಜಿಲ್ಲಾ ಪರಿಷದ್ ಮತ್ತು ಮಂಡಲ ಪಂಚಾಯಿತಿ ಸಂಸ್ಥೆಗಳಿಗೆ ಚುನಾವಣೆ ನಡೆಸಿ ನ್ಯಾಯ ಪಂಚಾಯಿತಿ ಹೊರತು, ಈ ಕಾನೂನು ಎಡೆ ಮಾಡಿರುವ ಇತರ ಎಲ್ಲಾ ಸಂಸ್ಥೆಗಳನ್ನು ರಚಿಸಲು ಸಿದ್ಧತೆಗಳು ಸಾಗುತ್ತಿವೆ. ಈ ಚುನಾವಣೆಗಳು 1986ರ ಮಾರ್ಚ್-ಏಪ್ರಿಲ್ ಮಾಸದಲ್ಲಿ ನಡೆಯುವ ಸಂಭವವಿದೆ ಈ ಸಂಸ್ಥೆಗಳು ಬರುವುದರಿಂದ ಕರ್ನಾಟಕದ ಪಂಚಾಯಿತಿ ರಾಜ್ಯದಲ್ಲಿ ಒಂದು ಹೊಸ ಅಧ್ಯಾಯ ಆರಂಭವಾಗಲಿದೆ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಬರಲಿರುವ ಸಂಸ್ಥೆಗಳ ಸಂಕ್ಷಿಪ್ತ ಪರಿಚಯವನ್ನು ಈ ಕೆಳಗೆ ವಿವರಿಸಲಾಗಿದೆ.

ಪಂಚಾಂಗ ವ್ಯವಸ್ಥೆ

ಈ ಹೊಸ ಕಾನೂನಿನ ಪ್ರಕಾರ ಗ್ರಾಮೀಣ ಪ್ರದೇಶದಲ್ಲಿ ಐದು ಸಂಸ್ಥೆಗಳು ರಚಿಸಲ್ಪಡುತ್ತವೆ. ಆದ್ದರಿಂದ ಇದನ್ನು ಒಂದು ಪಂಚಾಂಗ ವ್ಯವಸ್ಥೆ ಎಂದೂ ಕರೆಯಬಹುದು. ಗ್ರಾಮಸಭೆ, ಮಂಡಲ ಪಂಚಾಯಿತಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ಸಮಿತಿ, ಜಿಲ್ಲಾ ಪರಿಷದ್ ಮತ್ತು ನ್ಯಾಯ ಪಂಚಾಯಿತಿಗಳೇ ಈ ಐದು ಸಂಸ್ಥೆಗಳು. ಇವುಗಳಲ್ಲಿ ಜಿಲ್ಲಾ ಪರಿಷದ್ ಮತ್ತು ಮಂಡಲ ಪಂಚಾಯಿತಿಗಳು ಬಹು ಮುಖ್ಯವಾದ ಸಂಸ್ಥೆಗಳು.

ಗ್ರಾಮಸಭೆ :

ಗ್ರಾಮದಲ್ಲಿರುವ ಎಲ್ಲಾ ಮತದಾರರನ್ನೊಳಗೊಂಡ ಈ ಸಭೆ ಗ್ರಾಮ ಮಟ್ಟದ ರೋಡ್‌ಸಭೆ ಎನ್ನಬಹುದು. ಪ್ರತಿ ಗ್ರಾಮಕ್ಕೆ ಅಥವಾ ಅದರ ಒಂದು ಭಾಗಕ್ಕೆ ಒಂದು ಗ್ರಾಮ ಸಭೆಯನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ರಚಿಸಬಹುದು ಮಂಡಲ ಪಂಚಾಯಿತಿಯ ಅಧ್ಯಕ್ಷರಾದ ಪ್ರಧಾನರು ಈ ಗ್ರಾಮ ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆ ವಹಿಸುತ್ತಾರೆ. ವರ್ಷದಲ್ಲಿ ಕನಿಷ್ಠ ಎರಡುಸಾರ ಸೇರಬೇಕಾಗಿರುವ ಈ ಸಭೆ ಗ್ರಾಮದ ಅಭಿವೃದ್ಧಿಗೆ ಬೇಕಾದ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ರೂಪಿಸುವುದು, ನೈರ್ಮಲ್ಯ, ಒಳಚರಂಡಿ, ಸಮುದಾಯಕ್ಷೇಮ ಮತ್ತಿತರ ಗ್ರಾಮಾಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳಲ್ಲಿ ಪ್ರಜಾಭಿಪ್ರಾಯ ರೂಪಿಸುವುದು, ಶ್ರಮದಾನ ಮತ್ತಿತರ ವಂತಿಗಳನ್ನು ಕ್ರೋಢೀಕರಿಸುವುದು ಮತ್ತು ಗ್ರಾಮಾಭಿವೃದ್ಧಿಯಲ್ಲಿ ಮಂಡಲ ಪಂಚಾಯಿತಿಗೆ ಸಹಾಯ ಮಾಡುವ ಹೊಣೆ ಹೊತ್ತಿರುತ್ತದೆ.

ಮಂಡಲ ಪಂಚಾಯಿತಿ

ಪ್ರದೇಶ : ಈಗಿರುವ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗಳಿಗೆ ಬದಲಾಗಿ ಮಂಡಲ ಪಂಚಾಯಿತಿಗಳು ಬರಲಿವೆ. ಮಂಡಲ ಪಂಚಾಯಿತಿಗಳು ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗಳಿಗಿಂತ ಹೆಚ್ಚಿನ ಜನಸಂಖ್ಯೆ, ಪ್ರದೇಶ, ಹಣಕಾಸು ಆದಳು ಇವೆ ಸಿಕ್ಕಿವೆ ಮತ್ತು ಅಂತಸ್ತನ್ನು ಹೊಂದಿರುತ್ತದೆ. ಸಾಮಾನ್ಯವಾಗಿ, ಎಂಬಿ ಸಾವಿರಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದ ಮತ್ತು ಹನ್ನೆರಡು ಸಾವಿರಕ್ಕಿಂತ ಹೆಚ್ಚಿರದ ಜನಸಂಖ್ಯೆಯುಳ್ಳ ಪ್ರದೇಶಕ್ಕೆ ಒಂದು ಮಂಡಲ ಪಂಚಾಯಿತಿ ಯನ್ನು ರಚಿಸಲಾಗುವುದು. ಮೇಲೆನಾಡು ಜಿಲ್ಲೆಗಳಾದ ಚಿಕ್ಕಮಗಳೂರು, ಕೊಡಗು ತಿಪನಿಗ್ಗ, ದಕ್ಷಿಣ ಮತ್ತು ಉತ್ತರ ಕನ್ನಡ ಜಿಲ್ಲೆಗಳಲ್ಲಿ ಮಾತ್ರ ನಾಲ್ಕು ಸಾವಿರಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದ ಅಥವಾ 16 ಕಿ ಮೀ. ವ್ಯಾಪ್ತವುಳ್ಳ ಪ್ರದೇಶಕ್ಕಿಂತದಂತೆ ಮಂಡಲ ಪಂಚಾಯಿತಿಗಳನ್ನು ರಚಿಸಬಹುದು.

ರಿಚನೆ : ಮಂಡಲ ಪಂಚಾಯಿತಿಯು ಐನೂರು ಜನಸಂಖ್ಯೆಗೆ ಅಥವಾ ಅದರ ಭಾಗಕ್ಕೆ ಒಟ್ಟು ಪ್ರತಿನಿಧಿಯಂತೆ ನೇರವಾಗಿ ಮತದಾರರಿಂದ ಚುನಾಯಿಸಲ್ಪಟ್ಟು ಪ್ರತಿನಿಧಿಗಳಿಂದ ಕೂಡಿರುತ್ತದೆ. ಮಂಡಲ ಪಂಚಾಯಿತಿಯ ಸದಸ್ಯರ ಸಂಖ್ಯೆಯಲ್ಲಿ ಶೇಕಡೆ 25 ಭಾಗ ಮಹಿಳೆಯರಿಗಾಗಿ ಮತ್ತು ಶೇಕಡೆ 18 ಭಾಗಕ್ಕೆ ಕಡಿಮೆ ಇಲ್ಲದ ಹಾಗೆ ಮಂಡಲದಲ್ಲಿ ಇತರರಿಗೆ ಹೋಲಿಸಿದಾಗ ಹರಿಜನ-ಗಿರಿಜನರು ಇರುವ ಪ್ರಮಾಣದಲ್ಲೇ ಹರಿಜನರು ಗಿರಿಜನರಿಗೆ ಸ್ಥಾನಗಳನ್ನು ತಾಂದಿಸಲು ಗುತ್ತವೆ ಒಂದುಳಿದ ವರ್ಗಗಳ

ಪ್ರತಿಭಿಗವರೂ ಚುನಾವಣೆಗಳಾದುದರಿಂದ ಈ ವರ್ಗದ ಇಬ್ಬರನ್ನು ಮಂಡಲ ಪಂಚಾಯಿತಿಗೆ ನೇಮಿಸುವ ಅವಕಾಶವಿದೆ.

ಈ ಸಂಸ್ಥೆಯ ಚುನಾವಣೆಯಲ್ಲಿ 18 ವರ್ಷ ವಯಸ್ಕರಾಗಿರುವ ಮತ್ತು ಸಾಮಾನ್ಯವಾಗಿ ಆ ಪ್ರದೇಶದಲ್ಲಿ ವಾಸಿಸುವ ಪ್ರತಿ ಪ್ರಜೆಗೂ ಮತ ನೀಡುವ ಹಕ್ಕಿದೆ. ಹಾಗೂ 21 ವರ್ಷ ವಯಸ್ಸಾದ ಪ್ರತಿ ಮತ ದಾರನಿಗೂ ಈ ಸಂಸ್ಥೆಯ ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸುವ ಹಕ್ಕಿದೆ.

ಅಧಿಕಾರವಧಿ, ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರು :

ಚುನಾವಣೆಯಲ್ಲಿ ಜಯಗಳಿಸಿದ ಮೇಲೆ 5 ವರ್ಷಗಳ ಅಧಿಕಾರವಧಿಯನ್ನು ಪ್ರತಿ ಸದಸ್ಯರು ಪಡೆದಿರುತ್ತಾರೆ. ಈ ಸದಸ್ಯರು ತಮ್ಮಲ್ಲಿಯೂ ಬೃಂದನ ಮಂಡಲ ಪಂಚಾಯಿತಿಯ ಪ್ರಧಾನ (ಅಧ್ಯಕ್ಷ) ಮತ್ತು ಇನ್ನೊಬ್ಬರನ್ನು ಉಪಪ್ರಧಾನ (ಉಪಾಧ್ಯಕ್ಷ) ರನ್ನಾಗಿ ಆಯ್ಕೆ ಮಾಡಿಕೊಳ್ಳುತ್ತಾರೆ. ಪ್ರಧಾನ ಮತ್ತು ಉಪಪ್ರಧಾನರ ಅಧಿಕಾರಾವಧಿಯು 5 ವರ್ಷ. ಪ್ರಧಾನರಿಗೆ ತಿಂಗಳಿಗೆ 3000ರೂ ಮತ್ತು ಉಪ ಪ್ರಧಾನರಿಗೆ 1500 ರೂ ಸಂಬಳ ಇರುತ್ತದೆ.

ಸಭೆ : ತಿಂಗಳಿಗೆ ಕನಿಷ್ಠ ಒಂದು ಸಾರಿ ಸೇರಬೇಕಾಗಿರುವ ಮಂಡಲ ಪಂಚಾಯಿತಿ ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ಪ್ರಧಾನರು ಅಥವಾ ಉಪಪ್ರಧಾನರು ವಹಿಸುತ್ತಾರೆ. ಸಭೆಯಲ್ಲಿ ಭಾಗವಹಿಸುವ ಸದಸ್ಯರಿಗೆ 15ರೂ ದಿನ ಭತ್ಯವನ್ನು ನೀಡಲಾಗುತ್ತದೆ.

ಕಾರ್ಯಗಳು : ವಿಶಾಲವಾದ ಕಾರ್ಯಕ್ಷೇತ್ರವನ್ನು ಹೊಂದಿರುವ ಮಂಡಲಪಂಚಾಯಿತಿಯ ಕಾರ್ಯಗಳನ್ನು ಮುಖ್ಯವಾಗಿ 5 ಭಾಗಗಳಾಗಿ ವಿಭಜಿಸಬಹುದು. 1. ಗ್ರಾಮೀಣ ಅರಣ್ಯ ಮತ್ತು ನೈರ್ಮಲ್ಯ ಕಾರ್ಯಗಳು; 2. ರಸ್ತೆ, ವಿದ್ಯೆ, ನಲ್ಲಿ, ದೀಪ ಮುಂತಾದ ಸಾರ್ವಜನಿಕ ಕಾಮಗಾರಿ ಮತ್ತು ಸೌಲಭ್ಯ ವಿವರಣೆ ಮತ್ತು ಕಾರ್ಯಗಳು; 3. ವ್ಯವಸಾಯ ಮತ್ತು ಪಶು ಸಂಗೋದನಾಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳು, 4. ಹರಿಜನ-ಗಿರಿಜನ ಕ್ಷೇಮಾಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳು ಮತ್ತು 5. ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿದ ಇತರವಿಲ್ಲಾ ಕಾರ್ಯಗಳು.

ಅಧಿಕಾರಿಗಳು : ಈ ಕಾರ್ಯಗಳನ್ನು ಮಾಡಲು ಅವಶ್ಯಕವಾದ ರಹದಾರಿ ಮತ್ತು ಪರವಾನಗಿಗಳನ್ನು ನೀಡುವ ಮತ್ತು ರಚಿಸಿಕೊಳ್ಳುವ ಹಕ್ಕು ಇದೆ.

ಹಣಕಾಸು : ಸ್ವಂತವಾದ ನಿಧಿಯನ್ನು ಹೊಂದಿರುವ ಪ್ರತಿ ಮಂಡಲ ಪಂಚಾಯಿತಿಗೂ ಮುಖ್ಯವಾದ ಆದಾಯವೆಂದರೆ ಸರ್ಕಾರ ಪ್ರಜಾಸಂಖ್ಯೆಯ ಆಧಾರದ ಮೇಲೆ ತಲಾ 10 ರೂಪಾಯಿಯಂತೆ ನೀಡುವ ಅನುದಾನ. ಪ್ರತಿ ಮಂಡಲ ಪಂಚಾಯಿತಿಗೆ ಬರುವ ಈ ಅನುದಾನದಲ್ಲೇ ಶೇಕಡ 25 ಭಾಗದಷ್ಟು ಜಿಲ್ಲಾ ಪರಿಷದ್‌ಗೆ ಮೀಸಲು. ಉಳಿದ 75 ಭಾಗ ಮತ್ತು ತಾನೇ ಸ್ವತಃ ವಿದಿಸುವ ತೆರಿಗೆಗಳು, ಶುಲ್ಕಗಳು ಮತ್ತಿತರ ಕಂದಾಯಗಳಿಂದ ಬರುವ ಆದಾಯಗಳು ಮಂಡಲ ಪಂಚಾಯಿತಿ ನಿಧಿಗೆ ಸೇರುತ್ತವೆ. ಮನೆ ಕಂದಾಯ, ನೀರಣ ತೆರಿಗೆ, ಮನರಂಜನೆ ತೆರಿಗೆ, ಮೋಟಾರು ವಾಹನಗಳನ್ನು ಬಿಟ್ಟು ಇತರ ವಾಹನಗಳ ಮೇಲಣ ತೆರಿಗೆ, ಬಸ್ ನಿಲ್ದಾಣ, ಮಾರ್ಕೆಟ್ ಮತ್ತು ಗಣಿಗಳ ಮೇಲಣ ಶುಲ್ಕಗಳು ಇವುಗಳಲ್ಲಿ ಪ್ರಮುಖವಾದವುಗಳು.

ಸಿಬ್ಬಂದಿ : ಜಿಲ್ಲಾ ಪರಿಷದ್ ನೇಮಿಸುವ ಒಬ್ಬ ಪೂರ್ಣಕಾಲದ ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು ತಾನೇ ನೇಮಕ ಮಾಡುವ ಇತರ ಅವಶ್ಯಕ ಸಿಬ್ಬಂದಿಗಳನ್ನು ಮಂಡಲ ಪಂಚಾಯಿತಿ ಹೊಂದಿರುತ್ತದೆ.

ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ಸಮಿತಿ :

ಪ್ರತಿ ತಾಲ್ಲೂಕಿಗೂ ಈಗಿನ ತಾಲ್ಲೂಕು ಅಭಿವೃದ್ಧಿ ಮಂಡಲಿಗಿ ಬದಲಾಗಿ ಒಂದು ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ಸಮಿತಿಯನ್ನು ರಚಿಸಲಾಗುತ್ತದೆ ಅಧಿಕಾರ ವಿಕೇಂದ್ರೀಕರಣ ದೃಷ್ಟಿಯಿಂದ ತಾಲ್ಲೂಕಿಗಿಂತ ಕೆಳಗಿನ ಮಂಡಲ ಪಂಚಾಯಿತಿಗೆ ಹೆಚ್ಚು ಅಧಿಕಾರ ಕೊಡಲಾಗಿದೆ ಆದ್ದರಿಂದ ಕೇವಲ ಸಲಹೆ ನೀಡುವ, ಹೋದಾಣಿಕೆ ತರುವ ಮತ್ತು ಜಿಲ್ಲಾ ಪರಿಷದ್ ಸೂಚಿಸುವ ಇತರ ಕೆಲಸಗಳು ಮಾತ್ರ ಈ ಸಂಸ್ಥೆಗಿವೆ

ಚುನಾವಣೆ ಇಬ್ಬರೇ ರಚಿಸಲ್ಪಡುವ ಈ ಸಮಿತಿಯಲ್ಲಿ ತಾಲ್ಲೂಕಿನ 1. ವಿಧಾನಸಭಾ ಮತ್ತು ವಿಧಾನ ಮಂಡಲದ ಸದಸ್ಯರುಗಳು. 2. ಜಿಲ್ಲಾ ಪರಿಷದ್ ಸದಸ್ಯರುಗಳು, 3. ಮಂಡಲ ಪಂಚಾಯಿತಿಯ ಪ್ರಧಾನರು, 4. ತಾಲ್ಲೂಕು ವ್ಯವಸಾಯೋತ್ಪನ್ನ ಸಹಕಾರಮಾರುಕಟ್ಟೆ ಸಂಸ್ಥೆಯ ಅಧ್ಯಕ್ಷರು ಮತ್ತು 5. ಹರಿಜನ, ಗಿರಿಜನ, ಹಿಂದುಳಿದ ವರ್ಗಗಳು ಮತ್ತು ಪ್ರೀತಿಯುಗಳನ್ನು ಪ್ರತಿನಿಧಿಸುವ 5 ಮಂದಿ ನಾಮಕರಣ ಸದಸ್ಯರುಗಳೂ ಇರುತ್ತಾರೆ.

ತಾಲ್ಲೂಕಿನ ಹೆಚ್ಚಿನ ಭಾಗವನ್ನು ಪ್ರತಿನಿಧಿಸುವ ವಿಧಾನಸಭಾ ಸದಸ್ಯರು ಅಧ್ಯಕ್ಷರಾಗಿರುವ ಈ ಸಂಸ್ಥೆಗೆ ಸ್ವಂತದ್ದೇ ಆದ ಯಾವ ಹಣ ಕಾಸು ಅಧಿಕಾರಿಗಳು ಇಲ್ಲ. 5 ವರ್ಷ ಅವಧಿಯನ್ನು ಈ ಸಮಿತಿಗೆ (B. D. O.) ಕ್ಷೇತ್ರಾಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಗಳು ಇದರ ಕಾರ್ಯದರ್ಶಿ ಆಗಿರಲು ಮತ್ತು ತರ ತಾಲ್ಲೂಕು ಅಧಿಕಾರಿಗಳು ಸಹಾಯಕರಾಗಿಯೂ ಕೆಲಸ ಮಾಡುತ್ತಾರೆ.

ಜಿಲ್ಲಾ ಪರಿಷದ್

ಇದು ಹೊಸ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಅತ್ಯಂತ ಪ್ರಮುಖವಾದ ಮತ್ತು ಪ್ರಬಲವಾದ ಸಂಸ್ಥೆ. ರಾಜ್ಯ ಮಟ್ಟದಿಂದ ಸರ್ಕಾರವನ್ನು ಜಿಲ್ಲಾ ಮಟ್ಟಕ್ಕೆ ತರುವ ಪ್ರಯತ್ನ ಅಧಿಕಾರಿಗಳಿಗೂ ಹಿಡಿದಿದ್ದ ಜಿಲ್ಲಾ ಆಡಳಿತ ಸೂತ್ರವನ್ನು ಪ್ರಜಾಪ್ರತಿನಿಧಿಗಳಿಗೆ ವಹಿಸುವ ಯತ್ನ.

ರಚನೆ : ಪ್ರತಿ ಜಿಲ್ಲೆಗೊಂದರಿಂದಿರುವ ಈ ಪರಿಷದ್‌ನಲ್ಲಿ ಸಾಮಾನ್ಯವಾಗಿ ಪ್ರತಿ 28 ಸಾವಿರ ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬರಂತೆ ಸದಸ್ಯರನ್ನು ನೇರಚುನಾವಣೆಯ ಮೂಲಕ ಆರಿಸಲಾಗುತ್ತದೆ. ಕೊಡಗು ಜಿಲ್ಲೆಯಲ್ಲಿ ಮಾತ್ರ ಪ್ರತಿ 28 ಸಾವಿರ ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬರಂತೆ ಚುನಾಯಿಸಲಾಗುತ್ತದೆ ಸದಸ್ಯರ ಸಂಖ್ಯೆಯಲ್ಲಿ ಶೇ 25 ರಷ್ಟು ಮಹಿಳೆಯರಿಗೂ ಮತ್ತು ಶೇಕಡ 18 ರಷ್ಟು ಶಿಕ್ಷಕ ಕೆಲಸಿ ಇಬ್ಬರದಷ್ಟು ಸ್ಥಾನಗಳನ್ನು ಹರಿಜನ-ಗಿರಿಜನರಿಗೂ ಮೀಸಲಿಡಲಾಗುತ್ತದೆ.

ಜಿಲ್ಲಾ ಪರಿಷದ್ ಚುನಾವಣೆಗಳಲ್ಲಿ 18 ವರ್ಷ ವಯಸ್ಕರಾದ ಮತ್ತು ಸಾಮಾನ್ಯವಾಗಿ ಜಿಲ್ಲೆಯಲ್ಲಿ ವಾಸಿಸುವ ಪ್ರಜೆಗಳಿಗೆ ಮತ ನೀಡುವ ಅವಕಾಶವುಂಟು ಆದರೆ ಈ ಚುನಾವಣೆಯಲ್ಲಿ ಸ್ಪರ್ಧಿಸುವ ಮತದಾರರಿಗೆ 25 ವರ್ಷ ವಯಸ್ಸಾಗಿರಬೇಕು.

ಚುನಾಯಿತ ಸದಸ್ಯರಲ್ಲದೆ ಜಿಲ್ಲೆಯೇಕೆಂದ್ರ ಸಹಕಾರೋಚ್ಚಾಂಕಿತನ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಮತ್ತೊಬ್ಬ ಸಹಸದಸ್ಯರಾಗಿಯೂ ಮತ್ತು ಜಿಲ್ಲೆಯ ವಿಧಾನ ಮಂಡಲದ ಮತ್ತು ಸಂಸತ್ತಿನ ಸದಸ್ಯರುಗಳೂ ಜಿಲ್ಲಾ ಪರಿಷತ್‌ನಲ್ಲಿ ಸದಸ್ಯರುಗಳಾಗಿರುತ್ತಾರೆ. ಆದರೆ ಇವರೂರೂ ಅಧ್ಯಕ್ಷ ಅಥವಾ ಉಪಾಧ್ಯಕ್ಷರಾಗಲು ಸಾಧ್ಯವಿಲ್ಲ.

ಅಧಿಕಾರಾವಧಿ, ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರು ; ಇವರು ವರ್ಷ ಅಧಿಕಾರಾವಧಿಯುಳ್ಳ ಈ ಪರಿಷತ್ ಸದಸ್ಯರು ತಮ್ಮೊಳಗೆ ಒಬ್ಬರನ್ನು ಇದೇ ಕಾಲಾವಧಿಗಾಗಿ ಅಧ್ಯಕ್ಷರಾಗಿಯೂ ಮತ್ತೊಬ್ಬರನ್ನು ಉಪಾಧ್ಯಕ್ಷರಾಗಿಯೂ ಚುನಾಯಿಸುತ್ತಾರೆ. ಈ ಅಧ್ಯಕ್ಷರಿಗೆ ಅಂತಸ್ತು, ಸಂಬಳ ಮತ್ತು ಭತ್ಯೆಗಳು ಕರ್ನಾಟಕ ಸರ್ಕಾರ ರಾಜ್ಯ ಮಂತ್ರಿಗಳಿಗೆ ಸಮಾನವಾದವು. ಹಾಗೆಯೇ ಉಪಾಧ್ಯಕ್ಷರಿಗೆ ರಾಜ್ಯದ ಉಪಮಂತ್ರಿಗಳ ಅಂತಸ್ತು, ಸಂಬಳ ಮತ್ತು ಭತ್ಯೆಗಳೂ ದೊರೆಯುತ್ತವೆ. ಸದಸ್ಯರಿಗೆ 30 ರೂಪಾಯಿಗಳ ಭತ್ಯೆವನ್ನು ಸರ್ಕಾರದ ವೆಂಡಲನೇ ವರ್ಗದ ಅಧಿಕಾರಿಗಳಿಗೆ ಸಿಗುವ ಪ್ರಯೋಗ ಮತ್ತು ದಿನ ಭತ್ಯೆಗಳೂ ಸಿಗುತ್ತವೆ.

ಸಭೆ ; ಸಾಮಾನ್ಯವಾಗಿ ತಿಂಗಳಿಗೆ ಕನಿಷ್ಠ ಒಂದು ಸಾರ ಸಭೆ ಸೇರುವ ಈ ಪರಿಷತ್ ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ಅಧ್ಯಕ್ಷರು ಅವರಲ್ಲೊಬ್ಬರೂ ಉಪಾಧ್ಯಕ್ಷರು ಮತ್ತು ಸಭಾಧ್ಯಕ್ಷರು ಜಿಲ್ಲಾ ಪರಿಷತ್ ಕಾರ್ಯದರ್ಶಿ ಸಭೆಯಲ್ಲಿ ಮತ್ತು ಜಿಲ್ಲಾ ಭಾಗವಹಿಸುವ ಶಕ್ತ್ಯು ಹೊಂದಿದ್ದಾರೆ. ಈ ಸಭೆಯಲ್ಲಿ ಆವರು ಭಾಗವಹಿಸಬೇಕಾದ ಅವಶ್ಯಕತೆ ಕಂಡಲ್ಲಿ ಈ ಪರಿಷತ್ ಸಭೆಯೇ ದಲ್ಲಿದ್ದಿದ್ದರೂ ಆ ಜಿಲ್ಲೆಗೆ ಸಂಬಂಧ ಪಟ್ಟ ಯಾವ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಯೇ ಆಗಲಿ ಭಾಗವಹಿಸಬೇಕೆಂದು ಜಿಲ್ಲಾ ಪರಿಷತ್ ಕಾರ್ಯದರ್ಶಿ ಕೋರಿದಾಗ ಭಾಗವಹಿಸಬೇಕೆಂದು ಬೇಕು.

ಕಾರ್ಯಗಳು ; ಸರ್ಕಾರದ ನಿಯಂತ್ರಣ ಮತ್ತು ನಿರ್ದೇಶನ ಗೆಡೆಪಟ್ಟು ಜಿಲ್ಲೆಗೆ ಸಂಬಂಧಿಸಿದ ಎಲ್ಲಾ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಜಿಲ್ಲೆಯೇಕೆಂದ್ರ ಜನ ಸಮಸ್ಯೆಯ ಉಪ್ಪುನಾಭಿವೃದ್ಧಿ ಪರಿ ಸಂಗೀತಪನಾಭಿವೃದ್ಧಿ, ಹರಿಜನ-ಗಿರಿಜನ ಮತ್ತು ಹಿಂದುಳಿದ ವರ್ಗಗಳ ಕ್ಷೇಮನಾಭಿವೃದ್ಧಿ, ಜಿಲ್ಲಾ ಕಾಮಗಾರಿ ಮತ್ತು ಸಂಪರ್ಕ, ಸಾರ್ವಜನಿಕ ಆರೋಗ್ಯ ಮತ್ತು ವ್ಯಾಪಾರ ಮತ್ತು ಕೈಬರಹ ನಿರೀಕ್ಷಿಸಿ, ಗ್ರಾಮೀಣ ಮತ್ತು ಗೃಹ ಕೈಗಾರಿಕೆ, ಗ್ರಾಮೀಣ ಉದ್ಯಾನವನ ಮತ್ತು ತೋಟಗಳು, ಸಹಕಾರಾಭಿವೃದ್ಧಿ, ವಯಸ್ಕರ ಮತ್ತು ಪ್ರಾಥಮಿಕ ಶಿಕ್ಷಣಾಭಿವೃದ್ಧಿ, ಗ್ರಾಮೀಣ ವಿದ್ಯುಚ್ಛಕ್ತಿಕರಣ ಮುಂತಾದ ಕಾರ್ಯಗಳನ್ನು ಜಿಲ್ಲಾ ಪರಿಷತ್ ಹೊಂದಿರುತ್ತದೆ.

ಸಿಬ್ಬಂದಿ ; ಜಿಲ್ಲಾ ಪರಿಷತ್‌ಗೆ ಒಬ್ಬ ಸರ್ಕಾರದಿಂದ ನೇಮಿಸಲ್ಪಟ್ಟ ಕಾರ್ಯದರ್ಶಿ ಇರುತ್ತಾರೆ. ಈ ಸ್ಥಾನಕ್ಕೆ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಅಥವಾ ಹೆಚ್ಚಿನ ಮಟ್ಟದ ಹಿರಿಯ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳನ್ನು ನೇಮಿಸಲಾಗುತ್ತದೆ. ಜಿಲ್ಲಾ ಪರಿಷತ್‌ನ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಗಳಾಗಿರುವ ಮಾದುವ ಇವರ ಸಹಾಯಕ್ಕೆ ಒಬ್ಬ ಉಪಕಾರ್ಯದರ್ಶಿ ಮತ್ತು ಒಬ್ಬರು ಮುಖ್ಯ ಲೆಕ್ಕ ಪತ್ರಾಧಿಕಾರಿ ಇರುತ್ತಾರೆ. ಅವಶ್ಯಕವಾದ ಇತರ ಸಿಬ್ಬಂದಿಗಳನ್ನು ಸರ್ಕಾರ ನೇಮಿಸಬಲ್ಲದು.

ಹಣಕಾಸು ; ತನ್ನದೇ ಆದ ನಿಧಿಯನ್ನು ಹೊಂದಿರುವ ಜಿಲ್ಲಾ ಪರಿಷತ್‌ಗೆ ಸ್ವಂತ ತೆರಿಗೆ ಸಂಪನ್ಮೂಲಗಳು ಇಲ್ಲದಿದ್ದರೂ ರಾಜ್ಯ ನಿಧಿ

ಯಿಂದ ಜಿಲ್ಲಾ ಮಟ್ಟದ ಕೆಲಸಗಳಿಗಾಗಿ ಸರ್ಕಾರದಿಂದ ವರ್ಗಾಯಿಸಲ್ಪಟ್ಟ ಹಣ ಮತ್ತು ಜನಸಂಖ್ಯೆ ಆಧಾರಿತ ಸರ್ಕಾರಿ ಅನುದಾನ ಮುಖ್ಯ ಹಣಕಾಸು ಆಧಾರ.

ಪಂಚಾಯತಿ ರಾಜ್ಯ ಸಂಸ್ಥೆಗಳೊಡನೆ ಹಣಕಾಸು ಸಂಬಂಧವನ್ನು ಸುವ್ಯವಸ್ಥಿತಗೊಳಿಸಲು ಪ್ರತಿ ಇದು ವರ್ಷಗಳಿಗೊಮ್ಮೆ ಹಣಕಾಸು ಆಯೋಗವನ್ನು ನೇಮಿಸಿ ಅದರ ಶಿಫಾರಸ್ಸುಗಳನ್ನು ಪರಿಷತ್‌ನಿ ಜಾರಿಗೆ ತರುವ ಜವಾಬ್ದಾರಿ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆಿದೆ.

ನ್ಯಾಯ ಪಂಚಾಯತಿಗಳು :

ಪ್ರತಿ ಮಂಡಲಕ್ಕೊಂದು ನ್ಯಾಯ ಪಂಚಾಯತಿ ರಚಿಸಲು ಆವಶ್ಯಕವಿದೆ ಇದರ ಸದಸ್ಯರನ್ನು ನ್ಯಾಯ ಪಂಚರಿಂದು ಕೆರಿಯಲಾಗುತ್ತದೆ. ಅಪ್ರತ್ಯಕ್ಷವಾಗಿ ಅಂದರೆ ಪಂಚಾಯತಿ ಸದಸ್ಯರು ಚುನಾಯಿಸುವ 5 ನ್ಯಾಯ ಪಂಚರುಗಳು ಇದರಲ್ಲಿರುತ್ತಾರೆ. ಈ ನ್ಯಾಯಪಂಚರಾಗಲು 40 ವರ್ಷಕ್ಕೆ ಮೇಲ್ಪಟ್ಟ ವಯಸ್ಸು ಮತ್ತು ಮಂಚಲದಲ್ಲಿ ಸಾಮಾನ್ಯವಾಸ ಅಗತ್ಯ. ಪ್ರತಿ ನ್ಯಾಯಪಂಚನಿಗೂ 20 ತಿಂಗಳ ಅಧಿಕಾರಾವಧಿ ಇದೆ. ಈ ಇದು ನ್ಯಾಯ ಪಂಚರು ತಮ್ಮಲ್ಲಿಯೇ ಒಬ್ಬರನ್ನು ಮುಖ್ಯ ನ್ಯಾಯ ಪಂಚರನ್ನಾಗಿ ಚುನಾಯಿಸುತ್ತಾರೆ. ಇವರ ನ್ಯಾಯ ಪಂಚಾಯತಿಯ ಅಧ್ಯಕ್ಷರಾಗಿದ್ದರೂ ಮಂಡಲ ಪಂಚಾಯತಿಯ ಕಾರ್ಯದರ್ಶಿಯೇ ನ್ಯಾಯ ಪಂಚಾಯತಿಯ ಕಾರ್ಯದರ್ಶಿಯಾಗಿಯೂ ಕೆಲಸ ಮಾಡುತ್ತಾರೆ.

ಒಂದು ಸಾರವ ರೂಪಾಯಿ ವಸ್ತುಗಳಿಗೆ ಹೆಚ್ಚಿನ ಎಲ್ಲಾ ಸಿವಿಲ್ ವಾದಗಳು ಮತ್ತು ಕೆಲವು ನಿರ್ದಿಷ್ಟ ಕ್ರಿಮಿನಲ್ ವಾದಗಳು ಇದರ ಮುಂದೆ ಬರಬಹುದು ಆದರೆ ನ್ಯಾಯ ಪಂಚಾಯತಿಯ ನಿಧನಪಡುವುದಕ್ಕೆ ಮುಂಚೆ ಇವರೂ ರೂಪಾಯಿಗಳ ಜುಲ್ಮಾನೆ ಮಾತ್ರ. ಕಾರಾಗೃಹವಾಸ ಶಿಕ್ಷೆ ನಿಧನವಾದ ಅಧಿಕಾರ ಇದಕ್ಕೆ ಇಲ್ಲ.

ಉಪಸಂಹಾರ :

ಕರ್ನಾಟಕದಲ್ಲಿ ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಹೊಸ ಅಧ್ಯಾಯ ಆರಂಭವಾಗುತ್ತಿದೆ. ಜನರು ಅರಿವು ಸಂಕೀರ್ಣವಾದ ಭಾಗವಹಿಸಿ ಗಾಂಧೀಜಿಯ ಕನಸಾದ ಅಧಿಕಾರ ವಿಕೇಂದ್ರೀಕರಣವನ್ನು ನೆನಪಾಗಿಸಬೇಕು. ಜನರು ಈಗ ಕಣ್ಣು ಮುಚ್ಚಿದರೆ ನೌಕರಶಾಹಿಯ ಕನಿಮುಖ್ಯವೆಂದ ಮುಕ್ತ ಇಲ್ಲವಾಗುತ್ತದೆ.

ಅಧಿಕಾರ ವಿಕೇಂದ್ರೀಕರಣದ ತೀರ್ಮಾನ ಸ್ವಾಗತಾರ್ಹ. ಸಾಮಾಜಿಕ ಬದಲಾವಣೆಗೆ, ಗ್ರಾಮೀಣ ಭಾರತದ ಅಭಿವೃದ್ಧಿಯನ್ನು ಸಂಪನ್ನಗೊಳಿಸುವ ಸಮಂಜಸ ವಿತರಣೆಯ ಅಗತ್ಯವಲ್ಲವೇ?

ಎಂ. ಉಮಾಪತಿ.

ಪೆಂಪರಾಗತ ಅಲಿಖಿತ ಪಂಚಾಯತಿಗಳು

“ ಈ ಗ್ರಾಮ ಸಮುದಾಯಗಳು ಪರಕೀಯ ಸಂಬಂಧವು ಸ್ವಲ್ಪ ಮಾತ್ರವೂ ಇಲ್ಲದೆ, ಸರ್ವತಂತ್ರ ಸ್ವತಂತ್ರವಾಗಿ ತಮಗೆ ಅಗತ್ಯವಾದುದೆಲ್ಲವನ್ನೂ ತಮ್ಮನ್ನೇ ಹೊಂದಿರುವ ಸಣ್ಣ ಸಣ್ಣ ರಾಜ್ಯಗಳು ಮತ್ತು ವೃದ್ಧ ಉಳಿಯದ ಎಡೆಗಳಲ್ಲಿ ಅವು ಶಾಶ್ವತವಾಗಿ ಉಳಿದಿವೆ. ಆಳರಸದ ವಂಶಗಳು ಒಂದಾದ ಮೇಲೊಂದು ಉರುಳಿ ಹೋಗುತ್ತವೆ. ಕ್ರಾಂತಿಯ ತರುವಾಯ ಕ್ರಾಂತಿ ಬರುತ್ತದೆ. ಆದರೆ ಗ್ರಾಮ ಸಮಾಜವು ಮಾತ್ರ ಮೊದಲಿದ್ದಂತೆಯೇ ಇರುತ್ತದೆ ನನಗೆ ಕಂಡಂತೆ ಗ್ರಾಮ ಸಮುದಾಯಗಳ ಪ್ರಾತಿಯೊಂದು ಮಂಡಲಿಯೂ ಪ್ರತ್ಯೇಕವಾದ ಸಣ್ಣ ರಾಜ್ಯವಾಗಿ ತನಗೆ ತಾನೇ ರೂಪುಗೊಂಡು, ತಾವು ಅನುಭವಿಸಿದ ಅನೇಕ ಕ್ರಾಂತಿಗಳಿಂದಲೂ ಭಾರತ ದೇಶದ ಜನತೆಯನ್ನು ರಕ್ಷಿಸಿಕೊಂಡು ಬರಲು ಬೇರಾವುದಕ್ಕಿಂತಲೂ ಇವೇ ಮುಖ್ಯವಾದವು ಆಪ್ತೇ ಮಾತ್ರವಲ್ಲದೆ, ಜನತೆಯ ನೆಮ್ಮದಿಗಾಗಿಯೂ ಸ್ವತಂತ್ರ ಮತ್ತು ಸ್ವರಾಜ್ಯಗಳನ್ನು ಸಂಪೂರ್ಣವಾಗಿ ಅನುಭವಿಸಲು ಹೆಚ್ಚು ಸಹಾಯಕವಾಗಿವೆ. ಇಂತಹ ಗ್ರಾಮ ಸಂವಿಧಾನಗಳನ್ನು ಕಲಕುವುದು ಸರಿಯಲ್ಲ. ಅವುಗಳಲ್ಲಿ ಒಡಕು ತರುವ ಎಲ್ಲಾ ವಿಚಾರಗಳನ್ನು ನಾನು ಅಂಜುತ್ತೇನೆ ” .

- ಸರ್ ಜಾಲ್ಮರ್ ನೆಟ್ ಕಾರ್ಪ್

ಗ್ರಾಮ ಸಮುದಾಯಗಳ ಸನುಗ್ರಹ ಅಭಿವೃದ್ಧಿಗೆ ಹೆಚ್ಚಿನ ಪ್ರಾಮುಖ್ಯತೆ ನೀಡಿ, ಪ್ರಜಾತಂತ್ರ ಸಮಾಜದ ಯಶಸ್ವಿಗಾಗಿ ಆಡಳಿತವನ್ನು ಪ್ರಜೆಗಳಿಂದಲೇ ನಿರ್ವಹಿಸುವಂತೆ ಮಾಡಿ ಜನತೆಯ ಹಿತ ಬಯಸಿ ಸರ್ಕಾರವನ್ನು ಜಿಲ್ಲಾಮಟ್ಟಕ್ಕೆ ತಂದು ಜನತೆಯ ಕೈಗೆ ಅಧಿಕಾರ ಬರುವ ಭರವಸೆ ಕರ್ನಾಟಕದಲ್ಲಿ ಕಂಡಿರುವುದು ನಿಜಕ್ಕೂ ಹೆಮ್ಮೆ ಪ್ರಜಾಪ್ರಭುತ್ವದ ಆದರ್ಶದಲ್ಲಿ ಮೂಡಿಬಂದಿರುವ ಜಿಲ್ಲಾ ಪರಿಷದ್ ಮತ್ತು ಮಂಡಲ ಪಂಚಾಯತಿಗಳು ಪ್ರಜೆಗಳನ್ನು ಪ್ರಭುವಾಗಿ ಸಬಲ ಅಪಕಾಶ ಕಲ್ಪಿಸಿವೆ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಪ್ರಭುವಾಗಬಲ್ಲ ಪ್ರಜೆಯು ಬಹಳಷ್ಟು ಕಲಿಯಬೇಕಾಗಿದೆ. ಇಲ್ಲವಾದರೆ ಕೆಲವರೇ ಮಾತ್ರ ಪ್ರಭುಗಳಾಗುವ ಸಾಧ್ಯತೆ ಇದೆ ಬನ್ನಿರಿ ಎಲ್ಲರೂ ಪ್ರಭುವಾಗುವ ಅರ್ಹತೆ ಹೊಂದೋಣ, ಅರಿಯಲು ಶ್ರಮಿಸೋಣ; ಸ್ವಾಭಿಮಾನ ಮತ್ತು ಸ್ವಾವಲಂಬನೆಗಳೊಡನೆ ಬದುಕೋಣ.

Book Post

P. S. The above is the Synopsis of a talk delivered by M. UMAPATHY, Department of Political Science, Manasagangothri, Mysore on 20-11-1985 at an Education Programme on the Zilla Parishad Act Organised at HUNSUR. by DEED [Development through Education] a member organization of FEVOR-K (Federation of voluntary Organizations for Rural Development-Karnataka)

24/11



ಹರಬಲ

ಕೆಒಬಿಎನ್ ಮುಖೇನ್ ಪ್ರಿಂಟಿ (ಬೀಡರ್)

ಕೌಶಲ್ ಸುದೀಪಂ ಇಂಡಿಕೆಷನ್ಸ್ ಇನ್‌ಫರ್ಮೇಷನ್ ಪ್ರಿಂಟಿಂಗ್



ಸಂಪುಟ ೫

ಸಂಚಿಕೆ ೨-೩

ಆರೋಗ್ಯಕರ-ಸೇವೆಗಳ ಗಳಿಕೆ

ಪಾಸಗಿ ಹಂಚಿಕೆಗಾಗಿ ಮಾತ್ರ

ವಿಶೇಷ ಸುದ್ದಿ

ಕರ್ನಾಟಕದಲ್ಲಿ ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಒಂದು ಹೊಸ ಅಧ್ಯಾಯ :

ಪ್ರಜೆಯೇ ಪ್ರಭು

ಹುಣಸೂರು, ನವೆಂಬರ್ 20-ಕುಣಸೂರು ಉತ್ಸಾಹಿ ತರುಣರು ಸೇರಿ ಡಿಡ್ ಸಂಸ್ಥೆಯ ಅತಿಥಿಯೊಂದಿಗೆ ಪಂಚಾಯತಿ ರಾಜ್ಯದ ಹೊಸ ಕಾರ್ಯವನ್ನು ಕುರಿತು ಚರ್ಚಿಸಲಾಯಿತು. ಮಂಗಳೂರು, ಮಡಿಕೇರಿ, ಭಾವನ ಮತ್ತು ಮೈಸೂರು ಜಿಲ್ಲೆಗಳಿಂದ ಸುಮಾರು 60 ಯುವಜನರು ಭಾಗವಹಿಸಿದ್ದರು. ಹೊಸ ಕಾರ್ಯವನ್ನು ಕುರಿತು ವಿವರ ನೀಡಲು ಮೈಸೂರು ಮಾನಸ ಗಂಗೋತ್ರಿಯ ರಾಜ್ಯಶಾಸ್ತ್ರ ಉಪನ್ಯಾಸಕರಾದ ಶ್ರೀ ಎಂ ಉಮಾಪತಿರು.ವರು ಮತ್ತು ಜನತಂತ್ರ ವನಜ ನಿರ್ಮಾಣದಲ್ಲಿ ಜನತೆಯ ಪಾತ್ರ ಕುರಿತು ಮಾತನಾಡಲು ಪ್ರೊ|| ಪ್ರಾಣೀಶರಾವ್‌ನವರು ಭಾಗವಹಿಸಿದರು.

ರಾಜ್ಯಮಟ್ಟದಿಂದ ಜಿಲ್ಲಾಮಟ್ಟಕ್ಕೆ ಸರ್ಕಾರವನ್ನು ತಂದು ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯದ ಎಲ್ಲಾ ಜವಾಬ್ದಾರಿಯನ್ನು ಆಯಾಯ ಜಿಲ್ಲೆಯ ಜನತೆಗೆ ಒಪ್ಪಿಸುವ ದಿಕ್ಕಿನತ್ತ ಹೊಸ ಅಧ್ಯಾಯವೊಂದನ್ನು ಸೃಷ್ಟಿ ಮಾಡಿದೆ. ಜಿಲ್ಲಾಪರಿಷದ್ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿ ಸಮಿತಿ, ಮಂಡಲ ಪಂಚಾಯತಿ, ಗ್ರಾಮಸಭೆ ಮತ್ತು ನ್ಯಾಯ ಪಂಚಾಯತಿಗಳು ಹೊಸ ಕಾರ್ಯವನ್ನು ಸಂಚಾಲಿಸುವ ವ್ಯವಸ್ಥೆ, ಜಿಲ್ಲಾ ಪರಿಷದ್ ಮತ್ತು ಮಂಡಲ ಪಂಚಾಯತಿಗಳು ಈ ವ್ಯವಸ್ಥೆಯ ಮುಖ್ಯ ಅಂಗಗಳು ಹೌದು. ಅಧಿಕಾರ, ಅಂತಸ್ತು, ಸಿಬ್ಬಂದಿಯ ಸೌಲಭ್ಯವನ್ನು ಹೊಂದಿರುವ ಈ ಅಂಗಗಳು ಸ್ವಾವಿಧವಾಗಿ ಸರ್ಕಾರದ ಗಂಟೆ ಕಾರ್ಯವನ್ನೂ ಜನತೆಯ ಅಭಿವೃದ್ಧಿಗಾಗಿ ಅಭ್ಯವಾನಿಸುವುದು ಹೆಚ್ಚುತ್ತದೆ. ಈ ಹೊಸ ವ್ಯವಸ್ಥೆಯ ಸ್ಥಳೀಯ ಜನತೆಯ ಭಾಗವಹಿಸುವಿಕೆಯ ಅಧಾರದ ಮೇಲೆ ನಿಂತಿದೆ ಜನತೆ ನಿರ್ದಾಪ್ಯವೆಂದು ನಿಲುವನ್ನು ಬದಲಾಯಿಸದಿದ್ದರೆ, ಗ್ರಾಮದ, ನಾಡಿನ ಎಲ್ಲ ಅಗುಣೋದಿಗುಳ ಬಗ್ಗೆ ಗಮನ ಕೊಡದಿದ್ದರೆ, ಈ ವ್ಯವಸ್ಥೆಯೂ ಜನತೆಗೆ ಅಧಿಕಾರ ಕೊಡುವಲ್ಲಿ ವಿಫಲವಾಗುತ್ತದೆ. ಹೀಗಾಗಿ ಗ್ರಾಮಸಭೆಯ ಪಾತ್ರ ಈ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಬಹಳ ಹಿಂದು. (ಕಾರ್ಯವು ಒಗ್ಗಿ ಹೆಚ್ಚಿನ ಮಾಹಿತಿ ಪಡೆಯಲಿಚ್ಛಿಸುವವರು ಡಿಡ್ ಕಛೇರಿಯನ್ನು ಸಂಪರ್ಕಿಸಬಹುದು.)

ಕಾರ್ಯವು ಸಾಮಾನ್ಯ ಜನತೆಯಿಂದ ಚರ್ಚಿಸಲ್ಪಡುವ ಅವಕಾಶತೆಯನ್ನು ಹೊಂದಿದ್ದು ಅಲ್ಲಲ್ಲಿ ಚರ್ಚಾ ಸಭೆಗಳನ್ನೇರ್ಪಡಿಸಿ ಸಹಕಾರ ನೀಡುವುದು ಅತ್ಯಗತ್ಯ ಗ್ರಾಮೀಣ ಪ್ರದೇಶದ ಒಳಿತಿಗಾಗಿ ಈ ಕಾರ್ಯವನ್ನು ಒಳನಿರೀಕ್ಷಿಸುವ ಜನತೆಯ ಕೈಯಡಿಯೇ ಇದೆ ಆಗದೇಕಾದ ತಿದ್ದುಪಡಿಗೆ ಒಗ್ಗಿ ಸಭೆಯು ಗ್ರಾಮಾಭಿವೃದ್ಧಿ ಸಚಿವರೊಡನೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ ಕಮಿಷನರೊಡನೆ ಬಹಳ ಮೂಲಕ ತಿಳಿಸಿರುತ್ತದೆ ಇಂಥ ಸಭೆಗಳನ್ನು ಬೇರೆ ಬೇರೆ ಸ್ಥಳಗಳಲ್ಲಿ ಜನತೆ ನಡೆಸಲಿಚ್ಛಿಸಿದರೆ ಸಹಕಾರ ನೀಡಲು ಸಭೆಯು ತೀರ್ಮಾನಿಸಿರುತ್ತದೆ.

ಜಾಗನಕೋಟೆ ಜಿಲ್ಲೆ ಕೈ ಸಾಧನಗಳಿಂದ ಬುಡಕಟ್ಟು ಕೃಷಿಕರಸಂಘ

ಜಾಗನಕೋಟೆ, ನವೆಂಬರ್ 21- ಜಾಗನಕೋಟೆ ಹೆಗ್ಗಡದೇವನಕೋಟೆ ಶಾಖಾಕೆರೆ ಎನ್. ಬೇಗೂರು ಬಳಿ ಇರುವ ಬೆಟ್ಟ ಕುರುಬ ಬುಡಕಟ್ಟು ಜನರ ಒಂದು ಶಾಖಾ ಕುಡಿಯಾಯಿತು ಉತ್ಪಾದಿಸಿ ಯಜಮಾನ ಮಾಡುವುದು ಮತ್ತು ಬಾರೇ ದೇವರನು ಬಿಂದು ಮುಂದಾಳುಗಳಿಂದ ಸುತ್ತಲಿ ಹಾಡಿದಾಗ ಜನರನ್ನು ಸಂಘಟಿಸುವ ಕಾರ್ಯ ನಡೆದಿದೆ. ಇವರ ಅಸಕ್ತಿಯ ಮೇಲೆಗೆ ನವೆಂಬರ್- 21 ರಂದು ಪ್ರಚಾರ ಇಲಾಖೆಯ ನೆರವಿನೊಂದಿಗೆ ಉಪಯುಕ್ತ ಜಲನಿಕ್ಷೇಪ ತೋರಿಸಲಾಯಿತು ಸುಮಾರು 300 ಗರಿಜನರು ಹಾಗೂ ಇತರರು ಇವರ ಪ್ರಯೋಜನ ಪಡೆದಿದ್ದಾರೆ. ಮರುದಿನ ನಡೆದ ಸಭೆಯಲ್ಲಿ ಅಕ್ಷೇಪ ಕೃಷಿ ಬುಡಕಟ್ಟು ಕೃಷಿಕರ ಸಂಘವನ್ನು ಸ್ಥಾಪಿಸಬೇಕೆಂದು ತೀರ್ಮಾನಿಸಿ ಕೋಡು ಕೆಂಚಿನಹಳ್ಳಿಯಿಂದ ಹಿಡಿದು ಗಂಡತಂದಿ ನವರೆಗೆ ಇರುವ ಎಲ್ಲಾ ಶಾಖಾಗಳನ್ನು ಒಳಪಡಿಸುವುದಾಗಿ ಬಯಸಿ ಹೊಸ ಹಳ್ಳಿ ಹಾಡಿಯಲ್ಲಿ ವಾಸವಾಗಿರುವ ಶ್ರೀ ಜನಯ್ಯನವರನ್ನು ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ಆರಿಸಿದ್ದಾರೆ.

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ಇವನ್ನೆಲ್ಲಾ ಕೊಡೋದ್ರಿಂದ ಮುಂದುವರೀತೀವಿ ಅನ್ನೋದು ಸುಳ್ಳು

[ಗಿರಿಜನ ನಯಸ್ಕರ ಶಿಕ್ಷಣ ಕ್ರಿಯಾ ಸಮಿತಿಯ ವಾಸಿ ಕ ಸಭೆಯೊಂದರ ನವರದಿ]

ದಿನಾಂಕ 2-11-85 ರಂದು ಹನಗೇಡಿಪಲ್ಲಿ ನಡೆದ ಕ್ರಿಯಾ ಸಮಿತಿಯ ಸಭೆಯಲ್ಲಿ ಹಾಜರಾದ ಹಾಡಿದು 9. ಹಾಜರಾದ ಹಾಡಿದು 4 ಹಾಜರಾದ ಡಿ.ಡ್ ಸಂಸ್ಥೆಯ ಕಾರ್ಯಕರ್ತರು 6, ಜಾಜಿಯವರ ಪ್ರಾಚಾರ್ಯನೊಂದಿಗೆ ಸಭೆ ಪ್ರಾರಂಭವಾಯಿತು.

ಹರಕಳ್ಳಿ, ದಾಸನಪುರ ಹಾಡಿದು 6 ಕುಟುಂಬಗಳು ತುಳಸಿ ಗಿಡಗಳನ್ನು ಎಲ್ಲಾ ಹಾಡಿದು ಕೊಡಲು ನಿಲುವು ತೆಗೆದು ಟ್ಟಿಲು ಇಂಗೆ ಬಟ್ಟೆ ಮಡದಿಬೇಕೆಂದು ಗಂಗೆಮ್ನು ಎಂದು ತಿಳಿಸಿದರು ಈ ಬಂದು ಪ್ರಯೋಗವನ್ನು ಹೆಮ್ಮಿಯಲ್ಲಿ ಮಾಡಿರುವುದನ್ನು ಚರ್ಚಿಸಲಾಯಿತು ಹುಣಿಸಿರಿಸ್ತು ಓದುತ್ತಿರುವ ಹೈಸ್ಕೂಲಿಗೆ ಹಣ್ಣು ಮಕ್ಕಳು ಬಗ್ಗೆ ತಂದ್ರಮ್ಮನವರು ಗಮನಹರಿಸಿ ಆಗಿಂದಾಗ್ಗೆ ಒಡಿಸಿ ದರಿದ್ರವಾದ ದೇಶಕ್ಕೆಂದು ತಿಳಿಸಲಾಯಿತು. ಹಂಬಲ ಸಕ್ರಿಯೆಯನ್ನು ಓದುತ್ತಾ ತಪಸ್ಸಿಲ್ಲಾರವರು, ಬರಗಾಲದಿಂದಾಗಿ ಗಿರಿಜನರು ಕೂಗಲು ಆಗುವುದನ್ನು ಹಾಡಿದ ಬಂದು ನೋಡಲಿಕ್ಕೆ ಈಗ ಹಾಡಿದುಗಳಿಗೆ ಬಂದರೆ ಆಗಿರುವ ತೊಂದರೆ, ಬೆಳಿಗ್ಗೆ ನಾಡದ ಬಗ್ಗೆ, ಕಷ್ಟ ಸುಖದ ಬಗ್ಗೆ ತಿಳಿಸಬೇಕು, ಒರಗಾಲದ ಬಗ್ಗೆ 2 ತಿಂಗಳ ಹಿಂದೆ ಇದೇ ಸಭೆ ಆಚಾರ್ಯನು ಬುದ್ಧಿಗಿ ಸಲ್ಲಿಸಿದ ರೂ, ಹಂಬಲದಲ್ಲಿ ಅದನ್ನು ವಂದಿಸಿದರೂ ಅದರ ಒಗ್ಗು ಗಮನ ಹರಿಸಲಿಲ್ಲ. ತಪಸ್ಸಿಲ್ಲಾರವರಗಮನಕ್ಕೆ ಎಲ್ಲಾ ಹಾಡಿದುಗಳೂ ಸಾಗುವಳಿಹಾಗೂ ಫಲವು ಪಡುವ ಸಂಪೂರ್ಣ ಸಿದ್ಧಿರುವುದರ ಬಗ್ಗೆ ತಂದೆಬೇಕು ಹಾಗೂ ಗ್ರಾಮಲೆಕ್ಕಿ ಗರನ್ನು ಸಂಪರ್ಕಿಸಿ ಈ ಸಾಲಿನಲ್ಲಿ ಬರೆಯಬೇಕಾದ ಫಲವು ಮಾಹಿತಿಯ ಬಗ್ಗೆ ಬರಿಸಬೇಕೆಂದು ತೀರ್ಮಾನಿಸಲಾಯಿತು

ಹೆಮ್ಮಿಗೆ ಸಾಹಿತ್ಯವನ್ನು ವಿಚಾರದಲ್ಲಿ ಅರಣ್ಯ ನೋಡಲಾದ ತಮಯ್ಯ ಮತ್ತು ಉತ್ತಮನವರು ಮಾಡಿದ ತಪ್ಪಿನ ಬಗ್ಗೆ ಈ ತನಕವೂ ಸಂಬಂಧಿಸಿದ ಅಭಿಪ್ರಾಯಗಳು ಕ್ರಮ ಕೈಗೊಳ್ಳುವುದರಂದ ತೋರಿಸಿರಿಸ್ತು ಸತ್ಯಾನ್ವಯ ಮಾಡಬೇಕು ನಿಜವಾರ ಕಂಡು ಬರಲೇಬೇಕು. ಸತ್ಯಾನ್ವಯ ಹಾಡಿದು ಹೇಗನೂ ಗಂಡನರು ಭಾಗವಹಿಸುವುದು ಅನರ್ಥ ಎಂದು ಸಂಘದ ಅಧ್ಯಕ್ಷ ಶ್ರೀಮಾರಯ್ಯ ಸಭೆಯಲ್ಲಿ ತಿಳಿಸಿ ಸಂಘದ ತೀರ್ಮಾನವನ್ನು ವಿವರಿಸಿದರು

ತುಳಸಿ ಗಿಡದಲ್ಲಿ ಪ್ರಯೋಜನ ಬಹಳವೆ ರೋಗ ನಿವಾರಣೆಗೆ ಇದು ಬಹು ಉಪಯೋಗ. ಪ್ರತಿಯೊಬ್ಬರೂ ತುಳಸಿ ಗಿಡ ಬೆಳೆಸಬೇಕು. ತುಳಸಿ ಬೀಜ ಹೆಚ್ಚು ಬಿಳುಪು ಮುಂದಾಗಿ ಬೇಕೆಂದ, ತಿಳಿಸಲಾಯಿತು ವಕ್ಕಲಾ ತನಕ್ಕೆ ತುಳಸಿ ಕೂಡುವಾಗ ಗಿಡ ಮರ ಬೆಳೆಸಬೇಕೆಂಬುದು ಈಗ ಗಿರಿಜನರ ಇಚ್ಛೆಯಾಗಿ ಗಿರಿಜನರಿಂದ ಅರಣ್ಯ ಇಲಾಖೆಯ ಸಹಕಾರ ಪಡೆದುನರ್ಸಂಗನನ್ನು ಗಿರಿಜನರ ಮಾಡಬೇಕೆಂದು ಶ್ರೀಮಾರಯ್ಯ ತಿಳಿಸಿದರು ಜನರ ಅಭಿಪ್ರಾಯದಂತೆ ನರ್ಸರಿ ಬೆಳೆಸುವಾಗ ಹಲವು ಬೆವು ಬೆಲ, ಹೊಗೆ, ನೇಲೆ, ಸುಬಾಬಲ್, ಕಂಚಾಲ, ಬೆನ್ನೆ, ಆಮಟಿ, ಜೀಜೆ, ಬೀಜೆ, ಸರೆ, ಬಿದಿರು, ಮಾತು, ಸಿಗಿ ಮುಂತಾದ ಮರಗಳಿಗೆ ಹದ್ದು ತಿಳಿಸಬೇಕೆಂದು ತೀರ್ಮಾನಿಸಲಾಯಿತು. ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಪಡೆದ ಮರಗಳ ಬಗ್ಗೆ ವಿವರಣೆ ಇರುವ ಕೈಪಿಡಿಗಳನ್ನು ಹಂಚಲಾಯಿತು. ಹಾಡಿದುಗಳ ಇವುಗಳನ್ನು ಓದಿ ತಿಳಿದುಕೊಳ್ಳಬೇಕೆಂದು ತಿಳಿಸಲಾಯಿತು.

ಅವರದೇ ಸ್ವಂತ ಬುದ್ಧಿವಂತಿಕೆಯಿಂದ ಕೈತೊಟಿ ಹೆಣ್ಣಿಗೆ ಮಾಡಿ ಬಹುಮಾನ ಪಡೆಯುವ ಚಿಕ್ಕ ಹೆಣ್ಣಿನವರು ಮನೆಯಯ್ಯ ಮತ್ತು ರಾಜು ಮತ್ತು ನೇಳಕುಳ್ಳೆ ಬು ಹಾಡಿದು ಅಣ್ಣಯ್ಯ ಇವರಂದು ಹಾಡಿದುಗಳ ಉಳಿದ ಕುಟುಂಬಗಳು ಕಲೆಯಲು ಒಬ್ಬ ಇದೆ ಈ ತೋಟಗಳನ್ನು ಪ್ರತ್ಯಕ್ಷವಾಗಿ ನೋಡಿ ಬಂದ ಮಹಿಳೆಯರು ವಿವರಿಸಿದ ನಂತರ ಎಲ್ಲರೂ ಕೈ ತೋಟವು ಮಾಡುವ ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳಲಾಯಿತು.

ಬಿಜ್ಜನಹೊಸತಳ್ಳಿಗೆ ಹನಗೇಡು ಗ್ರಾಮೀಣ ಬ್ಯಾಂಕಿನಿಂದ 24 ಜನರಿಗೆ ಎತ್ತುಗಳನ್ನು ಕೊಡಲಾಗಿತು. ಅವುಗಳನ್ನು ಗಮನಿಸಿ, ಅವರಿಗೆ ಗಳಿಗೆ ಬಿಡುಮಾಡಬೇಕೆಂದಾಗು : ಭಿಯಲ್ಲಿ ಅವರ ಮೇಲೆ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕು ಪುಣಃ ಹದ್ದಿ ಎತ್ತುಗಳನ್ನು ತರುವವರಿಗೆ ಹೇಬೇಕು. ಎತ್ತುಗಳ ವಿಚಾರವಾಗಿ ಹಾಡಿದು ಗುಮ್ಮಸ್ತರಾದ ನೇಳಕುಳ್ಳೆ ಇಣ್ಣಯ್ಯ, ಚಂದರ್ಪಿರಿಯ್ಯ, ಹೆಮ್ಮಿಗೆ ಪಾಸಯ್ಯ ಇವರುಗಳು ಬಿಜ್ಜನಹೊಸ ಹಳ್ಳಿಯ ಜನರಿಗಿಡನೆ ನಾಶನಾದಿ ಬರಬೇಕು. ನಂತರ ಆ ವಿಚಾರವನ್ನು ಸಂಘದ ಸಭೆಯಲ್ಲಿ ತಿಳಿಸಬೇಕೆಂದು ಹೇಳಲಾಯಿತು

ಗಿರಿಜನರು ಅಭಿಪ್ರಾಯವಿರಬೇಕಾದರೆ ಇನ್ನು ಏನು ಬೇಕು? ಎಲ್ಲಾ ಗಿರಿಜನರಿಗೂ ಎತ್ತು, ಆಡು, ಕುರಿ, ಗೊಬ್ಬರ, ಕೋಳಿ, ಹಂದಿಕೊಟ್ಟಿಗಿ ಎಂದು ಕೇಳಿದಾಗ ಸಭೆಯಲ್ಲಿ ಎಲ್ಲರೂ ವ್ಯವಸಾಯಕ್ಕೆ ಮುಂದಾದ ಸಮಯಕ್ಕೆ ಗೊಬ್ಬರ, ಬೀಜ ಬಿತ್ತನೆಗಳು, ಕೂಡು ಮಾಡಬೇಕು ಹಾಗಾದರೆ ಮುಂದುವರಿಯಬೇಕೆಂದೇನೋ ಎಂದು ಹೇಳಿದರು ಸಭೆಯಲ್ಲಿ ಎಲ್ಲರೂ ಹೇಳಿದರು 'ಇನ್ನೆಲ್ಲಾ ಕೊಟ್ಟಿಗಿಡೆ ಅವುಗಳೇನೂ ನಮ್ಮ ಬಳಿ ಉಳಿದಿಲ್ಲ ಇನ್ನೆಲ್ಲಾ ಕೊಟ್ಟಿಗಿಡೆ ಮುಂದುವರೀತೀವಿ ಅನ್ನೋದು ಸುಳ್ಳು' ಅದು ನಿಜವಾಗಿಲ್ಲ, ಇನ್ನೆಲ್ಲಾ ಗೆ ನಾವು ಎಲ್ಲರೂ ಮುಂದುವರೀತೀವಿ ಸರ್ಕಾರ ಕೊಟ್ಟಿಗಿಡೆಂದೇ ಮುಂದುವರೀತೀವಿ ಅನ್ನೋದನ್ನು ಬಿಟ್ಟು ಬೇರೆ ಏನಾದರೂ ಇದೆ, ಅಲೋಚನೆ ಮಾಡೋಣ' ಎಂದು ಮತ್ತೆ ಗಾಲ ಹೆಣ್ಣಿಗೆ ಗಿಡದೇ ಅದೇ ಸಾಕು ಜೀವನ ಸಾಗುವೆಂಬುದು ನಂತರದ ಅಭಿಪ್ರಾಯವಾಗಲಾಯಿತು.

ಹುಟ್ಟಿಸುವಿನ ಬಗ್ಗೆ ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಿ ಕಳೆದ ತಿಂಗಳಲ್ಲಿ ಹುಟ್ಟಿದ ಮಕ್ಕಳು 5. ಅವುಗಳಲ್ಲಿ ಒಂದು ತಿಂಗಳ ಹಿಡಿತು ಎಂದು ತಿಳಿಸಲಾಯಿತು.

ಹೊಸಬಿಡಾದ ಬಗ್ಗೆ ಮಾತನಾಡುವಾಗ "ಅಪ್ಪಾ ಸಾಧ್ಯವೇ?" ಎಂಬುದರ ಬಗ್ಗೆ ಭಾರತವು ಹಿಡಿಯಲ್ಲಿ ನಡೆದ ಶಿಬಿರ ಸಂಘಟನೆಯ ಬಗ್ಗೆ ತಂದೆ, ಅದೇ ರೀತಿ ಮಹಿಳಾ ಮಂಡಳಿಯವರಿಗೂ ನಡೆಸಬೇಕೆಂಬ ಕೋರಿಕೆ ಬಂತು. ನವೆಂಬರ್ 26, 27 ರಂದು ಕೊಳವೆಗೆಯ್ದು ಶ್ರೀಕಾಂತ್ ನವರು ನಡೆಸಬೇಕೆಂದ, ಕೇಳಿಕೊಳ್ಳಲಾಯಿತು.

ನಾಯ್ಕರು ಬೇರೆ ಅಂಗಡಿಗಳು ಈಗ ತೆರೆದಿವೆ ಎಲ್ಲಾ ಹಾಡಿದುಗಳೂ ಹಸಿರು ಕಾರ್ಡುಗಳನ್ನು ಬಂದಿವೆ. ಆದರೆ ನೇಳಕುಳ್ಳೆ (ಬು) ಮತ್ತು ಹೆಣ್ಣಿಗಳ ಹಾಡಿದುಗಳಿಗೆ ಮಾತು ಕೊಟ್ಟು ಎಂದು ತಿಳಿದರು, ಈ ಎರಡು ಹಾಡಿದುಗಳಿಗೆ ಬಂದವರಲ್ಲಿ ಹಸಿರು ಕಾರ್ಡು ಸಿದ್ಧದಲ್ಲಿ ತಾಳ್ಮೆ ಕೊಂಡು ತಪಸ್ಸಿಲ್ಲಾರವರಿಗೆ ತಿಳಿಸಬೇಕೆಂದು ತಿಳಿಸಲಾಯಿತು. ಹಸಿರು ಕಾರ್ಡಿನಿಂದ ಯಾವ ತರಹದ

" ಹೊತ್ತು ಹೋಗದ ಮುನ್ನ ತೊತ್ತು ಕೆಲಸ ಮಾಡು "

ರಾಜು—ನೀಲಮ್ಮ ನವರ ಕೈತೋಟ ನೋಡಲು ಬಲು ಚೆಂದ.

ಚಿಕ್ಕಹೆಚ್ಚಾರು ಹಾಡಿಯಲ್ಲಿ 15 ಕುಟುಂಬಗಳು ವಸವಾಗಿವೆ. 10 ಜನತಾ ಮನೆಗಳು, 10 ಕುಟುಂಬಗಳಿಗೆ ತಲಾ 4 ಎಕರೆಯಂತೆ ಜಮೀನು, ರಸ್ತೆ, ಬೀದಿ ದೀಪ, ಕುಡಿಯುವ ನೀರು ಮುಂತಾದ ಸೌಲಭ್ಯಗಳನ್ನು ಪಡೆದಿರುವ ಈ ಹಾಡಿ ಚಿಕ್ಕಬೆಲೆಗಾಗಿ ಕಾಣುತ್ತದೆ ಹಾಡಿ ಚಿಕ್ಕದಿರುವುದರಿಂದ ಮಕ್ಕಳಿಗಿಂತ ಚಿಕ್ಕ ಹೆಚ್ಚಾರು ತಾಲೀಗೆ ಹೋಗಬೇಕು. ವ್ಯವಸಾಯವನ್ನು ಚೆನ್ನಾಗಿ ಮಾಡುತ್ತಾರೆ. ಆದರೆ 3 ಕುಟುಂಬದವರ ಜಮೀನು ನಲ್ಲಿ ಹೆಚ್ಚು ಮರಗಳಿರುವುದರಿಂದಲೂ ಹಾಗೂ ಅನೇಯ ಹಾವು ಜಾತಿ ಇರುವುದರಿಂದಲೂ 12 ಎಕರೆಯಲ್ಲಿ ವ್ಯವಸಾಯ ಮಾಡಲಾಗುತ್ತಿಲ್ಲ ದರ್ಬಾಸ್ತು ಮೂಲಕ ಜಮೀನು ದೊರೆತ ಮೇಲೆ ಜನರು ತಾಲ್ಲೂಕಿನ ತಹ ಸೀಲ್ದಾರ್‌ರವರಿಗೂ, ಹೋಸೂರು ವಿಭಾಗದ ಅರಣ್ಯ ಉಪನಿರ್ದೇಶಕನಿಗೆ ಕಾರಿಯವರಿಗೂ ಅರ್ಜಿ ಸಲ್ಲಿಸಿ ವ್ಯವಸಾಯ ಮಾಡಲು ಅನುಕೂಲವಾಗುವಂತೆ ಜಮೀನಿನಲ್ಲಿರುವ ಮರಗಳನ್ನು ತೆಗೆಸಬೇಕೆಂದು ಕೋರಿಸುವುದು ಮಾತ್ರ ಸುಮಾರು 4 ವರ್ಷಗಳಿಂದ ಫಲಕಾರಿಯಾಗುವುದು ವಿಷಾದಕರ. ಈಗಿನ ತಹಸೀಲ್ದಾರ್‌ರವರು ಹಾಗೂ ಅರಣ್ಯಉಪ ನಿರ್ದೇಶಕರಾದಿ ಕಾರಿಗಳಾದರೂ ಗಮನಹರಿಸಿದರೆ ಅಲ್ಲಿನ ಜನರಿಗೆ ಬಹಳ ಅನುಕೂಲವಾಗುತ್ತದೆ.

ಹಾಡಿಗೆ ಯಾರೇ ಭೇಟಿ ಇತ್ತರೂ ರಾಜು—ನೀಲಮ್ಮ ನವರ ಹಾಗೂ ಮನೆಯ ದಂಪತಿಗಳು ಬೆಳೆಸಿರುವ ಕೈತೋಟವನ್ನು ನೋಡಬೇಕೆಂದು ಬರಲಾರರು. ಕಾರಣ, ಎಂಥವರನ್ನೂ ಬೆರಗು ಗೊಳಿಸುವ ರೀತಿಯಲ್ಲಿ ಸುವ್ಯವಸ್ಥಿತವಾಗಿ ಕೈತೋಟ ಮಾಡುತ್ತಾರೆ. ಕೈತೋಟವು ನೋಡಲು ಬಲು ಚೆಂದವಾಗಿದೆ.

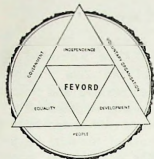
ರಾಜು—ನೀಲಮ್ಮ ನವರದು ಪುಟ್ಟ ಸಂಸಾರ. ಮೂರು ಮಕ್ಕಳೇ ಸಾಕೆಂದು ತೀರ್ಮಾನಿಸಿದ್ದಾರೆ. ಇರುವ 40X60 ಅಡಿ ಉದ್ದದ ಜಾಗದಲ್ಲಿ ಒಂದು ಜನತಾಮನೆ ಇದೆ. ದನಕ್ಕೆ ಬೇರೆ ಗುಡಿಸಲು, ಆಡಿಗೆ ಬೇರೆ ಗುಡಿಸಲು ಮಾಡಿದ್ದಾರೆ. ಅಡು-ದನಗಳು ತೋಟವನ್ನು ಹಾಳುಮಾಡದಿರಲೆಂದು ಬೇರೆ ಬೇರೆ ಮಾರ್ಗಗಳನ್ನು ಮಾಡಿದ್ದಾರೆ. ಈ ವ್ಯವಸ್ಥೆಯಂತೂ ತುಂಬಾ ಮೆಚ್ಚುಗೆಯಾದುದು. ಇನ್ನೇನು ಒಂದೆರಡು ವರ್ಷಗಳಲ್ಲಿ ಫಲಿತವಾಗುತ್ತದೆ.

ಬಕುದಾದ 4 ತೆಂಗಿನ ಗಿಡಗಳು (ತೋಟಗಾರಿಕೆ ಇಲಾಖೆಯವರು ಕೊಟ್ಟ ಗಿಡಗಳು) 8 ಬಾಳೆಗೂಡುಗಳು, ಕೂವಂಗೆ ಗಿಡವು, 25 ಗುಣಿ ಮರ ಗಿಡವು, ಚಿನ್ನರದವರೆ, ರೇಪ್ಸೆ ಗಿಡ, 10ಪುಂಗಿ ಗಿಡ, ಕುಂಬಳ, ಮಂಜರಿ ಮೊಳಕು, ಬೀವುಬೇಟೆ, ಪಡವಲ. ಹೂವುಗಿಡಗಳು, ಸುಬಾಬುಲ್ ಗಿಡಗಳನ್ನುಳ್ಳ ಹಸಿರು-ಬೇಲಿ-ಹೀಗೆ ತುಂಬಾ ಸೊಗಸಾಗಿ ಇಟ್ಟಿದ್ದಾರೆ. ಮನೆಯ ಸುತ್ತ ತಿರುಗಾಡಲು ಬಹಳ ಆನಂದವಾಗುತ್ತದೆ ಆ ದಂಪತಿಗಳೊಡನೆ ಕುಳಿತು ಮಾತನಾಡಲೇ ಬೇಕೆನ್ನುತ್ತದೆ. ಅವರನ್ನು ಕಂಡರೆ ಅಭಿಮಾನವಾಗುತ್ತದೆ ಇವರೂ ಕೂಡ ಜೇನುಕುರು ಬುಡಕಟ್ಟು ಜನರೇ ಕೈತೋಟ ಮಾಡಬೇಕೆಂದಿರುವವರು ಹಾಗೂ ಕೈತೋಟದ ಅಭಿಮಾನಿಗಳು ನೋಡಲೇ ಬೇಕಾದ ತೋಟ ಅಷ್ಟುಕಿರಿದಾದ ಜಾಗದಲ್ಲಿ ಅದಷ್ಟು ಸುಯೋಜಿತ ತೋಟ ಎಂದು ಆಶ್ಚರ್ಯವಾಗುತ್ತದೆ ಶಾಲೆಗೆ ಹೋಗುವ ಹಾಡಿಯ ಮಕ್ಕಳಿಗೆ ತಲೆಗೆ ಮುಡಿಮುಲೆ ಆ ತೋಟದ ಹೂಗಳೇ ಬೇಕು ತೋಟಗಾರಿಕೆ ಇಲಾಖೆಯವರು ರಾಜುನವರ ತೋಟ ನೋಡಿ ಪ್ರೀತಿಪ್ರಾಪ್ತನಾಗಿದ್ದರೆ ಇನ್ನೂ ಹೆಚ್ಚು ಪ್ರಯೋಜನ ಉಂಟು. ರಾಜು—ನೀಲಮ್ಮ ನವರು ತಮ್ಮ ಕೈತೋಟದ ಬಗ್ಗೆ ಹೀಗೆನ್ನುತ್ತಾರೆ: " ಈ ರೀತಿ ಮಾಡಿಕೊಂಡರೆ ನಮಗೇ ತುಂಬಾ ಅನುಕೂಲವಿಂತೆ ನಮ್ಮ ಸುರಿಗೆ ನಮ್ಮ ಬಗ್ಗೆ ಮುಖ ಆಗುತ್ತೆ. ನನ್ನ ಹುಡುಗ ಜನರಲ್ಲಿ 4 ತೆಂಗಿನಗಿಡ ಬಿಟ್ಟು ಬುಟ್ಟಾ ಅಂತಾರೆ. ಇಲ್ಲಿ ತಿರುಗಾಡೋ ಜನರೂ ಕೂಡ ಇವನೊಬ್ಬ ಪಂಜಾಗಿಲ್ಲ ಅಂತ ಸಂತೋಷ ಪಡುತ್ತಾರೆ ಇನ್ನೆನಮ್ಮ ಜನ ಮಾತ್ರ ನೋಡಿಯೂ ಕುಳಿಯುವುದಿಲ್ಲ. ನಾನೂ ಬೇಕಾದಷ್ಟು ಹೇಳಿದ್ದೇನೆ ನಿನ್ನ ತೆಂಗಿನಗಿಡ ಕಾಯಬಿಡಲು 4-5 ವರ್ಷ ಬಿಡಿದರೂ ನಾವು ಮೂರೇ ವರ್ಷದಲ್ಲಿ ಬುಟ್ಟಿ ಅಂತ ಒಂದು ಮಾಡುತ್ತಾರೆ ಯಾರು ಏನೇ ಅಂದರೂ ನನ್ನ ತೋಟದ ಬಗ್ಗೆ ನನಗೆ ಮುಖ ಇದೆ ನನ್ನ ನನ್ನ ಮಕ್ಕಳೂ ಪಾತಿ ಮಾಡೋದು, ಕಳೆ ಕೀಳೋದು, ನೀರು ಹಾಕೋದು ಈ ರೀತಿ ಸ್ವಲ್ಪ ಪುಟ್ಟ ಕೆಲಸಗಳಿಗೆ ನೆರವಾಗುತ್ತಾರೆ. ಈ ಕೈತೋಟ ನನ್ನ ಜೀವನೋಪಾಯಕ್ಕೆ ಸಹಾಯಕವಾಗಿದೆ. ನಾನು ಚೆನ್ನಾಗಿ ಮಾಡಿದೀರದಷ್ಟು ಕಂಡು ತೋಟಗಾರಿಕೆ ಇಲಾಖೆಯವರು ಇನ್ನೂ ಎರಡು ತೆಂಗಿನಗಿಡ 2 ಸಪೋಟೆ, 2 ನಿಂಬೆ ಗಿಡಕೊಟ್ಟರೆ ಅದನ್ನು ಚೆನ್ನಾಗಿ ಬೇರೇನಿ ".

-ನಂಜುಂಡಯ್ಯ

ಅಕ್ಕೋಬ್ಬ 26ರಂದು ವನವಾಸಿ ಮಹಿಳಾ ಸಮಾಜದ ಅಶ್ರಯದಲ್ಲಿ ಚಿಕ್ಕಹೆಚ್ಚಾರು ಹಾಡಿಯಲ್ಲಿ ಸಭೆಯನ್ನೇರ್ಪಡಿಸಿ ಕೈತೋಟ ಮತ್ತು ಮನೆಗಳನ್ನು ಚೆನ್ನಾಗಿ ಇಟ್ಟುಕೊಂಡವರಿಗೆ ಬಹುಮಾನ ಕೊಡಲಾಯಿತು. ಚಿಕ್ಕಹೆಚ್ಚಾರು ಹಾಡಿಯ ಮನೆಯ ದಂಪತಿಗಳಿಗೆ ಮೊದಲ ಬಹುಮಾನ, ರಾಜು-ನೀಲಮ್ಮ ನವರಿಗೆ ಮೂರನೇ ಬಹುಮಾನ ಹಾಗೂ ನೇರಳಕುಮ್ಮೆ ಬಿ ಹಾಡಿಯ ಅಣ್ಣ ದಯ್ಯನವರಿಗೆ ಎರಡನೇ ಬಹುಮಾನ ಕೊಟ್ಟು ಅವರೊಬ್ಬಳಿಯ ಕೆಲಸಕ್ಕೆ ಮೆಚ್ಚುಗೆ ವ್ಯಕ್ತಪಡಿಸಲಾಯಿತು.

BOOK-POST



SWAYAM GRAMABHYUDAYA

ಸ್ವಯಂ ಗ್ರಾಮಾಭ್ಯುದಯ

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FEVORD-K WORKSHOP ON PANCHAYAT RAJ

A two-day workshop was organised by FEVORD-K on 28th and 29th September 1985 at Arasinakunte near Nelamangala, Bangalore Dist. The programme was hosted by the Institute for Youth and Development, Bangalore. Over 40 development workers gathered to discuss the implications of the Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983, which has now received Presidential assent and has come into effect. The deliberations were guided by Dr. Mumtaz Ali Khan, distinguished social scientist, and Dr. G. Pais, President, FEVORD-K. The presence and participation of Sri Abdul Nazir Sab, Honourable Minister for Rural Development and Panchayat Raj, Government of Karnataka, and many senior officers connected with revenue administration resulted in a very useful exchange of views.

First Day : Inaugural Session 1

The proceedings on 28th September began with an assessment of the extent of present awareness about Panchayat Raj. Some participants felt that the possibility of infusion of politics into Mandal Panchayats could not be ruled out. There was lengthy discussion about whether and if so what role voluntary agencies should play in educating the

rural people about the new set-up.

Dr. G. Pais, in the course of his opening remarks, observed : " The Panchayat Raj legislation is a laudable step in the direction of empowering the people. There may obviously be a few lacunae in the Act, which will have to be set right in the future. We should strive to spread awareness about the people's role in the Panchayat system.

"It must be said that at present, knowledge about Panchayat Raj is rather limited even among the literate. It may be recalled that FEVORD-K evinced keen interest in Panchayat Raj even when the legislation was in the Bill stage (see Swayam Grama-abhyudaya, October 1983). We should all now endeavour to educate the rural people about the need to be actively involved in the Panchayat Raj structure."

Delivering the Inaugural Address, Sri Abdul Nazir Sab traced the background of the Pan-

chayat Raj system in India. Thinking about it had started in pre-independence days. While India inherited the parliamentary form of government from the British, Britain itself has tended towards the Cabinet form. Sri Nazir Sab continued : "In India parliamentary democracy has been replaced by electoral democracy. This trend has weakened the very core of democracy. Mahatma Gandhi, it seems to me, was the only leader who had a thorough understanding of the roots of true democracy. That explains his repeated

Sri Abdul Nazir Sab, Honourable Minister for Rural Development & Panchayat Raj, Government of Karnataka, inaugurating the Workshop on Panchayat Raj at Arasinakunte on 28th September 1985. To his left is Dr. G. Pais, FEVORD-K President.



emphasis on decentralization of both power and property. Even major Western democracies are floundering because of their conventional framework. The only answer to the myriad problems dogging the world is to be found in the Gandhian approach. Panchayat Raj is directly derived from Gandhian philosophy."

Rural masses have to be weaned from their fatalistic disposition, and made development-oriented. The present Panchayat Raj legislation of Karnataka is intended to set this process in motion. A major difference between the present Act and the earlier Acts is that while the earlier attempts concentrated on administrative mechanisms, the present Karnataka Zilla Parishads Act has sound philosophical foundations. From this viewpoint, this Act is even more people-oriented than the Gujarat and West Bengal Acts. The Zilla Parishad is being invested with the responsibility of drawing up plans, implementing and supervision, while in West Bengal these powers are retained by the Councillor. Also, in Karnataka, the District Rural Development Societies are being dissolved and merged with the Zilla Parishad.

Till the requisite infrastructure is built at the Mandal level, the Zilla Parishad will act as a friend and guide. In the State budget, out of Rs. 850 crores, about Rs. 250-400 crores are being allotted to the Panchayat Raj institutions. At the drafting stage, the designation of the Zilla Parishad functionary was discussed at length and it was decided that he should be called Secretary, as is the case in government at the State level.

Thus, within the framework of the Constitution, the Panchayat Raj

legislation is an honest and far-reaching step towards empowering the people. Parts of the Act may need some time for implementation. For instance, transferring the horticultural activities will involve 20-30 amendments to existing laws. All should co-operate in overcoming such constraints.

How to disseminate information about the Panchayat Raj institutions? Gandhiji's precept of openness should guide us. People should have right to information, and also right to organisation. Only then can we have an open society. It is voluntary organisations that should play an important role in awareness-building.

There are naturally apprehensions about party politics. There cannot be anything wrong in ideologically based party politics. Even Gandhiji accepted this. The Panchayat Raj legislation is chiefly aimed at development, and provision has therefore been made for constituting various committees, to keep petty politics at bay. Voluntary organisations, which are non-political, should work to make these committees proper instruments of development.

Sri P. R. Nayak, Development Commissioner, and other officials of the Revenue Department further elaborated the important features of the Panchayat Raj legislation, and observed that the intended decentralization would result in greater participation of the people and, consequently, more efficient implementation of developmental programmes. Active Gramasabhas could make the Mandal Panchayats dynamic. Voluntary organisations have a crucial role in activating the Gramasabhas.

Sessions 2 and 3

In the afternoon session Dr. Mumtaz Ali Khan welcomed the enactment of the Zilla Parishads legislation as a positive and progressive step towards empowerment of the rural people. While appreciating the main thrust of the Act, he felt, if the benefits of the new system should really reach the masses, greater representation and weightage should be given to the economically and socially backward classes of people. If Presidents of Mandal Panchayats are drawn from the dominant classes, the condition of small farmers, Harijans, tribal people, women and other oppressed sections is not likely to improve, said Dr. Khan.

In the evening session Sri Parthasarathy, a delegate from Andhra Pradesh, explained the features of Mandal Panchayats working in that state and some of the problems faced.

Second Day : Session 4

On 29th September Sri S. R. Hiremath, Chairman of the FEVORD-K Committee for Liaison with Government, initiated the second day's proceedings with a statement of people's expectations from the Panchayat Raj system, and the problems likely to be encountered in the implementation of the various provisions. He invited the participants to discuss the role of voluntary organisations in this context. Devolution of more powers to the people, greater exercise of existing rights, improvement of the economic status of the people, greater self-dependence in health dairy and other activities, harnessing people's latent energies for constructive purposes and allied matters were raised by the delegates.

The participants were requested to deliberate on (i) lacunae in the

present Zill Parishads Act; (ii) the role of voluntary organisations before, during and after the Panchayat Raj elections; (iii) other complementary efforts needed to make the implementation of the Act effective.

The participants divided themselves into four subgroups for detailed discussion focussing on the above aspects. Some of the reactions and suggestions that emerged were as follows :

I. Amendments Suggested For Exploration

1. Representation of women to be increased.
2. Reservation to be extended to the economically backward also.
3. Adhyaksha and Upadhyaksha of Zilla Parishad to be from among the scheduled castes or tribes wherever these are in a majority.
4. Provision for recalling an elected representative in case of non-performance, corruption, etc.
5. Compulsory closure of liquor shops for a week preceding elections.
6. Holding of elections to be made mandatory.
7. Role of Government officers to be minimal; officers to be ordered to carry out the mandates of Panchayats and other elected bodies.
8. Training and orientation programmes for newly elected members.
9. Role of Zilla Parishad in the context of policing, educational, health and other matters to be specifically defined.
10. Mandal Panchayats to be empowered to frame rules and to appoint the Secretary.

11. Drawing up of development plans to be entrusted to Mandal Panchayats.

12. Role of Mandal Panchayat vis-a-vis Gramasabhas to be defined.

13. Independent mechanism for selection and appointment of staff for Mandal Panchayats and Zilla Parishads.

II. Role of Volags

(a) Before Elections :

1. Special Camps.
2. Group discussions.
3. Cultural programmes.
4. Street plays.
5. Film shows.
6. Gramasabha meetings.
7. Distribution of specially prepared literature.
8. Forums like Mahila Mandals, Youth organisations etc.
9. Non-party attitude to be fostered.
10. School and college staff to spread information.
11. Government to help voluntary efforts for awareness-building.
12. Formation of watchdog committees for facilitating smooth elections.
13. Love of the land and positive attitude to development to be nurtured.
14. Shramadan concept to be popularized.
15. Village work to be entrusted to local villagers instead of outside contractors; villagers may be encouraged to contribute one day's labour in a week.
16. Literature and other aids for emphasizing human resources as against material resources for development.
17. Sale of raw materials to places outside the village to be discouraged; sale of finished products to be encouraged.
18. People to be strengthened to oppose political or party interference.

(b) During Elections :

1. Prevention of bribery, misuse of authority, etc.
2. Non-party citizens' committees to be formed in each area.
3. People to insist on elections being held.
4. Meetings of Gramasabha at stipulated intervals to be announced in advance and demanded.
5. Local voluntary organisations to be requested to collaborate with the regional watchdog committee proposed.
6. Activities to be minimized after the proclamation of elections and till the election days.
7. Persuading all citizens to exercise franchise without fail.
8. Government to bear the costs of election candidates.
9. Selection of candidates by consensus to be encouraged.

(c) After Elections :

1. Programmes to provide training to the newly elected members to be organised.
2. Continuous supervision over the performance of elected representatives.
3. Education of the public about their rights and responsibilities.
4. Spread of awareness about the obligations of elected representatives.
5. Continuous dialogue with the Mandal Panchayat about developmental activities in the region.
6. Campaign for recall of non-responsive or corrupt members.
7. Elected representatives to work for the entire society irrespective of individual background.
8. Decisions at meetings to be by consensus.
9. Encouraging defeated candidates also to participate in developmental activities.

10. Voluntary organisations to strengthen the Gramasabha and to persuade the public to participate in its deliberations.

11. Monthly meetings wherein the elected representative should convey Mandal Panchayat decisions to Gramasabha and participate in discussion thereon.

12. State Government to plead with the Central Government to vest in the Mandal Panchayat the authority to make all decisions about developmental programmes pertaining to the region.

13. Voluntary organisations to be invited to help in studying and analysing the performance of Mandal Panchayats as well as Gramasabhas.

III. Complementary efforts needed

1. Watchdog committees to be formed consisting, inter alia, of agricultural labourers, landlords, the landless etc.; members to be non-controversial and possess clean record.

2. Women also to be included in watchdog committee.

3. Special mechanisms for preventing corruption, especially during elections.

4. FEVORD-K and similar institutions to be used to bring to the notice of government the needed changes from time to time.

5. Voluntary organisations like FEVORD-K to be requested to help in providing training and orientation to newly elected representatives.

6. At least one watchdog committee to oversee the functioning of Zilla Parishad.

* * *

Session 5

After the subgroup meetings, the four subgroups presented their reports to the full house. At this concluding session, Sri P. G. Puranik, Secretary to the Government of Karnataka, Rural Development and Co-operation, and heads of revenue administration in the district were present. Sri S. R. Hiremath summarized the earlier day's proceedings. Dr. Mumtaz Ali Khan, social scientist, Dr. G. Pais, President, FEVORD-K, Sri S. R. Ramaswamy of Arogya Vikasa Prakalpa, Dr. S. Kusuma of Sneha-kunja, Sri H. S. Doreswamy of Karnataka Sarvodaya Mandal and other participants expressed their views about the different aspects of the enactment. It was decided to form a FEVORD-K committee with Dr. Mumtaz Ali Khan as Chairman to prepare a memorandum of suggestions for amendment of the Act to the government.

The committee could, among other things, discuss the following aspects:

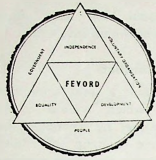
- 1) Proportion of representation to women and weaker sections.
- 2) Details of appointment of staff to Panchayat Raj institutions.
- 3) Propriety of including Mandal Panchayat members in Nyaya Panchayats to be examined.
- 4) Limits to Zilla Parishad's control over Mandal Panchayat.
- 5) Mandal Panchayat to frame its own rules of procedure.
- 6) Area to be covered by Nyaya Panchayat.
- 7) Propriety of making the local member of Legislative Assembly the President of the elected Panchayat Raj body to be examined.
- 8) Propriety of District Commissioner presiding over first meeting of Zilla Parishad to be examined.
- 9) Role of existing governmental machinery vis-a-vis Panchayat Raj institutions to be clarified.

Conclusion

Sri P. G. Puranik explained the rationale behind some of the provisions in the Act. He expressed appreciation of the initiative taken by FEVORD-K and its member organisations in arranging the Panchayat Raj workshop. He assured government's support to a training camps and other activities contemplated by voluntary organisations.

-S. R. R.

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SWAYAM GRAMABHYUDAYA

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QUARTERLY NEWSLETTER OF THE FEDERATION OF VOLUNTARY ORGANISATIONS FOR RURAL DEVELOPMENT IN KARNATAKA

VOLUME 4 ISSUE NO. 3 JULY 1986 FOR PRIVATE CIRCULATION

Panchayat Raj Act : Some Reflections

By Dr. MUMTAZ ALI KHAN *

The Karnataka Zilla Parishads, Taluk Panchayat Samitis, Mandal Panchayats and Nyaya Panchayats Act 1985 is a radical piece of social legislation aiming at democratic de-centralization and social justice. It is considered to be a powerful instrument for social transformation which can be sustained and achieved when this Act (popularly called Panchayat Raj Law) is effectively implemented. This depends to a large extent on the quality of people's participation. However, a law which is to articulate the feelings and needs of the people in a changing society has to have sharp teeth and meaningful provisions. The rural power-structure has to be equitably distributed among the different sections of the rural population. But when attempts are made in this direction, the vested interests are bound to create problems.

To meet this challenge, we should closely examine the provisions of the law and see whether there is meaningful distributive justice while transferring power

* Dr. Mumtaz Ali Khan is a well-known social scientist and social worker, associated with Centre for Development Education, Bangalore, Centre for Research & Development of Dalits, and other service groups. He is presently also a Vice-President of Karnataka unit of Citizens for Democracy.

to the people. The second aspect of public scrutiny relates to the organic linkages among the different tiers of the system. The third aspect refers to the role of voluntary organisations in preparing people for effective participation in and contribution to rural development. These issues are briefly examined with reference to the adequacy of the law.

Distributive Justice

Some of the provisions of law, though they apparently seem to provide fair representation to the weaker sections, are explicitly ineffective. It is no doubt gratifying to note that twenty-five per cent of the seats are reserved for the SC and ST, and also another twenty-five per cent for women. But there is ample reason to apprehend that in effect, there would be unrealistic social situations which would perpetuate the traditional monopolist tendencies. The reservation for SC/ST poses a major problem where both SC and ST are available. It is better to specify the seats for SC and ST separately.

The reservation for women should be further examined to provide adequate representation to women of different social strata. Otherwise, women belonging to

the higher strata will capture all the seats. Women of lower strata, particularly those who depend upon the higher castes and classes for their very existence, remain virtually subordinated.

Reservation for SC/ST women is made only in respect of the seats. But unless these weaker sections have access to power at the highest level of decision-making, mere membership will not serve the purpose. Representation to backward classes is virtually denied. Instead of negligible one-seat reservation, there should have been more substantial representation.

The Nyaya Panchayat structure is not adequate and effective. It is laid down that Nyaya Panchayat members are elected by the Mandal Panchayat. But what is not clear is from among whom these members are to be elected. The Nyaya Panchayat should be for each Grama-sabha. Further, if illiterate members are elected, how can they record their decisions? There seems to be some contradiction here.

Role of Grama-sabha

The Grama-sabha is no doubt accorded a legal recognition. But, will the social situation permit all sections of the village to effectively

participate in the deliberations? Will the scheduled castes be permitted to have their freedom of expression and movement when they are in the upper-caste area to attend the meetings of Grama-sabha? It is the Chairman of the Mandal Panchayat who has to preside over the Grama-sabha meeting. Would it not be desirable to allow the Grama Nivasis to have their own presiding officer? There is no mention of the secretarial assistance for conducting and recording the deliberations of the Grama-sabha. The budgetary requirement of the Grama-sabha is also not mentioned.

The Act lays down that the Chairman of Taluk Panchayat Samiti shall be the M.L.A. of the taluk. This is a patent infringement upon the rights of the members of the samitis. The spirit of democracy expects that some one among the members themselves should be the Chairman.

It is often being said that the Mandal Panchayat is a very powerful body and totally independent. But an objective examination of the provisions indicates that the Zilla Parishad is likely to exercise tremendous pressure on the Mandal Panchayats. The secretary of the Mandal Panchayat, according to the Act, has to be an employee of the Zilla Parishad. Why should it be so? It is better

that Mandal Panchayat has its own staff in adequate number. Further the law says that the Mandal Panchayat should obtain the previous sanction of the Zilla Parishad to frame its own by-laws. This is an uncalled-for intervention of the Zilla Parishad.

Bureaucratic Interference

The first meeting of the Zilla Parishad has to be presided over by the Divisional Commissioner. This legal provision kills the very spirit of democracy. Why should a top bureaucrat preside over the destiny of the very first meeting of the Zilla Parishad? Why cannot some one from among the members themselves preside over the first meeting, as is done in the case of the first meeting of the Legislative Assembly?

The Act provides for superlative powers to the Zilla Parishad over the Mandal Panchayat. The Zilla Parishad may, by an order published in the Official Gazette, dissolve a Mandal Panchayat if it fails to carry out any of the directions of the Zilla Parishad or for some other reason specified in the Act.

It is strange that the Act itself stipulates that the meeting of the Mandal Panchayat shall not be held before 8 a.m. or after 7 p.m. This is something that calls for an explanation from the Government,

as this could have been done through an administrative order.

Potential Conflict

These are a few important provisions which need to be corrected either by amending the Act or while framing the Rules depending upon the legal requirements. However, unless these corrections are incorporated, there is bound to be a conflict between the Zilla Parishad and the Mandal Panchayat, between the State Government and the Zilla Parishad, between the executive and the Nyaya Panchayat, and between the traditional power structure and the emerging new force.

The people for whose benefit the law has been framed and for whose development the Government has been trying should be educated about the need for compulsory election and the role of the people in a participatory democracy. People's behaviour before the elections, during the elections and after the elections would decide the fate of the new law. The voluntary organisations have to be recognised by the Government to play their role in promoting and safeguarding the much publicised democratic decentralization for a value-based, need-based, time-bound rural transformation.

FEVORD-K ANNUAL GENERAL MEETING

The Annual General Body Meeting of the Federation of Voluntary Organisations for Rural Development in Karnataka (FEVORD-K) was held on 4th April 1986. The meeting was hosted by SHUBADHA, Suralpady, Mangalore. 47 persons representing 21 member-organisations were present. G. Pais, President, was in the chair.

Minutes of the previous Annual General Body Meeting held at Segar on 9th March 1985 and of the Special General Body Meeting held at Bangalore on 3rd May 1985 were approved.

The report of activities for 1985 and the statement of accounts for the year ending 31st December

1985 were presented and passed unanimously. The plan of activities for the current year was formulated.

ELECTION : Based on the suggestions of the nominations committee, the following office-bearers and members were unanimously elected to the Board of Management :

1. Celine Aranha, Shubadha
President
2. Shyamala Hiremath, IDS
Vice-President
3. Mandakini Bhadri, Shubadha
Secretary
4. S. Kusuma, Snehakunja
Treasurer

MEMBERS :

5. G. Pais, DEED
6. S. R. Ramaswamy,
Arogya Vikasa
7. G. N. Narayana Prasad, INGRID
8. T. Pandiarajan, IYD
9. H. N. Somasundaram, VGKK
10. S. R. Hiremath, TNC
11. Mahesh H. Lobo, ICRA
12. Ranjan Rao Yerdooor,
Nagarika Seva Samiti
13. Raj lyer, Gram Vikas
14. Naren Udayagiri
15. Jyoti Raj, RED

It was suggested that a committee should be appointed to study and make recommendations in regard to some needed amendments to rules.

J. N. Sridharan was appointed auditor for 1986.

After detailed discussion, the following resolutions were passed unanimously :

RESOLUTION 1

Re : Proposed National Council, State Councils and 'Code of Conduct'

"This meeting of the voluntary organisations as the General Body of FEVORD-K strongly reiterates that voluntariness is the very basis

of our existence and activities, and that any effort to modify it has to be viewed with concern. It therefore considers the new proposals for a Draft Bill circulated by PADI for National and State Councils for Rural Voluntary Agencies as unnecessary and not desirable because they strike at the very root of voluntariness."

RESOLUTION 2

Re : Activities of the Kudal Commission

"We the representatives of voluntary organisations assembled on the occasion of Annual General Body Meeting of the Federation of Voluntary Organisations for Rural Development in Karnataka (FEVORD-K) have felt a serious concern about the activities of the Kudal Commission. The way in which this commission has gone about 'investigating' the activities of the Gandhian voluntary organisations, without any specific charges to probe into and a definite frame of reference, has led to harassment of a large number of voluntary organisations and has appropriately earned the commission the stigma of a witch-hunt. We, therefore, resolve unanimously to call upon the Government to wind up this commission immediately in order that the initiatives and efforts of voluntary organisations to help the poor help themselves may not be curbed."

RESOLUTION 3

Re : Rural Employment Guarantee Scheme

"We, from the voluntary organisations working with the rural poor from the various parts in Karnataka, are happy about the announcement of the Rural Employment Guarantee Scheme (REGS) by the Government of Karnataka in 1983. However, we are very concerned about the lack of any significant progress to implement the scheme.

"After a careful study of the Employment Guarantee Scheme (EGS) of Maharashtra and the beneficial impact it has had on the rural poor, we urge the Government of Karnataka to enact a legislation along the lines of the Employment Guarantee Act (Maharashtra). This, in our opinion, will be a significant step in the direction of recognizing the 'Right to Work'.

"We, from the voluntary sector, pledge our full co-operation and support to the Karnataka Government in the formulation and implementation of this important measure to empower the rural poor".

The next Annual General Body Meeting would be held at Snehakunja, Kasarakod, Honavar Taluk, Uttara Kannada District, in March 1987.

FEVORD-K

**Receipts and Payments Account for the Year Ending 31-12-1985
(Local Contribution)**

	Rs.	P.		Rs.	P.
To Opening Balance :			By Bank Charges		20.50
Cash on Hand		56.69	Transferred to foreign contribution		
Cash at Bank		10,891.30		Bank A/c.	4,200.00
" Donations received		6,000.00	" Closing Balance :		
" Bank Interest received		536.50	Cash on hand		81.69
" Subscription from Members		1,186.00	Cash at Bank		14,368.30
		18,670.49			18,670.40

FEVORD-K : Receipts & Expenditure Payments Account for the Year Ending 31-12-1985

(Foreign Contribution)

	Rs.	P.		Rs.	P.
To Opening Balance :			By Salary	11,060.00	
			" Bank Charges	113.72	
Cash on hand	—		" Travelling & Conveyance	4,427.24	
Cash at Bank	33,889.98		" Postage, Telegrams & Telephones	1,860.25	
" Donations Received	48,000.00		" Sundry Expenses	1,335.00	
" Bank Interest Received	2,356.00		" Printing & Stationery	2,661.75	
Transferred from local contribution			" Printing Bulletins & Case Studies	9,320.45	
Bank Account	4,200.00		" Payments towards books under print	5,125.00	
			" Camp expenses	2,961.00	
			" Programme expenses	8,643.70	
			" Service Charges	3,150.00	
			" Contingency	640.10	
			" Closing Balance :		
			Cash on Hand	3,457.46	
			Cash at Bank	33,780.26	
	
	88,445.98			88,445.98	
	

As per Books Produced and Information Furnished

Sd/-

J. N. SRIDHARAN
Chartered Accountant

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- (2) It shall come into force on the date of Publication in the Gazette.
2. Definitions.—In this Ordinance unless the context otherwise requires—
- (a) "appointed day" means the date of commencement of this Ordinance under sub-section (2) of Section 1 ;
- (b) "Ayog" means the Uchcha Shiksha Anudan Ayog established under section 3 of the Madhya Pradesh Uchcha Shiksha Anudan Ayog Adhiniyam, 1973 (No. 21 of 1973).
3. Repeal of savings.—(1) On the appointed day the Madhya Pradesh Uchcha Shiksha Anudan Ayog Adhiniyam, 19 3 (No. 21 of 1973) shall stand repealed and the Ayog shall stand dissolved.
- (2) All assets and liabilities of the Ayog on the appointed day shall stand vested in the State Government and the State Government shall have all powers necessary to take possession, recover and deal with such assets and discharge such liabilities.
- (3) Any Proceedings pending immediately before the appointed day to which the Ayog was a party shall be continued as if the State Government was a party thereof in lieu of the Ayog.

THE MADHYA PRADESH PANCHAYAT RAJ ADHINIYAM, 1993

No. 1 of 1994*

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*Received the assent of the Governor on 24th January 1994 and the Act Published in M. P. Rajpatra (Asaulara) dated 25-1-94 Page 24(51-97).

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[Received the assent of the Governor on the 24th January, 1994, assent first published in the "Madhya Pradesh Gazette (Extraordinary)" dated the 25th January, 1994.]

An Act to consolidate and amend the law relating to establishment of Panchayats with a view to ensure effective involvement of the Panchayat Raj institutions in the local administration and development activities.

Be it enacted by the Madhya Pradesh Legislature in the Forty-fourth year of the Republic of India as follows :—

CHAPTER I

Preliminary

1. Short title, extent and commencement —(1) This Act may be called the Madhya Pradesh Panchayat Raj Adhiniyam, 1993.

(2) It extends to the whole of Madhya Pradesh.

(3) It shall come into force at once.

2. Definitions —In this Act, unless the context otherwise requires,—

- (i) "block" means such area in a district as the Governor may specify to be a block under sub-section 2 of Section 10 ;
- (ii) "Cooperative Society" shall have the same meaning as assigned to it in the Madhya Pradesh Cooperative Societies Act, 1969 (No 17 of 1961) ;
- (iii) "District" means a Revenue district for revenue administration under the Collector ;
- (iv) "Election" means election of office-bearers of panchayat and includes cooption of office-bearers ;
- (v) "Election Proceedings" means the proceedings commencing from the nomination of candidate for election or cooption and ending with the declaration of result of such election or cooption, as the case may be ;
- (vi) "Factory" shall have the same meaning as assigned to it in the Factories Act, 1948 (LXI of 1948) ;
- (vii) "Gram Panchayat" means a gram panchayat established under sub-section (1) of Section 10 ;
- (viii) "Gram Sabha" means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of panchayat at the village level ;
- (ix) "Janapad Panchayat" means a janapad panchayat established under sub-section (2) of Section 10 ;

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- (x) "Local Authority" shall have the same meaning as assigned to it in the Madhya Pradesh General Clauses Act, 1957 (No. 3 of 1958) ;
- (xi) "Member" means a panch of a gram panchayat, a member of a janapad panchayat or a member of a zila panchayat, as the case may be ;
- (xii) "offensive matters" include animal carcases, dung, dirt, sewage or putrid substances or filth of any kind ;
- (xiii) "Office bearer" means a panch, sarpanch or upsarpanch of a gram panchayat, a member, president or vice-president of a janapad panchayat or a member, or president or vice-president of Zila Panchayat, as the case may be ;
- (xiv) "Other Backward Classes" mean category of persons belonging to backward classes as notified by the State Government ;
- (xv) "Owner" when used with reference to any land or building includes the person receiving the rent of the land or building or of any part of the land or building, whether on his own account or as agent or trustee for any person or society or as a receiver ;
- (xvi) "Panch" means a panch of a gram panchayat ;
- (xvii) "Panchayat" means a gram panchayat, a janapad panchayat or a zila panchayat, as the case may be ;
- (xviii) "Panchayat Area" means the territorial area of a panchayat establishment under this Act ;
- (xix) "Population" means the population as ascertained at the last preceding census of which the relevant figures have been published ;
- (xx) "President" and "Vice-President" means the President and Vice-President respectively of a Janapad Panchayat or Zila Panchayat as the case may be ;
- (xxi) "Prescribed Authority" in any provision of this Act means such officer or authority, as the State Government may, by notification, direct to discharge the functions of a prescribed authority under that provision ;
- (xxii) "Public Market" or "Public Mela" means a market or mela, as the case may be, notified under the proviso to Section 50 ;
- (xxiii) "Public Place" means any place, building or structure not being private property, which is open to use of the public, whether such place, building or structure is vested in a panchayat or not ;
- (xxiv) "Public Street" means any street, footway, road, square, alley or passage, used by the public whether permanently or temporarily ;
- (xxv) "Sarpanch" and "Up sarpanch" means the sarpanch and upsarpanch respectively of a Gram Panchayat, as the case may be ;
- (xxvi) "Standing Committee" means a Standing Committee of a gram panchayat, a janapada panchayat or a Zila Panchayat, constituted under the provisions of this Act, as the case may be ;
- (xxvii) "State Election Commission" means State Election Commission constituted by the Governor under Article 243 k (1) of the Constitution ;

(xxviii) "Tax" includes a tax, cess, the rate of fee leviable under this Act ;

(xxix) "Village" means a village specified by the Governor by public notification to be a village for the purposes of this Act and includes a group of villages as specified ;

Explanation.—Term village includes revenue village and forest village.

(xxx) "Zila Panchayat" means a Zila Panchayat established under subsection (3) of Section 10.

CHAPTER II Gram Sabha

3. Notification of village.—The Governor shall by public notification specify a village or group of villages to be a village for the purposes of this Act.

4. List of voters of a village.—For every village specified under Section 3 there shall be a list of voters which shall be prepared in accordance with the provisions of this Act and rules made thereunder.

5. Registration of voters of a village.—Every person who is qualified to be registered in the Assembly roll relating to a village or whose name is entered therein and is ordinarily resident within the village shall be entitled to be registered in the list of voters of that village :

Provided that—

(a) no person shall be entitled to be registered in the list of voters for more than one village,

(b) no person shall be entitled to be registered in the list of voters if he is registered in the electoral roll relating to any other local authority.

Explanation.—() The expression "ordinarily resident" shall have the meaning assigned to it in Section 20 of the Representation of the People Act, 1950 (No. 13 of 1950) subject to the modification that reference to "Constituency" therein will be construed as a reference to "village".

(2) A person shall be disqualified for registration in the list of voters of a village if he is disqualified for registration in the Assembly roll.

6. Meeting of Gram Sabha.—(1) There shall be held at least one meeting of a Gram Sabha every year :

Provided that upon a requisition in writing by more than one third of the total number of members of Gram Sabha or if required by Janapada Panchayat, Zila Parishad or the Collector a meeting of Gram Sabha shall be held within 30 days of the requisition or such requirement.

(2) For any meeting of the Gram Sabha, one tenth of the total number of members of the Gram Sabha shall form the quorum :

Provided that no quorum shall be necessary for meeting adjourned for want of quorum.

(1) The meeting of the Gram Sabha shall be convened by the Secretary of the Gram Panchayat constituted for the Gram Sabha area in the prescribed manner.

(1) The meeting of the Gram Sabha shall be presided over by Sarpanch or in absence of Sarpanch by Up-Sarpanch. In the event of both Sarpanch

and Up-Sarpanch being absent, the meeting of Gram Sabha shall be presided over by a member of the Gram Sabha to be elected for the purpose by the majority of members present in the meeting.

(5) If any dispute arises as to whether a person is entitled to attend a meeting of the Gram Sabha, the same shall be decided by the person presiding regard being had to the entry in the list of voters of the Gram Sabha area and decision shall be final.

7. Gram Panchayat to place before Gram Sabha Statement of accounts, etc.—(1) The meeting of the Gram Sabha in every year shall be held not less than three months prior to the commencement of the next financial year, and the Gram Panchayat shall place before such meeting:—

- (a) the annual statement of accounts;
- (b) the report of the administration of the preceding financial year;
- (c) the development and other programmes of work proposed for the next financial year;
- (d) the last audit note and replies, if any, made thereto;
- (e) any other matter which the Janpada Panchayat, the Zila Parishad, the Collector or any officer authorised in this behalf may require to be placed before such meeting.

(2) It shall be open to the Gram Sabha to discuss any or all of the matters placed before it under sub-section (1) and the Gram Panchayat shall consider the suggestions, if any, made by the Gram Sabha.

CHAPTER III

Establishment of Panchayats

8. Constitution of Panchayat.—There shall be constituted for the purpose of this Act:—

- (a) a Gram Panchayat for a village;
- (b) a Janapada Panchayat for a block; and
- (c) a Zila Panchayat for a District.

9. Duration of Panchayat.—(1) Every Panchayat shall continue for five years from the date appointed for its first meeting and no longer unless sooner dissolved under this Act.

(2) An election to constitute a Panchayat shall be completed—

- (a) before the expiry of its duration specified in sub-section (1);
- (b) before the expiration of a period of six months from the date of its dissolution;

Provided that where the remainder of the period for which the dissolved panchayat would have continued is less than six months it shall not be necessary to hold any election under this clause for constituting the Panchayat for such period.

(3) A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved panchayats, who have continued under clause (1) had it not been so dissolved.

10. Establishment of Gram Panchayat, Janapada Panchayat and Zila Panchayat.—(1) There shall be a Gram Panchayat for every village specified as a village for the purpose of this Act under Section 3.

(2) The Governor may by notification, divide a district into blocks. The notification shall specify the name of every such block, its headquarters and the area comprised therein. For every block there shall be a Janapada Panchayat which shall be known by the name of the block.

(3) There shall be a Zila Panchayat for every district :

Provided that every municipal corporation, municipal council, town area committee, notified area committee or special area development authority established and constituted within the block and district under relevant law for the time being in force shall form a separate administrative unit for the respective areas within their jurisdiction under the relevant law.

11. **Incorporation of Panchayat**—Every Gram Panchayat, Janapada Panchayat and Zila Panchayat shall be body corporate by the name specified, there for in the order under Section 3 for village or notification under Section 10 for Janapada Panchayat and Zila Panchayat as the case may be, having perpetual succession and a common seal and shall by the said name, sue and be sued and shall subject to the provisions of this Act and the rules made thereunder, have power to acquire, hold or transfer property movable or immovable, to enter into contracts and to do all things necessary for the purpose of this Act.

12. **Division of Gram Panchayat into wards**.—Each Gram Panchayat area shall be divided into not less than ten wards as may be determined by the collector and each ward shall be a single member ward :

Provided that where the population of Gram Panchayat area is more than one thousand it shall be divided into wards in such manner that the total number of wards shall not exceed twenty and the population of each ward shall as far as practicable, be the same in each ward :

Provided further that the ratio between the population of the Gram Panchayat area and the number of wards in such Panchayat shall, so far as practicable, be the same throughout the block within which the Panchayat area falls.

13. **Constitution of Gram Panchayat**.—(1) Every Gram Panchayat shall consist of—

- (i) Panchas elected from the wards and elected sarpanchas ;
- (ii) Panchas co-opted, if any, under sub-sections (6) and (7).

(2) If any ward fails to elect a panch, fresh election proceedings shall be commenced in such ward within two months to fill the seat :

Provided that further proceedings for co-option and constituting the Gram Panchayat shall not be stayed pending election of a panch in accordance with this sub-section.

(3) For the purpose of co-option of panch under sub-sections (6) and (7) no elected panch shall represent more than any one of the interests specified in the proviso to sub-section (6) or in sub-section (7) and in the event of any elected panch being capable of representing more than one such interest, he shall be deemed to represent only one such interest in the following order or priority to the exclusion of the remaining,—

- (i) Scheduled Castes/Scheduled Tribes ;
- (ii) Cooperative Societies.

(4) (i) Seats shall be reserved in every Gram Panchayat for—
(a) the Scheduled Castes, and

(b) the Scheduled Tribes and the number of seats so reserved shall bear, as nearly as may be the same proportion to the total number of seats to be filled by direct election in that Gram Panchayat as the population of the Scheduled Castes or of the Scheduled Tribes in that Gram Panchayat area bears to the total population of that area and such seats shall be allotted by the prescribed authority by rotation to different wards in that Gram Panchayat, in the prescribed manner.

(ii) In a Gram Panchayat where fifty percent or less than fifty percent seats have been reserved both for the Scheduled Castes and Scheduled Tribes, twenty five percent seats of the total number of seats shall be reserved for other Backward Classes and such seats shall be allotted by rotation to different wards in that Gram Panchayat by the Collector in the prescribed manner.

(5) Not less than one-third of the total number of seats reserved under sub-section (4) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes or other Backward Classes.

(6) Not less than one-third including the number of seats reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and other Backward Classes of the total number of seats to be filled by direct election in every Gram Panchayat shall be reserved for women and such seats may be allotted by the prescribed authority by drawing of lots and by rotation to different wards in a Gram Panchayat in the prescribed manner :

Provided that the wards which have no population of Scheduled Castes or Scheduled Tribes or other Backward Classes shall be excluded for allotment of seats reserved for Scheduled Castes or Scheduled Tribes, or other Backward Classes as the case may be :

Provided further that in case no reservation of seats is possible as aforesaid due to small population of Scheduled Castes and Scheduled Tribes, and the elected panchas do not already include a panch of such castes or tribes and the combined population of Scheduled Castes, and Scheduled Tribes is atleast five percent of the total population of the Gram Panchayat area, the Gram Panchayat shall coopt a person of Scheduled Castes or, Scheduled Tribes as the case may be who is qualified for being a panch of the Gram Panchayat.

(7) If the elected panchas do not include a member of the committee of a cooperative society functioning within the Gram Panchayat area, the Gram Panchayat shall co-opt a member of the committee of co-operative society who is qualified for being a panch of the Gram Panchayat.

Explanation.—For the purpose of this sub-section the expression 'Committee' shall have the meaning assigned to that expression in clause (d) of Section 2 of the Madhya Pradesh Cooperative Societies Act, 1960 (No. 17 of 1961).

Notes

Reservation of wards for women by applying system of rotation and drawing lot. The provision of Act is not against the spirit of the Adhinyam. Mukuud Das and another v. State of M. P. and others. 1993 MPLJ 767.

14. Qualification to vote and to be a candidate.—(1) Every person whose name is included in the list of voters of a village shall be qualified to vote at

the election of an office bearer of a panchayat within whose area the village is comprised.

(2) Every such person unless disqualified under this Act or any other law for the time being in force shall be qualified to be elected or co-opted, as the case may be, as office-bearer of a Panchayat.

15. **Prohibition of simultaneous membership**—No person shall be eligible for seeking election as an office bearer of a Panchayat from more than one ward or constituency as the case may be.

16. **Meeting of co-option**—The prescribed authority shall, as soon as may be, after every general election, call a meeting of the elected panchas of the Gram panchayat for the purpose of co-opting panchas as required by Section 13 if necessary.

17. **Election of Sarpanch and Up-Sarpanch**—(1) In every Gram Panchayat there shall be a Sarpanch and an Up-Sarpanch. A person who—

- (i) is qualified to be elected as panch ;
- (ii) is not a member of either House of Parliament or member of State Legislative Assembly ; and
- (iii) is not Chairman or Vice-Chairman of Co-operative Society ;

shall be elected as a Sarpanch, subject to the provisions of sub-sections (2), (3) and (4), by persons whose names are included in the list of voters of the Gram Panchayat area in such manner as may be prescribed.

(2) (i) Such number of seats of Sarpanchas of Gram Panchayats shall be reserved for Scheduled Castes and Scheduled Tribes in the Gram Panchayat within the block which bears the same proportion to the total number of sarpanchas in the block as the proportion of the Scheduled Castes and Scheduled Tribes in the block bears to the total population of the block.

(ii) Where the total population of Scheduled Castes and Scheduled Tribes in the Block is less than fifty percent, Twenty five per cent of seats of Sarpanchas of Gram panchayats within the Block shall be reserved for other backward classes.

(3) Not less than one-third of the total number of seats of Sarpanchas within the block shall be reserved for women.

(4) The seats reserved under this section shall be allotted by the prescribed authority in the Gram Panchyat within the block by rotation in the prescribed manner.

(5) The Prescribed Authority shall immediately after the co-option of Panchas under Section 16 call a meeting of the Gram Panchayat for the purpose of election of Up-Sarpanch and subject to provisions of sub-section (7) the Gram Panchayat shall in the meeting so called elect from amongst its elected panchas who are not Chairman or Vice-Chairman of Cooperative Society or members of either House of Parliament or members of the State Legislative Assembly, and Up-Sarpanch.

(6) If the Sarpanch of the Gram Panchayat does not belong to Scheduled Castes, or Scheduled Tribe or other Backward Classes the Up-Sarpanch shall be elected from amongst the Panchas belonging to such castes or tribes or backward classes.

(7) If the Sarpanch or the Up-Sarpanch becomes the member of either House of Parliament or a member of the State Legislative Assembly or Chairman or Vice-Chairman of a Co-operative Society he shall be deemed to have vacated his office as Sarpanch or Up-Sarpanch, as the case may be, with effect from the date of becoming such member or Chairman or Vice-Chairman and a casual vacancy shall be deemed to have occurred in such office for the purpose of Section 38.

(8) Notwithstanding anything contained in this section the Sarpanch shall be deemed to be a panch of Gram Panchayat for the purposes of this Act.

18. **Handing over charge by outgoing Sarpanch.**—The outgoing Sarpanch shall hand over the charge of his office to the new Sarpanch forthwith on taking over the charge of the office by the new Sarpanch :

Provided that the Sarpanch, who is no more in office due to resignation, no-confidence motion or removal under this Act, as the case may be, shall hand over forthwith the charge of his office to the Up-Sarpanch and if the office of Up-Sarpanch is vacant to the Secretary of the Gram Panchayat forthwith after the date of resignation, passing of no-confidence motion or removal, as the case may, be.

(2) If the outgoing Sarpanch fails or refuses to hand over charge forthwith of his office in accordance with sub-section (1), the prescribed authority may by order in writing direct the outgoing Sarpanch to hand over forthwith the charge of his office and all papers and property in his possession as sarpanch to the new Sarpanch, Up-Sarpanch or Secretary of the Gram Panchayat, as the case may be.

(3) If an out-going Sarpanch fails to comply with the direction under sub-section (2), the prescribed authority shall proceed against him in accordance with Section 92 and shall take necessary steps to launch prosecution under Section 98.

(4) A sarpanch against whom an action has been taken under sub-section (3) and who was been found guilty, shall be disqualified to be member or an office-bearer of panchayat for a period of six years from the date on which he has been found guilty :

Provided that such disqualification may be removed or the period thereof may be reduced by the State Government for reasons to be recorded in writing.

19. **Notification of election, co-option etc.**—(1) Every election and co-option of Sarpanch Up-Sarpanch and Panchas as the case may be, shall be published by the prescribed authority in such manner as may be prescribed.

20. **First meeting and term of office.**—(1) First meeting of the Gram Panchayat shall be held within 30 days of the date of the publication under Section 19. Such meeting shall be convened by the prescribed authority and the provisions of section 41 regarding meeting as far as may be shall apply in respect of the said meeting.

(2) The office bearers of the Gram Panchayat shall hold office for five years from the date of the first meeting and no longer :

Provided that notwithstanding anything contained in this sub-section every person becoming an office bearer of a Gram Panchayat shall cease to hold office forthwith—

(i) on his ceasing to be—

- (a) a voter of the Gram Panchayat area ; or
 - (b) a member of the committee of co-operative society functioning within the Gram panchayat area by virtue of which he was co-opted under sub-section (7) of Section 13.
- (ii) On his becoming a member of State Legislative Assembly or member of either House of Parliament.

(3) If before of the expiry of the period mentioned in sub-section (2), the Gram Panchayat is not reconstituted, it shall stand dissolved on the expiry of the said period and the provisions of section 87 shall apply thereto for a period not exceeding six months within which the Gram Panchayat shall be reconstituted in accordance with the provisions of this Act.

21. No-confidence motion against Sarpanch and Up-Sarpanch.—(1) On a motion of no-confidence being passed by the Gram Panchayat by a resolution passed by majority of not less than three fourth of the panchas present and voting and such majority is more than two third of the total number of panchas constituting the Gram panchayat for the time being, the Sarpanch or Up-Sarpanch against whom such motion is passed, shall cease to hold office forthwith.

(2) Notwithstanding anything contained in this Act or the rules made thereunder a Sarpanch or an Up-Sarpanch shall not preside over a meeting in which a motion of no-confidence is discussed against him. Such meeting shall be convened in such manner as may be prescribed and shall be presided over by an officer of the Government as the Prescribed Authority may appoint. The Sarpanch or the Up-sarpanch, as the case may be shall have a right to speak at, or otherwise to take part, in, the proceedings of the meeting.

(3) No-confidence motion shall not lie against the sarpanch or Up-sarpanch within a period of—

- (i) one year from the date on which the sarpanch or Up-sarpanch enter their respective office ;
- (ii) six months preceding the date on which the term of office of the sarpanch or Up-sarpanch, as the case may be, expires ;
- (iii) one year from the date on which previous motion of no-confidence was rejected.

22. Composition of Janapad Panchayat.—(1) Every Janapad Panchayat shall consist of the following :—

- (i) Members elected from the constituencies ;
- (ii) member, if any co-opted under sub-sections (3), (4) and (5) ;
- (iii) All members of the State Legislative Assembly returned from the constituencies which wholly or partly fall within the block :

Provided that a member of the State Legislative Assembly whose constituency wholly falls within an urban area shall not be a member of the said Janpad Panchayat.

(2) For the purpose of co-optation of members under sub-sections (3) and (4) no member mentioned in clause (i) of sub-section (1) shall represent more than any one of the interests specified in sub-sections (3) and (4) and in the event of any such member being capable of representing more than one such interests, he shall be deemed to represent one such interest, in the following order of priority to the exclusion of the remaining—

- (i) Scheduled Castes/Scheduled Tribes,

(ii) Cooperative Marketing Society or Cooperative Bank.

(3) If the members mentioned in clause (i) of sub-section (1) do not already include a member of Scheduled Castes or Scheduled Tribes the Janapad Panchayat shall co-opt a person belonging to such Castes or Tribes.

(4) If the members of a Janapad Panchayat mentioned in clause (i) of sub-section (1) do not include a Director of Cooperative Marketing Society or of a Cooperative Bank the Janapada Panchayat shall co-opt a Director either of the Cooperative Marketing Society or of the Cooperative Bank having jurisdiction over the block.

(5) If the members of a Janapada Panchayat mentioned in clause (i) of sub-section (1) do not include a member of market committee/committees constituted under the Madhya Pradesh Krishi Upaj Mandi Adhiniyam, 1972 (No. 24 of 1973) having jurisdiction over market area partly or wholly falling within the block the prescribed authority shall convene a meeting of the members of such committee/committees to elect a member from amongst themselves in such manner as may be prescribed to represent such committee/committees in Janapada Panchayat.

(6) Any person who is not a voter of Gram Panchayat area within the block and is not qualified to be elected as a Panch of a Gram Panchayat within the block and who is a member of either House of Parliament or a member of the State Legislative Assembly shall not be co-opted under sub-sections (3) and (4) or elected under sub-section (5).

(7) If any constituency fails to elect a member, fresh election proceedings shall be commenced in such constituency within two months to fill the seat :

Provided that further proceedings of co-optation and election of President and Vice-President of the Janapad Panchayat shall not be stayed pending the election of a member in accordance with this sub-section.

23. Division of block into constituencies.—(1) Subject to the provisions of sub-section (2), the State Government shall by notification divide a block into such number of constituencies that each constituency has as far as practicable a population of five thousand and every constituency shall be a single member constituency :

Provided that where the population of a Block is less than fifty thousand it shall be divided into not less than ten constituencies and the population of each constituency shall be as far as practicable be the same in each constituency :

Provided further that the total number of constituencies in a block shall not exceed twenty five.

(2) The ratio between the population of the territorial area of a Janapad Panchayat and the number of constituencies in such Janapad Panchayat shall, so far as practicable, be the same throughout the State.

(3) (i) Seats shall be reserved for—

(a) the Scheduled Castes ; and

(b) the Scheduled Tribes,

in every Janapad Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Janapada Panchayat as the population of the Scheduled Castes in that Janapad Panchayat area or the

Scheduled Tribes in that Janapad Panchayat area bears to the total population of that area and such seats may be allotted by the prescribed authority by rotation to different wards in that Janapad Panchayat in the prescribed manner.

(ii) In the Janapada Panchayat where fifty per cent. or less than fifty per cent. seats have been reserved both for the Scheduled Castes and Scheduled Tribes twenty five per cent. seats of the total number of seats shall be reserved for other Backward Classes and such seats shall be allotted by rotation to different constituencies by the Collector in the prescribed manner.

(4) Not less than one third of the total number of seats reserved under sub-section (3) shall be reserved for women belonging to the Scheduled Castes or, the Scheduled Tribes, or other Backward Classes, as the case may be.

(5) Not less than one third, (including the number of seats reserved for women belonging to Scheduled Castes and Scheduled Tribes and other Backward Classes) of the total number of seats to be filled by direct election in every Janapad Panchayat shall be reserved for women and such seats may be allotted by the Prescribed Authority by drawing lots and by rotation to different wards in a Janapada Panchayat in the prescribed manner.

Provided that the constituencies which have no population of Scheduled Castes or Scheduled Tribes or other Backward Classes shall be excluded for allotment of seats reserved for Scheduled Castes or Scheduled Tribes or other Backward Classes as the case may be.

24. Meeting for co-option.—The prescribed authority, shall, as soon as may be, after every general election, call a meeting of the elected members of Janapad Panchayat for the purposes of co-opting members as required by Section, 22, if necessary.

25. Election of President and Vice-President of Janapad Panchayat.—(1) The Prescribed authority shall, as soon as may be, after the co-option of members call a meeting of members of Janapad Panchayat for electing a President and a Vice-President of Janapad Panchayat for amongst its members.

(2) (i) Office of President of Janapad Panchayat shall be reserved for—

- (a) the Scheduled Caste ; and
- (b) the Scheduled Tribes,

and the number of offices of President reserved for the Scheduled Castes and the Scheduled Tribes in the district shall bear as nearly as may be the same proportion to the total number of such offices in the district as the population of the Scheduled Castes or the Scheduled Tribes, as the case may be bears to the total population of district :

Provided that not less than one-third of the total number of offices of President of Janapad Panchayat subject to a minimum of one shall be reserved for women :

Provided further that the offices under this section shall be reserved by the prescribed authority in the Janapad Panchayat within the district by rotation in the prescribed manner :

Provided also, that Janapad Panchayats where there is no reservation of seats for the Scheduled Castes or Scheduled Tribes as the case may be shall be

excluded for reservation of offices of President belonging to such castes or, such tribes, as the case may be.

(ii) Where the total population of Scheduled Castes and Scheduled Tribes in the district is less than fifty per cent., twenty five per cent. of seats of President of Janapad Panchayats within the district shall be reserved for other backward classes.

(3) Subject to the provisions of sub-sections (2) and (4) the members of Janapad Panchayat shall elect a President and Vice-President from amongst its elected members who are not Chairman or Vice-Chairman of Co-operative Society in such manner as may be prescribed.

(4) If the President of Janapad Panchayat does not belong to the Scheduled Castes, Scheduled Tribes or other Backward Classes the Vice-President shall be elected from amongst the members belonging to such castes or tribes or classes.

(5) If a President or Vice-President of Janapad Panchayat become a member of either house of Parliament or a member of the State Legislative Assembly or a Chairman or Vice-Chairman of Co-operative Society, he shall be deemed to have vacated his office as President or Vice-President as the case may be with effect from the date of his becoming such member or Chairman or Vice-Chairman, and a casual vacancy shall be deemed to have occurred in such office for the purpose of Section 38.

26. Publication of names of members, President and Vice-President.—The names of the members, President and Vice-President of Janapad Panchayat shall be published by the Prescribed authority in such manner as may be prescribed.

27. First meeting and term of office.—(1) First meeting of the Janapad Panchayat shall be held within 30 days of the date of publication under Section 25. Such meeting shall be convened by prescribed authority and provisions of Section 44 regarding meeting, as far as may be, shall apply in respect of the said meeting.

(2) Unless otherwise provided in the Act the office bearers of Janapad Panchayat shall hold office for five years from the date of the first meeting and no longer :

Provided that notwithstanding anything contained in this sub-section an office bearer of Janapad Panchayat shall cease to hold office forthwith on his ceasing to be—

- (a) a voter of a Gram Panchayat area within the block ;
- (b) Director of Co-operative Marketing Society or Co-operative Bank within the block by virtue of which he became member of Janapad Panchayat under sub-section (4) of Section 22 ;
- (c) Member of Market Committee by virtue of which he became member of Janapad Panchayat under sub-section (5) of Section 22.

(3) If before the expiry of the period prescribed in sub-section (2) the Janapad Panchayat is not newly constituted, it shall stand dissolved on the expiry of the said period and the provisions of Section 87 shall apply thereto for a period not exceeding six months within which the Janapad Panchayat shall be reconstituted in accordance with the provisions of this Act.

28. No-confidence motion against President or Vice-President.—(1) On a motion of no confidence being passed by Janapad Panchayat by resolution

passed by a majority of not less than three fourth of the members present and voting and such majority is more than two-third of the total number of members constituting the Janapad Panchayat for the time being, the President or the Vice-President against whom such resolution is passed shall cease to hold office forthwith.

(2) Notwithstanding anything contained in this Act or the Rules made thereunder, a president or a vice-president shall not preside over a meeting in which a motion of no-confidence is discussed against him. Such meeting shall be convened in such manner as may be prescribed and shall be presided over by an officer of the Government as the prescribed authority may appoint. The President or the Vice-President, as the case may be, shall have a right to speak at or otherwise to take part in the proceeding of the meeting.

(3) No-confidence motion shall not lie against the President or Vice-President within a period of—

- (i) one year from the date on which the President or Vice-President enter their respective office ;
- (ii) six months preceding the date on which the term of office of the President or Vice-president, as the case may be, expires ;
- (iii) one year from the date on which previous motion of no confidence was rejected.

29. Constitution of Zila Panchayat.—(1) Every Zila Panchayat shall consist of the following :—

- (i) Member elected from the constituencies ;
- (ii) Chairman of district Co-operative Bank and District Co-operative and Development Bank ;
- (iii) All Members of Lok Sabha representing parliamentary constituencies which wholly or partly form part of district ;
- (iv) All Members of Rajya Sabha returned from State of Madhya Pradesh whose name appears in the list of voters of a Gram Panchayat area within the district ;
- (v) All members of the State Legislative Assembly returned from the district :

Provided that the members of Lok Sabha and Members of State Legislative Assembly whose constituencies wholly fall within the urban area shall not be the members of the Zila Panchayat.

(2) If the members of a Zila Panchayat mentioned in clause (i) of sub-section (1) do not include a member of the Scheduled Castes or a member of the Scheduled Tribes the Zila Panchayat shall co-opt a person belonging to such castes or tribes as the case may be.

(3) Any person who is not a voter of Gram Panchayat area within the district and is not qualified to be a Panch of Gram Panchayat within the district shall not be co-opted under sub-section (2).

(4) If any constituency fails to elect a member fresh election proceedings shall be commenced in such constituency within two months to fill the seat.

Provided that further proceedings of co-option and election of President and Vice-president of Zila Panchayat shall not be stayed pending the election of a member in accordance with this sub-section.

30. Division of District into constituencies.—(1) Subject to the provisions of sub-section (2), the State Government shall by notification divide a

district into such number of constituencies that each constituency shall have as far as practicable, a population of fifty thousand and every constituency shall have as far as practicable, a population of fifty thousand and every constituency shall be a single member constituency :

Provided that where the population of a District is less than five lakhs, it shall be divided into not less than ten constituencies and the population of each constituency shall as far as practicable, be the same in each constituency :

Provided further that the total number of constituencies shall not exceed thirty five.

(2) The ratio between the population of the territorial area of the Zila Panchayat and number of constituencies in such Zila Panchayat area, shall, as far as practicable, be the same throughout the State.

(3) (i) Seats shall be reserved for—

(a) the Scheduled Castes ; and

(b) the Scheduled Tribes,

in every Zila Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the Zila Panchayat as the population of the Scheduled Castes or the Scheduled Tribes in that Zila Panchayat area bears to the total population of that area and such seats may be allotted by the prescribed authority by rotation to different constituencies in that Zila Panchayat in the prescribed manner.

(ii) In the Zila Panchayat where fifty per cent. or less than fifty per cent. seats have been reserved both for Scheduled Castes and Scheduled Tribes, Twenty five per cent. seats of the total number of seats shall be reserved for other Backward Classes and such seats shall be allotted by rotation to different constituencies by the Collector, in the prescribed manner.

(4) Not less than one-third of the total number of seats so reserved shall be reserved, for women belonging to the Scheduled Castes or, the Scheduled Tribes or other Backward Classes, as the case may be.

(5) Not less than one-third (including the number of seats reserved for women belonging to Scheduled Castes, Scheduled Tribes and other Backward Classes) of the total number of seats to be filled by direct election of Zila Panchayat shall be reserved for women and seats may be allotted by the prescribed authority by drawing lots and by rotation to different constituencies in a Zila Panchayat in the prescribed manner :

Provided further that the constituencies which have no population of Scheduled Castes, Scheduled Tribes or other Backward class shall be excluded for allotment of seats reserved for Scheduled Castes or Scheduled Tribes, or other Backward Classes, as the case may be.

31. Meeting for co-option.—The prescribed authority shall, as soon as may be, after every general election call a meeting of the members of Zila Panchayat for the purpose of co-opting a member as required by Section 29, if necessary.

32. Election for President and Vice-President.—(1) The prescribed authority shall, as soon as may be, after the co-option of member, if any, call a meeting of member of Zila Panchayat for electing a President and Vice-president of Zila Panchayat from amongst the elected members.

(2) (i) Offices of President shall be reserved for—

- (a) the Scheduled Castes ; and
- (b) the Scheduled Tribes,

and the number of offices of President reserved for the Scheduled Castes and Scheduled Tribes shall bear as nearly as may be, the same proportion to the total number of such offices in the State as the population of Scheduled Castes or, as the case may be, the Scheduled Tribes bears to the total population of the State.

Provided that not less than one-third of the total number of offices of President of Zila Panchayat shall be reserved for women :

Provided further that the offices of President reserved for women under this section shall be reserved by the prescribed authority in the Zila Panchayat within the State by drawing of lots and by rotation in the prescribed manner :

Provided also that the Zila Panchayat where there is no reservation of seats for the Scheduled Castes or as the case may be, the Scheduled Tribes shall be excluded from drawing of lots for reservation of offices of Presidents for such castes, or such Tribes, as the case may be ;

(ii) Twenty five per cent. of seats of President of the Zila Panchayats in the State shall be reserved for other backward classes.

(3) Subject to the provisions of sub-section (2) and (4) the Zila Panchayat shall elect a President and a Vice-President from amongst its elected members in such manner as may be prescribed.

(4) If the President of a Zila Panchayat does not belong to the Scheduled Castes or the Scheduled Tribes or other Backward Classes the Vice-President shall be elected from amongst the members belonging to such Castes or Tribes or Classes.

(5) If a President or a Vice-President of Zila Panchayat becomes a member of either House of Parliament or a member of the State Legislative Assembly or a Chairman or Vice-Chairman of a Co-operative Society, he shall be deemed to have vacated his office as President or Vice-President, as the case may be, with effect from the date of his becoming such member or Chairman or Vice-Chairman and a casual vacancy shall be deemed to have occurred in such office for the purpose of Section 38.

33. **Publication of names of members, President and Vice-President.**—The names of members, President and Vice-President of Zila Panchayat shall be published by the prescribed authority in such manner as may be prescribed.

34. **First meeting and term of office.**—(1) First meeting of the Zila Panchayat shall be held within 30 days of the date of publication under Section 33. Such meeting shall be convened by the prescribed authority and provisions of Section 44 regarding meeting, as far as may be, shall apply in respect of the said meeting.

(2) Unless otherwise provided in this Act the office bearers of Zila Panchayat shall hold office for five years from the date of the first meeting and no longer :

Provided that notwithstanding anything contained in this sub-section an office bearer of Zila Panchayat shall cease to hold office forthwith on his ceasing to be—

- (a) a voter of the Gram Panchayat area within the district ;
- (b) Chairman of District Co-operative Bank or District Co-operative Land Development Bank by virtue of which he became member of Zila Panchayat.

(3) If before the expiry of the period prescribed in sub-section (2) the Zila Panchayat is not newly constituted, it shall stand dissolved on the expiry of the said period and the provisions of Section 87 shall apply thereto for a period not exceeding six months within the Zila Panchayat shall be reconstituted in accordance with the provisions of this Act.

35. **No confidence Motion against President and Vice-President.**—(1) On a motion of no confidence being passed by Zila Panchayat by resolution passed by a majority of not less than three fourths of the members present and voting and such majority is more than two-third of the total number of members constituting the Zila Panchayat for the time being the President or the Vice-president against whom such motion is passed shall cease to hold office forthwith.

(2) Notwithstanding anything contained in this Act or the rules made thereunder, President or Vice-president shall not preside over a meeting in which a motion of no-confidence is discussed against him. Such meeting shall be convened in such a manner as may be prescribed and shall be presided over by an officer of the Government as the prescribed authority may appoint. The President or Vice-president as the case may be, shall have a right to speak at or otherwise to take part in the proceeding of the meeting.

(3) No confidence motion shall not lie against the President or Vice-president within a period of :—

- (i) one year from the date on which the Zila President or Vice-President enter their respective office ;
- (ii) Six months preceding the date on which the term of office of the president or vice-president as the case may be expires ;
- (iii) one year from the date on which previous motion of no-confidence was rejected.

36. **Disqualification for being office bearer of Panchayat.**—(1) No person shall be eligible to be an office-bearer of panchayat who—

- (a) has, either before or after the commencement of this Act been convicted :—
- (i) of an offence under the Protection of Civil Rights Act, 1955 (No. 22 of 1955) or under any law in connection with the use, consumption or sale of narcotics or any law corresponding thereto in force in any part of the State unless a period of five years or such lesser period as the State Government may allow in any particular case has elapsed since his conviction ; or
 - (ii) of any other offence and had been sentenced to imprisonment for not less than six months, unless a period of five years or such less period as the State Government may allow in any particular case has elapsed since his release ; or
- (b) is of unsound mind and stands so declared by a competent court ; or
- (c) is an applicant to be adjudged an insolvent or is an undischarged insolvent ; or
- (d) hold an office of profit under any Panchayat or is in the service of any other local authority or co-operative Society or the State Government or Central Government or any public Sector

undertaking under the control of the Central Government or the State Government :

Provided that no person shall be deemed to have incurred disqualification under this clause by reason of being appointed as a Patel under the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) ; or

- (e) has been dismissed from the service of the State Government or Central Government or a Panchayat or any other local authority or a Co-operative Society or any Public Sector undertaking under the control of the Central Government or the State Government ; or
- (f) has directly or indirectly any share or interest in any contract with, by or on behalf of the Panchayat, while owning such share or interest :

Provided that person shall not be deemed to have incurred disqualification under clause (f) by reason of his,—

- (i) Having share in any joint stock company or a share or interest in any Association registered under the Madhya Pradesh Society Registration Adhiniyam, 1973 (No. 44 of 1973) or in any Co-operative Society which shall contract with or by employees by or on behalf of the Panchayat ; or
- (ii) having share or interest in any newspaper in which any advertisement relating to the affairs of the panchayat is inserted ; or
- (iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the panchayat ;
- (g) is employed as paid legal practitioner on behalf of the panchayat ; or
- (h) is suffering from a variety of leprosy which is infectious ; or
- (i) has voluntarily acquired the citizenship of a Foreign State, or is under any acknowledgement of allegiance or adherence to a Foreign State ; or
- (j) has been disqualified under the Act repealed by Section 130 during the period of five years preceding the date of filing a nomination paper in any election to be held for the first time under this Act and the period of such disqualification has not elapsed or the disqualification has not been removed ; or
- (k) is disqualified by or under any law for the time being in force for the purpose of election to the State Legislative Assembly :

Provided that no person shall be disqualified on the ground that he is less than 25 years of age if he has attained the age of 21 years.

- (1) is so disqualified by or under any law made by the legislature of the State.
- (2) If any person having been elected, nominated or co-opted as an office bearer of Panchayat :—
 - (a) subsequently becomes subject to any of the disqualification mentioned in sub-section (1) and such disqualification is not removable or being removable is not removed ;
 - (b) accepts employment as legal practitioner against the panchayat ;

(c) absents himself from three consecutive meetings of the panchayat or its Committee or does not attend half the number of meetings held during the period of six months without the leave of the panchayat :

he shall, subject to the provisions of sub-section (3), cease to be such office bearer and his office shall become vacant :

Provided that where an application is made by an office bearer to the Panchayat for leave to absent himself under clause (c) and the Panchayat fails to inform the applicant of its decision on the application within a period of one month from the date of receipt of the application, the leave applied for, shall be deemed to have been granted by the Panchayat.

(3) In every case the authority competent to decide whether a vacancy has occurred under sub-section (2), shall be Collector in respect of Gram Panchayat and Janapad Panchayat and Commissioner in respect of Zila Parishad who may give his decision either on an application made to him by any person or on his own motion. Until, the Collector or the Commissioner, as the case may be, decides that the vacancy has occurred, the person shall not cease to be an office bearer :

Provided that no order shall be passed under this sub-section against an office bearer without giving him a reasonable opportunity of being heard.

(4) Any person aggrieved by the decision of Collector or Commissioner, as the case may be, under sub-section (3), may, within a period of 30 days from the date of such decision appeal to Commissioner or Board of Revenue respectively whose orders in such appeal shall be final.

37. Resignation by office bearer of Panchayat.—(1) A panch of a Gram Panchayat or a member of Janapad Panchayat or a member of Zila Panchayat may resign his office by giving notice in writing to that effect to the Sarpanch or President as the case may be.

(2) The Sarpanch or Up-Sarpanch of a Gram Panchayat or the President or Vice-President of a Janapad Panchayat or Zila Panchayat may resign his office by giving notice in writing to the prescribed authority.

(3) The manner of giving notice and procedure for tendering resignation and its becoming effective shall be as may be prescribed :

Provided that a person tendering resignation may withdraw his resignation before it becomes effective.

38. Filling up of vacancies.—(1) In the event of death, resignation or removal of an office bearer or his becoming a member of State Legislative Assembly or a member of either House of Parliament before the expiry of his term, a casual vacancy shall be deemed to have occurred in his office and such vacancy shall be filled as soon as may be by election or co-option as the case may be, in accordance with the provisions of this Act and the rules made thereunder. A person elected or co-opted as the case may be, till the vacancy shall take office forthwith for the unexpired term of his predecessor.

(2) In the event a casual vacancy occurs simultaneously in the office of the Sarpanch and Up-Sarpanch of a Gram Panchayat, President and Vice-President of Janapada Panchayat or Zila Panchayat, the Gram Panchayat or the Janapada Panchayat or the Zila Panchayat shall elect an office bearer qualified to hold the office of Sarpanch, or President as the case may be, till

new Sarpanch or President is elected in accordance with the provisions of this Act and the rules made thereunder.

39. Suspension of office bearer of Panchayat.—(1) The prescribed authority may suspend from office any office bearer—

(a) against whom charges have been framed in any criminal proceedings under Chapter V-A, VI, IX-A, X, XII, Section 302, 303, 304-B, 305, 306, 312 to 318, 366-A, 366-B, 373 to 377 of Chapter XVI, Sections 395 to 398, 408, 409, 458 to 460 of Chapter XVII and Chapter XVIII of the Indian Penal Code 1860 (XLV of 1860) or under any Law for the time being in force for the prevention of adulteration of food stuff and drugs, suppression of immoral traffic in women and children and protection of civil rights ; or

(b) who has been served with a notice alongwith a charge sheet to show cause under this Act, for his removal from the office.

(2) The order of suspension under sub-section (1) shall be reported to the State Government within a period of ten days and shall be subject to such orders as the State Government may deem fit to pass. If the order of suspension is not confirmed by the State Government within 90 days from the date of receipt of such report it shall be deemed to have vacated.

(3) In the event of both the Sarpanch and Up-Sarpanch of Gram Panchayat, President or Vice-President of Janapad Panchayat or Zila Panchayat being suspended under sub-section (1), the Gram Panchayat, Janapad Panchayat or Zila Panchayat shall elect an office bearer qualified to hold the office of Sarpanch or President as the case may be, such person shall perform all the duties and exercise all the powers of Sarpanch or President as the case may be, during the period for which such suspension continues.

(4) A person who has been suspended under sub-section (1) shall also forthwith stand suspended from the office bearer of any other Panchayat of which he is a member or office bearer. Such person shall also be disqualified for being elected, coopted or appointed under the Act during his suspension.

40. Removal of office bearers of Panchayat.—(1) The State Government or the prescribed authority may after such enquiry as it may deem fit to make at any time, remove an office bearer—

(a) if he has been guilty of misconduct in the discharge of his duties ; or

(b) if his continuance in office is undesirable in the interest of the public :

Provided that no person shall be removed unless he has been given an opportunity to show cause why he should not be removed from his office.

Explanation.—For the purpose of this sub-section "Misconduct" shall include—

(a) any action adversely affecting—

(i) the harmony and the spirit of common brotherhood amongst all the people of State transcending religious, linguistic, regional, caste or sectional diversities ; or

(ii) the dignity of women ; or

(b) gross negligence in the discharge of the duties under this Act.

(2) A person who has been removed under sub-section (1) shall forthwith cease to be a member of any other Panchayat of which he is a member, such person shall also be disqualified for a period of six years to be elected, coopted or appointed under this Act.

41. **Bar to hold more than one office.**—If any person is elected to more than one office in Gram Panchayat, Janapad Panchayat and Zila Panchayat he shall within 15 days from the date of declaration of result of such election, inform the prescribed authority in writing about holding one of the office. If such information is not received within the said period, he shall be deemed to hold one office only in the following order of priority to the exclusion of the remaining :—

- (a) a member of Zila Panchayat ;
- (b) a member of Janapad Panchayat ;
- (c) a Sarpanch of Gram Panchayat ;
- (d) a panch of Gram Panchayat.

CHAPTER IV

Conduct of Election

42. **Powers of the State Election Commission.**—The superintendence, direction and control of the preparation of electoral rolls for and the conduct of all elections to the Panchayats shall be vested in the State Election Commission.

43. **Power to make rules.**—The State Government may by notification in the official gazette make rules for the composition of Panchayats conducting the election and cooption, issue of symbols and all matters relating to or in connection with election to the Panchayats.

CHAPTER V

Conduct of Business and the Procedure at the Meeting of the Panchayats

44. **Procedure of Meeting.**—(1) Subject to the provisions of this Act, the procedure of meeting and conduct of business of a Panchayat shall be such as may be prescribed.

(2) The chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies shall have the right to vote in the meeting of the Panchayats.

(3) The quorum for a meeting of Panchayat shall be one half of the member constituting the Panchayat for the time being. If there be no quorum present at a meeting, the presiding authority shall, adjourn the meeting to such date and hour as may be fixed by it. A notice of the meeting so fixed shall be posted in the office of the Panchayat. No quorum shall be necessary, for such postponed meeting, and no new subject for consideration may be brought before such meeting.

(4) The President or Sarpanch shall call a meeting of the Zila Panchayat, Janapada Panchayat or Gram Panchayat, as the case may be, at least once every month. If the President or Sarpanch fails to call the meeting in any month the Secretary of the Zila Panchayat, Chief Executive Officer of the Janapada Panchayat or Secretary of the Gram Panchayat shall issue a notice of the meeting of the Panchayat concerned as soon as twenty five days elapsed after the date of the last meeting.

(5) A report about the income and expenditure of the Gram Panchayat between the period of last meeting and the current meeting as well as the cumulative income and expenditure in the current financial year up to the

current meeting shall be placed before the Gram Panchayat, in addition to any other subjects, by the Secretary of Gram Panchayat and such report shall be discussed by the Gram Panchayat. In case of Janapada Panchayat and Zila Panchayat such report shall be placed by the Chief Executive Officer of Janapada Panchayat or Secretary of Zila Panchayat as the case may be in its meeting once in three months. The reports shall be prepared in such manner as may be prescribed.

(6) If more than fifty percent of the members of the Panchayat give requisition in writing for a special meeting of the Panchayat, the President or Sarpanch, as the case may be, shall call such a meeting within seven days of receipt of such requisition. If the President or Sarpanch as the case may be, fails to call the meeting on such requisition the members who have given requisition of a special meeting may call the meeting themselves and thereupon the Secretary of the Zila Panchayat, Chief Executive Officer of the Janapada Panchayat or the Secretary of the Gram Panchayat, as the case may be, shall issue notice of the meeting.

(7) If the President or the Sarpanch, as the case may be, fails on at least three occasions to act in accordance with sub-section (4) or sub-section (6), he shall be liable to be removed from his office under Section 40 and the provisions of Section 40 shall be applicable to him, who has been so removed.

45. Reconsideration of subjects finally disposed of by panchayats.—No subject once finally disposed of by Panchayat shall within six months be reconsidered by it unless the recorded consent of not less than three fourth of its members entitled to vote has been obtained thereto or unless the prescribed authority has directed its reconsideration.

Subordinate Agencies

46. Standing Committees of Gram Panchayat.—(1) A Gram Panchayat may for discharging its functions and duties, constitute standing committee not exceeding three and such committee shall exercise such powers as may be assigned to them by the Gram Panchayat. The committee shall be under the general control of the Gram Panchayat.

(2) No person shall be a member of more than two committees at a time.

(3) The term of office of the members of standing committee and the procedure for the conduct of business of the standing committee shall be such as may be prescribed.

47. Standing Committees of Janapada Panchayat and Zila Panchayat.—(1) Every Janapada Panchayat and every Zila Panchayat shall from amongst its members constitute the following standing committees, namely :—

(a) **General Administration Committee**—For all matters connected with establishment and service of Janapada or Zila Panchayat Administration, Integrated Rural Development Programme Planning, Budget, Accounts, Taxation and other financial matters and subjects not covered by the functions allotted to any other committee ;

(b) **Agriculture Committee**.—For Agriculture, animal husbandry, power, reclamation including soil conservation and contour bunding and fisheries compost manuring, seed distribution and other matters connected with development of agriculture and live-stock.

- (c) **Education Committee.**—For education including adult education, social welfare of the disabled and the destitutes, women and child welfare, removal of untouchability, relief of distress caused by floods, drought, earthquakes, hail storm, scarcity, locusts wars and other such emergencies, temperance or prohibition, health and sanitation, tribal and harijan welfare ;
- (d) **Communication and Works Committee.**—For communication, minor irrigation, rural housing, rural water supply drainage and other public works ;
- (e) **Cooperation and Industries Committee.**—For cooperation, thrift and small savings, cottage and village, industries, markets and statistics.

(2) In addition to the five standing committees referred to in sub-section (1) a Janapad Panchayat or Zila Panchayat may with the approval of the prescribed authority, constitute one or more such committees for other matters not specified in the said sub-section.

(3) The General Administration Committee shall consist of Chairman of all the Standing Committees specified in sub-section (1) and constituted under sub-section (2).

(4) Every committee except the General Administration Committee shall consist of at least five members to be elected by members, of the Janapad Panchayat or Zila Panchayat as the case may be, from amongst themselves in the manner prescribed :

Provided that a committee, may co-opt not more than two persons having experience or special knowledge of the subjects assigned to the Committee. The persons so co-opted shall not have the right to vote in the proceedings of the Committee.

Provided further that the members of the Education Committee shall include atleast one woman and a person belonging to Scheduled Caste or Scheduled Tribes.

(5) Every Committee except the General Administration Committee and Education Committee, shall from amongst its elected members, elect a Chairman within such time and in such manner as may be prescribed.

(6) Every Committee shall, in relation to the subject assigned to it exercise such powers and perform such of the functions of the Janapad Panchayat or Zila Panchayat as the case may be, as may be prescribed.

(7) No person shall be a member of more than three committees other than General Administration Committee at a time.

48. **Powers and duties of Sarpanch, Up-Sarpanch, President, Vice-President.**—The Sarpanch and Up-Sarpanch and the President and Vice-President shall exercise such powers and perform such functions, as may be prescribed.

CHAPTER VI

Functions of Panchayats

49. **Functions of Gram Panchayat.**—It shall be the duty of Gram Panchayat in so far as the Gram panchayat funds allows, to perform within its areas the following functions :—

- (1) Sanitation, conservancy and prevention and abatement of nuisance ;

- (2) construction, repair and maintenance of public wells, ponds and tanks and supply of water for domestic use ;
- (3) construction and maintenance of sources of water for bathing and washing and supply of water for domestic animals ;
- (4) construction and maintenance of village roads, culverts, bridges, bunds and other works and building of public utility ;
- (5) construction maintenance and clearing of public streets, latrines, drains, tanks, wells and other public places ;
- (6) filling in of disused wells, insanitary ponds, pools, ditches and conversion of step wells into sanitary wells ;
- (7) lighting of village streets and other public places ;
- (8) removing of obstructions and projections in public streets or places and in sites not being property or which are open to use of public whether such sites are vested in the Panchayat or belong to the State Government ;
- (9) regulating and control over entertainment shows, shops, eating houses and venders of drinks, sweets meats, fruits, milk and of other similar articles ;
- (10) regulating the construction of house, latrines, urinals, drains and water closets ;
- (11) management of public land and management, extension and development of village site ;
- (12) (a) regulating places for disposal of deads bodies, carcasses and other offensive matters ;
(b) disposal of unclaimed corpses and carcasses ;
- (13) earmarking places for dumping refuse ;
- (14) regulation of sale and preservation of meat ;
- (15) maintenance of Gram Panchayat property ;
- (16) establishment and management of cattle ponds and maintenance of records relating to cattle ;
- (17) maintenance of ancient and historical monuments other than those declared by or under law made by Parliament to be of national importance, grazing lands and other lands vesting in or under the control of the Gram Panchayats ;
- (18) establishment, management and regulation of markets and melas other than public markets and public melas ;
- (19) maintenance of records of births, death and marriages ;
- (20) rendering assistance in the census operation and in the surveys conducted by the State Government or Central Government or any other local authority lawfully constituted ;
- (21) rendering assistance in prevention of contagious diseases ;
- (22) rendering assistance in inoculation and small pox vaccination and enforcement of other preventive measures for safety of human being and cattle prescribed by Government Department concerned ;
- (23) rendering assistance to the disabled and destitutes ;
- (24) promotion of youth welfare, family welfare and sports ;
- (25) establishment of Raksha Samiti for :—
 - (a) safety of life and property ;

- (b) prevention of fire and extinguishing fire and safety of property during outbreak of such fires ;
- (26) Plantation and preservation of Panchayat forests ;
- (27) removal of social evils like dowry ;
- (2) granting loan for the purposes of—
 - (i) providing medical assistance to indigent persons in serious and emergency cases ;
 - (ii) disposal of dead body of an indigent person or any member of his family ; or
 - (ii) any other purpose for the benefit of an indigent person as may be notified by the State Government from time to time subject to such terms and conditions as may be prescribed.
- (29) (a) carrying out the directions or orders given or issued by the State Government, the Collector or any other officer authorised by the State Government in this behalf with respect to the measures for amelioration of the conditions of the Scheduled Castes and Scheduled Tribes and other backward classes and in particular in regard to the removal of untouchability.
- (b) perform such functions as may be entrusted to it by the State Government, Zila Panchayat or Janapad Panchayat by general or special orders ;
- (c) with prior approval of Janapad Panchayat may also perform other functions as it may desire to perform ;

Provided that where any such functions are entrusted to the Gram Panchayat it shall act as an agent of the State Government, Zila Panchayat or Janapad Panchayat, as the case may be, and necessary funds and other assistance for the purpose shall be provided to it by the State Government, Zila Panchayat or Janapad Panchayat, as the case may be.

50. Functions of Janapad Panchayat.—(1) Subject to the provisions of this Act and the rules made thereunder, and subject to general or special orders, as may be issued by the State Government, from time to time it shall be the duty of a Janapad Panchayat, so far as the Janapad Panchayat funds allows to make reasonable provision in the block for the following matters :—

- (a) Integrated Rural Development, Agriculture, Social Forestry, Animal Husbandry and Fisheries, Health and Sanitation, Adult Education, Communication and Public Works, Co-operation, Cottage Industries Welfare of Women, youth and children, welfare of disabled and the destitutes and welfare of backward classes, family planning and sports and rural employment programmes ;
- (b) provision of emergency relief in cases of distress caused by fires, floods, drought, earthquake, scarcity, locust swarms, epidemics and other natural calamities ;
- (c) arrangements in connection with local pilgrimage and festivals ;
- (d) management of public ferries ;
- (e) management of public markets, public mela and exhibitions ; and
- (f) any other function with the approval of the State Government or Zila Panchayat.

(2) The Janapad Panchayat shall control and supervise the administration of the community development block or tribal development block within its jurisdiction, as the case may be, and the functions and schemes assigned to such block by the State Government shall be implemented under the superintendence, direction and control of the Janapad Panchayat in accordance with the Instructions issued by the State Government from time to time.

51. Entrustment of certain functions of State Government to Janapad Panchayat.—(1) The State Government may entrust, to a Janapad Panchayat functions in relation to any matter to which the executive authority of the State Government extends or in respect of functions which have been entrusted to the State Government by the Central Government and the Janapad Panchayat shall be bound to perform such functions. It shall have necessary powers to perform such functions.

(2) Where functions are entrusted to a Janapad Panchayat under subsection (1), the Janapad Panchayat shall in the discharge of those functions, act as an agent of the State Government.

(3) There shall be paid by the State Government to the Janapad Panchayat such sums as may be deemed necessary for discharging the functions entrusted to it under this section.

(4) The Janapad Panchayat shall, for the purposes of discharging the functions entrusted to it under this section, be under the general control of the State Government or any other authority appointed by it and shall comply with such directions as may from time to time be given to it.

52. Functions of Zila Parishad.—(1) Subject to the provisions of this Act and rules made thereunder, it shall be duty of the Zila Panchayat to :—

- (i) control, coordinate and guide, the Janapad Panchayat and Gram Panchayat within the district ;
- (ii) coordinate and consolidate the Janapad Panchayat plans ;
- (iii) coordinate the demands for grants for special purpose received from the Janapad Panchayats and forward them to the State Government ;
- (iv) secure the execution of the plans, projects, schemes or other works common to two or more Janapad Panchayats in the district ;
- (v) advice the State Government in the development activities, social forestry, family welfare of the disabled, destitutes, women, youth and children and sports ;
- (vi) exercise and perform such other powers and functions as the State Government may, confer on or entrust to it.

(2) The Zila Panchayat shall control and supervise the administration of District Rural Development Agency within its jurisdiction and all functions and schemes assigned to the District Rural Development Agency by the State Government shall be implemented under the superintendence, direction and control of Zila Panchayat in accordance with the instructions issued by the State Government from time to time.

53. Power of State Government in relation to functions of Panchayats.—(1) Notwithstanding anything contained in the Act the State Government may, by general or special order, entrust to the Panchayats preparation of plans and implementation of schemes for economic develop-

ment and social justice including those in relation to the matters listed in Schedule IV.

(2) The State Government may, by general or special order, add to any of the functions of Panchayats or withdraw the functions and duties entrusted to such Panchayats, when the State Government undertakes the execution of any of the functions entrusted to Panchayat. The Panchayat shall not be responsible for such functions so long as the State Government does not re-entrust such functions to the Panchayats.

Powers of Panchayats

54. Powers of Gram Panchayat as to public health facilities and safety.—Subject to the rules as the State Government may make in this behalf the Gram Panchayat shall have power :—

- (i) to regulate the offensive or dangerous trade ;
- (ii) to remove the structures and trees ;
- (iii) to maintain the sanitation, conservancy, drainage, water works, sources of water supply ;
- (iv) to regulate the use of water ;
- (v) to regulate slaughter of animals ;
- (vi) to regulate establishment of workshops, factories and other industrial units ;
- (vii) to ensure environmental control ; and
- (viii) to carry out such functions as are necessary by or under the provisions of this Act ;

55. Control of erection of building.—(1) Subject to the provisions of this section no person shall erect any building or alter or add to any existing building or reconstruct any building without the permission in writing of the Gram Panchayat and except in accordance with byelaws made in this behalf under this Act. Permission shall be presumed to have been granted if no refusal of such permission is communicated by the Gram Panchayat within forty five days of the receipt of the application.

(2) If any person erects, alters, adds to or reconstructs any building without the permission of Gram Panchayat and contrary to any such conditions under which permission has been granted the Gram Panchayat may by written notice direct such person to stop the erection, alteration, addition or reconstruction and to alter or demolish such erection, alteration, addition or reconstruction, as it may deem necessary in the public interest within a period specified in notice.

(3) If any person fails to comply with the directions contained in the notice served under sub-section (2) by the Gram Panchayat within the period specified in such notice, the Gram Panchayat may, if self take such action as required to be done by such persons at the expense of such person which shall be paid by him within thirty days from the date on which a demand notice has been served by the Gram Panchayat. On failure to pay the expenses within specified period, the same shall be recovered as an arrear of land revenue.

(4) An appeal may be preferred to the prescribed authority from any direction or notice of the Gram Panchayat under sub-section (2) and the decision of the prescribed authority on such appeal shall be final.

56. Hindrances, obstructions and encroachment upon public street and open sites.—(1) Whoever within the Gram Panchayat area causes any hindrance, obstruction or encroachment over any public street or open site or upon any drain in such street:—

- (a) by building or setting up any wall, fence, rail, post, stall, verandah, platform, plinth, step or any other structure; or
- (b) without written permission of the Gram Panchayat or contrary to the conditions mentioned in such permission by putting up any verandah, balcony, room or other structure so as to project over any public street or upon any drain in such street; or
- (c) by unauthorisedly removing earth, sand or other material from any site; or
- (d) by unauthorisedly cultivating and grazing or other land,

may be punished with fine, which may extend to two hundred fifty rupees and in case of continuing offence with further fine which may extend to five rupees for every day during which such encroachment, obstructions or projection continues after the date of first conviction for such offence.

(2) Notwithstanding anything contained in sub-section (1), the Gram Panchayat shall have power to remove any such obstruction or encroachment and to remove any crop unauthorisedly cultivated on grazing or any other land not being private property and shall have the like power to remove any unauthorised obstruction or encroachment or projection of the like nature in any open site not being private property, whether such site is vested in Gram Panchayat or not and the expenses of such removal shall be paid by the person who has caused the said encroachment and on failure to pay such expenses the same may be recovered from such person as an arrear of land revenue:

Provided that notwithstanding anything contained in sub-section (1) and this sub-section, the Gram Panchayat shall before taking action regarding hindrances, obstruction or encroachment obtain the permission of the Collector or any officer authorised by him in this behalf, in the site over which such hindrance, obstruction or encroachment is made is vested in the State Government.

(3) Notwithstanding anything contained in this section the Gram Panchayat may allow any temporary occupation or erection in or putting projection over any public place for not exceeding ten days in such manner so as not to cause inconvenience to the public or any individual, on occasions of festivals and ceremonies in accordance with the byelaws made under this Act.

(4) The Gram Panchayat shall not pass any order in the exercise of powers under this section until the person concerned has been given a reasonable opportunity of being heard.

57. Powers to name streets and number of building.—The Gram Panchayat may cause a name given to any street and may also cause a number to be affixed to any building and from time to time, cause such name of streets and number of buildings to be altered.

58. Regulation of markets or melas.—(1) Save as provided in the Madhya Pradesh Krishi Upaj Mandi Adhiniyam, 1972 (No. 24 of 1973), no person except Gram Panchayat shall within the Gram Panchayat area set up establish or use any place for the purpose of a market or a melia:

Provided that the State Government, may by notification, declare any market or mela to be public market of public mela and the public market or public mela, as the case may be, so declared shall vest in the Janapad Panchayat.

(2) The State Government may make rules to regulate the market or the mela specified in sub-section (1).

59. Powers of Janapad Panchayat to turn, divert, discontinue or close roads.—A Janapad Panchayat may, with the sanction of the prescribed authority, turn, divert, discontinue or permanently close any road which is under the control and administration of, or is vested in the Janapad Panchayat.

60. Encroachments upon road and land vested in Janapad Panchayat.—(1) Whoever erects or encroaches or obstructs any road, street, land, building, or structure which vest in the Janapad Panchayat shall on conviction be punished with a fine, which may extend to two hundred and fifty rupees.

(2) The Chief Executive Officer shall have power to remove any such obstruction or encroachment and the expenses of such removal shall be paid by the person who has caused the said obstruction or encroachment and on his failure to pay, the same shall be recoverable as an arrear of land revenue :

Provided that before proceeding to remove any such obstruction or encroachment, the Chief Executive Officer may, by a written notice, call upon the person who has caused such obstruction or encroachment to remove it within the time specified in the notice, or show cause as to why the same should not be removed.

(3) Nothing in this section shall prevent a Janapad Panchayat from allowing any temporary occupation of erection on the places mentioned in sub-section (1) on occasions of festivals and ceremonies for such period as it may deem fit, in such manner so as not to cause inconvenience to the public or any individual.

61. Powers to compromise—A Panchayat may, with the previous sanctions of the prescribed authority, compromise any suit instituted by or against, it or any claim or demand arising out of any contract entered into it under this Act on such terms as it may deem fit.

CHAPTER VII

Fund and Property of Panchayat

62. State Government may vest certain property in Panchayat.—(1) The State Government may, by notification and subject to such conditions and restrictions as it may think fit to impose, vest in a Gram Panchayat, Janapad Panchayat or Zila Panchayat as the case may be, any property vested in the State Government.

(2) The State Government may, resume any property vested in the Panchayat under sub-section (1). No compensation other than the amount paid by the Panchayat for such transfer or the market value at the date of resumption of any building or works erected or executed on such property by the Panchayat shall be payable :

Provided that no compensation shall be payable in respect of building, structure or works constructed or erected in contravention of the terms and conditions of the vesting.

63. Assignment of funds to the Panchayat.—The State Government may assign to a panchayat such taxes, tolls and fees levied and collected by the

State Government and may make grant-in-aid from the consolidated fund of the State for such purposes and subject to such conditions and limits as the State Government may deem fit.

64. Grant-in-aid to Panchayat. —The State Government shall make grant-in-aid to the panchayats as may be decided on the basis of recommendations of the State Finance Commission.

65. Transfer of immovable property —(1) No immovable property vested in or belonging to a Panchayat shall be transferred by sale, gift, mortgage or exchange or by lease for a period exceeding three years, or otherwise except with the sanction of the State Government or any officer authorised by it in this behalf.

(2) The procedure of transfer of immovable property shall be such as may be prescribed.

66. Panchayat fund —(1) Every Panchayat shall establish a fund to be called the Panchayat Fund and all sums received by the Panchayat, shall form part of the said Fund.

(2) Subject to the provisions of this Act and the rules made thereunder, all property vested in the Panchayat and the Panchayat Fund shall be applied for the purposes of this Act or for other purposes connected with activities for the development of Panchayat generally or for such other expenses as the State Government may approve on an application of Panchayat or otherwise in the public interest. The Panchayat Fund shall be kept in the nearest Government Treasury or Sub-Treasury or Post Office or Cooperative Bank or Scheduled Bank or its branch.

(3) An amount allotted to the Panchayat by the State Government or any other person or local authority for any specified work or purpose shall be utilised exclusively for such work or purposes and in accordance with such instructions as the State Government may either generally or specially issue in this behalf.

(4) The amount from the Gram Panchayat Fund shall be withdrawn only under the joint signature of the Secretary of Gram Panchayat and Sarpanch or any other Panch of the Gram Panchayat authorised by the Gram Panchayat.

(5) The amount from the Janapad Panchayat Fund shall be withdrawn only under the joint signature of the Chief Executive Officer of the Panchayat and President or any other member of the Janapad Panchayat authorised by the Janapad Panchayat.

(6) The amount from the Zila Panchayat Fund shall be withdrawn only under the joint signature of the Secretary of the Zila Panchayat and President or any other member of the Zila Panchayat authorised by the Zila Panchayat.

67. Mode of executing contract.—The mode of the executing the contracts by the Panchayats shall be such as may be prescribed.

68. Powers to make grant-in-aid —Subject to the previous sanction of the State Government of the prescribed authority the Panchayat may make grant-in-aid for any work of public utility.

CHAPTER VIII

Establishment, Budget and Accounts of Panchayats

69. Appointment of Secretary and Chief Executive Officer —(1) The State Government or the prescribed authority may appoint a Secretary for a Gram Panchayat or group of two or more Gram Panchayats :

Provided that the person holding the charge of a Secretary of Gram Panchayat immediately before the commencement of this Act shall continue to function as such till a Secretary is appointed in accordance with this section.

(2) Every Janapad Panchayat shall have a Chief Executive Officer who shall be appointed by the State Government.

(3) Every Zila Panchayat shall have a Secretary who shall be appointed by the State Government.

(4) During the absence of a Secretary of Gram Panchayat or Chief Executive Officer of Janapad Panchayat or Secretary of Zila Panchayat due to leave, retirement, death, resignation or otherwise the prescribed authority shall, as soon as possible, make such arrangements as he deems fit, for carrying on the office of Secretary of Gram Panchayat or Chief Executive Officer of Janapad Panchayat or Secretary of Zila Panchayat as the case may be. A person while carrying on such office shall exercise all powers conferred by this Act or rules made thereunder on the Secretary of Gram Panchayat or Chief Executive Officer of Janapad Panchayat or Secretary of Zila Panchayats as the case may be.

(5) The Secretary of the Gram Panchayat, the Chief Executive Officer of the Janapad Panchayat and the Secretary of the Zila Panchayat shall be responsible for keeping and maintaining the records of the Gram Panchayat, Janapad Panchayat or Zila Panchayat as the case may be.

70. other officers and servants of Panchayat.—(1) Subject to the provisions of Section 69 every Panchayat may with previous approval of prescribed authority appoint such other officers and servants as it considers necessary for the efficient discharge of its duties.

(2) The qualifications, method of recruitment, salaries, leave, allowance and other conditions of service including disciplinary matters of such officer and servant shall be such as may be prescribed.

71. Deputation of Government servant.—The State Government may depute to the service of the Panchayat such of its servants as it considers necessary. The service conditions of such deputed servants shall be such as may be prescribed, by the State Government from time to time.

72. Functions of Chief Executive Officer and Secretary.—The functions of Secretary of a Gram Panchayat Chief Executive Officer of Janapad Panchayat and Secretary of Zila Panchayat shall be such as may be prescribed.

73. Budget and annual Accounts.—(1) Every Panchayat shall prepare annually in such form and in such manner and by such date, as may be prescribed, budget estimates, of its receipts and expenditure for the next financial year.

(2) The budget estimates prepared under sub-section (1) shall be approved by such authorities and in such manner as may be prescribed.—

(3) The annual accounts and report of administration by Panchayats shall be presented to the prescribed authority in the prescribed manner.

CHAPTER IX

Taxation and Recovery of Claims

74. Levy of cesses on Land.—(1) There shall be levied for each revenue year a cess on every tenure holder and Government Lessee in respect of the Land held by him in the Gram Panchayat area at the rate of fifty paise per rupee or part thereof exceeding fifty paise on the Land Revenue or rent assessed on such Land.

(2) The cess levied under sub-section (1) and sub-section (3) of Section 77 shall be in addition to the land revenue or rent or any other cess or tax payable to the State Government on such Land under the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) or under any other enactment for the time being in force and shall be payable in the same manner as land revenue.

Explanation—In this section expressions 'tenure holder' Government 'Lessee' 'land revenue' and 'rent' shall have the meaning assigned to these expressions in the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959).

75. Duty on transfer of property within block.—The duty imposed under the Indian Stamp Act, 1899 (No. 2 of 1899), on instrument relating to sale, gift [or mortgage] of immovable property situated within the block be increased by one percent on the value of such property or in the case of mortgage on the amount secured by the instrument.

76. Disbursement of cess and stamp duty among Janapad Panchayats and Gram Panchayat.—(1) The proceeds of the cess under sub-section (1) of Section 74 development tax under sub-section (3) of Section 77 and of the extra stamp duty under section 75 shall first be credited to the Consolidated Fund of the State in such manner as may be prescribed and the State Government shall at the commencement of each financial year if the Legislative Assembly by appropriation made by law in this behalf so provides, withdraw from the Consolidated Fund of the State an amount equivalent to the proceeds of the cess and development tax realised by the State Government in the preceding financial year and place the same to the credit of separate fund to be called the Madhya Pradesh Panchayat Raj Fund hereinafter referred in this section as the said fund.

(2) The State Government shall also credit to said fund an amount equivalent to the Land Revenue collected during the preceding financial year.

(3) Any sum credited into the said fund under sub-sections (1) and (2) shall be an expenditure charged on the consolidated fund of the State of Madhya Pradesh.

(4) From and out of the said fund, there shall be paid every year subject to such rules as may be made in this behalf, a grant-in-aid,—

- (a) to all Panchayat, from and out of the amount of the fund pertaining to land revenue ;
- (b) to all Janapad Panchayats, from and out of the amount in the fund pertaining to extra stamp duty ;
- (c) to Janapad Panchayats and Gram Panchayat from and out of the amount in the fund pertaining to cess realised under sub-section (1) of Section 74 ;
- (d) to the concerned Janapad Panchayat and Gram Panchayat within that Janapad Panchayat from and out of the amount in the fund pertaining to tax realised under sub-section (3) of Section 77, in such proportion and manner as may be prescribed.

77. Other taxes.—(1) Subject to the provisions of this Act and to such conditions and exceptions, as may be prescribed every Gram Panchayat and Janapad Panchayat shall impose the taxes specified in Schedule I.

(2) With the previous approval of the Janapad Panchayat a Gram Panchayat and with the previous approval of the Zila Panchayat a Janapad Panchayat may impose any of the taxes specified in the Scheduled II.

(3) A Janapad Panchayat may levy development tax on agriculture land. The tax so levied shall be payable in the same manner as land revenue.

78. Power of state Government to regulate taxes.—(1) The State Government may make rules to regulate the imposition, assessment, collection and sharing of taxes under Section 77.

(2) No objections shall be taken to any assessment nor shall be the liability of any person to be assessed or taxed be questioned otherwise than in accordance with the provisions of this Act or the rules made thereunder.

79. Appeal against taxation.—An appeal against any tax, imposed under section 77 may be preferred to the prescribed authority in such manner and within such time as may be prescribed and the decision of such authority shall be final.

80. Leases of market fee, etc.—The Panchayat may by public auction in the prescribed manner, lease the collection of any fee specified in Schedule III.

81. Recovery of arrears.—Any arrear of tax, or fee and fines imposed, or any amount due under this Act shall be recoverable by the Collector as if it were an arrear of land revenue.

82. Penalty for evasion.—Any person evading the payment of any, tax fee, rate or any amount due shall be punishable with fine which may extend to fifty rupees.

83. Power of State Government in regard to relief in taxes.—(1) If on a complaint made to it or otherwise it appears to the State Government that any tax imposed by a Panchayat is excessive in its incidence on tax payer it may, after calling a report from the Panchayat in this regard, abolish any tax or suspend or reduce the amount or rate of any tax.

(2) The State Government may, on its own motion or otherwise after giving the Panchayat an opportunity of expressing its view in the matter, by order exempt from the payment of any tax in whole or in part any person or class of persons or any property or description of properties subject to such conditions as may be specified in such order.

CHAPTER X

Control

84. Inspection of works of Panchayats.—(1) The officer of the State Government duly authorised by the State Government in this behalf may, subject to such terms as may be prescribed, inspect the proceedings of a Panchayat.

(2) The officers authorised under sub-section (1) shall, for the inspection of the Panchayats, exercise such powers as may be prescribed.

(3) The office bearers, and the officers and servants of the Panchayat shall be bound to afford access to all such information and records as may be demanded by the inspecting authority.

85. Power to suspend execution of orders, etc.—(1) The State Government or the prescribed authority may by an order in writing and for reasons to be stated therein suspend the execution of any resolution passed, order issued, licence or permission granted or prohibit the performance of any act by a Panchayat, if in his opinion,—

(a) such resolution, order, licence, permission or act has not been legally passed, issued, granted or authorised ;

- (b) such resolution, order, licence, permission or act is in excess of the powers conferred by this Act or is contrary to any law ; or
- (c) the execution of such resolution or order, or the continuance in force of such licence or permission or the doing of such act is likely—
 - (i) to cause loss, waste or misapplication of any money or damage to any property vested in the Panchayat ;
 - (ii) to be prejudicial to the public health, safety or convenience ;
 - (iii) to cause injury or annoyance to the public or any class or body of persons ; or
 - (iv) to lead to a breach of peace.

(2) Whenever an order is made by the prescribed authority under sub-section (1), it shall forthwith and in no case later than ten days from the date of order, forward to the State Government a copy of the order with the Statement of the reasons for making it. and the State Government may confirm, set aside or modify such order as it may deem fit.

87. Power of State Government to issue order directing Panchayat for execution of works in certain cases—(1) The State Government or the prescribed authority may, by order in writing, direct any Panchayat to execute any such work as is not being executed by it and the execution thereof by such Panchayat is, in the opinion of the State Government or prescribed authority, necessary in public interest.

(2) The Panchayat shall be bound to comply with direction issued under sub-section (1) and if it fails to do so the State Government or the prescribed authority shall have all necessary powers to get the work executed at the expenses of the Panchayat and in exercising such powers it shall be entitled to the same Protection and the same extent under this Act as the Panchayat or its officers or servants whose powers are exercised.

87. Power of State Government to dissolve Panchayat for default, abuse of Powers etc.—(1) If at any time it appears to the State Government or the prescribed authority that a Panchayat is persistently making default in the performance of the duties imposed on it by or under this Act or under any other law for the time being in force, or exceeds or abuses its powers or fails to carry out any order of the State Government of the competent authority, the State Government or the prescribed authority, may after such enquiry as it may deem fit, by an order dissolve such Panchayat and may order a fresh constitution thereof.

(2) No order under sub-section (1) shall be passed unless reasonable opportunity has been given to the Panchayat for furnishing its explanation. The notice calling explanation shall be addressed to the Sarpanch or President of Gram Panchayat, Janupad Panchayat or Zila Panchayat as the case may be, and shall be served according to the provisions of Section 119. The reply of the Panchayat to the notice shall be supported by the resolution of the Panchayat.

(1) On dissolution of Panchayat under sub-section (1), the following consequences shall ensue, namely :—

- (a) all the office-bearers, shall vacate their offices with effect from the date of such order ;
- (b) all powers and duties of the Panchayat shall, until the Panchayat is reconstituted, be exercised and performed by such person or com-

mittee of persons as the State Government or the prescribed authority may appoint in this behalf and where a committee of persons is so appointed, the State Government or the prescribed authority shall also appoint a head of such committee ;

- (c) where a committee is appointed under clause (b) any member of such committee duly authorised by it may issue or institute or defend any action at law on behalf of by or against the Panchayat.

(4) Any person appointed to exercise and perform the powers and duties of a Panchayat during the period of dissolution may receive from the fund of the Panchayat concerned such payment for his service as the State Government may, by order, determine.

(5) A Panchayat dissolved under sub-section (1) shall be reconstituted in accordance with the provisions of this Act within six months of its dissolution. Such reconstituted Panchayat shall function for the remaining term of the Panchayat :

Provided that if the unexpired period is less than six months the reconstitution of the Panchayat shall be done for this period.

88 **Inquiry into affairs of Panchayat.**—The State Government may, from time to time, cause an inquiry to be made by any of its officers in regard to any Panchayat on matters concerning it or to any matter with respect to which the sanction, approval, consent or order of the State Government is required by or under this Act or the rules made thereunder or under any law for the time being in force.

89 **Liability of Panch etc. for loss, mis-appropriation.**—(1) Every Panch, member, office-bearer, officer or servant of Panchayat shall be personally liable for loss, waste or misapplication of any money or other property of the Panchayat to which he has been a party or which has been caused by him by misconduct or gross neglect of his duties. The amount required for reimbursing such loss, waste, or misapplication shall be recovered by the prescribed authority :

Provided that no recovery shall be made under this section unless the person concerned has been given a reasonable opportunity of being heard.

(2) If the person concerned fails to pay the amount, such amount shall be recovered as arrears of land revenue and credited to the funds of the Panchayat concerned.

90 **Disputes between Panchayat and other local authorities.**—(1) In the event of any dispute arising between two or more Panchayats or Panchayat and any other local authority in any matter in which they are jointly interested such dispute shall be referred to the State Government and the decision of the State Government thereon shall be final :

Provided that if the dispute is between a Panchayat and a Cantonment Board the decision of the State Government shall be subject to approval of the Central Government.

(2) The State Government, may, by rules made under this Act, regulate the relations between Panchayats and Panchayat and other local authorities in matter in which they are jointly interested.

91 **Appeal and revision.**—An appeal or revision against the orders or proceedings of a Panchayat and other authorities under this Act, shall lie to such authority and in such manner as may be prescribed.

92. Power to recover records articles and money.—(1) Where the prescribed authority is of the opinion that any person has unauthorisedly in his custody any record or article or money belonging to the Panchayat, he may, by a written order, require that the record or article or money be delivered or paid forthwith to the Panchayat, in the presence of such officer as may be appointed by the prescribed authority in this behalf.

(2) If any person fails or refuses to deliver the record or article or pay the money as directed under sub-section (1), the prescribed authority may cause him to be apprehended and may send him with a warrant in such form as may be prescribed, to be confined in a Civil Jail for a period not longer than thirty days.

(2) The prescribed authority may—

- (a) for recovering any such money direct that such money be recovered as an arrear of land revenue; and
- (b) for recovering any such record or articles issue a search warrant and exercise all such powers with respect thereto as may lawfully be exercised by a Magistrate under the provisions of Chapter VII of the Code Criminal Procedure, 1973 (No. 2 of 1974).

(4) No action under sub-section (1) or (2) or (3) shall be taken unless a reasonable opportunity has been given to the person concerned to show cause why such action should not be taken against him.

(5) A person against whom an action is taken under this section shall be disqualified to be member of any panchayat for a period of five years commencing from the initiation of such action.

93. Delegation of powers.—(1) The State Government, may by notification, delegate to or confer on any officer subordinate to it or to any Panchayat all or any of the powers conferred upon it by or under this Act, except the powers relating to framing of rules.

(2) The powers delegated under sub-section (1) shall be exercised in accordance with the general or special order issued by the State Government in this behalf.

(3) The State Government may by notification prescribe various authorities under this Act.

94. General power of control --In all matters connected with this Act or the rules made thereunder: all officers empowered to act by or under this Act shall be subject to the same control by the same authority under whose administrative control they normally perform the functions of their office.

CHAPTER XI Rules and Byelaws

95. Power to make rules.—(1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the matters which under any provisions of this Act, are required to be prescribed or to be provided for by rules.

(3) All rules shall be subject to the condition of previous publication.

(4) All rules shall be laid on the table of Legislative Assembly.

(5) In making any rule, the State Government may direct that a breach thereof shall be punishable with fine which may extend to two hundred fifty rupees and in case of continuing breach with a further fine which may extend to five rupees for every day during which the breach continues after the first conviction.

96. Byelaws.—(1) A panchayat may make byelaws consistent with this Act and rules made thereunder.

(2) In making byelaws under sub-section (1) the Panchayat may direct that a breach thereof shall be punishable with a fine which may extend to two hundred fifty rupees and in the case of the continuing breach with a further fine which may extend to five rupees for every day during which the breach continues after the first conviction.

(3) A byelaw shall not come into force until it has been confirmed by the prescribed authority.

(4) The manner of making byelaws and their approval shall be such as may be prescribed.

97. Model byelaws.—(1) The State Government may from time to time make model byelaws for the guidance of Panchayat.

(2) The State Government may direct panchayat to adopt a model byelaw after modifying the same to suit the local conditions.

(3) If the Panchayat fails to comply with a direction under sub-section (2) within six months the State Government may apply to such panchayat such model byelaws.

(4) The provisions of sub-section (4) of Section 96 shall apply to the adoptions or application of byelaws under this section.

CHAPTER XII

Penalty

98. Penalty for acting as Panch, Member, Sarpanch, Up-Sarpanch, President, Vice-President when disqualified.—(1) Whosoever acts as a panch or member of Panchayat knowing that he is not entitled or has ceased to be entitled to hold office as such, shall on conviction be punished with a fine which may extend to fifty rupees for every day on which he sits or votes as such panch or member.

(2) Whoever acts as sarpanch or Up-Sarpanch, President or Vice-President, knowing that he is not entitled or has ceased to be entitled to hold office as such shall, on conviction, be punished with a fine which may extend to one hundred rupees for every day on which he acts or functions as such.

(3) Any person who after the expiry of his term or resigning from the offices or removal from the office of Sarpanch, or Up-Sarpanch, President or Vice-President fails to handover forthwith any document of, or any money or other properties vested in or belonging to the panchayat as the case may be which are in his possession or control, to his successor in office, shall on conviction, be punished with a fine which may extend to two hundred fifty rupees.

99. Penalties for Interested Members voting.—Whosoever, having interest in any matter under consideration of a Panchayat votes in that matter

shall, on conviction, be punished with a fine which may extend to two hundred fifty rupees

100. **Penalty for acquisition by a member, office-bearer or servant of interest in contract.**—If a member or office bearer or servant of Panchayat knowingly acquires, directly or indirectly any personal share or interest in any contract or employment with, by or on behalf of a panchayat without the sanction of or permission of the prescribed authority, he shall be deemed to have committed an offence under Section 168 of the Indian Penal Code, 1860 (XLV of 1860).

101. **Wrongful restraint of officers etc.**—Any person who prevents any officer or servant of a panchayat or any person to whom such officer or servant has, lawfully delegated his powers of entering on or into and any place, building or land from exercising his lawful powers of entering thereon or therein, shall be deemed to have committed an offence under Section 341 of the Indian Penal Code, 1860 (No. XLV of 1860).

102. **Prohibit against obstruction of member of Panchayats.**—Any person obstructing any member, office bearer or servant of a Panchayat or any person with whom a contract has been entered into by or on behalf of a Panchayat in the discharge of his duties or anything shall on conviction be punished with a fine which shall extend to two hundred fifty rupees.

103. **Prohibit against removal of obliteration notice.**—Any person who without authority in that behalf removes, destroys, defaces or otherwise obliterates any notice exhibited or any sign or mark erected by, or under the order of a Panchayat or any of its officer shall on conviction be punished with a fine which may extend to fifty rupees

104. **Penalty for not giving information or giving false information.**—Any person required by this Act or the rules made thereunder or notice or other proceedings issued thereunder to furnish any information omits to furnish such information or knowingly furnishing wrong information shall on conviction be punished with a fine which may extend to two hundred fifty rupees.

105. **Prohibition of bidding.**—(1) No member or servant of a Panchayat or any officer having any duty to perform in connection with the sale of movable or immovable property under this Act shall directly or indirectly bid for or acquire interest in any property sold at such sale.

(2) Any person who contravenes the provisions of sub-section (1) shall on conviction, be punished with fine which may extend to two hundred fifty rupees and if he is an officer or servant of a Panchayat, he shall also be liable to be removed from service.

106. **Procedure to make good the damage to any Panchayat.**—If through any act, neglect or default on account of which any person shall have incurred any penalty imposed by or under this Act any damage to the property of any panchayat have been caused by any such person, he shall be liable to make good such damage, as well as to pay such penalty and the value of the damage, shall in case of dispute, be determined by the Magistrate, by whom the person incurring such penalty has been convicted and on non-payment of such value on demand, the same shall be recoverable as arrears of land revenue.

CHAPTER XIII

Miscellaneous

107. Indemnity for acts done in good faith.—No suit shall be maintainable against any Panchayat or any of its committee or any office bearer, officer or servant thereof or any person acting under the direction of any such panchayat, its committee, office bearer, officer or servant in respect of anything in good faith done or intended to be done under this Act or under any rules or byelaws made thereunder.

108. Bar of suit in absence of notice.—(1) No suit shall be instituted against any panchayat or any office bearer, officer or servant thereof or any person acting under the direction of any of the authorities, mentioned in this Act for anything done or purporting to be done under this Act unless a notice under Section 80 of the Civil Procedure, Code, 1908 (No. V of 1908) has been duly served.

(2) Every such suit shall be dismissed unless it is instituted within six months from the date of the accrual of the alleged cause of action.

(3) Nothing in this section shall be deemed to apply to any suit instituted under Section 38 of the Specific Relief Act, 1963 (No. 47 of 1963).

109. Certain suits against members officers etc to be defended at cost of Panchayat.—With the previous permission of the Collector suit against any office bearer, officer or servant of a Panchayat arising out of anything done or any action taken by him under this Act or the rules or byelaws made thereunder, shall be defended by the Panchayat concerned on behalf of such person and the expenses incurred on such defence shall be paid out of the funds of the Panchayat concerned.

110. Bar of other proceeding in respect of tax etc.—(1) No objection shall be taken to any valuation, assessment or levy in any manner other than the manner provided in this Act and the rules made thereunder.

(2) No suit for damages or for specific performance shall be maintainable against any panchayat or any office bearer, officer or servant thereof, on the ground that any of the duties specified in this Act have not been performed.

111. Members and servants of panchayat to be public servant.—Every office bearer of Panchayat and every officer or servant thereof shall be deemed to be public servant within the meaning of Section 21 of the Indian Penal Code, 1860 (XLV of 1860).

112. Vacancy or defect in constitution or procedure, etc. not to invalidate act of Panchayat.—No Act of Panchayat shall be invalid merely by reason of—

- (a) any vacancy in or defect in the constitution thereof ; or
- (b) any defect in the election, co-option or appointment of a person acting to be an office bearer, thereof ; or
- (c) any irregularity in its procedure not affecting the merits of the case.

113. Acquisition of land —(1) Where any land is required for the purpose of this Act and the Panchayat is unable to acquire it by agreement, the State Government may at the request of the Panchayat and on the recommendation of the Collector proceed to acquire it under the provisions of Land Acquisition Act, 1894 (No. 1 of 194) and on payment by the Panchayat of compensation awarded under that Act, and all other charges incurred by the State

Government in connection with the proceedings, the land shall vest in the Panchayat on whose account it has been so acquired.

(2) The Panchayat shall not, without the previous sanction of the State Government transfer any land which has been acquired under sub-section (1) or divert such land to a purpose other than the purpose for which it has been acquired.

114. Central Government or State Government not to obtain licence or permission.—Notwithstanding anything contained in this Act or any rules or byelaws made thereunder the Central Government or State Government shall not be required to obtain any permission or licence in respect of any property of such Government or any place in occupation or under the control of such Government.

115. Power of Panchayat to borrow money.—Subject to the restrictions contained in any enactment for the time being in force relating to raising of loans by local authorities a Panchayat may, with the previous sanction of the State Government raise a loan for carrying out the purposes of this Act :

Provided that nothing contained in the Local Authorities Loans Act, 1914 (No 2 of 1914) or the Madhya Bharat Local Authorities Loans Act Samvat, 2007 (1950) (No. 64 of 1950) and rules made under the aforesaid enactment shall apply in respect of loan taken from the Government or any other authority constituted under any law for the time being in force and which is in receipt of a grant from the State Government.

116. Writing off of irrecoverable sums and unuseable material.—The irrecoverable sums due to panchayats and such material as may not be useful shall be written off in the prescribed manner.

117. Prohibition of remuneration to members—No member of a Panchayat shall be granted any remuneration or allowance of any kind whatsoever by the panchayat except in accordance with the rule made in this behalf.

118. Records of Panchayat open to inspection—Subject to rules made under this Act and on the payment of such fee as may be prescribed the records of Panchayat or any committee thereof, shall be open to inspection to such person, as may desire it and certified copies thereof shall be given to such person as may apply for them on payment of such fee as may be prescribed.

119. Method for serving documents, e.c.—Save as otherwise provided in this Act the service of any notice or other documents under this Act or under any rule, byelaw or order made thereunder shall be effected in the prescribed manner.

120. Entry for purposes of Act, etc.—It shall be lawful for the office bearers of a Panchayat or officer authorised by such panchayat in this behalf to enter in connection with any work relating to the Panchayat between sunrise and sunset with such assistants as he may deem necessary into and upon any building or land :

Provided that no building or land which may be occupied at the time shall be entered unless a written notice of twenty four hours has been given to the occupants :

Provided further that in the case of building used as human dwelling due regard shall be paid to the social and religious customs of the occupiers.

121. Bar to interference by Courts in electoral matters.—The validity of any law relating to the delimitation of constituencies or the allotment of seats in such constituencies, made or purporting to be made under this Act shall not be called in question in any Court

122. Election petition.—(1) An election or co-option under this Act shall be called in question only by a petition presented in the prescribed manner :—

- (i) in case of Gram Panchayat to the Sub-Divisional Officer (Revenue) ;
- (ii) in case of Janapad Panchayat to the Collector ; and
- (iii) in case of Zila Panchayat to the Divisional Commissioner and not otherwise.

(2) No such petition shall be admitted unless it is presented within thirty days from the date on which the election or co-option in question was notified.

123. Power to expel person who refuses to pay fee.—When any fee has been imposed under this Act or the right to collect it has been leased thereunder, any person employed by the panchayat concerned or any person duly authorised in this behalf by it or by the lessee to collect such fees, may subject to the condition of the lease to collect the fee expel from the place for the use of which a fee is payable, any persons who is liable to pay the fee but refuse to pay it.

124. Panchayat in default of owner or occupier may execute work and recover expenses.—Whenever under the provisions of this Act any work is required by the owner or occupier of any building or land and default is made in the execution of such work the panchayat, whether, any penalty is or is not provided for such default may cause such work to be executed, and the expenses thereby incurred shall unless otherwise expressly provided in this Act, be paid to it by the person by whom such work ought to have been executed and in case of default of payment, it shall be recoverable as arrears of land revenue.

125. Changes of head quarters of Gram Panchayat division, amalgamation and alteration of Panchayat area.—(1) The Governor or the authority authorised by him may by order change the headquarters of a Gram Panchayat or alter, the limits of a Gram Panchayat area by including, within it any local area in the vicinity thereof or by excluding therefrom any local area comprised therein or amalgamate two or more Gram Panchayat areas and form one Gram Panchayat area in their place or split up a Gram Panchayat area and form two or more Gram Panchayat areas in its place :

Provided that no order under this section shall be made unless a proposal in this behalf is published for inviting suggestions and objections in such manner as may be prescribed and objections are considered.

(2) On the issuance of the order under sub-section (1) the Governor or the prescribed authority shall pass such consequential orders as may be necessary.

126. Disestablishment of village—(1) The Governor or the authority authorised by him may, by an order in writing, disestablish a village :

Provided that no such order shall be issued unless a notice of the proposal inviting objections from persons likely to be affected thereby by the date

to be specified therein has been published in the prescribed manner and the objections received have been considered.

(2) On making of the order under sub-section (1) the Governor or the authority authorised by him may pass such consequential orders as may be necessary.

127. Alteration in limits of Block and Zila Panchayat.—(1) The Governor may, by notification, alter the limits of a block by including therein any local area in the vicinity thereof or by excluding therefrom any local area comprised therein :

Provided that no such modification shall be issued unless a notice signifying such intension and inviting objections from persons likely to be affected by the alteration in the limits of the blocks by the date to be specified therein has been published in the prescribed manner and the objections received have been considered.

(2) On the issuance of the notification under sub-section (1) the Government or the authority authorised by him may pass such consequential orders as may be necessary.

(3) On the alteration of the limits of a district, the State Government may pass such consequential orders in respect of Zila Panchayat as may be necessary.

128. Management of Government lands.—Any Government Land transferred to a Panchayat shall be managed by such panchayat in accordance with such rules as the State Government may make in this behalf.

CHAPTER XIV

Audit

129. Audit of Panchayats.—(1) There shall be a separate and independent Audit Organisation under the control of the State Government to perform audit of accounts of Panchayats.

(2) The Audit Organisation shall consist of such officers and servants, to be appointed by the State Government, as the State Government may deem fit from time to time.

(3) The manner of audit of Panchayat accounts, payment of audit fees and action on such audit reports shall be such as may be prescribed.

CHAPTER XV

Repeal

130. Repeal and saving.—(1) On and from the date of commencement of this Act the Madhya Pradesh Panchayat Raj Adhiniyam, 1990 (No. 13 of 1990), shall stand repealed (hereinafter referred to as the repealed Act) :

Provided that the repeal shall not affect :—

- (a) the previous operation of the repealed Act or anything duly done or suffered thereunder, or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the repealed Act ; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the repealed Act ; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, penalty, forfeiture or punishment as aforesaid and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty,

forfeiture or punishment may be imposed as if this Act has not been enforced :

Provided further that, subject to the preceding proviso anything done or any action taken (including any appointment, or delegation made, notification, notice, order instructing or direction issued, rule, regulation, byelaws, from, or scheme framed certificate obtained, permit or licence granted, registration affected, tax imposed or fee rate levied), under the repealed Act shall, in so far as it is in force immediately before the coming into force of this Act and is not inconsistent with the provisions of this Act be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under this Act.

(2) The arrangement existing for the Gram Panchayat, Janapad Panchayat and Zila Parishad under Section 127 of the repealed Act shall continue, until the corresponding Gram Panchayat, Janapad Panchayat and Zila Parishad as the case may be, are constituted under this Act.

(3) The Collector, shall apportion the assets and liabilities of the existing Gram Panchayat amongst the corresponding Gram Panchayat, constituted under this Act according to the guideline issued by the State Government for the purpose.

(4) The assets and liabilities of existing Janapad Panchayat and Zila Panchayat shall stand transferred to Janapad Panchayat and Zila parishad respectively constituted under this Act.

131. Savings as to existing permanent employees.—Notwithstanding anything contained in this Act or any rules or by-laws made thereunder the pay and allowances, pension and retirement benefits of all permanent officers and servants or other employees of the Panchayat on the date on which this Act comes into force shall be existing pay and allowances, pension and retirement benefits.

132. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, do anything not inconsistent with the provisions thereof which appears to it to be necessary or expedient for the purposes of removing the difficulty :

Provided that no such order shall be made under this section after the expiry of two years from the commencement of this Act.

(2) Every order made under this Section shall be laid on the table of the Legislative Assembly.

SCHEDULE-I

[See sub-section (1) of Section 77]

A. Obligatory Taxe to be Imposed by Gram Panchayats

1. A Property tax on the lands or buildings or both, the capital value of which including the value of the land is more than six thousand rupees other than—

- (a) the buildings and lands owned or vested in the Union or State Government, Gram Panchayat, Janapad Panchayat or Zila Panchayat ;
- (b) the buildings and lands or portions thereof used exclusively for religious or educational purposes including boarding houses.

2. A tax on private latrines payable by the occupier or owner of the buildings to which such latrines are attached when cleaned by Gram Panchayat agency.

3. A light tax, if light arrangements have been made by the Gram Panchayat.

4. A tax on person, exercising any profession or carrying on any trade or calling within the limits of Gram Panchayat area.

5. Market fees on persons exposing goods for sale in any market or any place or any building or structure therein belonging to or under the control of the Gram Panchayat.

6. A fees on the registration of cattle sold in any market or in any place belonging to or under the control of the Gram Panchayat.

B. Tax to be imposed by Janapad Panchayat

A tax on theatre or theatrical performances and other performances of public entertainments.

SCHEDULE-II

[See sub-section (2) of Section 77]

A. Other Optional Taxes Fees etc. to be imposed by Gram Panchayats

1. A tax on building not covered under item (1) of Schedule-I.

2. A tax on animals used for riding, driving, drought or burden or on dogs or pigs payable by the owners thereof.

3. A tax on the bullock-carts, bicycles, rickshaws used for hire within the limits of Gram Panchayat area.

4. Fees for the use of sarais, dharmshalas, rest houses, slaughter houses and encamping grounds.

5. A water rate where arrangements are made by the Gram Panchayat for regular supply of water.

6. Fees for drainage where system of drainage has been introduced by the Gram Panchayat.

7. A tax on persons carrying on the profession of purchaser, agent, commission agent, weighman, or a measure within the meaning of Madhya Pradesh Krishi Upaj Mandi Adhiniyam, 1972 (No. 24 of 1973), in the area of Gram Panchayat excluding the area of Mandi.

8. A fees payable by the owners of the vehicles other than motor vehicle, where such vehicles other than the motor vehicles enter the Gram Panchayat area.

9. A temporary tax for special works of public utility.

10. A tax for the construction or maintenance of public latrines and a general scavenging tax for removal and disposal of refuse.

11. Fees for bullock-cart stand and tonga stand.

12. Fees for temporary structure or any projection over any public place or temporary occupation thereof.

13. Fees for grazing cattle over the grazing grounds vested in the Gram Panchayat.

14. Any other tax, which the State Legislature has power to impose under the Constitution of India.

B. Other Optional Taxes to be Imposed by Janpad Panchayat

Fees for any licence or permission granted by the Janpad Panchayat under the Act or for use and occupation of lands or other properties vested in or maintained by the Janpad Panchayat.

SCHEDULE-III

(See Section 80)

Lease of Collection of Fees by Gram Panchayats

1. A fees on persons exposing goods for sale in any market or any place belonging to or under the control of Gram Panchayat or for the use of any building or structure therein.
2. A fees on the registration of cattle sold in any market or place belonging to it under the control of the Gram Panchayat.
3. A fee for the use of sarais, dharmashalas, rest houses, slaughter houses and encamping grounds.
4. A fee for bullock-cart stand or tonga stand.
5. A fee for grazing cattle over the grazing grounds vested in Gram Panchayat.
6. Any other fees imposed by Janapad Panchayat.

SCHEDULE-IV

[See sub-section (1) of Section 53]

1. Agriculture, including agricultural extension.
2. Land improvement and soil conservation.
3. Minor irrigation, water management and watershed development.
4. Animal husbandry, dairying and poultry.
5. Fisheries.
6. Social Forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
9. Khadi Village and Cottage Industries.
10. Rural Housing.
11. Drinking water.
12. Fuel and fodder.
13. Roads, culverts, bridges, ferries, waterways and other means of communication.
14. Rural electrification, including distribution of electricity.
15. Non-conventional energy sources.
16. Poverty alleviation programme.
17. Education, including primary and secondary schools.

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18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.
22. Market and fairs.
23. Health and sanitation, including hospitals, primary health centres and dispensaries.
24. Family welfare.
25. Women and Child development.
26. Social Welfare, including welfare of the handicapped and mentally retarded.
27. Welfare of the weaker sections, and in particular of the Scheduled Castes and Scheduled Tribes.
28. Public distribution system.
29. Maintenance of community assets.

NOTES

Statement of Objects and Reasons.—By the Constitution (73rd Amendment) Act, 1992 certain important provisions about the Panchayat Raj system have been incorporated as part IX in the Constitution. Article 243-N lays down that any provision of any law relating to Panchayats in force in a State immediately before the commencement of the said Act which is inconsistent with the provisions of Part IX shall continue to be in force until amended or repealed by a competent Legislature.

2. Opportunity is being taken to make adequate provisions for representation of Scheduled Castes, Scheduled Tribes, other Backward Classes and Women in order to develop local leadership and involve these classes in the democratic process as also to involve the Panchayat Raj Institutions effectively in the local administration in developmental activities.

3. This requires drastic amendment in the existing Act.

4. Therefore it is proposed to replace the Madhya Pradesh Panchayat Raj Adhinyam, 1990 (No. 13 of 1990) by making a fresh Legislation.

5. Hence this Bill.

THE MADHYA PRADESH APPROPRIATION ACT, 1993

No. 2 of 1994*

[Received the assent of the Governor on 22nd January, 1994, assent first published in the "Madhya Pradesh Gazette (Extraordinary)" dated the 25th January, 1994.]

An Act to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Madhya Pradesh for the services of the Financial Year 1993-94.

Be it enacted by the Madhya Pradesh Legislature in the Forty-fourth Year of the Republic of India as follows :—

1. Short title.—This Act may be called the Madhya Pradesh Appropriation Act 1993.

(Text not reproduced)

*Published in M. P. Rajpatra (Asi Jharari), date J 25-1-94 Page 55(4).

40. Insertion of new section 84-A.—After section 84 of the Principal Act, the following new section shall be inserted, namely :—

“84-A. Recovery of sums due to housing society—(1) Notwithstanding anything contained in sections 64, 69 and 78 on an application made by a cooperative housing society or Madhya Pradesh State Co-operative Housing Federation for recovery of arrears of its dues, the Registrar may, after making such enquiry as he deems fit, grant a certificate for the recovery of the amount stated therein to be due as an arrear.

(2) The certificate granted by the Registrar shall be final and conclusive proof of the arrears stated therein, and the same shall be recoverable as arrears of land revenue.

41. Omission of section 91.—Section 91 of the Principal Act, shall be omitted.

THE MADHYA PRADESH PANCHAYAT RAJ (SANSHODHAN)
ADHYADESH, 1994
No. 3 of 1994*

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15. Amendment of section 25.	31. Amendment of section 72.
16. Amendment of section 27.	32. Amendment of section 92.
	33. Amendment of section 98.
	34. Amendment of section 122.
	35. Amendment of section 130.

[First published in the “Madhya Pradesh Gazette (Extraordinary)” dated the 30th May, 1994.]

Promulgated by the Governor in the Forty-fifth year of the Republic of India.

An Ordinance to amend the Madhya Pradesh Panchayat Raj Adhiniyam, 1993.

Whereas the State Legislature is not in session and the Governor of Madhya Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action ;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Madhya Pradesh is pleased to promulgate the following Ordinance :—

*Published in M. P. Rajpatra (Asadharan), dated 30-5-94 Pages 508(7-14).

1. Short title.—This Ordinance may be called the Madhya Pradesh Panchayat Raj (Sanshodhan) Adhyadesh, 1994.

2. Madhya Pradesh Act No. 1 of 1994 to be temporarily amended.—During the period of operation of this Ordinance, the Madhya Pradesh Panchayat Raj Adhiniyam, 1973 (No. 1 of 1994) (hereinafter referred to as the Principal Act), shall have effect subject to the amendments specified in Sections 3 to 35.

3. Amendment of section 2.—In Section 2 of the Principal Act, for clause (iv) and (v) the following clauses shall be substituted, namely :—

“(iv) “Election” means an election to fill a seat or seats in Panchayat and includes election of Sarpanch of Gram Panchayat.

(v) “Election Proceedings” means the proceedings commencing from the issue of the notice for election and ending with the declaration of results of such election.”

4. Amendment of section 10.—For the proviso to section 10 of the Principal Act, the following proviso shall be substituted.

“Provided that every Municipal Corporation, Municipal Council or Nagar Panchayat constituted under the relevant law for the time being in force shall form a separate administrative unit for the area within its jurisdiction.”

5. Amendment of section 13.—In Section 13 of the Principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) Every Gram Panchayat shall consist of elected Panchas and a Sarpanch”.

(ii) for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) If any village or ward fails to elect a Sarpanch or as the case may be, a Panch, fresh election proceedings shall be commenced to fill the seat in such village or as the case may be, such ward within six months :

Provided that pending the election of Sarpanch under this sub-section, elected panchas shall subject to the provisions of sub-sections (2), (3) and (4) of Section 17, in the first meeting under section 20 elect a Sarpanch from amongst themselves who shall discharge all the functions of Sarpanch under the Act till a Sarpanch elected under this sub-section enters upon the office :

Provided further that further proceedings for constituting the Gram Panchayat shall not be stayed pending the election of Panch in accordance with this sub-section :

Provided also that if any village or ward again fails to elect a Sarpanch or as the case may be, a Panch, fresh election proceedings shall not be commenced in such village or as the case may be in such ward unless the State Election Commission is satisfied that there is likelihood of the village or as the case may be a ward electing a Sarpanch or a Panch; and in case the Commission decides not to hold fresh election of Sarpanch, the Sarpanch elected under the first proviso shall continue to discharge all the functions of Sarpanch under the Act.”

- (iii) Sub-section (3) shall be omitted.
- (iv) second proviso to sub-section (6) shall be omitted.
- (v) sub-section (7) shall be omitted.

6. Amendment of section 14.—In sub-section (2) of Section 14 of the Principal Act, for the words "elected or coopted, as the case may be" the words "elected" shall be substituted and the word "Gram" shall be omitted.

7. Omission of section 16.—Section 16 of the Principal Act shall be omitted.

8. Amendment of section 17.—For sub-section (5) of Section 17 of the Principal Act, the following sub-section shall be substituted, namely:—

"(5) The Prescribed Authority shall, as soon as may be after every election call a meeting of the elected panchas and Sarpanch for the purpose of election of Up-Sarpanch and subject to the provisions of sub-section (7) the Gram Panchayat shall, in the meeting, so called elect from amongst its elected members an Up-sarpanch."

9. Amendment of section 18.—In Section 18 of the Principal Act,—

- (i) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) The newly elected Sarpanch shall be deemed to have assumed the charge of the office with effect from the date of first meeting as provided in Section 20."

- (ii) in Sub-section (2), for the words bracket and figure "in accordance with sub-section (1)" the words "to the newly elected Sarpanch" shall be substituted.

10. Substitution of new section for section 19.—For Section 19 of the Principal Act, the following Section shall be substituted, namely:—

"19. Notification of Election.—Every election of Sarpanch Up-sarpanch and Panchas shall be published by the prescribed authority in such manner as may be prescribed."

11. Amendment of section 20.—For clause (1) of the proviso to sub-section (2) of Section 20 of the Principal Act, the following clause shall be substituted, namely:—

"(i) on his ceasing to be a voter of the Gram Panchayat area ; or"

12. Amendment of section 22.—In Section 22 of the Principal Act,—

- (i) clause (ii) of sub-section (1) shall be omitted.
- (ii) sub-sections (2), (3), (4), (5) and (6) shall be omitted.
- (iii) for sub-section (7), the following sub-section shall be substituted, namely:—

"(7) If any constituency fails to elect a member, fresh election proceedings shall be commenced in such constituency within six months to fill the seat :

Provided that further proceedings of election of President and Vice-President of Janapad Panchayat shall not be stayed pending the election of a member in accordance with this sub-section :

Provided further that if any constituency again fails to elect a member fresh election proceedings shall not be commenced in

such constituency unless the State Election Commission is satisfied that there is likelihood of the constituency electing a member."

13. Amendment of section 23.—In Section 23 of the Principal Act,—
- (i) in sub-section (3) for the word "wards" the word "constituency" shall be substituted.
 - (ii) in sub-section (5), for the word "Wards" the word "constituencies" shall be substituted.
14. Omission of section 24.—Section 24 of the Principal Act shall be omitted.
15. Amendment of section 25.—In Section 25 of the Principal Act,—
- (i) for sub-section (1), the following sub-section shall be substituted, namely :—

"(1) The Prescribed Authority shall, as soon as may be, after the election of the members call a meeting of the elected members of the Janapad Panchayat for electing a President and a Vice-President."
 - (ii) for sub-section (3) the following sub-section shall be substituted, namely :—

"(3) Subject to the provisions of sub-section (2) and (4) the President and Vice-President of the Janapad Panchayat shall be elected by and from amongst the elected members thereof."
16. Amendment of section 27.—For the existing proviso to sub-section (2) of Section 27 of the Principal Act, the following proviso shall be substituted, namely :—

"Provided that notwithstanding anything contained in this sub-section an office bearer of Janapad Panchayat shall cease to hold office forthwith on his ceasing to be a voter of a Gram Panchayat area within the Block."
17. Amendment of section 29.—In section 29 of the Principal Act,—
- (i) Clause (ii) of sub-section (1) and sub-section (2) and (3) shall be omitted.
 - (ii) for sub-section (4), the following sub-section shall be substituted, namely :—

"(4) If any constituency fails to elect a member, fresh election proceedings shall be commenced in such constituency within six months to fill the seat :

Provided that further proceedings of election of President and Vice President of Zila Panchayat shall not be stayed pending the election of member in accordance with this sub-section :

Provided further that if such constituency again fails to elect a member, fresh election proceedings shall not be commenced in such constituency unless the State Election Commission is satisfied that there is a likelihood of such constituency electing a member.
18. Omission of section 31.—Section 31 of the Principal Act, shall be omitted.

19. Amendment of section 32.—In Section 32 of the Principal Act,—

- (i) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The prescribed authority shall, as soon as may be, after the election of members, call a meeting of the elected members of Zila Panchayat for electing a President and Vice President.

- (ii) for sub-section (3), the following sub-section shall be substituted, namely :—

“(3) Subject to the provisions of sub-section (2) and (4) the President of the Zila Panchayat shall be elected by and from amongst the elected members thereof.”

20. Amendment of section 34.—Clause (b) of the proviso to sub-section (2) of Section 34 of the Principal Act shall be omitted.

21. Amendment of section 36.—In sub-section (2) of Section 36 of the Principal Act the words “nominated or coopted” shall be omitted.

22. Amendment of section 38.—For sub-section (1) of Section 38 of the Principal Act, the following sub-section shall be substituted, namely :—

“(1) (a) In the event of death, resignation, no confidence motion or removal of an office bearer of Panchayat or on his becoming a member of State Legislative Assembly or a member of either House of Parliament before the expiry of his term, a casual vacancy shall be deemed to have occurred in his office and such vacancy shall be filled as soon as may be by election in accordance with the provisions of the Act and the rules made thereunder.

(b) Till such time as the aforesaid vacancy is filled the Up-Sarpanch of the Gram Panchayat or the Vice-President of Janapad Panchayat or Zila Panchayat, as the case may be, shall hold office of the Sarpanch of the Gram Panchayat or President of the Janapad Panchayat or Zila Panchayat as the case may be and such person shall be deemed to have assumed charge of such office immediately on the occurrence of the vacancy.

(c) If the out-going office bearer fails to hand over any record, article, money or property of the Panchayat forthwith to his successor the prescribed authority may by order in writing direct him to do so and on his failure to comply with such direction the prescribed authority may proceed against him in accordance with Section 92 and take necessary steps to prosecute him under Section 98”.

23. Amendment of section 39.—In sub-section (4) of Section 39 of the Principal Act the words “coopted or appointed” shall be omitted.

24. Amendment of section 40.—In sub-section (2) of Section 40 of the Principal Act, the words “coopted or appointed” shall be omitted.

25. Amendment of section 43.—In Section 43 of the Principal Act, the words “and cooption” shall be omitted.

26. Amendment of section 44.—In Section 44 of the Principal Act,—

- (i) in sub section (4) for the words “the Secretary of the Zila Panchayat, Chief Executive Officer of the Janapad Panchayat or Secretary of the Gram Panchayat” the words “the Chief Executive Officer of

the Zila Panchayat or Janapad Panchayat or Secretary of the Gram Panchayat as the case may be" shall be substituted ;

- (ii) in sub-section (5) for the words "by the Chief Executive Officer of Janapad Panchayat or Secretary of the Zila Panchayat as the case may be" the words "by the Chief Executive Officer" shall be substituted.
- (iii) in sub-section (6) for the words "the Secretary of the Zila Panchayat, Chief Executive Officer of the Janapad Panchayat or the Secretary of the Gram Panchayat, as the case may be" the words "the Chief Executive Officer of the Zila Panchayat or Janpad Panchayat or the Secretary of the Gram Panchayat, as the case may be" shall be substituted.
- (iv) in sub-section (7) the words "Zila Pradhan" shall be omitted.

27. Amendment of section 47.—In Section 47 of the Principal Act,—

- (i) in sub-section (1), for the word "member" the words "elected members" shall be substituted,
- (ii) for sub-section (5) the following sub-section shall be substituted, namely :—

"(5) Every Committee except the General Administration Committee shall from amongst its elected members elect a Chairperson within such time and in such manner as may be prescribed and in case of the General Administration Committee the President of Zila Panchayat or as the case may be of Janapad Panchayat shall be its Chairperson."

28. Amendment of section 52.—In the marginal heading of Section 52 of the Principal Act, for the word "Parishad" the word "Panchayat" shall be substituted.

29. Amendment of section 66.—In sub-section (6) of Section 66 of the Principal Act, for the word "Secretary" the word "Chief Executive Officer" shall be substituted.

30. Amendment of section 69.—In Section 69 of the Principal Act,—

- (i) in sub-section (2) for the words "Zila Panchayat" the words "Janapad Panchayat" shall be substituted.
- (ii) in sub-section (3) for the words "Secretary" the words "Chief Executive Officer" shall be substituted.
- (iii) in sub-section (4), for the words "Chief Executive Officer of Janapad Panchayat or Secretary of Zila Panchayat" wherever they occur the words "Chief Executive Officer of Janapad Panchayat or Zila Panchayat" shall be substituted.
- (iv) in sub-section (5) for the words "the Chief Executive Officer of Janapad Panchayat and the Secretary of Zila Panchayat" the words "the Chief Executive Officer of the Janapad Panchayat and Zila Panchayat" shall be substituted.

31. Amendment of Section 72.—In Section 72 of the Principal Act, for the words "Secretary of Zila Panchayat" the words "Chief Executive Officer of the Zila Panchayat" shall be substituted.

32. Amendment of Section 92.—In sub-section (5) of Section 92 of the Principal Act, for the word "five" the word "six" shall be substituted.

33. Amendment of Section 98.—In Section 98 of the Principal Act.

- (i) in the marginal heading the words "Zila Pradhan" and "Zila Up-Pradhan" shall be omitted.
- (ii) for sub-section (3), the following sub-section shall be substituted, namely :—

"(3) Any person whose term of office has expired or who has tendered resignation or against whom a no confidence motion has been passed or who has been removed from an office of the Panchayat fails to hand over forthwith any record, article or money or other properties vested in or belonging to the Panchayat which are in his possession or control to his successor in office shall on conviction be punished with a fine which may extend to rupees two thousand."

34. Amendment of section 122.—In Section 122 of the Principal Act,—

- (i) in sub-section (1), the words "or cooption" shall be omitted.
- (ii) in sub-section (2), the words "or cooption" shall be omitted.

35. Amendment of section 130.—For sub-section (4) of Section 130 of the Principal Act, the following sub-section shall be substituted, namely :—

"(4) The assets and liabilities of existing Janapad Panchayat and Zila Parishad shall stand transferred to Janapada Panchayat and Zila Panchayat respectively constituted under this Act."

**THE MADHYA PRADESH SLATE PENCIL KARMAKAR KALYAN
NIDHI (SANSHODHAN) ADHINIYAM, 1994**

No. 13 of 1994*

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[Received the assent of the Governor on the 30th April, 1994; assent first published in the "Madhya Pradesh Gazette (Extraordinary)" dated the 9th May, 1994.

An Act to amend the Madhya Pradesh Slate Pencil Karmakar Kalyan Nidhi Adhiniyam, 1982.

Be it enacted by the Madhya Pradesh Legislature in the Forty-fifth Year of the Republic of India as follows :—

1 Short title and commencement.—(1) This Act may be called the Madhya Pradesh Slate Pencil Karmakar Kalyan Nidhi (Sanshodhan) Adhiniyam, 1994.

(2) It shall come into force on such date, as the State Government may, by Notification appoint and different dates may be appointed for different provisions of this Act.

*Published in M. P. Rajpatra (Asadharan), dated 9-5-94 Pages 456(2-4).

ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ವಿಧೇಯಕ 1993

ಜನರು ಹೆಚ್ಚಾಗಿ ಭಾಗವಹಿಸುವಂತೆ ಮಾಡುವ ಮತ್ತು ಗ್ರಾಮೀಣ ಅಭಿವೃದ್ಧಿ ಮಾಡುವ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಹೆಚ್ಚಾಗಿ ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಅನುಷ್ಠಾನಕ್ಕೆ ತರುವ ಸಲುವಾಗಿ ಪಂಚಾಯತ್ ಸಂಬಂಧಪಟ್ಟಂತೆ ಇತ್ತೀಚಿಗಿನ ಸಂವಿಧಾನದ 73ನೇ ತಿದ್ದುಪಡಿಗನುಸಾರವಾಗಿ ರಾಜ್ಯದಲ್ಲಿ

ಮಂಡಲ ಪಂಚಾಯತ್
ತಾಲೂಕು ಪಂಚಾಯತ್ ಸಮಿತಿ
ಜಿಲ್ಲಾ ಪರಿಷತ್

ಬದಲಿಗೆ

ಗ್ರಾಮ ಪಂಚಾಯತ್
ತಾಲೂಕು ಪಂಚಾಯತ್ ಮತ್ತು
ಜಿಲ್ಲಾ ಪಂಚಾಯತ್

ಎಂಬ ಮೂರು ಹಂತದ ಪಂಚಾಯತ್ ರಾಜ್ ವ್ಯವಸ್ಥೆಯನ್ನು ಸ್ಥಾಪಿಸಲು ಪ್ರಸ್ತುತ ಇರುವ ಶಾಸನದ ಬದಲು ಒಂದು ಹೊಸ ಶಾಸನವನ್ನು ಈ ವಿಧೇಯಕದ ಮೂಲಕ ತರಲಾಗಿದೆ.

ಪ್ರಕಟಣೆ



ಕರ್ನಾಟಕ ಗ್ರಾಮಾಭ್ಯುದಯ ಸ್ವಯಂಸೇವಾ ಸಂಸ್ಥೆಗಳ ಒಕ್ಕೂಟ
(FEDERATION OF VOLUNTARY ORGANISATIONS
FOR RURAL DEVELOPMENT IN KARNATAKA)

ನಂ. 44, ನ್ಯೂ ಬಂಬೂ ಬಜಾರ್ ರೋಡ್,
ಕಂಟೋನ್‌ಮೆಂಟ್, ಬೆಂಗಳೂರು - 560 051.

(ಅನುಮತಿ : ಕರ್ನಾಟಕ ಸರ್ಕಾರ)

ಗ್ರಾಮ ಸಭೆ:

ಗ್ರಾಮ ಸಭೆ ಎಂದರೆ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ಪ್ರದೇಶದೊಳಗೆ ಸೇರಿರುವ ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಮತದಾರರ ಪಟ್ಟಿಯಲ್ಲಿ ನೋಂದಾಯಿತ ವ್ಯಕ್ತಿಗಳು ಇರುವ ಒಂದು ಮಂಡಲ.

ಗ್ರಾಮ ಸಭೆಯು ಪ್ರತಿ ಆರು ತಿಂಗಳಿಗೊಮ್ಮೆ ಸೇರತಕ್ಕದ್ದು. ಗ್ರಾಮ ಪಂಚಾಯಿತಿಯು ಗ್ರಾಮ ಸಭೆ ಕರೆಯಲು ತಪ್ಪಿದಲ್ಲಿ ಕಾರ್ಯ ನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯು ಗ್ರಾಮ ಸಭೆಯನ್ನು ಕರೆಯತಕ್ಕದ್ದು.

- ಗ್ರಾಮ ಸಭೆಯು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ವಾರ್ಡ್‌ಗೆ ಲೆಕ್ಕ ಪತ್ರ ವಿವರಣೆ, ಹಿಂದಿನ ಹಣಕಾಸು ವರ್ಷದ ಆಡಳಿತ ವರದಿ, ಕಳೆದ ಸಲದ ಲೆಕ್ಕ ಪರಿಶೋಧನಾ ಟಿಪ್ಪಣಿ,
- ಹಿಂದಿನ ವರ್ಷಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳ ಬಗ್ಗೆ ವರದಿ ಮತ್ತು ಪ್ರಸಕ್ತ ವರ್ಷದಲ್ಲಿ ಕೈಗೊಳ್ಳಬಹುದಾದ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳು,
- ಗ್ರಾಮದಲ್ಲಿರುವ ಸಮಾಜದ ಎಲ್ಲಾ ವರ್ಗಗಳ ಜನರಲ್ಲಿ ಏಕತೆ ಮತ್ತು ಸೌಹಾರ್ದತೆಯನ್ನು ಬೆಳೆಸಿಕೊಂಡು ಬರುವುದು,
- ಗ್ರಾಮದೊಳಗೆ ವಯಸ್ಕರ ಶಿಕ್ಷಣ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಪರಿಶೀಲಿಸತಕ್ಕದ್ದು ಮತ್ತು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಗೆ ಶಿಫಾರಸ್ಸು ಮತ್ತು ಸಲಹೆಗಳನ್ನು ನೀಡಬಹುದು,
- ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವ ಸಲುವಾಗಿ ಭಲಾನುಭವಿಗಳನ್ನು ಗುರುತಿಸುವುದು ಮತ್ತು ಅವುಗಳನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವಲ್ಲಿ ನೆರವಾಗುವುದು.

ಗ್ರಾಮ ಪಂಚಾಯಿತಿಯ ರಚನೆ:

- 1) ವ್ಯಾಪ್ತಿ : ಸರ್ಕಾರದ ಆದೇಶಕ್ಕೆ ಒಳಪಟ್ಟಂತೆ 5,000 ಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದ ಮತ್ತು 7,000 ಕ್ಕಿಂತ ಹೆಚ್ಚಿಗೆ ಇಲ್ಲದ ಜನಸಂಖ್ಯೆಯುಳ್ಳ ಪ್ರದೇಶವನ್ನು ಒಂದು ಗ್ರಾಮವನ್ನು ಅಥವಾ ಗ್ರಾಮಗಳ ಗುಂಪನ್ನು ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶವೆಂದು ಪರಿಗಣಿಸಲಾಗಿದೆ.

ಆದರೆ ಬೆಳಗಾವಿ, ಚಿಕ್ಕಮಗಳೂರು, ದಕ್ಷಿಣ ಕನ್ನಡ, ಧಾರವಾಡ, ಹಾಸನ, ಕೊಡಗು, ಶಿವಮೊಗ್ಗ ಮತ್ತು ಉತ್ತರ ಕನ್ನಡ ಜಿಲ್ಲೆಗಳ ನಿರ್ದಿಷ್ಟವಾದ ಪ್ರದೇಶದಲ್ಲಿ 2,500 ಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದ ಪ್ರದೇಶವನ್ನು ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶವೆಂದು ಘೋಶಿಸಲು ಅವಕಾಶವಿದೆ.

- 2) ಸದಸ್ಯರು : ಪ್ರತಿ 400 ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬ ಸದಸ್ಯನಂತೆ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಕಾಲ ಕಾಲಕ್ಕೆ ಅಧಿಸೂಚಿಸಿದಂತೆ ಸಂಖ್ಯೆಯ ಚುನಾಯಿತ ಸದಸ್ಯರನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತ್ ಹೊಂದಿರತಕ್ಕದ್ದು.

ಎ) ಅನುಸೂಚಿತ ಜಾತಿಗಳಿಗಾಗಿ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳಿಗಾಗಿ ಸ್ಥಾನಗಳನ್ನು ಮೀಸಲಿಡತಕ್ಕದ್ದು ಮತ್ತು ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶದಲ್ಲಿರುವ ಒಟ್ಟು ಜನ ಸಂಖ್ಯೆಯಲ್ಲಿ ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಅಥವಾ ಅನುಸೂಚಿತ ಪಂಗಡಗಳ ಜನಸಂಖ್ಯೆಯು ಯಾವ ಅನುಪಾತದಲ್ಲಿದೆಯೋ ಹಾಗೆ

ಮೀಸಲಿಡಲಾದ ಸ್ಥಾನಗಳ ಸಂಖ್ಯೆಯು, ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯಲ್ಲಿನ ಸ್ಥಾನಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಸರಿಸುಮಾರು ಅದೇ ಅನುಪಾತದಲ್ಲಿರ ತಕ್ಕದ್ದು.

ಪರಂತು ಅಂಥ ಮೀಸಲಾತಿಯು ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಸಂದರ್ಭದಲ್ಲಿ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ಸ್ಥಾನಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಶೇಕಡ 15ಕ್ಕಿಂತ ಕಡಿಮೆ ಇರತಕ್ಕದ್ದಲ್ಲ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳ ಸಂದರ್ಭದಲ್ಲಿ ಶೇಕಡ ಮೂರಕ್ಕಿಂತ ಕಡಿಮೆ ಇರತಕ್ಕದ್ದಲ್ಲ.

- ಬಿ) ಸರಿ ಸುಮಾರು ಮೂರನೇ ಒಂದರಷ್ಟು ಸಂಖ್ಯೆಯ ಸ್ಥಾನಗಳನ್ನು ಹಿಂದುಳಿದ ವರ್ಗಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ.
- ಸಿ) ಮೀಸಲಿಟ್ಟಿರುವ ಮತ್ತು ಮೀಸಲಿಡದ ಒಟ್ಟು ಸ್ಥಾನಗಳಲ್ಲಿ ಮೂರನೇ ಒಂದರಷ್ಟಿಂತ ಕಡಿಮೆ ಇಲ್ಲದ ಸ್ಥಾನಗಳನ್ನು ಮಹಿಳೆಯರಿಗಾಗಿ ಮೀಸಲಿ ರಿಸಲಾಗಿದೆ.

ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷ :

ಪ್ರತಿಯೊಂದು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ಸಾಧ್ಯವಾದಷ್ಟು ಬೇಗನೆ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ಇಬ್ಬರು ಸದಸ್ಯರನ್ನು ಅನುಕ್ರಮವಾಗಿ ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರನ್ನಾಗಿ ಆಯ್ಕೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ.

ಪರಿಶಿಷ್ಟ ಜಾತಿ, ಪರಿಶಿಷ್ಟ ವರ್ಗ, ಹಿಂದುಳಿದ ಪಂಗಡಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ ಮತ್ತು ಮಹಿಳೆಯರಿಗಾಗಿ, ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಹುದ್ದೆ ಮೀಸಲಿಡಲಾಗಿದೆ;

- ಅಂಥಹ ಮೀಸಲಾತಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗಳಿಗಾಗಿ ರಾಜ್ಯದಲ್ಲಿನ ಅಧ್ಯಕ್ಷರ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಹುದ್ದೆಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯ ಶೇ. 15 ಕ್ಕಿಂತ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳಿಗೆ ಶೇ. 3 ಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದಂತೆ ಮತ್ತು ಪರಿಶಿಷ್ಟ ವರ್ಗಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ, ಸುಮಾರು 1/3 ರಷ್ಟು ಹುದ್ದೆಗಳನ್ನು ಮಹಿಳೆಯರಿ ಗಾಗಿ ಮೀಸಲಿಡಲಾಗಿದೆ.

ಸದಸ್ಯತ್ವಕ್ಕೆ ಅರ್ಹತೆ :

- ಯಾವುದೇ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ಚುನಾವಣಾ ಕ್ಷೇತ್ರದ ಮತದಾರರ ಪಟ್ಟಿಯಲ್ಲಿ ತನ್ನ ಹೆಸರಿರಬೇಕು.
- ಅಭ್ಯರ್ಥಿಯಾಗುವವನು 21 ವರ್ಷ ವಯಸ್ಸು ಮೀರಬೇಕು.
- ಮೀಸಲಿಟ್ಟಿರುವ ಸ್ಥಾನಗಳಿಗೆ ನಿಗದಿಪಡಿಸಿದ ವ್ಯಕ್ತಿಗಳ ಹೊರತಾಗಿ ಬೇರ ಯವರು ಚುನಾಯಿತರಾಗಲು ಅರ್ಹರಲ್ಲ.
- ಮೀಸಲಿಡದ ಸ್ಥಾನಗಳಿಗೆ ಪ. ಜಾತಿ, ಅನುಸೂಚಿತ ಪಂಗಡ, ಹಿಂದುಳಿದ ವರ್ಗ ಅಥವಾ ಮಹಿಳೆಯರು ಚುನಾಯಿತರಾಗಲು ಅರ್ಹರಾಗಿದ್ದಾರೆ.

ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ಪ್ರಕಾರ್ಯಗಳು :

- ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶದ ಅಭಿವೃದ್ಧಿಗಾಗಿ ವಾರ್ಷಿಕ ಯೋಜನೆಗಳನ್ನು ಹಾಗೂ ವಾರ್ಷಿಕ ಬಜೆಟ್ ಸಿದ್ಧ ಪಡಿಸುವುದು.

- ಗ್ರಾಮ ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶದಲ್ಲಿ ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶದಲ್ಲಿರುವ ಜನರ ಆರೋಗ್ಯ ಸುರಕ್ಷತೆ, ಶಿಕ್ಷಣ, ಸಾಮೂಹಿಕ ಆರ್ಥಿಕಾಭಿವೃದ್ಧಿ ಮಾಡುವಂತಹ ಕೆಲಸಗಳನ್ನು ಮಾಡುವುದು.
- ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ಗೊತ್ತು ಪಡಿಸಿದ ಷರತ್ತುಗಳಿಗೊಳಪಟ್ಟಂತೆ ಒಪ್ಪಿ ಸಿದ ಕಾರ್ಯಗಳನ್ನು ಮಾಡಲು ಅಧಿಕಾರ ಹೊಂದಿದೆ.
- 58ನೇ ಪ್ರಕರಣದಲ್ಲಿ ನಮೂದಿಸಿರುವ ಮುಖ್ಯವಾದ ಗ್ರಾಮೀಣ ಗೃಹ ನಿರ್ಮಾಣ, ಕುಡಿಯುವ ನೀರು, ಗ್ರಾಮ ರಸ್ತೆಗಳು, ಒಳಚರಂಡಿಗಳ ನಿರ್ಮಾಣ ಮತ್ತು ನಿರ್ವಹಣೆ, ವಿದ್ಯುಚ್ಛಕ್ತಿ ಹಂಚಿಕೆ, ಮಳೆಯರ ಮತ್ತು ಮಕ್ಕಳ ಅಭಿವೃದ್ಧಿ, ಪರಿಶಿಷ್ಟ ಜಾತಿ ಮತ್ತು ಪಂಗಡಗಳ ಕಲ್ಯಾಣ ಕಾರ್ಯಕ್ರಮಗಳಿಗಾಗಿ ಇತರ ಪ್ರಕಾರಗಳನ್ನು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ನಿರ್ವಹಿಸುವುದು.

ಸ್ಥಾಯಿ ಸಮಿತಿಗಳು :

ಪ್ರತಿಯೊಂದು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ತನ್ನ ಸದಸ್ಯರುಗಳು ಹಾಗೂ ಸರ್ಕಾರ ಅಂಗೀಕರಿಸಿದ ರೈತರ ಕ್ಲಬ್‌ಗಳ, ಮಹಿಳಾ ಮಂಡಲಗಳ, ಯುವಕ ಮಂಡಲಗಳ ಸದಸ್ಯರನ್ನು ಮತ್ತು ಪ್ರದೇಶದಲ್ಲಿರುವ ಸಹಕಾರ ಸಂಘಗಳ ಪ್ರತಿನಿಧಿಯನ್ನು ಕೂಡಿಸಿ ಆಪ್ತಮಾಡುವುದರೊಂದಿಗೆ ಈ ಕೆಳಗಿನ ಸಮಿತಿಗಳನ್ನು ರಚಿಸುತ್ತದೆ.

- 1) ಉತ್ಪಾದನಾ ಸಮಿತಿ
- 2) ಸಾಮಾಜಿಕ ನ್ಯಾಯ ಸಮಿತಿ
- 3) ಸೌಕರ್ಯಗಳ ಸಮಿತಿ

ಈ ಸ್ಥಾಯಿ ಸಮಿತಿಗಳು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ಅವುಗಳಿಗೆ ವಹಿಸಿಕೊಟ್ಟಿರುವ ಅಧಿಕಾರಗಳನ್ನು ನೆರವೇರಿಸುತ್ತದೆ.

ಅಡಳಿತ :

ಕಾರ್ಯದರ್ಶಿ : ಪ್ರತಿಯೊಂದು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ಒಬ್ಬ ಪೂರ್ಣಕಾಲಿಕ ಕಾರ್ಯದರ್ಶಿಯನ್ನು ಹೊಂದಿರುತ್ತದೆ. ಅವರು ಸರ್ಕಾರದ ಅಧಿಕಾರಿಯಾಗಿದ್ದು ಜಿಲ್ಲಾ ಪಂಚಾಯತ್ ನಿಧಿಯಿಂದ ತಮ್ಮ ಸಂಬಳ ಹಾಗೂ ಭತ್ಯೆಯನ್ನು ಪಡೆಯಬಹುದು.

ಅನುದಾನ : ಪ್ರತಿಯೊಂದು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಗೆ ಸರ್ಕಾರವು ವಿದ್ಯುಚ್ಛಕ್ತಿ, ಕುಡಿಯುವ ನೀರು ಸರಬರಾಜು ವೆಚ್ಚ ಹಾಗೂ ಯೋಜಿತ ಕಲ್ಯಾಣ ಕಾರ್ಯಕ್ರಮ ನಿರ್ವಹಿಸಲು ವಾರ್ಷಿಕವಾಗಿ 1,00,000 ರೂ. ಗಳ ಅನುದಾನ ನೀಡುತ್ತದೆ.

ತಾಲೂಕು ಪಂಚಾಯ್ತಿ :

ರಚನೆ : ಪ್ರತಿಯೊಂದು ತಾಲೂಕಿಗೆ ಒಂದು ತಾಲೂಕು ಪಂಚಾಯ್ತಿ ಇರುತ್ತದೆ. ಇದು ತಾಲೂಕನ್ನು ಭಾಗಶಃ ಪ್ರತಿನಿಧಿಸುವ ಲೋಕಸಭಾ, ರಾಜ್ಯಸಭಾ, ರಾಜ್ಯ ವಿಧಾನಸಭಾ, ರಾಜ್ಯ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರು ಮತ್ತು ಅಸಿಸ್ಟೆಂಟ್ ಕಮೀಷನರ ಚೀಟಿ ಎತ್ತುವ ಮೂಲಕ ನಿರ್ಧರಿಸುವಂತೆ, ಒಂದು ವರ್ಷ ಅವಧಿಗೆ ಸರದಿಯ ಪ್ರಕಾರ ತಾಲೂಕಿನ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಗಳ ಅಧ್ಯಕ್ಷರುಗಳ ಸಂಖ್ಯೆಯ 1/6 ರಷ್ಟು ಅಧ್ಯಕ್ಷರು, ಮತ್ತು

- ತಾಲೂಕಿನ ಜನಸಂಖ್ಯೆಯು 10,000ಕ್ಕೆ ಅಥವಾ ಅದರ ಭಾಗಕ್ಕೆ ಒಬ್ಬ ಸದಸ್ಯರಂತೆ ಚುನಾಯಿತರಾದ ವ್ಯಕ್ತಿಗಳನ್ನು ಒಳಗೊಂಡಿರುತ್ತದೆ.
- ಅದರ 1,00,000 ಕ್ಕಿಂತ ಹೆಚ್ಚಿಲ್ಲದ ಜನಸಂಖ್ಯೆ ಇರುವ ತಾಲೂಕುಗಳಿಗೆ ಕನಿಷ್ಠಪಕ್ಷ 11 ಮಂದಿ ಚುನಾಯಿತ ಸದಸ್ಯರತಕ್ಕದ್ದು.

ಮೀಸಲಾತಿ :

- ಎ) ಅನುಸೂಚಿತ ಜಾತಿಗಳಿಗಾಗಿ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳಿಗಾಗಿ ಸ್ಥಾನಗಳನ್ನು ಮೀಸಲಿಡತಕ್ಕದ್ದು ಮತ್ತು ತಾಲೂಕು ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶದಲ್ಲಿರುವ ಒಟ್ಟು ಜನ ಸಂಖ್ಯೆಯಲ್ಲಿ ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಅಥವಾ ಅನುಸೂಚಿತ ಪಂಗಡಗಳ ಜನಸಂಖ್ಯೆಯು ಯಾವ ಅನುಪಾತದಲ್ಲಿಯೋ ಹಾಗೆ ಮೀಸಲಿಡಲಾದ ಸ್ಥಾನಗಳ ಸಂಖ್ಯೆಯು, ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯಲ್ಲಿನ ಸ್ಥಾನಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಸರಿಸುಮಾರು ಅದೇ ಅನುಪಾತದಲ್ಲಿರತಕ್ಕದ್ದು. ಪರಿಶುದ್ಧ ಅಂಥ ಮೀಸಲಾತಿಯು ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಸಂದರ್ಭದಲ್ಲಿ ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯ ಸ್ಥಾನಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಶೇಕಡ 15 ಕ್ಕಿಂತ ಕಡಿಮೆ ಇರತಕ್ಕದ್ದಲ್ಲ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳ ಸಂದರ್ಭದಲ್ಲಿ ಶೇಕಡ ಮೂರ ಕ್ಕಿಂತ ಕಡಿಮೆ ಇರತಕ್ಕದ್ದಲ್ಲ.
- ಬಿ) ಸರಿ ಸುಮಾರು ಮೂರನೇ ಒಂದರಷ್ಟು ಸಂಖ್ಯೆಯ ಸ್ಥಾನಗಳನ್ನು ಹಿಂದುಳಿದ ವರ್ಗಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ,
- ಸಿ) ಮೀಸಲಟ್ಟಿರುವ ಮತ್ತು ಮೀಸಲಿಡದ ಒಟ್ಟು ಸ್ಥಾನಗಳಲ್ಲಿ ಮೂರನೇ ಒಂದ ರಷ್ಟಂತೆ ಕಡಿಮೆ ಇಲ್ಲದ ಸ್ಥಾನಗಳನ್ನು ಮಹಿಳೆಯರಿಗಾಗಿ ಮೀಸಲಾಗಿರಿಸಲಾಗಿದೆ.

ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷ :

ಪ್ರತಿಯೊಂದು ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯು ಸಾಧ್ಯವಾದಷ್ಟು ಬೇಗನೆ ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯ ಇಬ್ಬರು ಸದಸ್ಯರನ್ನು ಅನುಕ್ರಮವಾಗಿ ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರನ್ನಾಗಿ ಆಯ್ಕೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ. ಪರಿಶಿಷ್ಟ ಜಾತಿ, ಪರಿಶಿಷ್ಟ ವರ್ಗ, ಹಿಂದುಳಿದ ಪಂಗಡಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ ಮತ್ತು ಮಹಿಳೆಯರಿಗಾಗಿ. ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಹುದ್ದೆ ಮೀಸಲಿಡಲಾಗಿದೆ.

- ಅಂಥಹ ಮೀಸಲಾತಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗಳಿಗಾಗಿ ರಾಜ್ಯದಲ್ಲಿನ ಅಧ್ಯಕ್ಷರ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಹುದ್ದೆಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯ ಶೇ. 15 ಕ್ಕಿಂತ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳಿಗೆ ಶೇ. 3 ಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದಂತೆ ಮತ್ತು ಹಿಂದುಳಿದ ವರ್ಗಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ, ಹಾಗೂ ಮಹಿಳೆಯರಿಗಾಗಿ ಸುಮಾರು 1/3 ರಷ್ಟು ಹುದ್ದೆಗಳನ್ನು ಮೀಸಲಿಡಲಾಗಿದೆ.

ತಾಲೂಕು ಪಂಚಾಯ್ತಿ ಪ್ರಕಾರ್ಯಗಳು :

- ಸರ್ಕಾರ ಅಥವಾ ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿ ವಹಿಸಿದ ಯೋಜನೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ವಾರ್ಷಿಕ ಯೋಜನೆ ಸಿದ್ಧಪಡಿಸುವುದು.
- ತಾಲೂಕಿನಲ್ಲಿರುವ ಎಲ್ಲಾ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಗಳ ವಾರ್ಷಿಕ ಯೋಜನೆಗಳನ್ನು ಪರಿಶೀಲಿಸುವುದು ಮತ್ತು ಕ್ರೋಡೀಕರಿಸುವುದು.

- ತಾಲೂಕಿನ ವಾರ್ಷಿಕ ಬಜೆಟ್ ಸಿದ್ಧಪಡಿಸುವುದು ಮತ್ತು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತುಗೆ ಒಪ್ಪಿಸುವುದು.
- ಪ್ರಕೃತಿ ವಿಕೋಪಗಳಲ್ಲಿ ಪರಿಹಾರವನ್ನು ಒದಗಿಸುವುದು.
- 145 ನೇ ಪ್ರಕರಣ - ಅನುಸೂಚಿ 2ರಲ್ಲಿ ನಮೂದಿಸಿರುವ ಮುಖ್ಯವಾದ ಸಣ್ಣ ನೀರಾವರಿ, ಜಲ ನಿರ್ವಹಣೆ ಮತ್ತು ಜಲಾನಯನ ಅಭಿವೃದ್ಧಿ, ಗ್ರಾಮೀಣ ಗೃಹ ನಿರ್ಮಾಣ, ನಿರ್ವಹಣೆ, ಮಹಿಳೆಯರ ಮತ್ತು ಮಕ್ಕಳ ಅಭಿವೃದ್ಧಿ, ಪರಿಶಿಷ್ಟ ಜಾತಿ, ವರ್ಗ ಹಾಗೂ ಅನುಸೂಚಿತ ಪಂಗಡಗಳ ಕಲ್ಯಾಣ ಕಾರ್ಯ ಕ್ರಮಗಳೊಂದಿಗೆ ಇತರ ಪ್ರಕಾರ್ಯಗಳನ್ನು ತಾಲೂಕು ಪಂಚಾಯ್ತು ನಿರ್ವಹಿಸುವುದು.

ಸ್ಥಾಯಿ ಸಮಿತಿ :

ಪ್ರತಿಯೊಂದು ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯು ಈ ಕೆಳಕಂಡ ಸ್ಥಾಯಿ ಸಮಿತಿಗಳನ್ನು ನಿರ್ದಿಷ್ಟ ಪಡಿಸಿದಂತೆ, ಅಧ್ಯಕ್ಷರು ಸೇರಿ, ಸದಸ್ಯರು ತಮ್ಮಲ್ಲಿಂದ ಅಯ್ಕೆ ಮಾಡಿದ 6 ಸದಸ್ಯರುಗಳನ್ನೊಳಗೊಂಡ ಪ್ರತಿಯೊಂದು ಸಮಿತಿಯನ್ನು ರಚಿಸತಕ್ಕದ್ದು.

- 1) ಸಾಮಾನ್ಯ ಸ್ಥಾಯಿ ಸಮಿತಿ.
- 2) ಹಣಕಾಸು, ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ಮತ್ತು ಯೋಜನಾ ಸಮಿತಿ.
- 3) ಸಾಮಾಜಿಕ ನ್ಯಾಯ ಸಮಿತಿ.

ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯು ಪ್ರತಿಯೊಂದು ಸ್ಥಾಯಿ ಸಮಿತಿಯ ಪದ ನಿಮಿತ್ತ ಕಾರ್ಯದರ್ಶಿಯಾಗಿರತಕ್ಕದ್ದು.

ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ :

ಸರ್ಕಾರವು ಅಸಿಸ್ಟೆಂಟ್ ಕಮೀಷನರ್ ದರ್ಜೆಯ ಅಥವಾ ಅದಕ್ಕೆ ಸಮಾನವಾದ ಸರ್ಕಾರಿ ಸೇವೆಯ ಒಬ್ಬ ಗ್ರೂಪ್ 'ಎ' ಅಧಿಕಾರಿಯನ್ನು ನಿರ್ದಿಷ್ಟವಾಗಿ ವಹಿಸಿ ಕೊಟ್ಟಿರುವ ಅಥವಾ ವಿಧಿಸಿರುವ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಲು ಕಾರ್ಯ ನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯೆಂದು ನೇಮಿಸಲಾಗುವುದು.

ಸರ್ಕಾರವು ತಾನು ನಿರ್ಧರಿಸುವಂತೆ ಪ್ರಮಾಣದಲ್ಲಿ ಸಿಬ್ಬಂದಿ ವೆಚ್ಚವನು ಧರಿಸಲು ಪ್ರತಿಯೊಂದು ತಾಲೂಕಿನ ಪಂಚಾಯ್ತುಗೆ ಅನುದಾನ ನೀಡುತ್ತದೆ.

ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತು :

ಪ್ರತಿಯೊಂದು ಜಿಲ್ಲೆಗೆ, ಮುನ್ಸಿಪಾಲಿಟಿಯಲ್ಲಿ ಸೇರ್ಪಡೆಯಾದ ಅಥವಾ ಮುನಿಸಿಪಲ್ ಕಾರ್ಪೊರೇಷನ್, ನೈರ್ಮಲ್ಯ ಮಂಡಳಿ, ಪಟ್ಟಣ ಮಂಡಳಿ ಇರುವ ಜಿಲ್ಲೆಯಂತಹ ಭಾಗಗಳನ್ನು ಹೊರತು ಪಡಿಸಿ ಜಿಲ್ಲೆಯ ಮೇಲೆ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯನ್ನು ಹೊಂದಿರುವ ಒಂದು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯನ್ನು ರಚಿಸಬಹುದಾಗಿದೆ.

ರಚನೆ :

- ಜಿಲ್ಲೆಯಲ್ಲಿನ ಪ್ರತಿ ತಾಲೂಕಿನಲ್ಲಿ 40,000 ಜನ ಸಂಖ್ಯೆಗೆ ಒಬ್ಬ ಸದಸ್ಯರಂತೆ ಚುನಾಯಿತರಾದ ಸದಸ್ಯರು. ಆದರೆ ಕೊಡಗು, ಉತ್ತರ ಕನ್ನಡ ಮತ್ತು ಚಿಕ್ಕಮಗಳೂರು ಜಿಲ್ಲೆಗಳಲ್ಲಿನ ತಾಲೂಕಿನ 30,000 ಜನಸಂಖ್ಯೆಗೆ ಒಬ್ಬರಂತೆ ಚುನಾಯಿತರಾದ ಸದಸ್ಯರು.

- ಲೋಕ ಸಭೆಯ, ರಾಜ್ಯ ವಿಧಾನ ಸಭೆಯ ಸದಸ್ಯರ ಚುನಾವಣಾ ಕ್ಷೇತ್ರಗಳು, ಯಾವ ಜಿಲ್ಲೆಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವುದೋ ಆ ಸದಸ್ಯರು.
- ಜಿಲ್ಲೆಯ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ಮತದಾರರೆಂದು ನೋಂದಾಯಿತರಾದ ರಾಜ್ಯ ವಿಧಾನ ಪರಿಷತ್ತಿನ ಸದಸ್ಯರು ಹಾಗೂ ಜಿಲ್ಲೆಯ ಎಲ್ಲಾ ತಾಲೂಕು ಪಂಚಾಯ್ತಿ ಅಧ್ಯಕ್ಷರುಗಳು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯನ್ನು ರಚಿಸುತ್ತಾರೆ.

ಮೀಸಲಾತಿ :

- ಎ) ಅನುಸೂಚಿತ ಜಾತಿಗಳಿಗಾಗಿ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳಿಗಾಗಿ ಸ್ಥಾನಗಳನ್ನು ಮೀಸಲಿಡತಕ್ಕದ್ದು ಮತ್ತು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿ ಪ್ರದೇಶದಲ್ಲಿರುವ ಒಟ್ಟು ಜನ ಸಂಖ್ಯೆಯಲ್ಲಿ ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಅಥವಾ ಅನುಸೂಚಿತ ಪಂಗಡಗಳ ಜನ ಸಂಖ್ಯೆಯು ಯಾವ ಅನುಪಾತದಲ್ಲಿದೆಯೋ ಹಾಗೆ ಮೀಸಲಿಡಲಾದ ಸ್ಥಾನಗಳ ಸಂಖ್ಯೆಯು, ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯಲ್ಲಿನ ಸ್ಥಾನಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಸರಿಸುಮಾರು ಅದೇ ಅನುಪಾತದಲ್ಲಿರತಕ್ಕದ್ದು.
ಪರಂತು ಅಂಥ ಮೀಸಲಾತಿಯು ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಸಂದರ್ಭದಲ್ಲಿ ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯ ಸ್ಥಾನಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಶೇಕಡ 15 ಕ್ಕಿಂತ ಕಡಿಮೆ ಇರತಕ್ಕದ್ದಲ್ಲ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳ ಸಂದರ್ಭದಲ್ಲಿ ಶೇಕಡ ಮೂರ ಕ್ಕಿಂತ ಕಡಿಮೆ ಇರತಕ್ಕದ್ದಲ್ಲ.
- ಬಿ) ಸಂ ಸುಮಾರು ಮೂರನೇ ಒಂದರಷ್ಟು ಸಂಖ್ಯೆಯ ಸ್ಥಾನಗಳನ್ನು ಹಿಂದುಳಿದ ವರ್ಗಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ.
- ಸಿ) ಮೀಸಲ್ಲಟ್ಟಿರುವ ಮತ್ತು ಮೀಸಲಿಡದ ಒಟ್ಟು ಸ್ಥಾನಗಳಲ್ಲಿ ಮೂರನೇ ಒಂದ ರಷ್ಟಂತೆ ಕಡಿಮೆ ಇಲ್ಲದ ಸ್ಥಾನಗಳನ್ನು ಮಹಿಳೆಯರಿಗಾಗಿ ಮೀಸಲಾಗಿರಿಸಲಾಗಿದೆ.

ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷ :

ಪ್ರತಿಯೊಂದು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯು ಸಾಧ್ಯವಾದಷ್ಟು ಬೇಗನೆ ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯ ಇಬ್ಬರು ಸದಸ್ಯರನ್ನು ಅನುಕ್ರಮವಾಗಿ ಅಧ್ಯಕ್ಷರನ್ನಾಗಿ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರನ್ನಾಗಿ ಆಯ್ಕೆ ಮಾಡ ಬೇಕಾಗಿರುತ್ತದೆ.

ಪರಿಶಿಷ್ಟ ಜಾತಿ, ಪರಿಶಿಷ್ಟ ವರ್ಗ, ಹಿಂದುಳಿದ ಪಂಗಡಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ ಮತ್ತು ಮಹಿಳೆಯರಿಗಾಗಿ, ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಹುದ್ದೆ ಮೀಸಲಿಡಲಾಗಿದೆ.

- ಅಂಥಹ ಮೀಸಲಾತಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗಳಿಗಾಗಿ ರಾಜ್ಯದಲ್ಲಿನ ಅಧ್ಯಕ್ಷರ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಹುದ್ದೆಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯ ಶೇ. 15 ಕ್ಕಿಂತ ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳಿಗೆ ಶೇ. 3 ಕ್ಕಿಂತ ಕಡಿಮೆ ಇಲ್ಲದಂತೆ ಮತ್ತು ಹಿಂದುಳಿದ ವರ್ಗಗಳ ವ್ಯಕ್ತಿಗಳಿಗಾಗಿ ಹಾಗೂ ಮಹಿಳೆಯರಿಗಾಗಿ ಸುಮಾರು 1/3 ರಷ್ಟು ಹುದ್ದೆಗಳನ್ನು ಮೀಸಲಿರಿಸಲಾಗಿದೆ.

ಜಿಲ್ಲಾ ಸಮಿತಿಯ ಪ್ರಕಾರ್ಯಗಳು :

ತಾಲೂಕು ಮತ್ತು ಜಿಲ್ಲಾ ಮಟ್ಟಗಳ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಗಳ ಒಟ್ಟಾರೆ

ಮೇಲ್ವಿಚಾರಣೆ ನಡೆಸುವುದು, ಸಂಘಟಿಸುವುದು ಸಂಯೋಜಿಸುವುದು ಮತ್ತು ಜಿಲ್ಲಾ ಅಭಿವೃದ್ಧಿ ಗಾಗಿ ಯೋಜನೆಗಳನ್ನು ಸಿದ್ಧಪಡಿಸುವುದರ ಜೊತೆಗೆ 184ನೇ ಪ್ರಕರಣದ ಅನುಸೂಚಿ 3 ರಲ್ಲಿ ತಿಳಿಸಲಾಗಿರುವ ಎಲ್ಲಾ ಪ್ರಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಬೇಕಾಗಿದೆ.

ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಯ ತಯಾರಿಕೆ :

- 1) ಪ್ರತಿಯೊಂದು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ಪ್ರತಿ ವರ್ಷವೂ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆ ಸಿದ್ಧಪಡಿಸಿ ನಿರ್ದಿಷ್ಟ ಅವಧಿಯೊಳಗೆ ತಾಲೂಕು ಪಂಚಾಯ್ತಿಗೆ ಸಲ್ಲಿಸಬೇಕಾಗಿದೆ.
- 2) ಪ್ರತಿಯೊಂದು ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯು ಪ್ರತಿಯೊಂದು ವರ್ಷವೂ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಗಳ ಯೋಜನಾ ಆಧಾರದ ಮೇಲೆ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆ ಸಿದ್ಧಪಡಿಸಿ ಗೊತ್ತುಪಡಿಸಿದ ಅವಧಿಯೊಳಗೆ ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಗೆ ಸಲ್ಲಿಸಬೇಕಾಗಿದೆ.
- 3) ಪ್ರತಿಯೊಂದು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯು ಪ್ರತಿವರ್ಷವೂ ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಗಳು ಸೇರಿದ ಸಂತರ ಜಿಲ್ಲೆಯ ಅಭಿವೃದ್ಧಿ ಯೋಜನೆಗಳನ್ನು ಸಿದ್ಧಪಡಿಸಿ ಅದನ್ನು 310ನೇ ಪ್ರಕರಣದ ಅಡಿಯಲ್ಲಿ ಜಿಲ್ಲಾ ಯೋಜನಾ ಸಮಿತಿಗೆ ಸಲ್ಲಿಸಬೇಕಾಗಿದೆ. ಇದರಂತೆ ಪ್ರತಿಯೊಂದು ಜಿಲ್ಲಾ ಯೋಜನಾ ಸಮಿತಿಯು ಅಭಿವೃದ್ಧಿ ಯೋಜನೆ ಕೆರಡನ್ನು ತಯಾರಿಸಿ ಅದನ್ನು ಸಮಿತಿ ಏರ್ಪಾಡಿಸಿ ಪಡೆದು ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಬೇಕಾಗಿದೆ.

ಜಿಲ್ಲಾ ಯೋಜನಾ ಸಮಿತಿ :

ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯು ಸಮಿತಿಯ ಕಾರ್ಯದರ್ಶಿಯಾಗಿದ್ದು ಸರ್ಕಾರ 310ನೇ ಪ್ರಕರಣದಲ್ಲಿ ವಿವರಿಸಿರುವ ಸದಸ್ಯರು ಈ ಸಮಿತಿಯ ಸದಸ್ಯರಾಗಿರುತ್ತಾರೆ.

ಸರ್ಕಾರ ಮತ್ತು ಕಮೀಷನರ್‌ಗೆ ಇರುವ ಅಧಿಕಾರಗಳು :

- 1) ಪರಿವೀಕ್ಷಣ ಮತ್ತು ಮೇಲ್ವಿಚಾರಣೆ : ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಗ್ರಾಮೀಣ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್‌ರಾಜ್ ಇಲಾಖೆಯ ಕಾರ್ಯದರ್ಶಿಯವರು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯ ಸಂಬಂಧದಲ್ಲಿ ಮತ್ತು ಮುಖ್ಯ ಕಾರ್ಯ ನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರು ತಾಲೂಕು ಪಂಚಾಯ್ತಿಯ ಸಂಬಂಧದಲ್ಲಿ ಮತ್ತು ಕಾರ್ಯ ನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರು ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ಸಂಬಂಧದಲ್ಲಿ ಪರಿವೀಕ್ಷಣೆ ಮತ್ತು ಮೇಲ್ವಿಚಾರಣೆ ಅಧಿಕಾರವನ್ನು ಹೊಂದಿರುತ್ತಾರೆ. ಹಾಗೂ ಕಾನೂನು ಬಾಹಿರ ಆದೇಶದ ಅಥವಾ ನಿರ್ಣಯದ ಅಮಲ್ಪಾರಿಯನ್ನು ಅಮಾನತ್ತುಗೊಳಿಸುವ ಅಧಿಕಾರವನ್ನು ಸಹ ಹೊಂದಿರುತ್ತಾರೆ.
- 2) ಪಂಚಾಯ್ತಿಗಳ ವಿಸರ್ಜನೆ : ಗ್ರಾಮ ಪಂಚಾಯ್ತಿ, ತಾಲೂಕು ಪಂಚಾಯ್ತಿ, ಅಥವಾ ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿ ಅದರ ಅಧಿಕಾರ ಪ್ರಕರಣಗಳ ದುರುಪಯೋಗವಾದಲ್ಲಿ, ಕಮೀಷನರವರು ಅಂಥ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯನ್ನು ಹಾಗೂ ಸರ್ಕಾರ ತಾಲೂಕು ಅಥವಾ ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿಯನ್ನು ವಿಸರ್ಜಿಸಬಹುದಾಗಿದೆ.
- 3) ಸಮಿತಿಗಳ ತೀರ್ಮಾನಗಳ ಮೇಲೆ ಅಧಿಕಾರ : ಪ್ರತಿಯೊಂದು ಜಿಲ್ಲಾ ಪಂಚಾಯ್ತಿ ಅಥವಾ ತಾಲೂಕು ಪಂಚಾಯ್ತಿ ಅಥವಾ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯು ತೆಗೆದುಕೊಂಡ ಯಾವುದೇ ತೀರ್ಮಾನವನ್ನು ನಿಯಮ ಬಾಹಿರವೆಂದು ಕಂಡು ಬಂದಲ್ಲಿ ಅನೂರ್ಜಿತಗೊಳಿಸಲು ಅಥವಾ ಮಾರ್ಪಾಡು ಮಾಡುವ ಅಧಿಕಾರ ಸರ್ಕಾರಕ್ಕಿದೆ.





Karnataka Gazette

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(EXTRAORDINARY)

PART IV--2C (i)

BANGALORE, TUESDAY, SEPTEMBER 3, 1975

(BHADRAPADA 12, SAKA ERA 1907)

No. 462

Rural Development and Panchayat Raj Secretariat

NOTIFICATION

No. RDP 71 VAC 85(P),

Bangalore, dated 2nd September 1985

Whereas the draft of the Karnataka Zilla Parishads, Taluk Panchayat Samithies, Mandal Panchayats and Nyaya Panchayats (Preparation of Additional Electoral Roll) Rules, 1985 in Notification No. 446 RDP 71 VAC 85, dated 16th August, 1985 was published in Part IV-2C(i) of the Karnataka Gazette Extraordinary, dated 16th August, 1985 as required by sub-section (1) of Section 284 of the Karnataka Zilla Parishads, Taluk Panchayat Samithies, Mandal Panchayats and Nyaya Panchayats Act, 1983 (Karnataka Act 20 of 1985) inviting objections and suggestions to the said draft from persons likely to be affected thereby on or before 31st August, 1985 ;

And whereas the said Gazette was made available to the public on 16th August, 1985 ;

COMMUNITY HEALTH CELL
67/10 (First Floor) St. Marks Road
BANGALORE - 560 001

Pr.
27/11

And whereas no objections or suggestions have been received by the State Government in respect of the said draft.

Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (9) of section 148 of the Karnataka Zilla Parishads, Taluk Panchayat Samithies, Mandal Panchayats and Nyaya Panchayats Act, 1983 (Karnataka Act 20 of 1985) read with section 284 of the said Act, the Government of Karnataka hereby makes the following rules, namely :—

CHAPTER I

PRELIMINARY

1. *Title and commencement.*—(1) These rules may be called the Karnataka Zilla Parishads, Taluk Panchayat Samithies, Mandal Panchayats and Nyaya Panchayats (preparation of Additional Electoral Roll) Rules, 1985.

(2) They shall come into force at once.

2. *Definition.*—In these rules, unless the context otherwise requires ;

(1) "Act" means the Karnataka Zilla Parishads, Taluk Panchayat Samithies, Mandal Panchayats and Nyaya Panchayats Act, 1983 (Karnataka Act 20 of 1985) ;

(2) "Constituency" means a Zilla Parishad constituency ;

(3) "Deputy Commissioner" means the Deputy Commissioner of the district in which the mandal or Zilla Parishad is situated ;

(4) "Form" means a form appended to these rules ;

(5) "registration officer" means the Electoral Registration Officer or the Assistant Electoral Registration Officer appointed under sections 13-B and 13-C of the Representation of the People Act, 1950 ;

(6) "section" means a section of the Act.

CHAPTER II

ADDITIONAL ELECTORAL ROLL FOR ZILLA PARISHAD
CONSTITUENCIES

3. *The Additional Electoral Roll.*—The additional electoral roll for each constituency shall be prepared in such form and in Kannada and such other language or languages as the Government may direct, under the superintendence and direction of the Chief Electoral Officer, Karnataka who shall be the prescribed authority for the purpose of sub-section (9) of section 148.

4. *Preparation of the additional electoral roll.*—(1) The additional electoral roll shall be divided into convenient parts which shall be numbered consecutively.

(2) The last part of the additional electoral roll shall contain the names of every person having a service qualification and of his wife, if any, who are entitled to be included in the roll by virtue of a statement made under rule 6.

(3) The name of any person holding a declared office and of his wife, if any, who are entitled to be included in the additional electoral roll by virtue of a statement made under rule 6 shall be included in the part of the roll pertaining to the locality in which they would according to that statement, have been ordinarily residents.

(4) The number of names included in any part of the additional electoral roll shall not ordinarily exceed two thousand.

5. *Order of names.*—(1) The names of voters in each part of the additional electoral roll shall be arranged according to house number, unless the Government determines in respect of any part that the alphabetical order is more convenient or that the names shall be arranged partly in one way and partly in the other.

(2) The names of voters in each part of the additional electoral roll shall be numbered, so far as practicable, consecutively with a separate series of numbers beginning with the number one.

6. *Statement as to residence.*—(1) Every person who holds a declared office or has a service qualification and desires to be registered in the additional electoral roll for the constituency in which but for holding such office or having such qualification, he would have been ordinarily resident, shall submit to the registration officer of the constituency a statement in such one of the (Forms 1, 2, 3 or 4) as may be appropriate.

Explanation.—For the purpose of these rules, the terms “a declared office” and “a service qualification” shall have the same meaning as assigned to them under the Representation of the People Act, 1950.

(2) Every statement submitted under sub-rule (1) shall be verified in the manner specified in the form.

(3) Every such statement shall cease to be valid when the person making it ceases to hold a declared office or as the case may be, have a service qualification.

7. *Information to be supplied by occupants of dwelling houses.*—The registration officer may, for the purpose of preparing additional electoral roll arrange to collect information in respect of the occupants of dwelling house in the constituency or part thereof in Form 5 by means of house to house visits by enumerators, and every person on being approached by the enumerator shall furnish the required information to the best of his ability.

8. *Access to certain registers.*—For the purpose of preparing an additional electoral roll or deciding any claim or objection to an additional electoral roll, any registration officer and any person employed by him shall have access to any register of births and deaths and to the admission register of any educational institution, and it shall be the duty of every person in charge of such register to give to the said officer or person such information and such extracts from the said register as he may require.

9. *Publication of additional electoral roll in draft.*—As soon as the additional electoral roll for a constituency is ready, the registration officer shall publish it in draft by making a copy thereof available for inspection and displaying a notice in Form 6,—

- (a) at his office, if it is within the constituency ; and
- (b) at such places in the constituency as may be specified by him for the purpose if his office is outside the constituency.

10. *Further publicity to the additional electoral roll and notice.*—The registration officer shall also,—

(a) make a copy of each separate part of the additional electoral roll, together with a copy of the notice in Form 6 available for inspection at a specified place accessible to the public in or near the area to which that part relates ;

(b) give such further publicity to the notice in Form 6 as he may consider necessary ; and

(c) supply free of cost two copies of each separate part of the roll to every political party for which a symbol has been exclusively reserved in the State by the Election Commission.

11. *Period for lodging claims and objection.*—Every claim for the inclusion or a name in the additional electoral roll and every objection to any entry shall be lodged within a period of ten days from the date of publication of the roll in draft under rule 9 :

Provided that the Government may, by notification, extend the period in respect of the constituency as a whole or in respect of any part thereof.

12. *Form for claims and objections.*—(1) Every claim shall be :—

- (a) in Form 7 ;
- (b) signed by the person desiring his name to be included in the additional electoral roll ; and
- (c) countersigned by another person whose name is already included in that part of the additional electoral roll in which the claimant desires his name to be included :

(2) Every objection shall be,—

- (a) in Form 8 ;
- (b) preferred only by a person whose name is already included in the electoral roll ;

(c) countersigned by another person whose name is already included in that part of the additional electoral roll in which the name objected to appears.

(3) Every objection to a particular or particulars in an entry in the additional electoral roll shall be,—

(a) in Form 9, and

(b) preferred only by the person to whom that entry relates.

13. *Manner of lodging claims and objections.*—Every claim or objection shall—

(a) either be presented to the registration officer or to such other officer as may be designated by him in this behalf ; or

(b) be sent by registered post to the registration officer.

14. *Procedure of designated officer.*—(1) Every officer designated under rule 13 shall—

(a) maintain in duplicate a list of claims in Form 10, a list of objections to the inclusion of names in Form 11 and a list of objections to particulars in Form 12 ; and

(b) keep exhibited one copy of each such list on a notice board in his office.

(2) where a claim or objection is presented to him, he shall, after complying with the requirements of sub-rule (1), forward it with such remarks, if any, as he considers proper to the registration officer.

15. *Procedure of Registration Officer.*—The registration officer also shall—

(a) maintain in duplicate the three lists in Forms 10, 11 and 12 entering thereon the particulars of every claim or objection as and when it is received by him whether directly under rule 13 or being forwarded under rule 14 ; and

(b) keep exhibited one copy of each such list on a notice board in his office.

16. *Rejection of certain claims and objections.*—Any claim or objection which as not lodged within the period or in the form and manner herein specified shall be rejected by the registration officer.

17. *Acceptance of claims and objections without inquiry.*—If the registration officer is satisfied as to the validity of any claim or objection, he may allow it without further inquiry after the expiry of one week from the date on which it is entered in the list exhibited by him under clause (b) of rule 15 :

Provided that where before any such claim or objection has been allowed, a demand for an enquiry has been made in writing to the registration officer by any person, it shall not be allowed without further inquiry.

18. *Notice of hearing claims and objections.*—(1) Where a claim or objection is not disposed of under rule 16 or rule 17 the registration officer shall—

(a) specify in the list exhibited by him under clause (b) of rule 15 the date, time and place of hearing of the claim or objection ; and

(b) give notice of the hearing—

(i) in the case of a claim to the claimant in form 13 ;

(ii) in the case of an objection to the inclusion of a name, to the objector in form 14 and to the person objected in form 15, and

(iii) in the case of an objection to a particular or particulars in an entry, to the objector in form 16.

(2) A notice under this rule may be given either personally or by registered post or by affixing it to the person's residence or last known residence within the constituency.

19. *Enquiry into claims and objections.*—(1) The registration officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under rule 18 and shall record his decision thereon.

(2) At the hearing, the claimant or as the case may be, the objector and the person objected to and any other person

who in the opinion of the registration officer, is likely to be of assistance to him, shall be entitled to appear and be heard.

(3) The registration officer may in his discretion,—

(a) require any claimant, objector or person objected to appear in person before him;

(b) require that the evidence tendered by any person shall be given on oath and administer an oath for the purpose.

20. Inclusion of names inadvertently omitted.—If it appears to the registration officer that owing to inadvertence or error during preparation, the names of any voters have been left out of the additional electoral roll and that remedial action should be taken under this rule, the registration officer shall,—

(a) prepare a list of the names and other details of such voters;

(b) exhibit on the notice board of his office a copy of the list together with a notice as to the time and place at which the inclusion of these names in the additional electoral roll will be considered, and also publish the list and the notice in such other manner as he may think fit; and

(c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be included in the additional electoral roll.

(2) If any statements under rule 6 is received after the publication of the additional electoral roll in draft under rule 9, the registration officer shall direct the inclusion of the names of the electors covered by the statements in the appropriate parts of the additional electoral roll.

21. Deletion of names of dead voters and of persons who cease to be or are not ordinarily residents.—If it appears to the registration officer during preparation of the additional electoral roll that owing to inadvertence or otherwise, the names of dead persons or of persons who have ceased to be, or are not, ordinarily residents in the consti-

tuency have been included in the additional electoral roll and that remedial action should be taken under this rule, the registration officer, shall—

(a) prepare a list of the names and other details of such voters;

(b) exhibit on the notice board of his office a copy of the list together with a notice as to the time and place at which the question of deletion of these names from the additional electoral roll will be considered, and also publish the list and the notice in such other manner as he may think fit; and

(c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the additional electoral roll:

Provided that before taking any action under this rule in respect of any person on the ground that he has ceased to be, or is not, ordinarily resident in the constituency, the registration officer shall make every endeavour to give him a reasonable opportunity to show cause why the action proposed should not be taken in relation to him

22. Final publication of additional electoral roll.—

(1) The registration officer shall thereafter:—

(a) prepare a list of amendments to carry out his decisions under rules 17, 19, 20 and 21 and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the additional electoral roll; and

(b) publish the additional electoral roll together with the list of amendments by making a complete copy thereof available for inspection and displaying a notice in Form 17 at his office.

(2) On such publication the additional electoral roll together with the list of amendments shall be the additional electoral roll of the constituency.

(3) Where the additional electoral roll (hereinafter in this sub-rule referred to as the basic additional electoral roll) together with the list of amendments, becomes the additional electoral roll for a constituency under sub-rule

(2), the registration officer, may, for the convenience of all concerned, integrate, subject to any general or special directions issued by the Chief Electoral Officer in this behalf, the list of amendments into the basic additional electoral roll by including the names of voters in the list of amendments together with all particulars relating to such voters in the relevant parts of the basic additional electoral roll itself, so, however, that no change shall be made in the process of such integration in the name of any voter or in any particulars relating to any voter as given in the list of amendments.

23. Appeals from orders deciding claims and objections.—(1) An appeal shall lie from any decision of the registration officer under rules 19, 20 or 21 to the Deputy Commissioner:

Provided that an appeal shall not lie where the person desiring to appeal has not availed himself of his right to be heard by, or to make representations to the registration officer on the matter which is the subject of appeal.

(2) Every appeal under sub-rule (1) shall be,—

(a) in the form of a memorandum signed by the appellant; and

(b) presented to the appellate officer within a period of ten days from the date of announcement of the decision or sent to that officer by registered post so as to reach him within that period.

(3) The presentation of an appeal under this rule shall not have the effect of staying or postponing any action to be taken by the registration officer under rule 22.

(4) Every decision of the appellate authority shall be final, but in so far as it reverses or modifies a decision of the registration officer, shall take effect only from the date of the decision in appeal.

(5) The registration officer shall cause such amendment to be made in the additional electoral roll as may be necessary to give effect to the decisions of the appellate officer under this rule.

24. Special provision for preparation of additional electoral roll on redelimitation of constituency.—(1) If any constituency is delimited a new in accordance with law and it is necessary urgently to prepare the additional electoral roll for such constituency, the chief electoral officer may direct that it shall be prepared,—

(a) by putting together the additional electoral roll of such of the existing constituencies or parts thereof as are comprised within the new constituency; and

(b) by making appropriate alterations in the arrangement serial numbering and headings of the list as compiled.

(2) The additional electoral roll so prepared shall be published in the manner specified in rule 22 and shall on such publication, be the additional electoral roll for the new constituency.

25. Correction of entries and inclusion of names in the additional electoral roll.—(1) If the registration officer, on application made to him or on his own motion, is satisfied after such inquiry as he thinks fit, that any entry in the additional electoral roll of the constituency,—

(a) is erroneous or defective in any particular ;

(b) should be transposed to another place in the additional electoral roll on the ground that the person concerned has changed his place of ordinary residence within the constituency ;

(c) should be deleted on the ground that the person concerned is dead or has ceased to be ordinarily resident in the constituency or is otherwise not entitled to be registered in the additional electoral roll ;

the registration officer shall, subject to such general or special directions, if any, as may be given by the chief electoral officer in this behalf, amend, transpose or delete the entry ;

Provided that before taking any action on any ground under clause (a) clause (b) or any action under clause (c) on the ground that the person concerned has ceased to be

ordinarily resident in the constituency or that he is otherwise not entitled to be registered in the additional electoral roll of that constituency, the registration officer shall give the person concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him.

(2) Any person who is entitled to be included in the additional electoral roll but whose name is not included in the additional electoral roll may apply to the registration officer for the inclusion of his name in that roll.

(3) Every application under this rule shall be made in duplicate in such one of the Forms 18 or 19 as may be appropriate and shall be accompanied by a fee of 25 paise.

(4) The fee specified in sub-rule (3) shall be—

(a) Paid by means of non-judicial stamps; or

(b) deposited in a Government treasury or the Reserve Bank of India in favour of the registration officer concerned.

(5) Where the fee is deposited under clause (b) of sub-rule (4), the applicant shall enclose with the application a Government treasury receipt or a Bank challan in proof of the fee having been deposited.

(6) The registration officer shall, immediately on receipt of such application, direct that one copy thereof be pasted in some conspicuous place in his office together with a notice inviting objections to such application within a period of seven days from the date of such pasting.

(7) The registration officer shall, as soon as may be after the expiry of the period specified in sub-rule (6) consider the objections, if any, received by him and shall, if satisfied that the applicant is entitled to be registered in the additional electoral roll direct his name to be included therein :

Provided that when an application is rejected by the registration officer, he shall record in writing a brief statement of his reasons for such rejection ;

Provided further that no amendment, transposition or deletion of any entry or inclusion of names shall be made under this rule after the last date for making nominations for elections in the constituency and before the completion of the election.

26. *Appeals against the orders of the registration officer*

(1) An appeal shall be lie against any order of the registration officer under rule 25 to the Deputy Commissioner.

(2) Every appeal under sub-rule (1) shall be,—

(a) in the form of a memorandum signed by the applicant ;

(b) accompanied by a copy of the order appealed from and a fee of one rupee to be—

(i) paid by means of non-judicial stamps, or

(ii) deposited in a Government treasury or the Reserve Bank of India in favour of the Deputy Commissioner.

(c) presented to the Deputy Commissioner within a period of ten days from the date of the order appealed from or sent by registered post so as to reach him within that period ;

(3) Where the fee is deposited under sub-clause (ii) of clause (b) of sub-rule (2) the applicant shall enclose with the memorandum of appeal a Government Treasury receipt or Bank Challan in proof of the fee having been deposited.

27. *Penalties.*—(1) Any person, who makes, in connection with—

(a) the preparation, revision or correction of additional electoral roll ; or

(b) the inclusion or exclusion of any entry in or from an additional electoral roll ; a statement or declaration in writing which is false and which he either knows or believes to be false or does not believes to be true, shall, on conviction, be punishable with fine, which may extend to one hundred rupees.

(2) If any Electoral Registration Officer, Assistant Electoral Registration Officer or other person required by or

under the Act or perform any official duty in connection with the preparation, revision or correction of an additional electoral roll or the inclusion or exclusion of any entry in from that roll is without reasonable cause, guilty of any act or omission in breach of such official duty, he shall be punishable with fine which may extend to one hundred rupees.

FORM 1
(See rule 6)

Statement as to place of ordinary residence by a Person holding a declared office.

Full Name :
 Father's/Husband's Name :
 Age Year
 Office held

I hereby declare that I am a citizen of India and that but for my holding the above mentioned office, I would have been ordinarily resident at (full postal address).....

I further declare that my wife (name).....
 Aged..... Years ordinarily
 resides with me (and is a citizen of India)

This cancels any previous statement as to place of ordinary residence made by me.

Signature

Place
 Date

FORM 2
(See rule 6)

Statement as to place of ordinary residence by a member of the Armed Forces.

I hereby declare that I am a citizen of India and that but for my service in the Armed Forces, I would have been ordinarily resident at :—

House No.
 Street/Mohalla ..
 Locality ..
 Town/Village ..
 Post Office ..
 Police Station ..
 Tehsil/Taluka ..
 District ..
 State ..
 My full name
 Service No. Rank :

Service/Corps/Regiment ..
 Name and Address of record office

Age and birthday..... Years.....
 I further declare that my wife..... age.....
 Years ordinarily resides with me and is a citizen of India.

This cancels any previous statement as to ordinary place of residence made by me.

Date.....19 (Signature)

(Form 2— contd.)

Record Office.....Verified and found correct.
Folio No.....

(Signature)

Place (Designation).....

Date Office-in-charge Records

(For use in the Election Office)

Statement received on the.....198

Registered in the additional electoral roll for the.....

Zilla Parishad Constituency No.....

Service-voters' part at S No.....

Date.....198

Electoral Registration Officer.

FORM 3

(See Rule 6)

Statement as to place of ordinary residence by a member of an armed police force of State, who is serving outside that State.

I hereby declare that I am a citizen of India and that but for my service outside the State in the armed police force mentioned below, I would have been ordinarily resident at.

House ..
Locality ..
Post Office ..
Tahsil/Taluka ..
State ..
Rank ..
Name of armed Police force ..
Street/Mohalla ..
Town/Village ..
Police Station ..
District ..
My full Name ..
Buckle No. ..

Name and address of the office of the Commandant.....

Age and Birthday.....Years.....

I further declare that my wife.....Age.....

Years. Ordinarily resides with me and is a citizen of India.

This cancels my previous statement as to ordinary place of residence made by me.

Date.....

(Signature)

Delete if not applicable Verified and found correct
 (Signature)
 Commandant's Office (Designation)
 Folio No. Commandant.
 Place
 Date

(For use in the Election Office)

Statement received on the 198.....
 Registered in the additional electoral roll for the
 Zilla Parishad Constituency (No.)
 Service Voter's Part at Sl. No.
 Date
 (Electoral Registration Officer)

FORM 4

(See Rule 6)

Statement as to place of ordinary residence by a person employed under the Government of India in a post outside India.

Full Name ..
 Father's/Husband's Name ..
 Age Years

Description of post held outside India.

I hereby declare that I am a citizen of India and that but for my being employed under the Government of India in the above, mentioned post, I would have been ordinarily resident at (full postal address)

I further declare that my wife (Name) Aged
 Years, ordinarily resides, with me (and is a citizen of India).

This cancels any previous statement as to place of ordinary residence made by me.

Place Signature
 Date Verified Signature
 Designation of the Head of Office

Place
 Date

(For use in the Election office)

Statement received on the 198.....
 Registered in the additional electoral roll for the
 Zilla Parishad Constituency (No.)
 Service Voter's Part at S. No.
 Date (Electoral Registration Officer)

FORM 5

(See Rule 7)

Enumeration Form

House No.....Original/Duplicate

Sl. No.	Name of Voter	Name of the father/ husband/mother	Male Female	Age on 1-1-1985
1.				
2.				
3.				
4.				
5.				
6.				
7.				

I solemnly declare that the particulars given above are true to the best of my knowledge and belief and that none of the names of the persons mentioned above has been included in the additional electoral roll of any other areas of the Zilla Parishad Constituency. I have received a copy of the above house slip.

Signature of the Enumerator.

(Signature of the head of the household/any other Senior member of the family).

Date

FORM 6

(See Rule 9)

Notice of Publication of additional
Electoral Roll in Draft.

To

The Voters of the.....Constituency.

Notice is hereby given that the additional electoral roll has been prepared in accordance with the Karnataka Zilla Parishad, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats (Preparation of Additional Electoral Roll) Rules, 1985 and copy thereof is available for inspection at my office and at..... during office hours.

If there is any claim for the inclusion of a name in the additional electoral roll or any objection to the inclusion of a name or any objection to particulars in any entry, it should be lodged on or before the..... in *Form as may be appropriate. (*7, 8, or 9).

Every such claim or objection should either be presented in my office or to..... or sent by registered post to the address given below so as to reach me not later than the aforesaid date.

Electoral Registration Officer.

Date.....

Address.....

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FORM 7

(See rule 12)

Claim application for inclusion of name in the Additional Electoral Roll.

To

The Electoral Registration Officer,.....
Constituency.

Sir,

I request that my name be included in the additional electoral roll of..... constituency in part No..... relating to.....

My name (in full)

My father's/Mother's/Husband's name

Particulars of my place of residence are :—

House No. and Name of the Street

Mohalla/division/Ward/

Name of the Village/Town/City.....

District.....

I hereby declare that to the best of my knowledge and belief :

(i) that I am a citizen of India.

(ii) that my age on the first day of January last was.....
years and.....months.

- (iii) that I am ordinarily resident at the address given above.
- (iv) that I have not applied for the inclusion of my name in the additional electoral roll for any other constituency.
- (v) that my name has not been included in the additional electoral roll for this or any other constituency.

Or

that my name may have been included in the additional electoral roll for the.....
 Constituency in the.....
 Zilla Parishad under the address mentioned below and if so,
 I request the same may be excluded from the additional electoral roll.

Place
 Date *Signature or thumb impression of claimant.*

I am an voter included in the additional electoral roll the same para in which the claimant has applied for inclusion viz., Part No..... relating to..... my Serial Number thereon is.....
 I support this claim and counter sign it.

Name (in full)
 (*Signature of the elector*)

Note :—Any person who makes a statement or declaration which is false and which he either knows or believes to be false or does not believe to be true is punishable under rule 27 of the Karnataka Zilla Parishad/Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats (Preparation of additional Electoral Roll) Rules, 1985.

FORM 8

(See Rule 12)

Objection to inclusion of name in the additional electoral roll

To

The Electoral Registration Officer,
.....Constituency.

Sir,

I object to the inclusion of the name of.....
.....at Serial No.....in part.....
of the additional electoral roll for the following reason(s) :—
.....
.....

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief.

My name has been included in the additional electoral roll for this constituency as follows :—

Name in full
Father's/Husband's/Mother's Name
Serial No.
Part No.....

*Signature/thumb impression
of objector.*

(Full Postal Address)
.....
.....

Date.....

I am a voter included in the same part of additional electoral roll in which the name objected to appears, viz., part No..... relating to.....my serial No..... therein is.....I support this objection and countersign it.

Signature of the Voter

(Name)

Note :—“Any person who makes a statement or declaration which he either knows or believes to be false or does not believe to be true is punishable under rule 27 of the Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats (Preparation of Additional Electoral Roll) Rules 1985.

FORM 9
(See Rule 12)

Objection to particulars in any entry in the additional electoral roll
To

The Electoral Registration officer,
.....Constituency.

Sir, I submit that the entry relating to myself which appears at serial
No..... in part.....
of the additional electoral roll as.....
is not correct. It should be corrected to read as follows :-
"....."

Signature or thumb
Impression of the Voter.

Place.....
Date.....

FORM 10
(See Rule 14)

List of claims in the additional Electoral Roll

Date of receipt	Sl.No.	Number of claimant	Name of father/ Mother/Husband
1	2	3	4
Place of		Date, time and place of hearing.	
5		*6	

*To be filled only by the registration officer.

FORM 11
(See Rule 14)

List of objection to inclusion of names in the Additional
Electoral Roll

Date of receipt	Sl.No.	Full name of objector	Particulars of name objected to		
			Part	Serial	Name in full
1		3	4	5	6
Reasons in brief for objection			Date time and place of hearing.		
7			8*		

.To be filled only by the registration officer.

FORM 12
(See Rule 14)

List of Objections to particulars in entries in the additional electoral roll.

Date of receipt	Sl.No.	Name in full of voter objecting
1	2	3
Part No. and Sl. No. of entry	Nature of objection	Date, time and Place of hearing.
4	5	6*

*to be filled only by the Registration Officer.

FORM 13
(See Rule 18)
Notice of hearing of a claim.

Duplicate (Office copy)
(Full name and address of claimant)

To

Reference Claim No.

Take notice that your claim for the inclusion of your name in the Additional Electoral Roll will be heard at
(Place) at O'Clock
on the day of 19
You are directed to be present at the hearing with such evidence as you may like to adduce.
Place

Date Electoral Registration Officer.

Original (To be served on the claimant)

FORM 13

Notice of hearing of a claim.

(Full name and address of claimant)

To
.....
.....

Reference Claim No.

Take notice that your claim for the inclusion of your name in the Additional Electoral Roll will be heard at.....
 (Place) at..... O'Clock on the
 day of..... 19... You are
 directed to be present at the hearing with such evidence as you may
 like to adduce.

Place.....

Date..... Electoral Registration Officer.

Certificate of Service of Notice

Received notice of the date of hearing.

Date.....

Claimant

Certified that the notice on the claimant has been duly served by me
 this.....

day of..... on

(Name).....

personally/by affixation on residence.

Place.....

Date.....

Serving Officer.

N.B.—If this notice is served by Post, attach receipt here.

(Duplicate Office copy)

FORM 14

(See Rule 18)

Notice to the Objector

To
.....
.....

(Full name and address of objector)

Reference—Objection No.

Take notice that objection to the inclusion of the name of.....
 in the additional electoral
 roll will be heard at..... (place) at.....
 O'Clock on the..... day of..... 19...
 You are directed to be present at the hearing with such evidence as you
 may like to adduce.

Place.....

Date.....

Electoral Registration Officer.

FORM 14

Notice to the Objector

Original (to be served on the objector)

To
.....
.....
.....

(Full name and address of objector)

Reference— Objection No.

Take notice that your objection to the inclusion of the name of
.....in the additional
electoral roll will be heard at.....(Place) at.....
O'Clock on theday of.....19.....

You are directed to be present at the hearing with such evidence as you
may like to adduce.

Place.....

Date..... Electoral Registration Officer.

Certificate of Service of Notice.

(Received notice of the date of hearing)

Date.....

Objector

Certified that the notice on the objector has been duly served by
me thisday of.....
on (Name).....
personally/by affixation on residence on.....

Place.....

Date.....

Serving Officer.....

N.B.:—If this note is served ciby post, attach the receipt here.

FORM 15

(See rule 18)

Duplicate (Office copy)

To
(Full name and address of person objected to)

Reference : Objection No.

Take notice that the objection to the inclusion of your name at
Serial No. in part. of the additional electoral roll
for Constituency filed by

(Full name and address of objector)

Will be heard at (Place) at O'Clock on the
..... day of 19 you are directed to be
present at the hereing with such evidence as you like to adduce
The objection (in brief) are :—

- (a)
- (b)
- (c)

Place

Date

Electrol Registration Officer.

FORM 15

(See Rule 18) ..

Original.

(To be served on person objected to)

To

(Full name and address of the person objected

Reference :—Objection No.

The notice that the objection to the inclusion of your name at Serial
No. in part. of the additional electoral roll for
Constituency filed by
Constituency filled by

(Full name and address of objector
 will be heard at (Place) at
 O'Clock on the day of
19..... you are directed to be present at the hearing
 with such evidence as you may like to adduce. The grounds of objection
 (in brief) are.....

(a)

(b)

(c)

Place.....

Date.....

*Electoral Registration Officer.***Certificate of Service of Notice**

Received notice of the date of hearing.

Date.....

Person objected to

Certified that the notice on the person, the entry relating to whose
 name has been objected to, has been duly served by me this.....
 day of..... on (name).....
 Personally/by affixation on residence.

Place.....

Date.....

Serving Officer.

FORM 16

Duplicate

(Office copy)

(See Rule 18)

Notice of Hearing of an Objection to Particulars in an Entry

To

(Full name and
 address of the
 objector)

Reference: Objection No.....

Take notice that your objection to certain particulars in the entry
 relating to you will be heard at..... (Place)
 at..... O'Clock on the..... day of
19.... You are directed to be present
 at the hearing with such evidence as you may like to adduce.

Place.....

Date.....

Electoral Registration Officer.

Original
(To be served on
the objector)

FORM 16

Notice of Hearing of an objection to Particulars in an Entry

To

(Full name and
address of the
objector)

Reference:—Objection No.....

Take notice that your objection to certain particular in the entry relating to you will be heard at.....(Place) at.....O'Clock on the.....day of.....19.... You are directed to be present at the hearing with such evidence as you may like to adduce.

Place.....

Date.....

Electoral Registration Officer.

CERTIFICATE OF SERVICE OF NOTICE

Received notice of the date of hearing

Date.....

Certified that the notice on the objector has been duly served by me this.....day of.....on (name)..... personally/by affixing on residence.

Place.....

Date.....

Serving Officer.

N.B.:—If this notice is served by post, attach the receipt here.

FORM 17

(See Rule 22)

Notice of Final Publication of Additional Electoral Roll

It is hereby notified for public information that the list of amendments to the draft additional electoral roll for the..... Constituency has been prepared in accordance with the Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats (Preparation of Additional Electoral Roll) (Rules, 1985 and a copy of the said roll together with the said list amendment² has been published and will be available for inspection at my office.

Place.....

Date.....

*Electoral Registration Officer,
(Address).....*

FORM 18

(See Rule 25)

Application for Transposition of an entry in the Additional
Electoral Roll

To

The Electoral Registration Officer,
.....Constituency.

Sir,

I submit that the entry at Serial no.....in Part No.....
of the additional electoral roll of the above mentioned constituency
relating to (myself namely
son/wife/daughter of.....should be
*transposed to Part No.....of this additional electoral roll
because *I have/the said elector has changed *my/his/her place of
ordinary residence to.....which is within the
same constituency.

I declare that I am an voter of this Constituency enrolled at Serial
no,.....in Part No.....of the additional electoral roll.

Signature/Thumb Impression of
Applicant
(Full Postal Address)

Place.....

Date.....

Note : Any person who makes a statement or declaration which is false
or which he either knows or believes to be false or does not
believe to be true is punishable under rule 27 of the
*Karnataka Zilla Parishads, Taluk Panchayat Samithi
Mandal Panchayats and Nyaya Panchayats (Preparation
of Additional Electoral Roll) Rules, 1985.

* Strike out the inappropriate words

FORM-19

(See Rule 25)

APPLICATION FOR DELETION OF ENTRY IN THE
ADDITIONAL ELECTORAL ROLL

To
The Electoral Registration Officer,
.....Constituency.

Sir,

I submit that the entry at Serial No.....in Part No.....
of the additional electoral roll for the above mentioned constituency
relating to Sri/Smt.....*son/wife/daughter
of.....requires to be deleted as the said person
*dead/is no longer ordinarily resident in this locality/is not entitled
to be registered in the additional electoral roll for the following
reasons :

.....
.....
.....
.....

I hereby declare that the facts mentioned above are true to the
best of my knowledge and belief.

I declare that I am an voter of this Constituency enrolled at
Serial No.....in part No..... of the roll.

Signature/Thumb impression of Objector
(full postal address)

Place.....

Date.....

Note.—Any person who makes a statement or declaration which
is false or which he either knows or believe to be false or does not
believe to be true is punishable, under rule 27 of the Karnataka Zilla
Parishads, Taluk Panchayat Samithis, Mandal Panchayats, Nyaya
Panchayats (Preparation of Additional Electoral Roll) Rules, 1985.

*Strike out the inappropriate words.

By Order and in the name of the Governor of Karnataka,

(AMRUTHAPPA PATIL)

Deputy Development Commissioner and
Ex-officio Dy. Secretary to Govt.,
Rural Devt. & Panchayat Raj Dept.

G.S.R. No. 207

Towards a People-oriented Alternative Health Care System

Ravi Narayan

A 'People-oriented' alternative health care system cannot be just a new package of actions, or a new technology fix. It has to be a new vision of health care, a new attitude of mind, a new value orientation in health action intertwined closely with efforts to build an alternative socio-political-economic-cultural system in which health can become a reality for all people.

It has been the field experience of many that the existing health care system in India does not meet the needs of the large majority of the people in the country. There are many reasons for this situation.

Firstly, the present model based on the 'western-technological-institutional model' of health care is too costly and efforts to duplicate it have meant that we can develop much less of it with our constraints on resources.

Secondly, the present model relies too heavily on expensively trained doctors and nurses and other para-professional workers, who by the very nature and culture of their training are the least likely to work in disadvantaged areas, be they rural, urban slums, or tribal regions where most of the people reside. Hence there is a continued shortage of manpower in situations which need them the most.

Thirdly, the system is too closely linked to a rapidly growing medical industry of drugs, equipment, technology which, because of its preoccupation with growth and profits, has developed a vested interest in 'the abundance of ill health' and in the medicalisation of health itself. The proliferation of drugs, capitation fees—medical colleges, high technology, private diagnostic centres, corporate sector hospitals are all indications of this trend.

Dr. Ravi Narayan is Coordinator of the Community Health Cell, Bangalore.

COMMUNITY HEALTH CELL
47/1, (First Floor) St. Marks Road
BANGALORE - 560 001

Fourthly, the system, having developed in a different historical and socio-cultural milieu, is cut off from the health culture of the people. It looks upon traditional healers and birth attendants, herbal and home remedies, indigenous systems of medicines and their practitioners and the folk medical culture of the people, as superstitious remnants of an earlier era, waiting to be replaced by the so-called 'rational scientific western system'.

Fifthly, the system looks at health in a very myopic way, concentrating on the physical and biological dimensions, paying lip service to the mental/psychological dimension and mostly ignoring the social, cultural, political, economic and ecological dimensions. The focus is on 'diseases' and 'syndromes' rather than on the way of life or social processes in the community that cause ill health. The system also has a built-in prejudice of looking at problems in an individualistic sense rather than analysing them in a community and collective context.

Sixthly, the system is highly professionalised and mystified with its knowledge being compartmentalised in specialities and fully under the control of professionals. There is a built-in resistance to transfer of knowledge and skills down the line within the hierarchy of the health team itself.

Seventhly, the medical system undermines the autonomy of individuals, groups and communities by not increasing the common knowledge of health and by promoting an 'economy of created needs'. In addition, the planners of the system thrust top-down, vertical package of services, be they curative, preventive or promotive in nature, on the community.

Finally, the people who use the system are seen primarily as beneficiaries and consumers rather than as participants of a joint effort (by professionals and patients) to build health.

When such a 'health system' with the built-in contradictions outlined above is transplanted and developed in an inequitable social system such as ours, in which class, caste, money and power determine accessibility, availability and affordability of services, then it is not surprising that the large majority of the people who are either marginalised or disadvantaged, live below the poverty line—*dalit* or tribal groups—are left out of it. Not having control over the means, opportunities, knowledge, organisations and supportive services that make health possible, the large majority of the people do not utilise or participate in such a system. It is in this sense that the existing system is not people-oriented. What then is an alternative?

Towards an alternative: The Search

Since the late 1960s a large number of initiatives and projects have emerged outside the governmental system by individuals and groups keen to adapt 'orthodox health care' to our very different social realities. Doctors, nurses, health and development activists, social workers and others pioneered micro-level community-based projects that gradually moved beyond medical care to a host of activities and programmes that were geared to making health care more relevant to people's needs. These individuals and groups, in fact this whole 'movement' if it can be called such, is marked by its diversity in ideology, background social analysis and perception of the developmental process, funding, conceptions of their individual roles and their knowledge of medicine/health itself. However there were many common perceptions as well engendered by the situation in India:

- All of them were aware of the inadequate reach of the existing services, so they reached out their efforts to more peripheral areas.
- All of them moved beyond the 'orthodoxy' of pill distribution by doctors and nurses to a wide range of health actions in which para-medicals, health auxiliaries and community-based health workers were involved.
- In all these projects much of the health action was invariably planned at the community level involving existing leadership and community organisations of the village and most sections of the people.
- Invariably most of them added preventive and promotive dimensions to their health work and some went further on to integrate health with developmental programmes focusing on agriculture, income generation, water supply and formal and non-formal education.
- However, since each of them were creatively responding to the special situation and issues relevant to their area be it a caste village, a tribal region or an urban slum, they also developed and explored other components of health action.

Towards an Alternative: The Evolving Perspectives

Some of us have been spending the last few years informally studying these experiences, programmes and approaches, trying to understand their dynamics and trying to build a new perspective, emerging from the collectivity of the experience and basing it on the successes and failures of these, numerous, micro-level health action

projects. Our study reflections have led to the identification of the following 'action' components of the emerging alternative.

Integrating health action with developmental welfare and educational activities: some examples

Banwasi Seva Ashram (Govindpur, Uttar Pradesh) had a health and family planning programme which is integrated with its other programmes which include agricultural extension, dairy, village industries, education, *gram kosh* (revolving village fund) and social justice programmes.

RUHSA Project (Kavanur, Tamilnadu) has developed a comprehensive health and family welfare project along with adult education, vocational training, community organisation, income generation, agricultural development and agro-support services.

VGKK Project (B.R. Hills, Karnataka) evolved a programme of health care along with programmes of community organisation, education, cottage industries, vocational training and adult education for the Soliga tribals of that region.

Streehitakarini (Bombay, Maharashtra) working in the slums of Bombay included among its activities maternal and child health and family welfare, non-formal education, female literacy programme, income generation programmes, creches for under fives and small savings schemes.

Integrating curative with preventive, promotive and rehabilitative activities in health action: some examples

The VHS Project (Adyar, Tamilnadu) evolved the mini-health centre scheme which included maternity services, child welfare, nutrition, family welfare, minor ailment treatment, communicable disease control and health records and data system.

AWARE (Telengana, Andhra Pradesh) has a health programme which includes maternal and child health and nutrition, health education, environmental sanitation, disease control and a floating health centre catering to 300 villages along the banks of the Godavari.

Rangbella Health Project (24 Parganas, West Bengal) has a maternal and child health care programme along with minor ailment treatment, and programmes for family welfare, housing, safe drinking water, sanitation, communicable disease control and health education.

Though most projects developed a 'health package' not very different from the Primary Health Centre package of the Government of India, the main difference was that, in these projects there was activity in all the components and they were not pre-occupied with the

Family Planning component as the government health centres are doing today. There was also a qualitative difference in the type of services.

Experimentation and development of low-cost appropriate technology

- Many projects evolved simple kits for traditional birth attendants to ensure that they were able to conduct hygienic home deliveries.
- Many projects evolved simple, locally produced health education materials using local ideas and art skills. Others evolved simple record keeping materials that could be used even by illiterate village workers using simple diagrams and signs.
- The promotion and incorporation of herbal and home remedies was a common response.
- Preparation of local food mixes and home-based oral rehydration solutions are additional examples of this search for 'technological appropriateness'.

Recognition, promotion and utilisation of local health resources; some examples

Miraj Project (Maharashtra) trained indigenous *dais*, village health aides and established liaison with untrained practitioners of *Ayurvedic* medicine, bone setters and registered medical practitioners without formal training working in the area.

VGKK (BR Hills, Karnataka) worked not only with *dais* but explored the use of traditional herbal medicines as well.

Tilonia Project (Rajasthan) involved indigenous medical practitioners and *dais* in implementing their programme along with village health workers.

Deenabandhu Project (Tamilnadu) incorporated the use of herbal remedies, acupressure and massage in their health care programme and have been one of the enthusiastic proponents of this dimension.

Training of village based health cadres

Jamkhed Project (Maharashtra) pioneered the training of village health workers—local, illiterate, middle aged women—who became the front liners of their programmes which included maternal and child health, nutrition, immunisation, family welfare services, control of communicable diseases, safe water and health education.

The Rehbar-I-Sehat Programme (Korbhalwal, Jammu & Kashmir) trained teachers of village schools as primary health care guides.

Local workers were trained in most projects and they took several interesting names e.g.,

- Swasthya Mithras* (Banawasi Sewa Ashram, UP)
- Link Workers* (CLWS Scheme, UPASI, Coonoor)
- Lay first aiders* (VHS, Adyar, Tamilnadu)
- Community Health Volunteers* (SEWA-Rural, Gujarat)
- Gram Svasthikas* (Indo-Dutch project, Somajiguda, Andhra)
- Family Care Volunteers* (RUHSA, Tamilnadu)

Organising and involving community organisations like Mahila Mandals and Farmers' Associations

Child-in-Need Institute (Daulatpur, West Bengal) organised its maternal and child health programmes and balwadis by involving *Mahila Mandals* (women's associations) in the slums and villages of Calcutta.

Kottar Community Health Project (Kottar, Tamilnadu) initiated the whole health programme in conjunction with the evolution of *Mahila Manrams* (women's organisations) which have taken gradual charge through an ongoing programme of decentralisation. Over a hundred registered village women's organisations pay and support over two hundred village health guides and animators.

Jamkhed (Maharashtra) evolved and involved young farmers' clubs in the planning and organisation of services.

Bodokhoni Project (Orissa) evolved its programmes of health, adult education, grain bank, savings scheme, goat rearing, non-formal school for children etc. with the participation of *Gramya Sangha* (men's organisation) and *Mahila Sangha* (women's organisation)

Community participation in decision making

Most of the projects involved existing and or newly evolved community organisations or representative health/development committees in their organisation and planning exercises. The village health committee was an important component.

The ongoing process was difficult since involving all sections of the community, especially the marginalised elements, was not easily possible. Also project staff had to learn to treat community members as equals and learn from their local culture and experience and not impose ideas from outside. Different projects have evolved this dimension to different extents depending on their ability to handle the above two problems.

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While many of them have involved the community at various levels of the planning cycle, decisions about funding and evaluation are two dimensions still not generally decentralised.

Tapping local financial, manpower and other resources

The Mallur Dairy Cooperative (Karnataka) supported its health project through a health cess on production of milk, generating adequate resources to pay for the health team and most of the health care supplies. Over the years the cooperative established a health endowment scheme which paid for the basic services.

The RAHA Projects (Madhya Pradesh) developed a medical insurance scheme which provided medical cover through a network of three base hospitals and 47 rural health centres.

The Kottar Project (Tamilnadu) built up a local contribution from the beneficiaries to support village health guides scheme. Other forms of local support apart from direct payment for services included health savings scheme, festival donations, grain banks, accommodation for clinics and programmes, voluntary labour and building materials, services by volunteers, village health fund and so on.

Would these Eight 'Action Components' Taken Together Constitute a People-oriented Health Care System?

Many alternative health care enthusiasts and activists would have us think so? The ICMR organised two meetings on alternative health care approaches, to identify new perspectives from the Indian experience. The list of components that emerged in these meetings were not dissimilar.

The 'Social Process' Dimension

Our study reflections show however that these are important components of the alternative people-oriented health care system but are basically in the category of technical and managerial innovations. There is another whole set of issues and dimensions which can be called 'social process' components which help the above approach to become more people-oriented. Often these issues are neglected or ill understood by health action initiators so that even though the goal of the initiated process is to build a health system with the participation of all, this objective gets somewhat derailed in the ongoing process. To understand these process components, one has to first understand some important characteristics of our social reality as well as of the health care system that is existing and dominant.

If we wish to build a health system with the partnership of all people including the illiterate and dispossessed, then health team members need to have experienced some features of this new ethos in their own team functioning itself. Building democratic, decentralised, participatory and non-hierarchical decision-making processes within the health team become as important as introducing these elements in the interaction between the health team and the people.

Learning from local knowledge

Thirdly, there is need to recognise that there are numerous cross-cultural conflicts inherent in transplanting a western medical model on a non-western culture and hence exploring integration of medical traditions and cultures in a spirit of dialogue is very important. This means often; more than involving the local *dai* or healer in the health programme. It means learning from their knowledge and experience and cross fertilising it with what is already known in the more dominant and rational medicine. In this process, however, one should also not allow a sense of romanticism about traditional or indigenous systems of medicine making us uncritical of some of their inherent values which may be similar to those of the dominant allopathic system. The relevance to the life of the poor must be an important criterion in the dialogue and integration process. It also means looking at the dominant western model with a more critical focus rejecting all that is non-science and or anti-people in it.

Understanding societal processes

Finally, a people-oriented health system would help the people to understand and appreciate the deeper links that ill health has with societal processes so that health action could move towards wider social issues and movements to enable people to demand health as their right as well as to increase their autonomy—both individual and collective—over health and organisations, means, opportunities, skills, knowledge and supportive structures that make health possible. A people-oriented health system would therefore have a strong dimension of empowerment.

Is this Social Process Dimension and Value Orientation in Health Action being Taken Seriously Today?

Our study-reflections show that this awareness is gradually evolving as serious groups and committed project initiators subject their action to a critical evaluation in the context of an ongoing social analysis. For example,

**The Deenabandhu Project* (Tamilnadu) reports two emerging policy changes in their project which symbolise the recognition of these dimensions.

- (i) A shift of the programme from its initial focus on total community—rich and poor alike to a focus on the target group of the powerless—the landless and the *dalits*.
- (ii) Introduction of a comprehensive account of the nature of poverty and its relationship to ill health, the unjust distribution of land, oppression in the name of religion and other factors in the women village health workers' training programme to instill in their mind the class nature of ill health.

**ARCH Mangrol* (Gujarat) records its experience of working among the marginalised poor in the eastern belt of Gujarat and the movement of their efforts from health of women and poor children to organising the poor tribal villagers to challenge the unjust rehabilitation programme for villagers losing their homelands due to the Narmada dam project.

**The Bodokhoni Project* (Ganjam, Orissa) records the journey of its health animators in helping the people to move from a magical understanding of their problems to a critical one so that they can strike at the root causes. Diarrhoea is not treated only with ORT but the villagers marched to the block development office to demand a well as a right of the citizens of India and then, when materials and resources were made available, dug collectively their own well as a symbol of their unity and mutual concern.

**Community Health Programme* (Pachod, Maharashtra) records its efforts in participatory management which implies a redistribution of power to take decisions and is convinced that this process can increase health awareness, effect community reflection and increase demand on health services apart from contributing to social change.

**Miraj Project* (Maharashtra) records that due to its efforts in training all health workers of various religions and castes together and with taking their meals together, the age-old caste system is breaking down and the *dais* from the *dalits* (low caste) are called upon by upper caste Hindu women to conduct deliveries.

**The Medico-Friends Circle*, a national network of doctors and health activists stands for the demystification of medicine, democratic decentralised team functioning, active community participation, medical practice built on humane values and equality and firmly opposes the negative unhealthy values of our society which include glorification of

money and power, division of labour into manual and intellectual workers, domination of men over women, urban over rural, foreign over Indian.

**The Community Health Training Team* of the Catholic Hospital Association of India (Secunderabad) defines community health as 'a process of enabling people to exercise collectively their responsibilities to maintain their health and to demand health as their right'. Thus it goes beyond mere distribution of medicines, prevention of sickness and income generating programmes. Its training programmes for middle-level workers are therefore based on this perspective.

**The 'Mandwa Project'* (Maharashtra) recounts that its experiment of training semi-literate village women as health workers was opposed by local powerful rich leaders and the government health personnel since they demonstrated results superior to those of the professionals, demystified health and reduced people's dependency. This resulted in loss of practice in the private sector, created surveillance and brought accountability in a normally unaccountable public sector. The powerful leaders were fearful of an alternative power structure developing through the project.

All these examples taken together show that this social process dimension is beginning to be taken seriously by many groups and there is a move away from developing isolated models to locating the initiative in a local socio-political cultural context.

It must be recognised at this stage that most of the health-action initiators in the NGO/Voluntary sector do not set out in their exploration of an alternative health care process after a thorough societal analysis or a critical analysis of the political economy of existing health and health care services. Much of the innovation and creativity is therefore of an *ad hoc* nature, action and ideas evolving by trial and error. There is, on the other hand, a lot of aberrations as well due to this initial lack of understanding of 'health in society'. This aberration manifests itself in many ways.

- (1) A gradual conversion from focus on the poor and indigent to a preferential option for the well-to-do and paying patient.
- (2) A promotion of a distribution service and not the evolution of an enabling empowering service.
- (3) Increase in size, bureaucracy, compartmentalisation, over-professionalisation and hierarchical decision-making cut off from the lives of the poor.

- (4) A preoccupation with targets and records, numbers, efficiency and cost effectiveness rather than a focus on indices of equity, participation, quality of services and health abilities of the local people.

This is inevitable when health action is not located in a wider socio-political-economic-cultural analysis of society and is a great danger faced by all those who begin this exploration today. Moreover, all those who begin this search today invariably emerge out of the educational and health system which are themselves not geared to a people's orientation. Therefore an attitudinal change and a value re-orientation become pre-requisites though not always easy.

Conclusion

This short exploration highlights some of the action dimensions of the search for a people-oriented health system in India. It also highlights some of the social process dimensions that need to be recognised by health action initiators to ensure that the project/process that evolves through their effort does not lose its people-orientation somewhere along the way.

The examples given are a small selection from the wealth of experience and reflections emerging in the country in the last two decades. The main plea of this paper is that the quest for a people-oriented health system must not become a quest for a new package of actions or a new technology fix.

It has to be a new vision, a new attitude of mind and a new value-orientation in health action intertwined closely with efforts to build an alternative socio-political-economic-cultural system in which health can become a reality for all people.

**A MOVEMENT NOT A PROJECT
A MEANS NOT AN END**

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A MOVEMENT NOT A PROJECT
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REFERENCES

Though no references have been given in the paper, apart from our field experience, following readings have influenced our analysis. These additional readings can be of use also to the reader.

- Antia, Noshir H. "The Mandwa Project: An Experiment in Community Participation." *International Journal of Health Services* 18 (n.1, 1988), pp. 153-164.
- Arole, Rajanikant. "Comprehensive Rural Health Project, Jamked, India," *Contact* 10 (August 1972).
- Banerji, D. *Formulating an Alternative Rural Health Care System in India: Issues and Perspectives* (New Delhi: Centre of Social Medicine and Community Health, Jawaharlal Nehru University, 1976).
- Bang, Abhay and Ashvin J. Patel (eds.). *Health Care: Which Way to Go? Examination of Issues and Alternatives* (Pune: Medico-Friends Circle, 1982).
- CHC. *Community Health: The Search for an Alternative Process—Report of a Study-Reflection-Action Experiment* (Bangalore: Community Health Cell, 1987).
- ICMR. *Alternative Approaches to Health Care* (New Delhi: Indian Council of Medical Research, 1976).
- . *Evaluation of Primary Health Care Programmes* (New Delhi: Indian Council of Medical Research, 1980).
- . *Health for All: An Alternative Strategy—Report of a Study Group Set Up Jointly by Indian Council of Social Sciences Research and Indian Council of Medical Research* (Pune: Indian Institute of Education, 1981).
- . "Health and Power to People: Theory and Practice of Community Health," *Medical Service* 43 (n.2, Feb.-March 1986).
- John, Hari and Prem Chandran. "We Learn through Our Failures: The Evolution of a Community-Based Programme in Deenabandhu," *Contact* 82 (December 1984).
- Kukreja, Neera (ed.). *Anubhav: Experience in Community Health—Anubhav Series* (No. 1-12) (New Delhi: The Ford Foundation, 1987-1988).
- Medico Friends, Circle Pamphlets* (Pratapgarh, Rajasthan).
- Narayan, Ravi. "Community Health: The Quest for an Alternative" in Walter Fernandes (ed), *Development with People: Experiments with Participation and Non-Formal Education* (New Delhi: Indian Social Institute, 1985), pp. 67-82.
- . "Towards a Paradigm Shift—A Viewpoint from Community Health Cell," *Link* 7 (n. 2, August-Sept., 1988), pp. 22-25.

- Patel, Ashvin J. (ed). *In Search of Diagnosis: Analysis of the Present System of Health Care* (Pune: Medico-Friends Circle, 1977).
- Ram, Eric R. "Realisation of an Integrated Health Services Programme in Rural India," *Contact* 44 (April 1978).
- Rao, Jaia, S. Kamla and Ashvin J. Patel (eds). *Under the Lens—Health and Medicine* (Pune: Medico-Friends Circle, 1986).
- Satyamala, C., Nirmala Sundaram and Nalini Bhanot. *Taking Sides: The Choices Before the Health Worker* (Madras: Asian Network for Innovative Training Trust, 1986).
- Volken, Henry, Ajoy Kumar and Sara Kaithathara. *Learning from the Rural Poor: Shared Experience of the Mobile Orientation and Training Team* (New Delhi: Indian Social Institute, 1982).

Medical and Non-Medical Dimensions of Health*

N. H. Antia

At Independence, India was indeed fortunate in having two of the most far-sighted documents ever produced for the health of our people. Though undertaken by two entirely different committees, namely, the National Planning Committee (N.P.C.) and the Health Survey Development Committee (Bhore), their reports were remarkably similar even though they represented such diverse interests as those of the Congress and of the British rulers. Since 92% of the people lived in the villages and small towns, both reports clearly stated that the limited available manpower and resources had to be decentralized and function as far as possible within the community, with the people as active participants. Since the disease pattern was predominantly of a communicable nature, prevention had to have precedence over curative services. This was both cost effective and could also provide a permanent solution to the perennial problem of diseases like malaria, cholera and plague which not only produced suffering and death but were a major hindrance to the economic development of the country. These committees evidently drew inspiration from the example of countries like Britain. (See Graph 1).

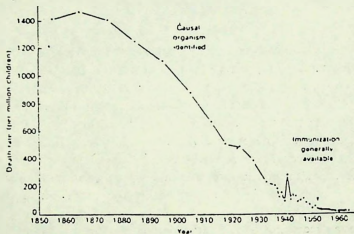
The Chadwick reform in the U.K. in the mid-19th century for the improvement of sanitation was the brainchild of a perceptive engineer and interestingly was opposed both by the medical profession and the city fathers as a waste of public resources. The remarkable improvement in the health of the British nation and the marked reduction of the major communicable diseases even before the discovery of their causative agents, as well as their virtual elimination before the advent of vaccines and drugs, clearly demonstrates the importance and superiority of non-medical interventions in the improvement of the health of a nation.

It does not require scientific proof to realise that those who suffer from chronic malnutrition and live under the appalling conditions of our villages and slums are more susceptible to communicable diseases. Today this is compounded

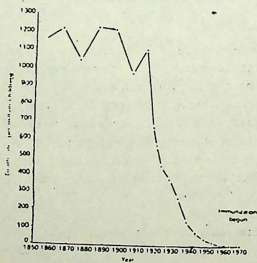
*Academy Ortion 1986-87 delivered on 4th April, 1987 at Delhi.

by the hazards of industrial pollution faced by those who migrate to the cities.

(Graph 1)

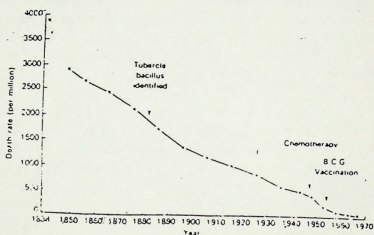


Whooping cough : death rates of children under 15, England and Wales

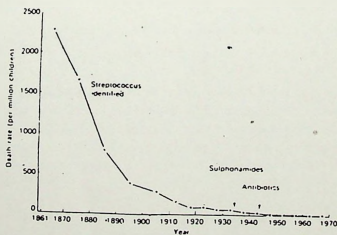


Measles : death rates of children under 15, England and Wales

(Graph 1 Contd.)



Respiratory tuberculosis : death rates, England and Wales



Scarlet fever : death rates of children under 15, England and Wales

The implementation of the above-mentioned reports was entrusted by the founder fathers of our nation to the medical profession, a profession which was dominated by the allopathic system of medicine and some of whose members

had participated in the struggle for independence. This was the result of the implicit faith placed in this profession that it would dedicate itself to the betterment of the health of the people and of the nation.

If we are honest with ourselves we have to admit that four decades later we, as a profession, have failed to fulfil the faith placed in us. However, let us not be over-repentant for we as a part of the post-independence society have failed to build a nation on the lines intended by those who fought and won freedom for our country.

The vision of Gandhiji was of a state where everyone would be able to live with dignity and free from fear and want, in a country which would be a beacon of civilization for a world increasingly consumed by fear and terror and where the lure of materialism would eventually transcend human values; of a civilization which would be judged not by the wealth of the rich but by the care and concern for the less fortunate. It is interesting to note that the vision of Gandhiji was to a great extent similar to that of Mao Tse Tung in China in that—

- (i) Health work had to be geared to the needs of the workers, and peasants;
- (ii) Putting prevention first;
- (iii) Uniting doctors of both traditional and western medicine;
- (iv) Combining health work with mass movement.

The difference was in the faith they placed in those who would be entrusted to achieve these goals. While Gandhiji's vision of Trusteeship was more humane and idealistic, subsequent events have proved Mao Tse Tung to be the pragmatist, for China under Chairman Mao implemented the Indian reports with a marked improvement of the health of its people as compared to that of our own country.

It is interesting to study the reasons for the marked disparity between the present health status of China and India as shown in Table 2 since both countries gained Independence at about the same period and started with similar problems. Though both countries were the cradles of civilization with well-established indigenous systems of medicine, their large and predominant rural populations were steeped in poverty and disease. Drained of their vigour and wealth by imperia-

Table II

	India (1950-52)	China	India (1981-82)	China
<i>Health Indicators</i>				
Infant mortality rate (Per 000)	134	—	121	35
Child (1-4) death rate (Per 000)	—	—	11	2
Crude birth rate (Per 000)	40	37	35	21
Crude death rate (Per 000)	27	17	13	6.4
Life expectancy at birth (yrs.)	32	—	52	67
Population growth rate (mill)	—	—	2.1	1.5
Total Population	361	542	742	1029
<i>Living Standards</i>				
Literacy per cent	16.7	20	36	69
Foodgrains (gms/day) Per capita	384	542	450	669
<i>Health Infrastructure</i>				
Per 10,000 population				
No. of physicians	1.65	6.7	3.9	13.4
No. of nursing persons	0.23	0.6	2.1	6
No. of hospital beds	3	1.5	7	21
<i>Agriculture</i>				
Cultivated land (mill. hect)	119	141	143	144
Irrigated land (mill. hect.)	21	20	53	44.5
Total food production (mill. tonnes)	55*	164*	850	407

list exploitation and internal dissension they had limited resources to solve the multitude of problems with which they were beset. Both countries also had well established nuclei of allopathic medicine, the legacy of the departed western rulers. Following independence China faced military threats from the United States and Russia. This not only placed an enormous drain on their scarce resources but also cut them off from foreign aid and access to the latest advances in western science and technology. India was more fortunate for it faced no such threats, had substantial financial reserves left by the departing rulers and had almost unlimited access to science and technology of the west. It also received substantial foreign aid including that in the field of health.

China faced with what seemed almost insurmountable problems had no option but to gird its loins and develop its intrinsic strength which lay in the vastness of its population and faith in its ancient culture. In the field of health it developed a decentralized approach very similar to that recommended by the Bhore Committee, enlisted the people in the care of their own basic health, popularly known as the barefoot doctor approach and with small county hospitals distributed all over the country. While using the simple readily available knowledge of allopathic medicine, especially for the control of communicable diseases, it encouraged its own traditional systems of medicine and health care. This Primary Health Care approach with its emphasis on prevention and education was supported by simple but effective decentralized curative services using a combination of indigenous western systems of medicine.

Yet there is no doubt that the present health status of the Chinese nation is as much or more the result of the transformation of its feudal oppressive and exploitative society to that of an egalitarian state. The resulting mobilization of its human resources, not only in the field of medical care but also in areas like the production and distribution of food so essential to health. China with less cultivated land produces 400 million tons of grain as compared to our 150 million tons; more important, it has ensured its equitable distribution. It has also achieved over 70% literacy as opposed to our 36% and has raised the status of its women. It has also provided basic services and facilities like housing, water supply and sanitation to all its people. Mobilization of the masses has resulted in actions like eradication of the four pests, the clearing of snail infested canals and universal immunization. This has to a great extent controlled if not eradicated, most communicable diseases, which continue to plague us to this day. With relatively modest financial inputs China is at present in a very fortunate state of health for it has neither the diseases of poverty nor those of affluence.

In contrast, India after four decades of independence, has failed to provide even the basic necessities of food, clothing, shelter, water, sanitation and education to the majority of its people who are malnourished and continue to live in poverty in the 600,000 villages and proliferating urban slums. They continue to suffer and die from communicable diseases like tuberculosis, leprosy, malaria, filaria and poliomyelitis, while a small urban and even smaller rural elite live in a style which apes the West and suffers from the same diseases as of the affluent countries. The aggregate statistics which are presented to us in such a polarized society conceal more than they reveal, such as the tragic conditions of the lowest two or three deciles (like the tribals and scheduled castes) whose conditions have actually deteriorated in a dehumanized, competitive market economy. If the Infant Mortality Rate (IMR) in Kerala is 36 then the IMR in U.P., Bihar and similar backward states, must surely be much higher to achieve the aggregate national rate of 110! The village IMR is usually twice as high as in the urban setting and the IMR among the poorest in the village is also higher than the average of the village. Since the recording of deaths in a backward state with low literacy is less accurate than in a state like Kerala, the actual figures would be even worse. It must, therefore, be understood that while aggregate statistics reveal the state of affairs in an egalitarian society they must be treated with great circumspection in a country like ours, more so when pressures are exerted to reach national targets.

Why is it that with all our advantages, the health situation in our own country is so much inferior to that of China? The reason I believe, lies in the very openness of our society where the much vaunted freedom means freedom for a few to exploit and the rest to starve. For the elite like the doctors to emigrate to affluent countries after being trained at public expense, or on return to propagate the latest technologies of the West which are inappropriate for all but a minuscule of our population, thereby diverting scarce resources from basic health care and preventive and promotive medicine to expensive, curative services. This has also created many rural and ethical problems for the majority who really cannot afford services like kidney transplants, coronary bypass surgery and intensive care but now feel they must go into debt to save or prolong the life of a dear one. In the prevailing market economy devoid of moral considerations, health has also been converted into a lucrative trade in peoples illness, for it is an area where consumer resistance is at its lowest. The pharmaceutical and instrumentation industry and the corporate sector have not lagged far behind and have now overtaken the medical profession in their greed for profits.

In a free economy which still terms itself as socialist, it is up to the State to ensure that preventive and promotive care as well as basic curative services be provided to those who cannot afford the services of the private sector. Unfortunately, this is not so. The public sector fails to attract the necessary talent in competition with a lucrative private one. It has also mystified health and treats the people as incapable of participating in their own health care. The public sector has by and large failed to deliver the goods and besides its inefficiency has shown a remarkable lack of accountability to the people who they are paid to serve.

That curative medicine is a bottomless pit is clearly demonstrated by the fact that the USA spends over \$300 billion (\$1225 per capita) for such services, which is next only to armaments. Yet its status is 18th as measured by the scale of IMR, and tenth in life expectancy among the countries of the world. This only demonstrates that illness can be converted into a lucrative business by the profession and the health industry without commensurate benefit to the health of the nation. It also creates the new hazard of iatrogenic diseases and in poor countries also diverts money from food, clothing and shelter and often reduces whole families to destitution under the guise of freedom of choice. This results in the public perceiving the medical profession as a necessary evil and given the opportunity, they have no compunction in suing the doctor. Is this to be our goal as well?

While the health status of communist countries shows what can be achieved even with limited resources, the example of Sri Lanka and even in our own state of Kerala reveals that the achievement of health by all the people is possible even under the existing constraints in the non-communist countries provided human welfare activities like education and improvement of the status of the woman are given due attention. The much superior health status of Kerala, even in the early 70s, when it was the poorest state before the Gulf boom as compared to Punjab, the richest state, indicates the importance of these non-medical factors in health. This not only permits the people to better utilize the available resources but also to monitor those that are provided by the state and private sector and exert the necessary consumer resistance which is the only defence available to the people in a market economy. Only thus can they protect themselves from the malpractices of being given unnecessary and dangerous drugs and injections and subjected to unnecessary investigations which have reached frightening levels in our country today; all under the cover of mystification and freedom of choice.

While it is evident that the medical profession can and should play an important role in all aspects of health it is important to redefine their role. It is unfortunate that the profession with good intention or otherwise has mystified health and created a sense of abject dependency among the people. There is also an unfortunate belief that the uneducated are unintelligent and incapable of looking after their own welfare. For this there is no rational explanation except the ignorance of the elite.

Several studies including ours at Mandwa, have clearly demonstrated that the illiterate are as intelligent as any other segment of our population. They have a clear and practical thinking not confused by inappropriate education and the false values that this engenders. We have far too long failed to appreciate the people's ability to look after their own interests including their health and have tried to appropriate what are legitimately their own functions. In the process we have not only failed miserably as is evident in almost all fields, but have succeeded in converting health into a profitable business.

Let us, therefore, try to examine the various factors that are responsible for the health of the people and on that basis determine the role of the medical profession, the people, the health services, as well as of the political and other agencies. The achievement of Health for All can no longer be accepted as the prerogative of the health services.

Let us first consider the group of factors which though seemingly non-medical play a predominant role in determining the health status of the people. The four most important of these are nutrition, education, environment and women's status. While each of these may justify a dissertation by itself they are so self-evident that I shall only try to highlight some of the more significant features of each in order to discuss the role of those who can help in their solution.

It is a *sine qua non* that no one can be healthy without proper nutrition. Since the traditional Indian diet is very well balanced, for the 37% of our population who live below the poverty line of 2400 (rural) 2100 (urban) calories per day this means that what they require is enough money to purchase adequate food. The myth of the protein gap and resulting mental retardation has been thoroughly exploded and only serves to further exploit the poor by the multinational corporations. What we need is not only increase in the production of food but more important, its distribution. No amount of economic jargon can justify that

half our population goes hungry to bed when 30 million tons of grain are rotting in storage and have to be exported to earn foreign exchange, most which gravitates into the pockets of the haves. We are informed that since our population will increase to one billion by 2000 A.D. we will have to step up grain production from 150 to 250 million tons and that this can only be achieved through investment in high technology like genetic engineering, the latest panacea for all ills! Yet China with less cultivable area and using conventional agricultural technology is already producing 400 million tons of grain! Why, have we not undertaken research into the crops grown in the drought prone areas and the economics of distribution of the increased production? Are we going to depend on the illusion of the 'trickle effect' supported by 'nutrition programmes' which seldom reach the targeted group and in any case are an insult to human dignity by doling food to those who have been reduced to starvation? Nutrition can only be achieved through full employment and paying adequate wages for labour. Common sense dictates that the present policy of urban industrialization producing goods for the elite using capital intensive technology will further polarize our society and aggravate the tensions of which this is the root cause. It will force increased migration from the villages to urban slums where people are forced to survive under inhuman conditions.

The medical profession can either play an important role in drawing public attention to the cause and effect of poverty and malnutrition and help the people to take the necessary action, or medicalize nutrition into another scientific exercise and business of predigested proteins, vitamins, tonics and micronutrients, for which they will receive support from the pharmaceutical industry. Let us not underestimate the influence of our profession in moulding public opinion in the field of health for better or for worse.

Education for health which is a prerequisite for any health programme has been converted into another futile effort by the Central and State Health Education Bureaux which have proved their ineffectiveness over the decades. That the majority of our people, including those who have received higher education, are unaware of the basic information about the commonest health problems like tuberculosis, leprosy, gastroenteritis and oral rehydration, clearly demonstrates the almost total failure in this field. These special agencies have neither the expertise in education nor in communication which is part of the general education and communication services of our country. Nor do they know communication and spread of information occurs in the village which is chiefly

by word of mouth around the village well. Even if they did, they would be unable to reach the information to the people due to their bureaucratic set up.

Withholding information and mystifying health is an effective method for creating dependency among the people and can lead to their exploitation. Consciously or unconsciously this is what we have succeeded in achieving. Even the educated, leave aside the illiterate, are easy prey as can be seen by the way they have been hooked on to unnecessary and often dangerous injections and drugs even for trivial self-limiting ailments rather than encouraging them to use the same money for more health-giving products like cheap nutritious food.

The misuse of the mass media like television by the private pharmaceutical and food industry, utilizing vast sums of money can hardly be combated by a few pamphlets doled out at the health centres by the State and Central Health Education Bureaux. There are lessons on health in the school curriculum which make little impact because of their poor quality and lack of relevance to their daily life. School health is still a time-worn ritual of checking by a doctor which only perpetuates a sense of dependency rather than participation. Why cannot students and teachers undertake most of their own check up with only a supporting role by the professional?

This lack of health information together with the counter information has not only reduced the people to medical gullibility but also prevents them from questioning the professionals and demanding the correct services which are due to them. It would be interesting to know how many of our people are aware of the function and working of the Primary Health Centres and hospitals as well as the duties and responsibilities of the staff and the expenditure incurred in the name of their health, as well as the duties and responsibilities of the staff. How can they exert their rights in this atmosphere of secrecy which is the major cause of lack of accountability of the public sector and malpractice in the private one?

The importance of environment is also self-evident. Can one really expect to improve the health of our people if they have to continue to live in the foul slums or in the unhealthy conditions of our poverty ridden villages? The Minister of Agriculture, states that 2.27 lakh villages still have no proper source of potable water and few of our slums have sanitation. What is provided is often non-functional because of lack of maintenance and repairs.

The advent of pollution of air, water and food by industry and the uncontrolled use of pesticides and fertilizers pose a new hazard to those who have no alternative. The safety record of most industries leaves much to be desired and the Government and its supervisory staff have shown their inability to stand up to the money power ranged against them. While the medical profession may not be directly able to effect any changes they can surely draw the attention of the State as well as of the public to the consequences which they see daily in their hospitals and clinics. Unfortunately, we often fall prey to the tempting offers of the same business and industry to build more hospitals like a Chest Hospital in Chembur to appease the public. Is it moral to support those who create these hazards and help them to project a false benevolent public image?

Forty-five per cent of our population consists of children and half of the rest are women. Since the majority of the problems of health and disease affect women and children, it is evident that this is the section of our population which should receive the most attention. Unfortunately, in our male dominated society and culture, the female is the most oppressed whether it be in nutrition, education or legal rights. Yet it is the woman who bears the risk of child-bearing and the burden of childrearing, expends the greatest amount of energy in the dual duties of caring for the home as well as helping in the field and carrying head loads in the EGS schemes. For this she is treated like a chattel, battered by her husband, raped by the contractor and police and burnt as a bride. Yet it is she who is responsible for the physical and mental development of the next generation. No programme for health can succeed unless it actively involves the female population and does not treat them as mere targets for the MCH and Family Planning Programme.

This is why it is essential for a woman to be made fully aware of her own ability to do anything and when bringing up her children to make no difference between the sexes, males or female, to let her daughters feel they are capable of doing whatever her sons can do. If a woman is treated like a chattel or a sex object it is because she herself accepts the situation. It is not necessary to go on marches, etc., and make loud noises to prove their equality, and make demands for equal rights. What is required is for a woman in her own little environment to show that she is capable and confident of her ability to contribute to society as well as to the health of her family in which she must play the crucial role.

Even though these are essentially non-medical areas the medical profession can play a useful role not only as responsible members of society but in view of the public confidence they enjoy in all areas concerned with health. They can act as catalysts for change by educating the people in understanding the importance these factors play in determining their health and supporting them in bringing about change through their own effort. We can also draw the attention of the politicians, planners and the bureaucracy, but ultimately, it is only the people themselves who can solve problems in these fields.

Let us now turn to those areas where the medical profession can and should play the dominant role. This is evident in the case of acute medical and surgical emergencies. Also in those conditions where the skills and facilities that are required are beyond those which can be reasonably expected of the people themselves and can only be provided in hospitals for secondary and tertiary care. Even in these areas, which are predominantly medical, it is important to see that basic medical and surgical facilities for the common problems are made available to all at the community level in what the ICSSR/ICMR report has designated as the Community Health Center. This report estimated that about 98% of preventive, promotive as well as curative care can be undertaken at the taluka or block level leaving only a small percentage of the most difficult problems for the district and medical college hospitals.

Unfortunately, our present priorities favour the latter which cater to the rich and affluent at the cost of basic services for the majority. Such institutions which compete for the latest expensive western high technology curative services not only divert scarce resources but also set a pernicious trend which percolates to the periphery. It also creates tensions and unpleasant ethical problems for those who cannot afford such services for their loved ones. Commercialization of curative medicine has also led to unethical practices like excessive investigation and unnecessary treatment which has already reached alarming proportions. The percolation of high technology medicine to the medical college hospitals is particularly harmful as it inculcates wrong values and ultimate disillusionment in the students, most of whom will eventually have to work under far less ideal conditions.

With the existing pattern of diseases and where our population is distributed in the rural areas, the simple cottage hospitals which were the backbone of curative medicine in the west in the early part of this century, as well as the

present day county hospitals of China are much more suited for our present needs than the modern disease palaces of which we are so enamoured. Even in our own country, we have examples of highly efficient small rural hospitals in the voluntary sector which provide excellent care for most medical and surgical problems at a reasonable cost which the country can afford. They provide services which are often more efficient than in our unmanageable large urban institutions, under far more humane conditions and at a fraction of the cost. Experiments have demonstrated that even in the treatment of major problems like extensive burns, fractures, reconstructive surgery and head injuries, results can be achieved by a general surgeon with basic medical and surgical facilities in the community hospitals. Unfortunately the training in the urban medical colleges is totally divorced from the actual needs of the majority of our people so that our modern doctor is ill suited to provide the service our country needs most. It would be hard to devise a more inappropriate medical education to meet the health needs of our country.

While the more difficult aspects of curative medicine lie chiefly in the domain of the medical profession even here it is important that the decisions on the type, location and extension of such services cannot be left entirely to them or as experience shows even to the government. Local peoples' committees should help in determining what is in their best interest and the profession provide them the appropriate information and guidance.

Besides the predominantly medical and non-medical areas lies a large zone of medical care which needs joint attention from the professionals as well as the people. The control of communicable diseases is a classical example for such a joint effort. We have for too long tried to medicalize problems of tuberculosis, leprosy, poliomyelitis, filaria, guineaworm, gastroenteritis, malaria and a host of similar problems which represent the mortality and morbidity in our country today. Except for small pox and partially in the case of malaria, these diseases continue to take their relentless toll despite the fact that we have the knowledge and tools for their prevention, control and cure. Most of this knowledge and technology is so simple, effective, cheap and safe that several examples are available in our own country where semi-literate village women have proved their ability to absorb this knowledge and use the technology, provided this is given to them in a simple manner which they can comprehend. They have also demonstrated that in this they are the most effective agents for the control of these diseases.

The reason why the more highly trained and far more expensive professionals and their services are unable to achieve what simple village folk have done is because the problem is not of knowledge and technology but in its delivery which requires close proximity and a high level of cultural affinity with the people. While the villager can readily use the basic tools if made available to them it is virtually impossible for the professionals to reach the masses because of the physical, and even more important, the cultural distance between them and the people. This gap is directly related to the extent of training between the doctor and the ordinary man. The over-production of doctors in the hope that there will be a private practitioner in every village has only resulted in the increase of malpractice and exploitation of the people and the diversion of scarce resources from food to medicine and injections without much improvement in their health for by and large they have played no role in the preventive and promotive aspects which have been relegated to a separate cadre. Even the mere multiplication of Primary Health Care Centres without determining the reasons for the failure of the existing ones has only multiplied our mistakes with merely marginal improvement in health. The doctor who is the leader of the health team has neither the training in epidemiology or managerial skills nor an understanding of cultural, political and human dimensions which play the most important role in determining success or failure. Not willing to face this unpleasant reality, we have clutched at a series of straws like unipurpose and multipurpose workers, vertical and integrated services, management information systems and targets, community health workers under ever changing names and, health education. In final desperation we have sought community participation by which we mean that the community must line itself up and help us to achieve our targets such as in family planning or immunization. Family Planning has not only failed to achieve its targets (the growth rate has hovered at about 2.2 for over two decades) but has virtually demolished all other health programmes and even education in schools due to the excessive coercive pressures exerted on all government staff to meet the targets.

Several Community Health Projects have demonstrated that most communicable diseases can be controlled even under the existing socio-economic conditions. In the Mandwa Project thirty village women, given simple knowledge through weekly discussions under the village tree, and with a simple supportive service, were able to achieve this. Let me illustrate with a few examples. They took finger prick blood smears of any patient suffering from fever with rigors and gave them four tablets of chloroquine. If the smear were positive they gave Primaquine treatment. More than that they drew the attention of the village to

control the mosquito vector. They were remarkably efficient in suspecting tuberculosis in individuals with the classical symptoms especially if they were contacts of known cases. If the diagnosis was established on examination of the sputum or X-ray, they gave the 90 streptomycin injections and supervised the regularity of the other antituberculosis treatment by convincing the patient of its importance not only for himself but also for the rest of his family. They also taught other simple measures like disposal of sputum to prevent the spread of the disease.

These women diagnosed twice as many leprosy patients as the full-time leprosy technicians, ensured that regular treatment with Dapsone was taken after confirmation of diagnosis and since these were in the early stages, there was not a single new case of deformity; the old deformed patients were helped to return home and take regular treatment, for on having seen the germs under a microscope they were able to convince the village of chemical sterilization by regular treatment and induced confidence by visiting the patients in their homes and partaking of their meals.

There was a marked reduction in deaths from gastroenteritis not only because of ORT but because of the creation of an epidemiological consciousness in the villages for being prepared for the monsoons.

The immunization rate for triple antigen rose from 15% to 92% when the village health workers started giving them injections on their daily rounds, Since all pregnant women were identified and immunized there was not a single death from tetanus in five years. No mass campaigns were ever undertaken in this project, yet the so-called targets set by the PHC were over-reached even in family planning.

This people-based approach even succeeded in the detection of cancer, mental illness and in rehabilitation of the disabled, all without campaigns and camps and at a fraction of the normal cost of our health services.

Let us not minimize the role of the profession and services in such a participatory approach. Their main function should be of teaching and encouraging the people to look after themselves to the extent possible and overcome the fears inculcated through professional mystification. Another important role is to provide the necessary supportive services for those few problems which require skills and facilities of a higher level. not They do appropriate the functions

which rightly belong to the people, for experience has shown that they cannot undertake these functions themselves even at a far greater cost. The present approach has only led to exploitation of the peoples health by the private sector and lack of accountability of the public sector without much impact on the health status as revealed by our statistics.

The supportive professionalized services have also to be of a graded nature starting with the paramedical worker at the subcenter to the surgeon and physician at the Community Health Centre. The primary role of the Community Health Centre should nevertheless be of monitoring the peoples' health with priority to the promotive and preventive services. The ICSSR/ICMR report has estimated that about 98% of all health and illness care can be undertaken within a 100,000 population covered by the Community Health Centre at a cost of about Rs. 30 per capita per annum leaving only a marginal sector for tertiary hospital care. Also, that this can be achieved only if the people have the financial and administrative control over their health services with guidance and support by the professionals.

I know that this is a radical departure from the existing situation and may not be readily acceptable to those who believe that all decisions on health must be left only to the medical profession. But four decades experience in an independent India has clearly demonstrated that we have not been able to achieve the desired result despite the vast expansion of medical services in both the public as well as the private sector.

In conclusion let me quote from our own National Health Policy of 1983 for there is no better statement of the medical and non-medical problems of health as well as the guidelines for their solution:

"In spite of such impressive progress, the demographic and health picture of the country still constitutes a cause for serious and urgent concern. The mortality rates for women and children are still distressingly high; almost one third of the total deaths occur among children below the age of 5 years; the extent and severity of malnutrition continues to be exceptionally high. Communicable and non-communicable diseases have still to be brought under effective control and eradicated."

'High incidence of preventive and infectious diseases, lack of safe drinking water and poor environmental sanitation, poverty and ignorance are among the major contributory causes of the high incidence of disease and mortality''.

The existing situation has been largely engendered by the almost wholesale adoption of health manpower development policies and establishment of curative centres based on the western models, which are inappropriate and irrelevant to the real needs of our people and the socio-economic conditions obtaining in the country. The hospital-based disease, and cure-oriented approach towards the establishment of medical services has provided benefits to the upper crusts of society, specially those residing in the urban areas. The proliferation of this approach has been at the cost of providing comprehensive primary health care services to the entire population, whether residing in the urban or the rural areas. Furthermore, the continued high emphasis on the curative approach has led to the neglect of the preventive, promotive, public health and rehabilitative aspects of the health care.

The existing approach instead of improving awareness and building up self-reliance, has tended to enhance dependency and weaken the community's capacity to cope with its problems. The prevailing policies in regard to the education and training of medical and health personnel, at various levels, has resulted in the development of a cultural gap between the people and the personnel providing care. The various health programmes have, by and large, failed to involve the individuals and families in establishing a self-reliant community. Also, over the years, the planning process, has become largely oblivious of the fact that the ultimate goal of achieving a satisfactory health status for all our people cannot be secured without involving the community in the identification of their health needs and priorities as well as in the implementation and management of the various health and related programmes.

It is necessary to secure the complete integration of all plans for health and human development with the overall national socio-economic development process, and specially in the more closely health related sectors, e.g., drugs and pharmaceuticals, agriculture and food production, rural development, education and social welfare, housing, water supply and sanitation. Prevention of food adulteration, maintenance of prescribed standards in the manufacture and sale of drugs and the conservation of the environment to provide universal comprehensive primary health care services, relevant to the actual needs and priorities of the community at a cost which the people can afford".

Why is it then that we continue to give priority to sophisticated curative services in the cities which are chiefly utilized by the rich and influential while neglecting preventive, promotive and basic curative services for the majority?

Why do we produce 60,000 formulations of drugs worth Rs. 2,500 crores which reach only 20% of the population when WHO recommends only 258 drugs and Rs. 750 crores worth would suffice for all our people if used in an ethical manner? Why do we permit almost unlimited import of expensive medical equipment like CAT scanners costing over one crore of rupees when we find it difficult to provide basic medicines, X-ray plates and simple equipment to district leave aside the rural hospitals?

The annual cost of operating a single CAT scanner is about 4.5 lakhs, which helps in the diagnosis of only 3000 patients. This is equivalent to the annual expenditure on five small 100-bedded or one large 400-bedded district hospital treating five lakh patients undertaking 2,600 surgical operations, or the annual cost of operating nine Primary Health Centres serving 2.7 lakh population.

Why do the seniormost representatives of our people, lend their support to this type of technology which is condemned by our Government, by inaugurating these 5-star hospitals while proclaiming that we are next to none in medical technology, yet when it comes to personal treatment they have no hesitation in going abroad for medical care at the taxpayer's expense.

"Panchayat Raj and Health Care: The Karnataka Experience"

Introduction

Dr. R.L. Kapur

In 1982, the Government of India came out with a National Health Policy with a commitment to provide "Health for all." The policy statement proposed major modifications in medical education and paramedical training, reorganisation of the health services infrastructure and an integration of health plans with efforts in other health related sectors as well as with the total socio-economic development.

However, the progress in these directions in the last 8 years; i.e. since the formation of the health policy, has been inadequate, lopsided and often against the spirit of the enunciated policy. For example, while a decentralised primary health care system was the declared focus in the policy statement, in most parts of the country, neither sufficient resources were allocated nor the necessary changes in administrative hierarchy made to provide for decentralisation.

Karnataka has been an exception in this regard and an experiment in decentralisation of administration and devolution of powers has been initiated through the Zilla Parishad, Mandal Panchayat and Nyaya Panchayat Act of 1983 in force since 1987. With the introduction of this act, the health services in the State have been brought within the purview of the people and their elected representatives in Gram Sabhas, Mandal Panchayats and Zilla Parishads.

The new Government at the Centre has made a renewed commitment to decentralisation. The approach paper to the 8th National 5-year plan recommends that substantial part of

the responsibility for planning and implementation of economic and social developmental programmes, including health care programmes, be transferred to elected representatives Institutions of the local Governments.

It was against the above background that the National Institute of Advanced Studies conducted a one-day workshop on July 26, 1990 in Bangalore to examine the impact of Panchayat Raj on Health Care Programmes in the State.

It was hoped that this exercise will not only help in improving the health care programmes in the State but also provide useful guidelines for a rational implementation of the National Health Policy.

The Workshop was attended amongst others, by the President of the Bangalore Rural Zilla Parishad, Director of Health and Family Welfare Services, Joint Director of Health and Family Welfare Services, and Secretary, Department of Health and Family Welfare Services, and Secretary, Department of Rural Development and Panchayat Raj, representatives of non-Governmental organisations and representatives from the mass media.

This paper reports the proceedings of the Workshop as well as the recommendations made by the group.

Papers and Discussion

The following status papers were read:

1 Impact of Panchayat Raj in Karnataka: A Critical Examination: by Prof. B.K. Chandrasekhar, Indian Institute of Management, Bangalore;

2 Panchayat Raj and Health Care: by Dr. G. V. Nagaraj, Joint Director, Health & Family Welfare Services, Government of Karnataka.

3 The experience of Health Personnel in the Panchayat Raj: by Dr. Mohan K. Isaac, Additional Professor in Psychiatry, National Institute of Mental Health and Neuro Sciences, Bangalore; and

4 People's Reaction to Health Care in the Panchayat Raj: by Dr. B.S. Paresih Kumar, Department of Sociology, Mysore University, Mysore.

Prof. Chandrasekhar pointed out how the 1983 Act of Karnataka Zilla Parishads, Mandal Panchayats and Nyaya Panchayat was radically different from any existing system of decentralisation including the earlier village Panchayat and local Boards Act of 1959. In the 1959 Act, the Panchayats and Taluq development boards had limited functions and powers. All the important decisions were made by the Government Departments.

The 1983 Act, which was implemented in 1987, has a 4-tier organisation: The Gram Sabha consists of all eligible voters of a village or a revenue village. It has to meet at least twice a year to review the development programmes and to prepare development schemes for the future. Mandal Panchayats have the responsibility of executing development schemes. Taluq Panchayat Samiti is the third-tier and has a great potential as a link between Zilla Parishads and Mandal Panchayats. Zilla Parishad is easily the most

powerful democratic institution with elected members. It frames and proposes the district budget and proposes the budgets of Mandal Panchayats. Plan formulation, decision making and financial monitoring — all these are functions discharged by the Zilla Parishads.

It is interesting to note that between 19 Zilla Parishads and 2,586 Mandal Panchayats as many as 55,000 elected representatives have emerged as local leaders. Not less than 14,000 of these are women and 11,000 or so are from SC/ST classes.

In the Zilla Parishad there is a standing Health Committee whose job is to review the functions related to health services, hospitals, water supply, family welfare and other allied matters. The phrase "other allied matters" suggests that what is intended is an integrated and not a limited approach to health care.

The Mandal Panchayats also have an Amenities Committee, whose job is to look into public health. While these elected bodies have a tremendous scope for effective health care according to local needs, the scope is not yet fully realised because of financial limitations and administrative difficulties.

For example, Mandal Panchayats have very little money to put public health schemes into effect and, in fact, are often too embarrassed to call Gram Sabha meetings because they cannot fulfil the demands made at these meetings. As another example, the Zilla Parishads find it difficult to keep hospitals clean because of a ban order by the Government on recruitment to group C and D staff.

In spite of these problems, the Panchayat Raj brought great improvements in health care. The doctors and para-medical staff have greater accountability. The drug budget is more realistically oriented to local needs and available funds are utilised more effectively than before.

Dr Nagraj agreed with Prof. Chandrasekhar that health care had improved in many ways following the introduction of Panchayat Raj. In addition to what is mentioned above, there has been a great spurt in the buildings programme and the new P.H.Cs and P.H.U.s are being located at places approved by the Mandal Panchayats.

A teacher observed that one of the little boys in her class was pensive and withdrawn.

"What are you worried about?" she asked.

"My parents," he replied. "Dad works all day to keep me clothed and fed and sent to the best school in town. And he's working overtime to be able to send me to college. Mom spends all day cooking and cleaning and ironing and shopping so I have nothing to worry about."

"Why, then, are you worried?"

"I'm afraid they might try to escape."

Prayer of the Frog

Dr Nagraj felt that there was much better interaction between the Directorate and the Zilla Parishads in the process of planning. However, the process of monitoring has suffered because the Panchayat Raj bodies are not taking sufficient interest in sending the review reports.

Dr Mohan Isaac described the experience of the doctors and para-medical workers in the new set up. While, in general, they welcomed the decentralised set up, they were somewhat confused about the relative authority of the Panchayat Raj leaders and the Directorate in supervision of

the duties of the District Health Officers as well as the Primary Health Centre personnel. There was also confusion regarding the control of resources.

Some District Health Officers felt that the Panchayat Raj leaders were, on one hand, not sufficiently informed about the philosophy and strategies of health care and, on the other hand, they were over inquisitive and over-interfering. "We cannot serve two masters" some said.

Dr. Issac, however saw a great promise in the Panchayat Raj since the system threw up a number of leaders, who could actively take part in educating the public regarding their needs, demands, rights and responsibilities in matters of health. The number of Mandal Panchayat members was, in fact, three times that of the health personnel and all these members could be involved in referral, follow-up and educational activities.

Dr. Paresch Kumar agreed with what Dr Isaac said about the potential role of Mandal Panchayat members, but felt that they themselves needed a lot of education in health matters. People themselves were unfortunately very ignorant about the health services, preventive and promotive aspects of healthcare and about the philosophy of the Panchayat Raj itself. Many women and SC/ST members stand for elections not because they understood the system, but because some one asked them too.

Many important points were made in the discussion which followed the Status papers. Mr. Narayan Swamy, President, Bangalore Rural Zilla Parishad, felt that Panchayat Raj had roots in the Psyche of the Nation and given time it will bring fruitful results.

Good things were already happening: great emphasis was being laid to potable water supply, education and health. There was more integration between different departments in the planning process. Yet there were

difficulties. There was still a disequilibrium between the officials and people's representatives regarding their power and responsibilities.

Money still flowed with difficulty to more peripheral local Government bodies. The involvement of the P.H.C. staff in local affairs was still difficult because many lived away from the place of work mostly because suitable housing, schooling and other amenities were not available for the staff and their families. All this had to change.

There was a general consensus amongst the group that the people were still not fully educated regarding the philosophy of the Panchayat Raj. Dr. Ravi Narayan of the Community Health Cell, Bangalore, felt that perhaps such an education should have been written into the act. Many felt that it was an excellent idea to hold orientation programmes on health for the Mandal Panchayat members but Dr. Kapur of the National Institute of Advanced Studies warned that before one embarked on these orientation programmes, suitable health education packages in local language and understandable to the village people must be prepared and tested before general application.

Experience of the Health Workers

One session was devoted to the doctors and health workers describing their own experience with Panchayat Raj. While one District Health Officer felt that he had a greater freedom of action on the Panchayat Raj the other was quite disappointed with the system. He felt that by including health under the purview of the Panchayat Raj and keeping some other related departments outside the system, integrated approach was, in fact, made more difficult. He felt that while doctors were willing to give orientation programmes the people's representatives did not show much enthusiasm.

A health inspector attending the

Workshop felt that the commitment, concern and involvement of elected leaders in the health care programmes was disappointing. One lady health worker was even more scathing in her remarks.

She felt that the elected leaders flaunted their authority and brought out threats if their wishes, some of which had nothing to do with public good, were not respected. While previously also there was corruption it was some distance away — now it was there right around her!

Many others expressed their views. Dr. Sudarshan who works in a tribal area, highlighted the importance of non-Governmental Organisations in awareness building programmes. He felt that decentralisation as far as health care was concerned had occurred upto Zilla Parishad level but not further down as yet.

Many felt distressed by the negative response towards Panchayat Raj from the health workers in the field and pointed out that much more needs to be done in proper education of the elected leaders in the proper exercise of power.

Response From the Planners

Mr. Philipose Matthai, Secretary, Department of Rural Development and Panchayat Raj and Dr. Prasanna Kumar, Director, Health and Family Welfare Services, responded to the day's discussions.

Mr. Philipose Matthai made the following points:

1 With the implementation of the Zilla Parishad, Mandal Panchayat and Nyaya Panchayat Act of 1983, there has been a devolution of power to a considerable degree but it is not as if the power has gone to new segments of the population. Same people who were influential before because of economic or caste factors have got elected again. It will be some time before the power goes to people who are truly representatives.

2 While there has been devolution of power, there has been very little evolution of service programmes especially with respect to planning of these programmes. There are many reasons for this but one important cause is the non-availability of expertise at the grass-root level. Another reason is that the money which ultimately reaches a Mandal Panchayat level is too meagre — about Rs 3.00 to Rs 3.50 lakhs and there is very little one can do with this much money. Another reason is vagueness regarding the respective roles of officials and elected members. What often happens is that the Government prepares the guidelines and the local bodies just follow them. This may not be true in all Zilla Parishads and Mandal Panchayats but is quite often the case.

3 Theoretically decentralisation should increase interdepartmental coordination but this has not happened in any obvious fashion. A PHC doctor still spends his time disbursing medicines and hardly associates with other departments involved in eradicating illness.

4 Decentralisation should have increased the importance of traditional and non-formal medicine which is so much cheaper, but this has not happened.

In spite of all the above, decentralisation is obviously the right direction and with time and meetings like this which allow for feedback and rethinking, things should improve.

Dr. Prasanna Kumar made the following comments:

1 There are three major aspects of Primary Health Care: Inter-sectoral coordination, Community Participation and the Curative Services. All three can prosper in a Panchayat Raj system.

2 In general, there has been an improvement in health services

after introduction of Panchayat Raj. The Zilla Parishads have completed all the building projects and this is amazing.

- 3 In his experience, the involvement of Mandal Panchayat members in the health programmes is quite good. Whenever he has taken part in social mobilisations or orientation programmes the Mandal Panchayat Members have taken great interest.
- 4 There has been a definite decentralisation of the planning process in the Health Department. While in previous years the planning process occurred in the Directorate at Bangalore, this year it has occurred at the level of District Health Officers.
- 5 It is not true that the drug supply to the PHC district was done blindly before the onset of Panchayat Raj but certainly there has been a more rational use of money for drugs after Panchayat Raj, especially in districts where there is a purchase committee.
- 6 We are a long way from effective preventive services. The District Health Officers claim that now they are too involved in Zilla Parishad meetings with very little time to inspect the peripheral services. The PHC staff spend very little time in inspecting the Primary Health Units. All this must improve.
- 7 The information from the District, even regarding the crude birth and death indices is very poor. This must improve.
- 8 There should be a greater involvement of non-Governmental organisations in health awareness and this should become easier in the Panchayat Raj.

Dr. Prasanna Kumar felt that in the next plan Karnataka would like to consolidate rather than introduce new programme so that quality of services could improve.

Positive and Negative Features of Health Care in Panchayat Raj

Ms Nupur Basu, a Journalist, summed up the day's discussions in terms of positive and negative features of the Panchayat Raj.

Positive Developments:

- 1 There is greater accountability of the doctors and paramedical workers. If the Primary Health Centre and Primary Health Unit

Once some of the elders were in Scete and Abbot John the Dwarf was with them.

While they were dining, a priest, a very old man, got up and attempted to serve them. But no one would take so much as a cup of water from him except John the Dwarf.

The others were somewhat shocked about this and later said to him, "How is it that you considered yourself worthy to accept the service of that holy man?"

He replied, "Well, when I offer people a drink of water I'm happy if they take it. Did you expect me to sadden the old man by depriving him of the joy of giving me something?"

Prayer of the Frog

personnel are negligent in their attendance and service, they can be questioned locally;

- 2 There has been a spurt in the construction of hospital infrastructure. In spite of the paucity of funds, the hospital buildings have been completed at a faster rate, even by utilising the funds from other heads. Further, the locations of the new hospitals, Primary Health Centres etc., are selected by the Zilla Parishad, after scrutiny by the

health committees and hence are appropriate to people's needs;

- 3 The local bodies have a greater say in the drug budget, so that it is most attuned to local needs. Further, some Zilla Parishads have introduced purchase committees, so that there are greater checks and balances in expenditure;
- 4 There is greater rationalisation in the postings of the doctors and paramedical personnel. The post-graduates are being shifted to district hospitals (where they should be) and the busier P.H.Cs have greater complement of staff; and
- 5 A large unused force of potential health promoters is now available. The number of elected Mandal Panchayat Members is more than three times that of health personnel. These can all be used in improving public consciousness regarding health matters.
- 6 The planning process is gradually shifting downwards but there is still a long way to go.

Negative Features:

- 1 People continue to be unaware of their health responsibilities and rights. They still stress the curative rather than preventive and promotive aspects of health. The elected members of the Mandal Panchayats and Zilla Parishads are often themselves quite ignorant;
- 2 Some administrative problems have cropped up because of the transition from a direct control of health personnel by the Directorate of Health Services to an accountability towards the local Government. Some health personnel are finding it difficult to "serve two masters."
- 3 Some elected representatives are showing undue interference in the running of health services and this cuts into the effectiveness of the health personnel. The guidelines for the role of elected leaders in the

running of the health services are not properly drawn up and, in some cases, the elected leaders are misusing their powers;

- 4 Nearly 80% of the programmes are still centrally sponsored or state-sponsored. Very little margin is available for local planning;
- 5 There is no obvious improvement in quality of health care, nor is there an upward trend in success of some health programmes, which could be used as indicators of good performance, e.g., immunisation programme; and
- 6 The monitoring of the health programmes has worsened. The local Government bodies, perhaps, because of ignorance, are not doing the necessary assessment of health services in their area and not sending the necessary report of the Directorate of Health Services.
- 7 There is still little coordination with other departments so essential for preventive programmes and which should have improved with decentralisation.

Recommendations

- 1 There is no doubt about decentralisation being the method of choice for promoting the developmental programmes of the State, including health programmes, yet there are a number of improvements which will make the system more effective;
- 2 The first responsibility for health will always be with the people themselves. For this, the people need to be educated regarding what health is, what their own health responsibilities are, what they can expect from the health services and how they can ensure getting what they need;
- 3 To achieve the above aims, there should be orientation programmes in health care for the members of the Mandal Panchayats across the State. These orientation programmes should be properly planned utilising a common sense

approach as well as the latest advances in communication technology. Those giving the orientation courses should themselves be properly trained for the job. The impact of orientation programmes should be properly evaluated through research.

Aids educators alarmed

Aids educators are alarmed by reports that homosexual and bisexual men are lapsing back into sexual behavior that could kill them. At the sixth international Aids conference several programmes were announced to help the gay community avoid a second, even larger wave of deadly infection. Almost 20 per cent of gay and bisexual men surveyed had abandoned safe-sex practices at least once, according to studies being presented to the sixth international Aids conference by researchers from the centre for Aids prevention studies at the University of California — San Francisco. Ten years into the epidemic, educators say they are facing a community increasingly weary with the burden of maintaining the massive changes in their lifestyle, a community grieving for the carefree days forever lost. "People changed because they were scared to death," said Maggie Reinfield of the gay men's health crisis in New York, which has created the nation's first programme for confronting the relapse problem.

— News Time

4 While the impressions and anecdotes do give valuable feedback, time has come to make a detailed and formal evaluation of health care programmes after Panchayat Raj. This will require, first of all, a sober and practical selection of indicators which are measurable and meaningful.

- 5 There should be greater involvement of people in the planning for health care. For this, the activities of the Mandal Panchayats and Gram Sabhas should be strengthened through proper financing, the relative role and responsibilities of the officials and non-officials should be made clearer and local Governments should be encouraged to make district-level plans suitable for needs in their own areas;
- 6 There should be a gradual moving away from the rigid dependence on centrally-sponsored health schemes. While the Central and State level Directorates should continue to give appropriate guidelines, the distribution of funds for various services should be left to the local Government bodies;
- 7 It is imperative that for any proper planning at District level, information regarding health statistics for each individual district should be formulated and continuously updated;
- 8 There should be a greater endeavour on the part of the non-Governmental Agencies, not only in the delivery of health care, but also in health awareness programmes;
- 9 Any mobilisation of funds carried out by the Zilla Parishads and Mandal Panchayats for improvement in the health services, should be utilised in the respective areas;
- 10 The Ministry of Rural Development and Panchayat Raj should be asked to encourage the integration of the health services with other social welfare programmes;
- 11 Zilla Parishads and the health department should look into and eradicate the hardships undergone by the doctors and para-medical workers in the field.

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Panchayati Raj : an experiment in empowerment of the rural people

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The word 'Panchayat' is a very old one, and it is deeply ingrained into Indian tradition and culture. The notion of *Panch Parameshwar* connotes belief in the institution of decision-making by a select group of people called *Panch*. 'Panchayat' implies a discourse on a particular issue relating to a community or a segment. The discourse could be arranged by the community leaders on their own or on a demand/request made by the concerned groups and families. Disputes settled by the Panchayat were acceptable to the conflicting groups and families. The traditional Panchayat system was mainly concerned with maintenance of peace and order in the community.

However, today Panchayati Raj Institutions are basically concerned with overall development of village community and empowerment of the rural people as a whole rather than decisions taken by a select group of people. The recent Constitutional Amendment is a revolutionary step as it empowers the rural masses regarding progress and welfare of the people, particularly the weaker sections and women. It revitalises the Panchayati Raj institutions at the village, block and district levels by guaranteeing statutory safeguards regarding timely elections, resource generation and powers to take decisions.

Genesis of Panchayati Raj

Prior to Independence and more specifically from the second decade of the present century, efforts began for lawful Panchayati Raj institutions to establish local-self government at the village level. Earlier, the regional self-governing bodies were formed parallel to such institutions in Britain. But no tangible results were achieved. Only after India achieved her Independence, serious efforts for rural development began. 'Decentralization of power' was envisaged as a value in the Constitution of India itself to be realised by the establishment of village Panchayats.

To begin with, the Government of India initiated in 1952 a development process through establishment of the Community Development Extension Service. It was realised by the Government and the Planning Commission that the success of these programmes depended upon execution of a comprehensive 'planning from the below' based on the 'felt needs' by the rural people themselves. The planners also thought that all this could be realised only if there were agencies at the village level which could involve the entire community and all its families, and also could generate resources of the villages for self-reliance. Once upon a time *Shramdan* was such a device to involve the people in the process of rural development.

Rural Development and Panchayati Raj

Rural development can be envisaged by weakening the inequitous social structure of rural society and by making available effective provisions for better health, employment, in a nutshell, a better 'quality of life' for the exploited and suppressed sections. Special provisions may be made for the youth, women, landless workers and other weaker sections of society. Inequitous social structure generates social tensions and unrest. Distributive justice alone can ensure a harmonious and peaceful life. It cannot be ensured unless the deprived sections of society are empowered. The measures initiated in the past including the community development programmes, democratic decentralization of power, three-tier Panchayati Raj institutions, and steps taken as per the recommendations of various commissions and committees, have not resulted in empowerment of the rural masses.

The poor remain poor— why ?

The rural people have remained poor despite these programmes. The obvious argument is that the rural rich, politicians, local officials and functionaries control the dis-

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tribution of resources, loans, subsidies and public funds. Personal and group interests of these dominant persons thwart the programmes meant for specific target groups, and for common goals and institutions. Funds earmarked and allocated for the poor and weaker sections are manipulated for the better off families and groups. It is a matter of *power* of those who can shift the funds to the undeserving from those who need help and support. Thus, the powerful, by their unfair actions, create more inequities. Such disappointing results of the past four decades have necessitated a basic policy change with regard to rural development. The rural rich are in league with the urban elite. The urban people extract all the rural surpluses including food, vegetables, raw material, etc. The rural rich get benefits of the rural investment in roads, electricity, etc. Benefits of price support, 'green revolution', subsidies, tax exemption on agricultural income also go to them.

Dynamics of Panchayati Raj

Panchayati Raj, as it has emerged today, has its origin in the report of the Balwantrai Mehta Committee. The recommendations of this Committee, along with other points, highlighted 'democratic decentralization'. A three-tier system at village, block and district levels was implemented in October, 1959 in the States of Rajasthan and Andhra Pradesh. Panchayati Raj was considered as a new framework for rural development and decentralization of power and authority. Balwantrai Mehta writes: "Community development is the object, the purpose, Panchayati Raj is the instrument through which we would like the implementation of the Community Development Programme". The Community Development Programme (CDP) was thought of as an 'official movement'. Bureaucracy was managing the CDP. Panchayati Raj brought in the idea of people's institutions in the CDP. The rationale of Panchayati Raj was thus not only decentralised administration, but also creation of institutions and mechanisms controlled directly by the people themselves for solving their problems.

In a seminar held in 1964 at the University of Rajasthan, Jaipur, which was attended by academia, politicians (including the late Balwantrai Mehta), bureaucrats and social activists, the following points clearly emerged:

- 1) Panchayati Raj was a system of local government, a mechanism of rural development and also an agency of the State government for specific activities.
- 2) There was no incongruity between Panchayati Raj as a medium of planned development and as a system of local government. It was also not antithetical to the CDP.
- 3) Panchayati Raj institutions should help in the ushering in of socio-economic transformation in village India.
- 4) A massive programme was envisaged for success of the Panchayati Raj institutions.

- 5) Executive and administrative powers were given to the middle rung of the three-tier system.
- 6) Power-politics and politicization were thought of as unavoidable consequences of the Panchayati Raj experiment.

Despite democratic decentralization, Panchayati Raj could not be a success story due to a multiplicity of factors. The CDP vanished from rural scene. The Panchayati Raj, which was conceived as a means of rural reconstruction, became an end in itself. Panchayats could not raise revenue for developmental activities. Dependence on funds from State governments crippled the Panchayati Raj institutions. Panchayat Samitis and Zilla Parishads became just like any other government departments. Elections to the Panchayati Raj institutions have/had never been held in time after the expiry of their respective tenures. Corruption, factionalism, excessive politicization, and misappropriation of the offices of Sarpanch, Pradhan and Zilla Pramuks, were some of the main evils which overshadowed the system.

It is observed that the story of Panchayati Raj has witnessed ups and downs. At least three phases are discernible: (1) the phase of euphoria, ascendancy (1959-64), (2) the phase of stagnation (1965-69), and (3) the phase of decline (1970-77). Decline of Panchayati Raj as an instrument of development, of people's voice, resulted into further bureaucratization and politicization. A committee was formed in 1977 under the chairmanship of the late Ashoka Mehta to review the Panchayati Raj institutions in its totality. The Committee found the Panchayati Raj institutions as malfunctioning and nearly worn out and dead ones. The dismal picture painted by the Committee created a great deal of anxiety and concern for revitalising the Panchayati Raj institutions. The Committee recommended transfer of power substantially from the State government to the local bodies. It also suggested necessary Constitutional Amendments for this purpose. The other recommendations comprised dynamism in agriculture, a new impetus to rural industries, and group activities. The Committee suggested basic institutional, structural and functional changes in the Panchayati Raj institutions in commensurate with the strategies and policies of development. Changes in the electoral system for the Panchayati Raj institutions were also suggested. The Ashoka Mehta Committee Report places specific stress on creation of Mandal Panchayats and effective revival of Nyay Panchayats along with the Gram Sabha. It suggests that elections should be conducted by the Chief Electoral Officer of the State in consultation with the Chief Election Commissioner. A mention is found in the report about weaker sections, finances, administration, human resource development, etc.

Till date, all States and Union Territories with the exception of the States of Meghalaya, Nagaland and Mizoram and Union Territory of Lakshadweep have enacted laws for having Panchayati Raj institutions. A three-tier system ex-

ists in 12 States and one Union Territory. Four States and two Union Territories have accepted only one-tier, namely Gram Panchayat. There are today over 2,17,300 village Panchayats, 4,526 Panchayat Samitis, and 330 Zilla Parishads in India. As stated earlier, the Ashoka Mehta Committee examined the sickening of the Panchayati Raj institutions after they had been in existence for nearly twenty years. Despite laudable recommendations of the report, not much could be implemented. In 1985, another committee under the chairmanship of Shri G.V.K. Rao was constituted.

The G.V.K. Rao Committee recommended that the Panchayati Raj institutions should be involved effectively in the decentralization of planning and development administration. Voluntary agencies and organisations of the poor may be involved too. Growth with social justice and poverty alleviation should also be emphasised at the village level. Organisational changes were suggested to restructure the three-tier system. Besides direct elections for Gram Panchayat, the Committee recommended elected representatives for Zilla Parishad over a population ranging from 30,000 to 40,000. Reservation for women upto 25 per cent was also one of its main recommendations. Zilla Parishad, instead of Panchayat Samiti, should have more power and authority. In 1986, under the chairmanship of Shri L.M. Singhi, a Committee was constituted which suggested steps for revitalisation of Panchayati Raj institutions. The Committee emphasised the need for Constitutional protection of the Panchayati Raj institutions regarding timely elections, finance and resource mobilization.

Salient features of the 73rd Constitutional Amendment

Let us have a look at the salient features of the recent legislation regarding Panchayati Raj effected through the Seventy-third Constitutional Amendment. These are as follows:

- 1) Uniformly, a three-tier system of Panchayati Raj institutions should be introduced.
- 2) Direct elections at the village level for the Gram Panchayats, and indirect elections at the block and district levels should be held.
- 3) Elected chairperson of a Gram Panchayat can be removed by a specially convened Gram Sabha by a two-thirds majority of the members present in the meeting, and having presence of at least fifty per cent members of the Gram Sabha.
- 4) Seats for SCs and STs will be reserved separately.
- 5) One-third of the seats will be reserved for women.
- 6) Panchayati Raj institutions should have a duration of five years.
- 7) Disqualification for members of Panchayati Raj institutions will be similar to the method adopted in respect of disqualification for Members of Parlia-

ment and State Legislatures.

- 8) Depending upon population of the SCs, STs, seats of chairpersons will be reserved for them. Also reservation will be made for women to chair the Panchayats.
- 9) Minimum age for a person who intends to hold an office in the Panchayati Raj institutions, is fixed at 21 years.
- 10) Elections in the Panchayati Raj Institutions be held under the direction of the Chief Electoral Officer of a State and the Chief Election Commissioner.
- 11) Panchayati Raj Institutions will have powers, authority and responsibilities to function as instruments of self-government. Plans for economic development and social justice and schemes for their implementation may be prepared by the Panchayati Raj institutions.
- 12) Panchayati Raj institutions will have power to impose taxes, duties, tolls and fees to raise funds for development programmes.
- 13) The State would constitute a Finance Commission to review the position of the Panchayats.
- 14) Necessary legal safeguards will be provided for smooth functioning of the Panchayati Raj Institutions.

These provisions have been necessitated since the Panchayati Raj institutions have become weak and ineffective due to a variety of reasons. Regular elections have not been held. SCs, STs and women have not been given adequate representation. Financial resources have been insufficient. Powers and responsibilities to the elected members have not been fully entrusted.

Panchayati Raj as a philosophy and a movement

Panchayati Raj has survived as an institution despite ups and downs and periodic critical examination and shifts in its programmes. Today, there is a greater realisation for providing Constitutional and legal safeguards to the Panchayati Raj institutions. But, this alone cannot bring about the desired results. Moral foundation of the Panchayati Raj institutions needs to be strengthened along with legal provisions. Both legal and moral bases in conjunction can transform Panchayati Raj into a philosophy, a way of thinking, and a practice at the grass roots level. The rural power elite, particularly, have to accept Panchayati Raj in its totality as a philosophy, as an attitude, and as a practice. It is a structural innovation accompanied by a moral commitment and ideology. On an ideological and moral plane, transfer of power to the common villagers, the rural poor, women, SCs and STs have to be accepted. In this political realisation, 'brokers of power' have to be kept out. Only this way Panchayati Raj can become a reality from a rhetoric. It

has to be a movement of value-based practice. Panchayati Raj implies an attack on rural inequitous social structure, dominant groups, families, and individuals. To bring about such a transformation of rural society, it is necessary to know: (1) Who are power elite? (2) What is the social background of women who are likely to be elected as Panch and Sarpanch? (3) Who from among the SCs and STs are going to become Panch and Sarpanch? Numerical increase in representation of women, SCs and STs alone cannot ensure power to them. Structure of dominance and mobility with regard to the emergence of new dominant groups, families and individuals would determine the nature of structural and cultural changes to be brought about through Panchayati Raj.

Conclusion

Despite Constitutional safeguards being made available to

the Panchayati Raj institutions, conflicts within Panchayats and between Panchayati Raj bureaucracy and power elite are likely to continue unless it is accepted as a philosophy, a way of thinking and a practice. The message that Panchayat is simply an arena to enact a power game has to be discouraged. Over-politicization of electoral gains to Panchayat elections can do no good to the people and to the Panchayati Raj institutions. It has to be above and beyond the 'politics of standing committees' and transfer of school teachers. Panchayati Raj functionaries have to work as social workers. Panchayati Raj has to create a sense of confidence among the people regarding social justice and non-partisan decisions. **The statutory provisions being made available would be of considerable relevance for rural development if Panchayati Raj becomes a philosophy, a practice, a movement ensuring people's confidence for having social justice and fair play under the new dispensation.** □

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women, better organisational behaviour through working in groups, conscientization, redistribution of income through better access to and control over money by the women and attitudinal changes. At the national level, the outcomes would be participatory development, greater work participation, human capital mobilisation, reduction in gender inequalities and adoption of better living.

Conclusion

Promotion of employment opportunities for rural women through their own organisations as envisaged in DWCRA has opened up new vistas of learning for developing and strengthening the participatory base for rural women's development and empowerment.

REFERENCES

- Anker, R. and Bodrova, V. 1985, *Working Women in Socialist Countries*, I.L.D. Geneva, p.7.
- Bhai, P.N. 1986, *Harjjan Women in Independent India* B.R. Publishers, New Delhi, pp. 55-21.
- Bharathan, A., Dubey, D.C. and Saha, S.K. 1987, *Status of women and Her Role in Family Decision-making Process*, In Gupta, R.N. et al., *Women's Accessibility to Health and Family Planning*, ICMR, New

- Delhi, pp. 11-26.
- Chatterji, S.A. 1988, *The Indian Women's Search for Identity*, Vikas Publishers, New Delhi, p. 146.
- Dash, L.N. 1993, *Women, Family Life and Rural Welfare*, Monak Publications, New Delhi, pp. 174-149.
- Devadas, R.P. 1990, *Strategies for Empowering Women for Development: Endowment Lecture on Women's Studies delivered on 21.4.1990*, Pondicherry University.
- Food and Agriculture Organisation (FAO) 1990, *Gender Issues in Fisheries and Aquaculture: Workshop on Enhanced Women's Participation in Fisheries Development*, pp. 36-58.
- International Labour Organisation (ILO), 1984, 'Women's Participation in Economic Activity': World Employment Programme Research working paper, No. 42, Geneva, p.17.
- Pivov, Ellen Gail and Fernando Vikeri 1995, 'Studying Health and Nutrition Behaviour by Examination of Household Decision-making, Intra-Household' Resource Distribution and the Role of Women in these Processes: Food and Nutrition Bulletin, Vol. 7(4), pp. 1-31.
- Raj, L.S. 1991, *Quest for Gender Justice: A Critique on the Status of the Women in India*, T.R. Publications, p. 2.
- Srinath, K. 1992, *Empowering Rural Women through Extension Education and Action Research in a Fishing Village*, A Ph.D. thesis submitted to Avinashilingam Institute for Home Science and Higher Education for Women, Deemed University, Coimbatore. □

"To enable women to make significant contribution to national development, we must emphasise programmes for more and better education for women and for increasing employment opportunities for them in all the different walks of life. The first and the most important step, from this point of view, is to educate public opinion on right lines and to convince the people that the education of girls and women is even more important than that of boys and men".

— Dr Zakir Husain

THE CONSTITUTION (SEVENTY-THIRD AMENDMENT) ACT,
1992

AN ACT

further to amend the Constitution of India

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Seventy-third Amendment) Act, 1992.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Alter Part VIII of the Constitution, the following Part shall be inserted, namely:—

Insertion of new Part IX.

PART IX

THE PANCHAYATS

243. In this Part, unless the context otherwise requires,—

Definitions.

(a) "district" means a district in a State;

(b) "Gram Sabha" means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level;

(c) "intermediate level" means a level between the village and district levels specified by the Governor of a State by public notification to be the intermediate level for the purposes of this Part;

(d) "Panchayat" means an institution (by whatever name called) of self-government constituted under article 243B, for the rural areas;

(e) "Panchayat area" means the territorial area of a Panchayat;

(f) "population" means the population as ascertained at the last preceding census of which the relevant figures have been published;

(g) "village" means a village specified by the Governor by public notification to be a village for the purposes of this Part and includes a group of villages so specified.

243A. A Gram Sabha may exercise such powers and perform such functions at the village level as the Legislature of a State may by law, provide.

Gram Sabha.

243B. (1) There shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the provisions of this Part.

Constitution of Panchayats.

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(2) Notwithstanding anything in clause (1), Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.

Composition of
Panchayats

243C. (1) Subject to the provisions of this Part, the Legislature of a State may, by law, make provisions with respect to the composition of Panchayats:

Provided that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the State.

(2) All the seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and; for this purpose, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.

(3) The Legislature of a State may, by law, provide for the representation—

(a) of the Chairpersons of the Panchayats at the village level, in the Panchayats at the intermediate level or, in the case of a State not having Panchayats at the intermediate level, in the Panchayats at the district level;

(b) of the Chairpersons of the Panchayats at the intermediate level, in the Panchayats at the district level;

(c) of the members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly a Panchayat area at a level other than the village level, in such Panchayat;

(d) of the members of the Council of States and the members of the Legislative Council of the State, where they are registered as electors within—

(i) a Panchayat area at the intermediate level, in Panchayat at the intermediate level;

(ii) a Panchayat area at the district level, in Panchayat at the district level.

(4) The Chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meeting of the Panchayats.

(5) The Chairperson of—

(a) a Panchayat at the village level shall be elected in such manner as the Legislature of a State may, by law, provide; and

(b) a Panchayat at the intermediate level or district level shall be elected by, and from amongst, the elected members thereof.

243D (1) Seats shall be reserved for—

(a) the Scheduled Castes; and

(b) the Scheduled Tribes,

in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

Reservation of
seats.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide:

Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State:

Provided further that not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level shall be reserved for women:

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

Duration of
Panchayats
etc.

243E. (1) Every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.

(2) No amendment, of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any level, which is functioning immediately before such amendment, till the expiration of its duration specified in clause (1).

(3) An election to constitute a Panchayat shall be completed—

(a) before the expiry of its duration specified in clause (1):

(b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Panchayat for such period.

(4) A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued under clause (1) had it not been dissolved.

Disqualifica-
tions for mem-
bership.

243F. (1) A person shall be disqualified for being chosen as, and for being, a member of a Panchayat—

(a) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the legislature of the State concerned:

Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years;

(b) if he is so disqualified by or under any law made by the Legislature of the State.

(2) If any question arises as to whether a member of a Panchayat has become subject to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.

243G. Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to—

(a) the preparation of plans for economic development and social justice;

(b) the implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule.

243H. The Legislature of a State may, by law,—

(a) authorise a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;

(b) assign to a Panchayat such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits;

(c) provide for making such grants-in-aid to the Panchayats from the Consolidated Fund of the State; and

(d) provide for constitution of such Funds for crediting all moneys received, respectively, by or on behalf of the Panchayats and also for the withdrawal of such moneys therefrom.

as may be specified in the law.

243-I. (1) The Governor of a State shall, as soon as may be within one year from the commencement of the Constitution (Seventy-third Amendment) Act, 1992, and thereafter at the expiration of every fifth year, constitute a Finance Commission to review the financial position of the Panchayats and to make recommendations to the Governor as to—

(a) the principles which should govern—

(i) the distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Part and the allocation between the Panchayats at all levels of their respective shares of such proceeds;

Powers, authority and responsibilities of Panchayats.

Powers to impose taxes by, and Funds of, the Panchayats.

Constitution of Finance Commission to review financial position.

(ii) the determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by, the Panchayats;

(iii) the grants-in-aid to the Panchayats from the Consolidated Fund of the State;

(b) the measures needed to improve the financial position of the Panchayats;

(c) any other matter referred to the Finance Commission by the Governor in the interests of sound finance of the Panchayats.

(2) The Legislature of a State may, by law, provide for the composition of the Commission, the qualifications which shall be requisite for appointment as members thereof and the manner in which they shall be selected.

(3) The Commission shall determine their procedure and shall have such powers in the performance of their functions as the Legislature of the State may, by law, confer on them.

(4) The Governor shall cause every recommendation made by the Commission under this article together with an explanatory memorandum as to the action taken thereon to be laid before the Legislature of the State.

Audit of ac-
counts of Pan-
chayats.

243J. The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by the Panchayats and the auditing of such accounts.

Elections to
the Pan-
chayats.

243K. (1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

(2) Subject to the provisions of any law made by the Legislature of a State, the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of a High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

(3) The Governor of a State shall, when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by clause (1).

(1) Subject to the provisions of this Constitution, the Legislature of a State may, by Law, make provision with respect to all matters relating to, or in connection with, elections to the Panchayats.

243L. The provisions of this Part shall apply to the Union territories and shall in their application to a Union territory, have effect as if the references to the Governor of a State were references to the Administrator of the Union territory appointed under article 239 and references to the Legislature or the Legislative Assembly of a State were references, in relation to a Union territory having a Legislative Assembly, to that Legislative Assembly:

Application to
Union territories

Provided that the President may, by public notification, direct that the provisions of this Part shall apply to any Union territory or part thereof subject to such exceptions and modifications as he may specify in the notification.

243M. (1) Nothing in this Part shall apply to the Scheduled Areas referred to in clause (1), and the tribal areas referred to in clause (2), of article 244.

Part not to
apply to certain
areas.

(2) Nothing in this Part shall apply to—

(a) the States of Nagaland, Meghalaya and Mizoram;

(b) the hill areas in the State of Manipur for which District Councils exist under any law for the time being in force.

(3) Nothing in this Part—

(a) relating to Panchayats at the district level shall apply to the hill areas of the District of Darjeeling in the State of West Bengal for which Darjeeling Gorkha Hill Council exists under any law for the time being in force;

(b) shall be construed to affect the functions and powers of the Darjeeling Gorkha Hill Council constituted under such law.

(4) Notwithstanding anything in this Constitution,—

(a) the Legislature of a State referred to in sub-clause (a) of clause (2) may, by law, extend this Part to that State, except the areas, if any, referred to in clause (1), if the Legislative Assembly of that State passes a resolution to that effect by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting;

(b) Parliament may, by law, extend the provisions of this Part to the Scheduled Areas and the tribal areas referred to in clause (1) subject to such exceptions and modifications as may be specified in such law, and no such law shall be deemed to be an amendment of this Constitution for the purposes of article 368.

Continuance of
existing laws
and Panchayats.

243N. Notwithstanding anything in this Part, any provision of any law relating to Panchayats in force in a State immediately before the commencement of the Constitution (Seventy-third Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from such commencement, whichever is earlier:

Provided that all the Panchayats existing immediately before such commencement shall continue till the expiration of their duration, unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having a Legislative Council, by each House of the Legislature of that State.

Bar to interference by courts in electoral matters.

243-O. Notwithstanding anything in this Constitution,—

(a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies made or purporting to be made under article 243K, shall not be called in question in any court;

(b) no election to any Panchayat shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the Legislature of a State.

Amendment of article 280.

3. In clause (3) of article 280 of the Constitution, after sub-clause (b), the following sub-clause shall be inserted, namely:—

“(bb) the measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats in the State on the basis of the recommendations made by the Finance Commission of the State;”

Addition of Eleventh Schedule.

4. After the Tenth Schedule to the Constitution, the following Schedule shall be added, namely:—

“ELEVENTH SCHEDULE

(Article 243G)

1. Agriculture, including agricultural extension.
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.

3. Minor irrigation, water management and watershed development.
4. Animal husbandry, dairying and poultry.
5. Fisheries.
6. Social forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
9. Khadi, village and cottage industries.
10. Rural housing.
11. Drinking water.
12. Fuel and fodder.
13. Roads, culverts, bridges, ferries, waterways and other means of communication.
14. Rural electrification, including distribution of electricity.
15. Non-conventional energy sources.
16. Poverty alleviation programme.
17. Education, including primary and secondary schools.
18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.
22. Markets and fairs.
23. Health and sanitation, including hospitals, primary health centres and dispensaries.
24. Family welfare.
25. Women and child development.
26. Social welfare including welfare of the handicapped and mentally retarded.
27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.
28. Public distribution system.
29. Maintenance of community assets."

K.L. MOHANPURIA,
Secy. to the Govt. of India.



THE FOUNDATION FOR RESEARCH IN COMMUNITY HEALTH

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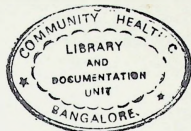
Dr. N. H. Antia (Chairman & Director)

Dr. R. C. Awasthi

Prof. R. K. Mutatkar

Dr. M. W. Uplekar

Tel.: 4938601



Dear Mr. Narayan,

The enactment of the 73rd Amendment of the Constitution provides a unique opportunity to the common people for self-government. Unfortunately the fear is often expressed that people do not have the capability to undertake the various tasks enumerated in the 29 schedules of the Act, and also that decentralization of power will lead to an increase in corruption and oppression.

Experience reveals that wherever people have been empowered and also provided appropriate information, resources, encouragement and the required support, they have been able to achieve results far superior to those undertaken on their behalf by distant agencies such as the government and its bureaucracy. The present top-down approach has disempowered the people and created a sense of dependency and helplessness.

This is as a result of the political system and its bureaucracy distancing itself from the people and by withholding information regards the various programmes, services, facilities and funds meant for their benefit. This has also prevented any questioning by the people of their legal rights as citizens and regards the programmes and services meant for their welfare. If Panchayati Raj is not accompanied with information about this form of self-governance and the people's role in its functioning as well as monitoring, it will result in further misuse of the increased funds, facilities and services by the local 'leadership' who will monopolize both the information as well as resources. This will then be used as another reason for attributing to the failure of Panchayati Raj.

This can be overcome only by widespread diffusion of appropriate information on all relevant subjects, directly to the community at large, using all available means such as word of mouth, written information in the local press, pamphlets, as well as the appropriate use of the mass media when available. It is evident that such information cannot be disseminated through the bureaucracy and the local power structure who have an interest in withholding it.

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Formal education is not only a prolonged process but is also not available for this purpose as it is controlled by those in power. This impasse can be broken only by the provision of relevant information directly to the people, bypassing those whose interest is in perpetuating the present order.

India is fortunate in having a vast resource in the large number of highly motivated individuals and grass-roots organizations who have direct access to the people whose credibility and confidence they enjoy. This resource must be mobilized at this critical juncture in order to ensure that this opportunity for empowerment of the people presented by Parliament is not lost by default.

We are herewith enclosing a copy of the 73rd Amendment which enumerates the subjects covered by the Act that affect most aspects of the life of our common people. It is necessary to inform the people about the important implications of this amendment of the constitution which affects them so vitally; also that this is the direct result of the power of universal franchise which they possess and how they can use it more effectively in the future. We feel it is equally important to provide them information on each of the subjects covered by this Act so that they may reap the benefits in each of these areas.

We appreciate that it may not be possible for every agency/ organization/ individual to have detailed information on each of these subjects. Yet, if the expertise of all organizations can be pooled, this would provide a ready-made information resource on every aspect covered by this Act. This can then be made available for transmission to the people at large after suitable modification for local requirement.

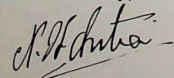
Instead of a single or regional centre/s where such expertise can be pooled for access and distribution, we feel that these organizations/agencies should form a national INFORMATION NETWORK where they can communicate directly with each other and exchange their knowledge and information.

The Foundation for Research in Community Health is willing to undertake the preliminary task of formulating a comprehensive Directory of such organizations with their address, areas of expertise and language as also information on Panchayati Raj itself.

If you would like to join such a nationwide INFORMATION NETWORK will you please fill the enclosed form and return it to us in the self-addressed envelope.

With regards,

Yours sincerely,



N. H. Antia, FRCS, FACS (Hon.),
Director.

INFORMATION NETWORK

NAME OF THE ORGANISATION :

NAME OF REPRESENTATIVE/S :

ADDRESS :

TELEPHONE NO. :

FAX :

LOCATION OF ACTIVITIES (RURAL/URBAN) :

SPECIFIC AREAS OF WORK AND EXPERTISE :
(See also overleaf)

LANGUAGE OF COMMUNICATION :

Please attach names of other organisations (with address)
interested in joining the Network.

Any other relevant information

DATE

PLEASE TICK ANY ONE OR MORE OF THE FOLLOWING

1. Agriculture
2. Land improvement and land reforms
3. Irrigation
4. Animal husbandry, dairying and poultry
5. Fisheries
6. Forestry
7. Small scale industries
8. Khadi, village and cottage industries
9. Rural housing
10. Drinking water
11. Fuel and fodder
12. Roads, bridges and waterways
13. Rural electrification
14. Non-conventional energy sources
15. Poverty alleviation programmes
16. Education
17. Technical training and vocational education
18. Adult and non-formal education
19. Libraries
20. Cultural activities
21. Markets and fairs
22. Health and sanitation
23. Family welfare
24. Women and child development
25. Social welfare, welfare of handicapped and mentally retarded
26. Welfare of scheduled castes and scheduled tribes
27. Public distribution system
28. Maintenance of community assets
29. Legal advice and procedures

(Also state if involved in any other areas.)

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Symbolic politics

SHIV VISVANATHAN

THE Technology Missions of Sam Pitroda have triggered off something deep in the body politic. At a time of institutional fatigue — scientific, technological and political — the Technology Missions have become a statement of hope. But history has shown the underlying irony of many such efforts. Many of these technological programmes, using the major buzz words of our time from science to progress, have begun with the best of intentions and ended in the destruction of our civil rights.

The project on big dams has resulted in the creation of over a million refugees. The nuclear energy complex uses seasonal workers to repair dangerous leaks and abandons them. Intellectuals like Dhiren Sharma are regarded as being anti-national for criticising India's nuclear policy and harassed. The havoc caused by 'progressive' family and urban planning programmes is well known. We had a forest bill, another example of progressive legislation that threatened to destroy the commons, the life support systems of thousands of tribes and peasants.

The question we must ask is, how can one prevent the Technology Missions of Pitroda from going the way of the exercises of Jagmohan, Kurien and Raja Ramanna? One believes this can be done through what Han Jonas has called the 'heuristics of

fear'; by creating a dialogic scenario of fear and doubt to counterpoise the managerial optimism of the Technology Missions.

One believes that there is more to these missions than merely technology and that there will be more than just these five missions. Pitroda himself has confessed to a need for a Technology Mission on family planning. Newspapers have already reported plans for missions on housing and dairy development. Voluntary agencies must confront the Technology Missions immediately, for the ones that follow might be more lethal.

There are two ways of confronting the Technology Missions. The first is to examine them empirically, evaluating the organisational, economic, ecological and political viability of each mission. The essays in this issue do just that with a great deal of competence. But my focus is not on the missions *per se*. It is not the missions that I want to confront but the missionary. I want to look at Sam Pitroda and explain why I am afraid of him and his missions. But the Pitroda that I went to confront is not the flesh and blood man: I admit to his commitment, his idealism, his verve and his competence. It is Pitroda the media manipulator and media-lovely who frightens me. It is Pitroda the media archetype that I want to confront through an essay

on the symbolic politics of the present-day regime.

Every regime has a notion of unity, a set of official slogans that captures its aspirations. With Jawaharlal Nehru one thought of *Panch-shila* (five principles of peaceful co-existence); with Indira Gandhi, the *Garibi Hatao* (remove poverty) slogan; with Rajiv Gandhi, one thinks of the summons into the India of the 21st century. All these slogans emphasise the aspirations of the nation-state, but there is something different about the last one. While the first two forge some combination of a civilisational past and an industrial present, the third projects this unity into the future. The future appears like a foreign country where we will do things differently.

This is a dynamic concept and needs three archetypal figures as media myths to anchor its ideological and technocratic unity. The first element of the triptych is 'Mr. Clean', Rajiv Gandhi himself. But there is a different aura surrounding the other two figures. The first figure, that of Amitabh Bachchan, caters to populist concepts and popular notions in a spectacular way. He is, as the psychologist Ashis Nandy has repeatedly emphasised, the first great urban hero. The second archetype, slightly more exclusive, is a technocratic and managerial figure and this cooler image is that of the technocrat as hero, Sam Pitroda. I want to examine the symbolic politics of these two figures and show that they help articulate the greatest soap opera of our time: the idea of development under the aegis of a nation-state.

Let me confess that academics like me, even if we do not see all his movies, take Amitabh seriously. Beginning with *Zanjeer* and going on to *Deewar*, *Sholay* and *Coolie*, he has become someone radical and unique in the mass imagination. As I mentioned, he is an urban hero. He is generally poor, maybe middle class, but with few roots in the rural frame. He provides a sense of the mobility of the system and there is a neutrality to the occupations he portrays. He is generally not Brahmin and bureaucratic but coolie, smuggler, worker, tongawala, com-

mon man, con-man. The southern Amitabh, Rajnikant, put the point lucidly in an interview. When the former bus conductor was once asked, 'If you were not an actor what would you have become?', pat came the answer: a bootlegger or a smuggler. Thus, all occupations seem ethically equal.

While this archetypal urban hero might lack a caste genealogy, he does possess an innate dignity, which surfaces as a kind of physical machismo. There are obstacles to his career imposed by those in power and these are met by an orgy of violence. The painter M.F. Husain has called Amitabh the epitome of urban violence.

There are two additional points that can be garnered from the genre of Bachchan films. Firstly, there are always good people present in the system. There is always the committed cop, the honest clerk, the good father or the dedicated teacher in this otherwise corrupt system. Yet it is a goodness with limits. Implied within the script is a notion that conventional goodness or competence is not radically effective; it cannot wipe out corruption. It lacks the epic power of violent intervention to break the system.

Secondly, the urban hero, whatever his other vices, is intensely nationalistic. He wears his patriotism like a badge. And who is the villain, the most corrupt figure in the system? It is that most antinational of figures, the smuggler. The smuggler, usually called Robert (remember the actor Ajit intoning it?) or John, is an obstacle to nationalist dreams and visions. As a symbol, he represents the defeat of our *swadeshi* system, the eventual defeat of our import substitution model of industrialisation, our inability to produce anything from a decent watch to a tape-recorder. The machismo, the searing violence of Amitabh is inadequate to stop this corrupt system. He might eliminate a corrupt individual or a gang, but the system still remains. To counter the 'Johns' and 'Roberts' of the system and to complement the physical machismo with technological machismo comes Sam, Sam Pitroda.

Within a narrower framework, Pitroda represents an equally radical break within the technological imagination. *Swaraj* has been an integral part of the nationalist imagination articulated in its latest form in the slogan, 'be Indian, buy Indian'. Our nationalist movement has been obsessed with industrial competence and our *swadeshi* tracts have desperately sought its secrets. During the *Swadeshi* movement, whether you made a pot or a pan or a *chappal*, they were all celebrated like great acts of history. Most of these efforts were failures — witness the records of the Industrial Commission Report — and many were subject to con-men who took your money and disappeared. Our economic historians don't read these sections, but that is another point. Pitroda at last offers the promise of such technological competence.

Pitroda, like Amitabh, embodies the flexibility and mobility of the system. Son of a carpenter, he is now a millionaire. But his is not the genteel mobility of the older types of scientists. It is not the slow, ladder-like bureaucratic climbing of the Atma Rams and Ghosh of the older system. It is a spectacular leap-frogging of a self-confessed entrepreneur, committed to Schumpeterian breakthroughs into the system. He is that rarest of Indian breeds, the scientist as entrepreneur. One must recognise this as something new and radical, which has not emerged since the days P.C. Ray established the Bengal Chemical and Pharmaceutical Works during the *Swadeshi* period.

Pitroda marks a discontinuity in the scientific-technological system in several other ways. In the earlier mythology of science, the scientist was a paper-producing creature. An FRS or an occasional Nobel prize *a la* Raman was the eventual goal of the system. The ordinary scientist was scared witless by pilot plant and production problems. A Pitroda is not interested in papers. He wears his patents like epaulettes.

Secondly, there is little or no concern with the metaphysics or philosophy of science in the Pitroda system, and none of the entanglement in the scientific temper debate that

a Pushp Bhargav or a Ramaseshan would indulge in. Pitroda is too shrewd (or indifferent) to get bogged down in the kind of scientific temper debate into which Ashis Nandy trapped a whole generation of scientists.

The Pitroda script is like that of Amitabh. There have been good scientists in the system. But their goodness and competence is invertebrate. The Yashpals and Menons create files. Pitroda threatens to make history.

Like Amitabh, he is a nationalist. He is playing out the American dream in India as a super-urban American who carries his new Indian passport like a flag. There is a technological machismo here and none of the namby-pamby debates on pilot plants or the dithering caution of the CSIR. Pitroda has claimed that his Technology Missions will expose the CSIR. The old left radicals of the system are no match for him. He can also trump an Ashok Parthasarthy by claiming to be both a better nationalist and a better scientist.

Like Amitabh, Pitroda is a man in a hurry. He is the scientist's Amitabh and no scientist in the post-nationalist period has so captured the media imagination. Pitroda's life, his work in office, even his office secretary, gets the kind of media space Krishnan and Bhatnagar received in their obituaries. He marks the end of the pure scientist as hero model. Years ago, a foreign scientist asked the scientists of NPL to name any one of their products that was being sold in the streets of Chandni Chowk. He was met with an embarrassed silence. Pitroda would have chased him from the hall.

Also, there is none of the gigantism of structures one associates with the Bhatnagars and the Swaminathans. Pitroda floats freely above these with his assault squad of professionals. And finally, like in the Amitabh scripts, there is a compression of time. What took Indian scientists - technologists years to achieve, now has the promise of quick delivery. It is like the change-over from a five-day to a one-day

match. One wonders how many scientists will survive the change. But this capturing of the imagination creates problems, inaugurates possibilities of violence as radical as that of Amitabh Bachchan.

There is first the conflation of technological and political models. Politics is felt, by both, to be a slow, decrepit and convoluted process. In his films, Amitabh short-circuits the process through violence as in *Inqilab*. Pitroda does it through a substitution of politics by techno-managerial models. Unfortunately, he does not examine the oppressive genealogy of management from Winslow Taylor's scientific management to present-day cybernetic theory.

In Pitroda's schema, a community is substituted by the formal system of an innovation chain, composed of the three stages of invention, innovation and diffusion. The invention stage deals with the conceptualisation of a scientific idea into a technological product, innovation with the commercial production and diffusion with the wider societal dissemination of the product. Society becomes for him a transfer of technology model, with the emphasis on innovation and diffusion. The basic policy lies in the diffusion of the goods of society and this diffusion is from centre to periphery.

In this model of technocracy, consumerism is conflated with participation. The body politic consumes but does not question. The linear clarity of the innovation chain is a managerial one. What is not questioned is the message or package, that is, the domain of invention. The package to be consumed and the knowledge systems that produce it are accepted *in toto*. There is no genuine theory of participation. The idea of people's participation arises only when they have to serve as extension counters of a top-down idea.

Secondly, Pitroda's TOR model moves across space which is empty. It is irritated by the density of place, by the past, by memory and tradition. In this model, people's view of knowledge, their conceptions of

water or medicine appears as noise. The TOR model in this sense can become not only anti-democratic but anti-ecological. One can understand this best by looking at the notion of the other in the official system. It is mediated, I believe, by the idea of the India festival. Let us locate Pitroda in contiguity with Amitabh and Rajiv Gandhi.

When one looks at Amitabh's statements, one notices that he was promising schools, water, health and communication to Allahabad. Pitroda is saying that what Amitji promised for Allahabad, he can deliver for the whole of India through the Technology Missions. Between the two, they perform an inversion we must understand.

Through Amitabh, the semi-fascist state feels that it is linked to the underside of India and the Indian imagination. The Indian state feels that through Amitabh it is communicating with the common man, the coolie, the tongawala, the con-man, the smuggler, all the people in that micro-India, the slums of Khetwadi, that fuel the imagination of Manmohan Desai.

The links that Amitabh provides to the Indian masses are further expanded in the official idea of the India festival. There is the other underside of the Indian imagination — the craftsman as the sculptor, the painter and the weaver, and the folk artist as musician, dancer and performer. These systems are brought into display but only as 'exhibits', not for real use in the bazaars but as political acts of conspicuous consumption. *Visvakarma* is not resident in these craftsmen. The idea of the craftsman as hero has been appropriated by Satyem Pitroda who has replaced, as he himself put it, the *Charkha* with the electronic Chip. He thinks that they are merely two objects. I wish to stress that they are two separate semiotic systems and what I am contending today is that in pluralistic India, the *Charkha* and the Chip must be dialogic. Pitroda, I feel, cannot avoid such a quarrel nor can he be allowed to set the terms of such discourse.

The myth of Pitroda cannot be defeated empirically. Pitroda's Tech-

nology Missions have to be fought with counter-myths. The media myth of Sam Pitroda and his Technology Missions must confront the world of Sunderlal Bahuguna, Chandi Prasad Bhatt and that of the Chipko movement. For the purposes of the paper, we shall schematise them.

By counterpoising Chipko and the Technology Missions, the language of discourse becomes crucial.

CHIPKO

- Political movement
- Participative
- Concerned with raising the issue of survival against S&T developmental models
- Peoples knowledge system, women as key participants
- Language of folk, songs, stories; basically oral
- Focus: the community and commons

Throughout seminars and official presentations on the problems of water or immunisation, one witnesses the recurrent use of terms like 'problem village' and 'target population'. Such language really became overt in the American war against Vietnam. One is not a nominalist but one still fears that such concepts in the hands of development experts can become death warrants.

There is one last argument left to make. Of late, the Indian state has been enacting what might be called the circus model of the state. The government has indulged in huge spectacles which are the substitute of Roman circuses. We had first that great celebration of managerial and technological competence, the ASIAD. The state added to it the Festival of India, another great media spectacle. To add a bit more of nationalism we had Romi Chopra and OBM produce the Freedom Run. And to add to that ersatz nationalism a technological competence, we might have the technology run, the missions of Satyen Pitroda.

The question remains: how can we prevent the Technology Missions from degenerating into empty exercises or even examples of statist repression through future programmes on family planning, immunisation or housing? We offer three sets of suggestions drawn from the life experiences of concerned academics and activists.

The first is the idea of an ombudsman for each mission. In a wider

TECHNOLOGY MISSION

- A transfer of technology model
- Managerial, participation is merely at extension level
- Takes S&T and development as given
- Bureaucrats and scientists as experts
- Language of expert, graphs, statistics
- Focus: the nation-state and the electronic information system.

sense, the idea of an ombudsman had been raised during the J.P. movement and, I believe, Ramakrishna Hegde did institutionalise it in Karnataka. The various missions, especially those on immunisation, water, housing and family planning, may generate a host of everyday complaints, which the bureaucracy may not be sensitive to. In this context the ombudsman can play his role with sensitivity and, at the same time, also respond to the specific problems of technological innovation in various forms.

This leads us to the second issue about the human rights implications of the various missions. The civil liberties groups have not been sensitive to the human rights problems posed by the various technocratic projects, despite the Bhopal gas disaster and the controversies surrounding the issue of nuclear energy. Voluntary groups must do the anticipatory work on the implications of displacement, obsolescence and iatrogeny. The PUCL — PUDR must attach an autonomous group to monitor and anticipate civil rights

problems such missions might cause.

The record shows that technocratic experts like Jagmohan (urban planning), Ramanna (nuclear) and Kurien (dairy development) have not only developed authoritarian styles of functioning but are deeply antagonistic both to dissent and the right to information regarding their projects. Pitroda's Technology Missions, by being sensitive to such critical autonomous groups, might help produce the social innovations that technological and managerial systems in a democratic polity require. May be groups like the Medico Friends Circle (MFC), the Kerala Shastra Sahitya Parishad (KSSP) and the People's Science Institute could also monitor particular missions.

There is also a need for a wider notion of social audit than present in the cost-benefit, transfer of technology models of Pitroda. The notion of social audit has to work within a different set of philosophical concepts. The emphasis should be not only on national self-reliance but also on community reliance, and concepts such as productivity and efficiency should be complemented by ideas of sustainability. In addition, one requires a notion of time beyond the market, considering the rights of future generations as well. Such a notion of social audit must work out more creative notions of justice and suffering beyond the bureaucratic models of insurance and compensation.

These three responses are not substitutable and should not be collapsed into an empty committee with a panel of distinguished names. Such a group cannot respond to the everyday problems of the Technology Missions. Also, a nominal committee is inadequate to respond to the social innovations that the Technology Missions need. Pitroda's work should not be a narrowly conceived contribution to technology. To succeed, even technologically, the missions must contribute to widening the notions of both democracy and the commons in India. Otherwise Pitroda will go the way of Jagmohan, Kurien and Ramanna: proud of his expertise but contemptuous of the raucous demands of Indian democracy.

Delegating power

Will the Congress(I) let go?

SUKUMAR MURALIDHARAN
in New Delhi

JUST before midnight on April 23, Parliament passed an Act enshrining the constitutionally-guaranteed right to local self-government in the State of Manipur. Since the 73rd constitutional amendment bill — popularly known as the Panchayati Raj bill — was ratified in April 1993, every State had a year's time to enact legislation that put it into effect. A few States did so with alacrity. Others reluctantly went through the motions. Finally, it was left to the Central Government to pass the required law for Manipur, currently under President's rule. On April 23, all States found themselves in conformity with the constitutional requirement.

This was followed on May 31 with the enactment of legislation in all States in accordance with the 74th amendment. Popularly known as the Nagarpalika bill, the 74th amendment came into effect on June 1, 1993. It provided that the States would have to amend their Acts dealing with urban municipal administration within a year, eliminating any dissonances with the spirit of the constitutional amendment.

As one State after another fell in line, extravagant predictions of a new dawn in Indian democracy became common. But the more responsible observers chose to reserve their judgment. Experiences with democratic decentralisation did not seem to warrant such forecasts. A polity where power is voluntarily surrendered is one that has attained a high degree of maturity. One where power is devolved as a self-inflicted discipline is one that aspires to a degree of maturity. It is not yet clear that these aspirations are shared across the country — that the power blocs which supported an earlier phase of local self-administration have yielded ground to the principle of local autonomy.

The latest incarnation of local self-rule has its origin in the Congress(I)'s late discovery of the virtues of devolution. In its dying days, the Rajiv Gandhi administration staked its political fortunes on a constitutional amendment that would protect local institu-

tions from the irksome interventions of State Governments. It was carried through the Lok Sabha thanks to the Congress(I) Government's brute majority, but failed in the Rajya Sabha.

Opposition parties rightly saw some aspects of the Rajiv Gandhi amendments as inimical to the powers of the State Government. The amendments were, first of all, cluttered with provisions which sought to lay out the pattern of local self-government down to minute details, un mindful of local conditions. Furthermore, the Rajiv Gandhi amendments accorded an undue influence to the office of the Governor. And in a context in which controversy was raging over the misuse of Article 356 and the tendency for Governors to act as agents of the Centre, this was bound to raise hackles.

The principle of devolution survived this particular self-encounter. The National Front Government that held office briefly following Rajiv Gandhi sought to build up a bipartisan consensus on the issue. Rapid changes of Government, and the political preoccupations of Mandal and Mandir ensured that little progress was achieved.

Sufficient political momentum had been built up in favour of devolution when the P. V. Narasimha Rao Government came to power. A fresh set of amendments was drafted by January 1992, seeking to accord constitutional protection to elected local bodies in both rural and urban areas. After scrutiny by a Joint Select Committee, both amendments were passed by Parliament in December 1992. By mid-1993, the process of ratification by the States had been completed.

The Nagarpalika and Panchayati Raj amendments have broadly the same thrust — to protect local institutions from dissolution or supersession, and to guarantee them a reasonable degree of financial autonomy. There is a distinction in both between mandatory and discretionary requirements. A three-tier system of panchayati raj in rural areas falls under the former category. A relaxation of this provision is granted only for the few States that have a population under 20 lakh. The basic unit would be the village panchayat, and mediating the village and the

district panchayats would be another tier, which the States could define in accordance with local conditions.

Once constituted, panchayats and municipalities would have a tenure of five years. State Governments which have so far enjoyed virtually unfettered rights to dissolve and supersede local bodies, have had to accept a radical dilution of this power. And even in instances where the panchayats are dissolved, they are to be reconstituted within six months.

Within a year of the coming into force of the local self-government Acts, the State Governments would be required to constitute a Finance Commission, to review the financial position of the local bodies and to recommend an appropriate pattern of devolution of funds from the exchequer. State Governments should place their recommendations of the Finance Commission before the legislature concerned, along with a detailed report of its own actions. In the event of non-compliance, State Governments would be required to specify reasons.

On the functional responsibilities to be entrusted to the local bodies, State Governments would retain a measure of discretionary power. An illustrative list of 29 subjects has been provided in the Eleventh Schedule to the Constitution. These range from agriculture, land improvement, minor irrigation and public distribution, to health, family welfare, and primary and secondary education. Article 243(g) — newly inscribed through the 73rd amendment — leaves some scope for State Governments to fudge this devolution. There is no mandatory requirement in this respect. The provision merely is that the State legislature may "endow the panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-Government."

Critics of the new philosophy of panchayati raj see this as a debilitating provision. Considered against the background of Governments and bureaucracies which have been averse to the dilution of their authority, this seems to provide too much room to preserve a skewed distribution of powers between the State and the local

bodies.

Elections to the local bodies are to be conducted under the supervision of a single-member State Election Commission to be appointed by the Governor. Like his counterpart at the Centre, the State Election Commissioner would be appointed for a fixed tenure, which could not be changed to his disadvantage. And for his removal from office, the same procedure as prescribed for a judge of the High Court — impeachment by a two-thirds majority of Parliament — would be applicable.

Along with the Finance Commission, the State Election Commission is a key institutional innovation. There could be an element of uncertainty in the procedure to be followed for the appointment of this official by the Governor. Despite interminable debate, the constitutional position of the Governor is still shrouded in ambiguity. He clearly does not occupy the same position *vis-a-vis* the State government as the President does in relation to the Union Government. The tensions that could arise from this ambiguity were best shown during the Rajiv Gandhi days, when the Governor of Andhra Pradesh refused repeatedly to sanction the Telugu Desam Government's appointment of a Lok Ayukta.

Opposition parties nevertheless went along with the provision enabling the Governor to appoint the State Election Commissioner, because there is a constitutional nicety involved. It was also an act of faith, that the confrontationist mood that prevailed between the Centre and the States during the Indira-Rajiv raj will now give way to an ambience of cooperative federalism.

The States are mandatorily required to ensure a minimal level of representation of various sections. A minimum of one-third of the seats in municipalities and panchayats at all levels are to be reserved for women. In addition, Scheduled Castes and Tribes should have a representation not lower than their numerical proportion in the population. Within the category of seats reserved for S.Cs and S.Ts, one-third again would be exclusively for women.

The constitutional amendments also provide for a further quantum of discretionary reservations for 'other backward classes' (OBCs) or 'socially and educationally backward classes' (SEBCs).

In their pieces of legislation, most States have opted for S.C.-S.T. reservations in proportion to their population. Only Karnataka, among a set of 10 States studied by the Department of Rural Development, has opted for a

fixed representation on the lines of the national pattern — 15 per cent for S.Cs, and 7 per cent for S.Ts.

Karnataka has taken an expansive view of the powers of reservation. One-third of seats in gram panchayats are to be reserved for OBCs under the Karnataka Panchayat Raj Act of 1993. And within reservations for OBCs,

The Congress(I) as a party is suspicious of anything that remotely smacks of popular mobilisation. Its culture predisposes it towards centralising decision-making authority.

women constitute a sub-category entitled, in turn, to a one-third share.

Gujarat has kept the reservation for OBCs at one-tenth. Madhya Pradesh has restricted OBC reservation to those gram panchayats where the S.C.-S.T. quota is less than one-half. And Maharashtra has adopted the Mandal Commission formula of OBC representation to the extent of 27 per cent. Kerala, Assam, Orissa, Sikkim and Tripura have chosen not to accord any specific representation to the OBCs.

Since the States were obliged in large part to follow a Central directive, their Acts show broad similarities in several respects. The basic unit of organisation could be a revenue village — as in Gujarat, Kerala and Assam — or a cluster of villages. Karnataka and Bihar have defined a minimum population threshold for the constitution of a gram panchayat — between 5,000 and 7,000 in the former case, and 7,000 in the latter.

Karnataka specifies one representative for every 400 villagers, while Bihar has settled for a ratio of one for every 500. Other States have chosen merely to define the minimum and maximum sizes of the gram panchayats. The minimum membership of a panchayat in the Gujarat model stands at seven. Orissa prescribes a minimum of 11 and a maximum of 25, whereas Assam puts down a fixed number of directly-elected members — 10 for every gram panchayat.

Certain differences in detail are also

apparent in the mode of election of the gram panchayat chiefs. A majority of States have opted for the indirect election of both the panchayat head and his deputy. Gujarat, Madhya Pradesh and Assam, notably, have introduced direct polls for the panchayat chairman's post. The deputy, however, will be chosen indirectly, from among the panchayat members.

Direct election of members is a mandatory requirement even moving upwards in the hierarchy of local self-government. The intermediate tier of administration in most States is the block or taluk. The population represented by a member of the taluk panchayat varies from 5,000, as in Bihar and Madhya Pradesh, to 8,000, as in Tripura, and 10,000 as in Karnataka. Most acts have provided for the representation of State legislators on taluk panchayats. Gujarat is a notable exception, where legislators would be allowed to attend panchayat meetings, but denied the right to vote. Maharashtra has been more stringent — it does not accord State-level representatives the privilege of membership in local bodies.

Students of local self-government — such as George Mathew of the Institute of Social Sciences, Delhi — argue that representation to legislators is a way of diluting the power of local bodies. In the event of tension arising on the devolution of power, legislators could undermine the bargaining power of local bodies from within. By this criterion, the Gujarat and Maharashtra acts are model legislation, while the Karnataka act — which provides representation even to Members of Parliament — is at the lower end of the scale of adequacy.

The next tier of local government — the district panchayats — follow the same pattern. Most States have enabled MPs to sit on district panchayats as full members with voting rights. The notable exceptions — as in the taluk panchayats — are Gujarat and Maharashtra. Upward of the taluk panchayat, indirect election of the chairman becomes the rule. The schemes for assured representation through reservation remain uniform across all three tiers in the various States.

In actually allocating responsibilities, the States have been niggardly. Most have chosen to transfer partial jurisdiction over health, education, agriculture, soil conservation — and other such activities which typically have a local bearing — to the panchayat committees. State governments continue to have the preponderant role in these areas. Observers such as George

Mathew suspect that the idea would be to make a few token transfers of power, but to retain the core functions at the State level, reducing local self-government to a travesty.

Another serious lacuna — uniformly found in the State acts — is connected with the executive staffing pattern of the panchayat bodies. The efficacy of local bodies in fulfilling their mandate would be intimately connected with the commitment and sense of accountability of their executive staff. The potential for a dilution of will between the decree of an elected body and the action of an executive body is always significant. Strong local bodies derive some of their rationale from the consideration that this potential tends to be less when the elected body and the executive agency are directly and immediately answerable to each other. When the executive agency finds itself serving two masters, the possibility of a conflict of interests becomes strong. This could diminish the effectiveness of local self-rule.

The legislation recently brought forth does not provide for the local bodies to recruit their executive staff, except at the village level. At both taluk and district levels, staffing will be done entirely through secondment from State government service. Even in the instance of the centrally enacted legislation for Manipur, as the Congress(I) MP Mani Shankar Aiyar has shown, the balance of executive power is tilted strongly towards officers implanted by State governments. Aiyar, who has campaigned long and hard for panchayati raj — ironically enough, he was among the staunchest champions of the concept even in the somewhat perverse version that Rajiv Gandhi — it — can hardly conceal his disappointment, though party loyalties impel him to argue that these kinks will be ironed out in due course.

Other observers are not quite so sanguine. Former Cabinet Secretary Nirma Mukherji argues that "self-government of any kind must have not only a clearly demarcated field of activities, but also the instruments with which to govern in this field." And since executive power is a key instrumentality, the States should endow the panchayats with the power "to recruit and control their own staff." Mukherji is at pains to emphasise that panchayats should not "rely only on employees as their instrumentalities." They should also work through other established local institutions, such as, for instance, cooperative societies, agricultural marketing societies, and credit institutions.

The various subtleties of putting together an effective system of local government have obviously been given little thought in the constitutional amendments or in the consequential legislation. In the final analysis, the achievements of these Acts are of a modest nature. Regular elections to local bodies have been institutionalised, and State governments' abilities to override local institutions curtailed. But panchayati raj could still be bent to the political will of State governments — as the actions of Congress(I) governments in Kerala and Karnataka have shown.

Both these States had bold and innovative Acts on local self-government on their statute books well before the 73rd and 74th amendments were passed. Subsequent to these amendments, the earlier Acts were scrapped and entirely new ones brought in — invariably with provisions that diluted the autonomy of local bodies. George Mathew argues that the new Acts in both Kerala and Karnataka drastically tilt the balance of power in favour of the bureaucracy. In Karnataka, for instance, the 1993 Panchayati Raj Act "empowers officials, through an order of the government, to enquire into the affairs of village, taluk and district panchayats." Executive officers are given the authority to 'suspend the execution' or even 'prohibit' any act of the panchayat, if in his opinion, it is 'unjust'.

In bringing in a uniform system of local administration across the country, the Central Government has reduced the more distinguished State Acts to the same drab homogeneity. The only exception is West Bengal, where a local government Act has been in force since 1978. In its scope, the West Bengal legislation far exceeds the stipulations of the 73rd and 74th amendments. Last year, West Bengal became the only State to hold four successive elections on schedule to local bodies. And this achievement came not on account of coercion from the Centre, but because local institutions have over time harmonised their activities — both politically and administratively — with the State government.

Some scepticism about the potential for such harmonisation in other States would be warranted by the very character of the political party that is at the helm. Unlike the Left Front in West Bengal, the Congress(I) as a party is suspicious of anything that remotely smacks of popular mobilisation. It has an entrenched culture that predisposes it towards centralising decision-making

authority. Popular sovereignty in the Congress(I) scheme of things has long since been reduced to a notion of the infallibility of the 'high command' — which loosely translated would mean the party president and the coterie that enjoys his favour at the time.

It is an eloquent comment on the Congress(I)'s commitment to devolution that the dawn of panchayati raj was accompanied by the supersession of all elected bodies at the State and district levels within the party. The Congress(I) clearly has no use for local autonomy. It feels more comfortable with a dispensation under which the party president packs all local committees with his nominees.

The recent history of local self-government in the country shows it is intimately connected with the politics of the Opposition. A phase of activism was initiated by various non-Congress State governments beginning in the late 1970s. West Bengal in 1978 was followed by Kerala in 1979. The Kerala District Councils Act, introduced by the Left Democratic Front in 1979, was for long in limbo awaiting presidential assent. It became law only when the next Left government took office in 1987. In Karnataka, it was the Janata Party Government installed in 1983 which took the first decisive steps towards devolution. This was followed at close quarters, by a similar effort by the Telugu Desam Government in A.P.

In all these instances, local self-government was a political project. The promotion of the concept ran concurrently with an effort to bring new forces into the political process, and build social coalitions that could field into an electoral plurality at the State level. These were disconcerting developments for the Congress(I), which was divorcing itself from the process of political mobilisation, and becoming increasingly dependent upon the charisma of a supreme leader.

Rajiv Gandhi was in many ways the epitome of this personalised style of politics. His maladroitness attempt to project himself as a champion of people's power deservedly came a cropper. But the programme he inaugurated has now come to fruition. It has certain safeguards that could check its abuse, but it clearly lacks the dynamism to ensure its success. Yet there is the possibility, that in the hands of certain political parties, the panchayati raj system may become a powerful instrument of social transformation. The Congress(I) as a party clearly does not fit this bill. But some others might. ■

Delayed democracy

Panchayat polls put off in Karnataka

PARVATHI MENDON
in Bangalore

The Congress Government in Karnataka, in power for four years now, has earned a certain notoriety for dodging a commitment it made to the people: installing a panchayati raj with actual powers of self-government. Even while claiming to be the first State to introduce a Panchayati Raj Act that conforms in "letter and spirit" to the 73rd Constitution Amendment Act, 1992, it has systematically scuttled elections to the panchayati raj bodies on one pretext or the other.

The elections to taluk and zilla panchayats, scheduled to be held on April 27 (gram panchayat polls were held on December 30, 1993) were first postponed to May 26 and 29, on the unconvincing ground of a deteriorating law and order situation. Now they have been put off once again through an ordinance promulgated on May 1. The stated reason is to extend the benefits of the State Government's new reservation policy (a modification of the O. Chinnappa Reddy Commission Report) to the panchayat bodies. But the real reason is the Government's reluctance to face the electorate. There has been tremendous pressure from within the Congress(I) to postpone the elections, as a defeat would be disastrous for the party's prospects in the Assembly elections due by November. Another reason is that partymen are not willing to exhaust their resources before the Assembly poll.

The Cabinet, endorsing the postponement, has appointed Justice P. P. Bopanna, a retired judge of the Karnataka High Court, as a one-member commission to advise the Government on delimiting panchayat constituencies to ensure "effective representation" for the Scheduled Castes and Tribes, Backward Classes and women. The report is to be submitted within three months and it is unlikely that panchayat elections will be held till next May. One man who stands isolated in the Congress on this issue is M. Y. Ghorpade, Minister for Panchayati Raj and Rural Development. He resigned in protest against the postponement.

It was expected that the two Congress(I) observers — Naval Kishore Sharma, All India Congress Committee general secretary in charge of Karnataka, and Rameshwar Thakur, Union Minister of State for Rural Development — who recently visited Bangalore would convey the views of the Central leadership on the Mooly Government's decision to postpone the elections. But they made no categorical

party stands united on the issue. However, the loss of credibility it will suffer on account of the postponement cannot but affect its performance in the Assembly elections.

The postponement is consistent with the State Government's two-faced policy on panchayati raj: making public pronouncements and protestations of its firm resolve to introduce democratic decentralisation, while in practice emulating the panchayat system. The latest move may mean that elections may get postponed for another year.

The Government's active hostility to effective and democratic decentralisation can be traced to 1992, when fresh elections to the panchayati raj institutions were to be held. The Karnataka Zilla Parishad Act, 1983 (which received presidential assent only in 1985) enacted by the Ramakrishna Hegde Government was considered a model law on democratic devolution based on a two-tier elective system. Elections were first held to zilla parishads and mandal panchayats in 1987. Despite the problems that beset this new experiment, it was successful in that administration and accountability were brought within the reach of the people.

Trouble began in 1989 when the Congress(I) came to power with Veerendra Patil as Chief Minister. The new Government made no bones about its dissatisfaction with the panchayat system. Anticipating a delay in holding elections, zilla parishad Adhyakshas (presidents) and Upadhyakshas (vice-presidents) belonging to the Opposition parties, mainly the Janata Dal, filed a joint petition in 1991 seeking the Karnataka High Court's direction to the Government to hold zilla parishad elections before their term expired on January 12, 1992. A Division Bench ordered the Government on April 10, 1992, to hold elections before December 12. Meanwhile, the Government had appointed on January 13 'administrators' of the rank of Deputy Commissioner to the zilla parishads. The State Government went in appeal to the Supreme Court, which said on September 1 that it was "not inclined to interfere with the judgment of the Karnataka High Court". But the court



Minister M. Y. Ghorpade who resigned in protest... an isolated stand.

statement. At a press conference, Rameshwar Thakur did say that elections to the panchayati raj institutions were long overdue, but that was all. Sharma was equally non-committal when he said elections to the zilla parishads would be held either after or before the Assembly elections.

While reports say the Central leadership is unhappy with Mooly's decision, clearly no pressure will be put on him to rescind it. The argument that holding zilla parishad elections in a year when Assembly elections are due will weaken the party's prospects has apparently convinced the Central leadership that it is wise not to proceed with the elections.

In the State, but for Ghorpade the

SUGGESTIONS FOR THE CONCEPT PAPERONPANCHAYATI RAJ

By B. RADRAMSORTHY

THE SITUATION :

Development is 'flowering' or 'unfolding'. Rural development is, therefore, the development of rural people, which in turn means development of the potential inherent in rural people. Rural infrastructure and institutional framework should be such as to facilitate this process of development of rural people. Government's responsibility in such a situation is to provide the infrastructural framework for the rural people and their communities to develop. The responsibility of people's institutions is to facilitate local people to develop the initiative, capability and the wherewithal to create for themselves a better place to live and realize their potential fully.

Panchayati Raj, Co-operatives and Voluntary Organisations are the people's institutions designed in the development context of this country. While the Panchayati Raj Institutions are to help the people to become skilled in the mechanics of managing self governing institutions of Panchayats, Panchayat Samitis and Zilla Parishads, the Co-operatives are to help the people to manage their economic affairs. Voluntary Organisations are essential to motivate rural people to progressively adopt new technologies for bettering their lives and methods of work. The acid test of these institutions is the extent to which the people themselves take the initiative in their own development matters. It is the government's responsibility to facilitate the working of these institutions by providing the necessary statutory framework and facilitating the political, economical and social conditions necessary.

Pandit Nehru dreamt that "the Panchayati Raj, Co-operatives and Voluntary Sector alone would result in a politically, economically, socially and culturally vibrant India".

In developing the Co-operatives, the Co-operative laws were enacted and these enabled the people to come together and organise economic activities on co-operative lines. Gradually, these enabling laws were changed to those of a controlling nature. Later, amendments were introduced to let Co-operatives be managed by government. Co-operatives today are looked upon more as agents of government and not as people's institutions. One of the main reasons for such a shift in the structure and functioning of the Co-operatives, has been the dichotomy between the perceptions of the democratic institutions and the expectations of the bureaucratic set up. The same fate is also facing the Panchayati Raj Institutions today. Conceptualised in the Balwantrai Mehta Committee Report during 1950s the Panchayati Raj Institutions were looked upon as Decentralised democratic institutions which would be the training ground for people practising democracy at grass-roots level. Over the years the same conflict which threatened the co-operative movement also confronted the Panchayati Raj Institutions and today the same history of co-operative institutions is being repeated once again in the Panchayati Raj set-up also. It is evident that democratic institutions cannot survive and prosper in the present political and bureaucratic culture.

Political culture in India today is dominated by the politics of survival, and we have not yet begun to practise the politics of development. Politicians, elective representatives of people, still consider brick and mortar as the essence of development. People and their institutions are still far below in their list of priorities. Physical development dominates their perceptions of development and human development has yet to be realised as the core of progress.

On the other hand the bureaucratic culture is operating in a style which prioritises power and status. Functions are measured from the perspective of the status and power. Top-down culture permeates in our democratic system. A serious consequence of this

is the perpetuation of the top-down flow of ideas, resources, checks, balances and counter-checks. The people below look up for their development. Local initiative has been dwindling. The tradition of local initiative, local resources for development has been very much scuttled. The bottom-up process has not been recognised either at the top or at the bottom excepting in treatises and documents. No wonder in such a set up the institutions which are the brain child of the top levels of political and bureaucratic echelons have not become the real people's institutions. Local development is no longer the responsibility of the local people. Their eyes and expectations are fixed on to the top.

The present structure of the society is not conducive to the effective functioning of Panchayati Raj institutions. The vertical orientation of the society finds it difficult to promote the horizontal values, the essence of democratic functioning. It is no wonder the bureaucracy has thought of 'Peoples' participation' and 'democratic decentralisation', both these concepts being self contradictory. If people realise that their development is their responsibility, they take the initiative and get involved in the process. It is the technocrats and bureaucrats who have to participate in the process which is initiated by the local people.

REMEDY :

As long as the above climate and environment persist, it is futile to expect the democratic institutions at the grass-roots level to function and catalyse the development process. Hence the remedy lies not in merely restructuring these institutions but in changing the climate and environment. There must be a shift in political and bureaucratic culture towards democratic styles of working and living. The pyramid has to be inverted. The power base has to be broadened. Ideas should be encouraged to flow from bottom-up. Schemes should be the brain-wave of the local people and not of those at the top.

The following steps are very necessary to create the conditions which facilitate Panchayati Raj institutions to function successfully :

1. Initiate the process of planning from below, and strengthen wherever this process is visible:
 - a) Establish institutes of decentralised development planning at District and block levels.
 - b) Encourage democratic institutions to frame their own rules for their functioning, their own priorities and schemes for their development. Central and State Governments should make available only guidelines and ensure that these guidelines do not become the binding factors for rural institutions.
 - c) Release funds on the basis of local plans and selected criteria such as population, needs of development, local resources available, local constraints such as calamities, rainfall, soil etc.
 - d) Experts from above become operational at local levels for extended periods of time necessary for local people to develop their plans and strategies.
 - e) Reduce the bureaucratic set-up at the peoples' contact levels to the barest minimum, as too much and too complex the bureaucratic set-up at the operational levels kills the peoples' initiative and ideas, especially in view of the too long a period of people looking up for guidance and directions.
2. Panchayati Raj institutions at the village, block and district levels should be provided for in the Constitution of India. Each village, irrespective of its size, should have a panchayat, each block a samithi and each district a zilla parishad. These instruments function more by familiarity and awareness and local loyalty.

3. The elected representatives in State Legislatures and the Parliament should not be taken on the Boards of Panchayati Raj institutions as their perceptions differ as well as their obligations. But they may be co-opted to the committees.
4. State Government staff should not be convenors or secretaries of these institutions.
5. Checks and counter-checks of Panchayati Raj institutions should be vested with the respectively higher levels of institutions and not with bureaucrats as, otherwise, the practise of democratic values will be jeopardised.
6. Voluntary organisations should be encouraged and conditions and climate should be created for them to successfully function as their work with the people preparing them for effectively participating in the affairs of Panchayati Raj institutions.

* * *

B. K. Singh

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POLITICAL AND ADMINISTRATIVE DECENTRALISATION:
THE KARNATAKA MODEL

by

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Political and Administrative Decentralisation: The
Karnataka Model

The Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983 (Act No.20 of 1985) was brought into force from 14.8.1985. The Act which establishes the Gram Sabha, Mandal Panchayat, Taluk Panchayat Samithi and Zilla Parishad also creates in Chapter 11 'Nyaya Panchayats' or a form of people's judicial councils. However that chapter will not be brought into force until after August 1990. The following is a discussion of the most important aspect of the Karnataka model namely, the nature of Panchayatiraj institutions, their powers and duties and the scope they create for direct and indirect perception by the people in the decision-making process. There will be no discussion of Nyaya Panchayats since they are not now in operation.

Decentralisation which is currently the subject of extensive discussion at the official level is an old concept. The British brought about decentralisation of local government in their colonies during the turn of the century. Decentralised local bodies were supposed to have 'wills' of their own policies subject only to such powers of direction and control as are retained by the Central government"; local bodies were supposed to be a "detached system"¹ Yet in real terms they were more in the nature of development agencies of the central government manned by officials rather than politically de-centralised units. In the words of the Balwantray Mehta Team "Decentralisation is a process whereby the government divests itself completely of certain duties and responsibilities and devolves them on some other authority".² It cannot mean transfer of a rigid and bureaucratic system from Delhi or Bangalore to lower levels.

The notion of "Democratic Decentralisation" refers to this process being taken qualitatively to a higher level. It visualises transfer of power, responsibility and resources to an elected body or a group of elected representatives and not to bureaucrats. The primacy is recognised not only of an elected body but of individuals even in their functional role, and bureaucracy unambiguously plays a subordinate role. This, in my view, provides the correct context for a discussion of the notions political and economic decentralisation. It also implies that our idea of Panchayatiraj - as a people-oriented and controlled institution- will not stand in isolation but will be part of a larger vision of society.

Political decentralisation:

It has atleast three connotations.

(a) reduction of the gap between the government and the governed (b) comprehensive or substantial vesting of power and responsibility and (c) institutional reflection of the aspirations of people by providing for participation in the planning, implementation and monitoring of economic and social plans and programmes.

a) Thus the Karnataka legislation, for the first time, creates access to the vast majority of the rural people to a chain of institutions - themselves newly created for this purpose- where economic, social and political decisions are made. The Zilla Parishad at the District level, and the Mandal Panchayat below the Taluka level are the two democratic bodies with effective power. The Taluk Panchayat Samithi, at the Block level is a Taluka advisory Committee of the Zilla Parishad. Finally, the Grama Sabha at the level of the revenue village is the basic tier of the Panchayatiraj set up.

The Grama Sabha comprises all adults in the village. It shall meet at least twice in a year to 'consider' implementation of development programmes within the village, proposals for new projects, the building up of a Land Army,

initiation of adult education programme in the village and selection of beneficiaries for all beneficiary-oriented schemes. While doing so, it should also discuss a report from the Mandal Panchayat on the progress of works relating to the village in the previous and coming years. This exercise provides a vertical link between the basic tier and Mandal Panchayat. The co-ordination is strengthened by the requirement that the Pradhan of the relevant Mandal Panchayat should preside over all Grama Sabha meetings.

The legislation thus considers the 27,000 Grama Sabhas in the state as the very bedrock of Panchayati raj. But all available evidence in the country so far suggest that gram sabhas have not evoked substantial public participation and that they have generally failed in fulfilling prescribed functions.³ It is too early to assess whether Karnataka's experience will be any different.

The Taluk Panchayat Samithi is a purely nominated body consisting of all the mandal pradhans in the taluks, all MLAs, MLCs and members of the Zilla Parishad representing any part of the taluka, Presidents of Primary Land Development Bank and Agricultural Produce Co-operative Marketing Society, and five co-opted members of Scheduled Caste, Scheduled Tribe, Backward Classes and Women. It is entrusted with advisory, supervisory, review and inter-mandal coordination functions. Significantly, not being an elected body, it is not clothed with powers as in the case of Mandal Panchayat or Zilla Parishad. In this sense and as a matter of legislative policy, the Samithi is not an example of democratic decentralisation.

Mandal Panchayat :

It is this panchayat unit, above grama sabha and below the Zilla Parishad, that reduces the gap between the government and the governed. A fully elected body, it reduces the gap spatially, has substantial political powers and provides a structure for people's participation.

One member for every 400 population of the mandal shall be elected to the mandal panchayat. Its membership will range between 16 and 24, while in the sparsely populated malnad districts it may be about 8. There are 2536 mandals with over 55,000 elected members. 25% of the seats are reserved for women and 18% for SCs/STs. Each mandal panchayat caters to a group of villages with a population of between 8,000 and 12,000 and an average total geographical area of 7,500 hectares.

The mandal panchayat will have all the functions usually described as obligatory, discretionary and transferred. The omnibus S.56 contains a long list of functions and stipulates that "It shall be the duty of every Mandal Panchayat as far as the funds at its disposal will allow, to make reasonable provision" for those functions. The duty is therefore mandatory or statutory. Accordingly, it should be amenable to enforcement by a writ of mandamus on the reasoning of Ratlam case (1980 S.C. 1622). However the 'duty' contemplated is qualified by the words "as far as the funds at its disposal will allow".

The 'duty' refers to provision regarding sanitation and health, construction and maintenance of wells and tanks, supply of water and other civic obligations including regulatory functions. On the regulatory side, S.66 which requires permission of Mandal Panchayat for construction of factories or workshop using conventional forms of power and S.67 which prohibits trade declared to be offensive or dangerous are welcome from the angle of ecology although they could have been drafted in more concrete terms. Indeed the provisions on dangerous quarrying (S.107), use of offensive substance (S.108), regulation of smoke (S.109) and prohibition of nuisance (S.110) are more detailed and specific. However, the punitive punishment for some of these offences,

namely a fine of Rs.25 or Rs.50 is grossly inadequate and will not be a deterrent.

Several schemes including centrally-sponsored schemes stand transferred to Mandal Panchayat. Some important ones such as horticulture, fisheries and co-operation had been retained at the state level but have now been transferred. The mandal panchayat will have its own sub-plan as well as the responsibility of planning and supervising certain works carried out by the Zilla Parishad. Its sub-plan becomes a part of the Zilla Parishad plan.

Thus the Mandal Panchayat has decision-making power over a large number of schemes. It will be the only unit of institutionalised political power below the Zilla Parishad. Its political autonomy is ensured in that no government officer can suspend a resolution of a Mandal; there is no provision to declare the Divisional Commissioner or the D.C. as the controlling officer; its plans are not amended even by the Zilla Parishad; and elections to Mandal Panchayat are conducted under the superintendance of the Chief Electoral Officer (although conducted according to a set of tortuous rules framed under the Act).

As regards formal participation, in addition to meeting of the mandal panchayat elected representatives work and take decisions in the three standing committees, namely, Production Committee, Social Justice Committee and Amenities Committee. Each committee is empowered to co-opt members of farmers' clubs, mahila mandals, & Yuvak mandals.

Zilla Parishad:

This is by far the most radical and comprehensive panchayat raj body reflecting democratic decentralisation. It is empowered to formulate, execute and monitor development plans for the district. It frames and approves its own

budget and approves the budget of the mandals. It has its own cadre of employees. Its resolutions cannot be suspended by any officer of the government; its Plans are not amended by the state government; and there is no apex body above the Zilla Parishad in the panchayati raj hierarchy such as the District Planning Board as in some other states. As for its finances, such part of it as derives from the government does so by way of 'appropriation' from out of the consolidated funds of the state government. The Adhyaksha of the Zilla Parishad has the rank of a Minister of state. The Zilla Parishad is indeed nothing short of a "District Govt."

The 19 district governments with 887 directly elected members have greatly reduced the distance between the state government and the people. There is one seat for every 28,000 population (except Kodagu district which has one for every 12,000). The Chairman of the District Central Co-operative Bank will be an associate member (but without a right to vote), and MPs, MLAs, and MLCs of the area will be nominated members. As in the case of mandals, reservations are provided for women and SC/ST members thus recognising the principle of protective discrimination.

As mentioned above, the Zilla Parishad has planning, executive, advisory as well as monitoring powers. It is obliged to make reasonable provision for the following matters: Overall supervision of development programmes; promotion of various aspects of agriculture; animal husbandry; welfare of weaker sections; public health; irrigation; Horticulture; Fisheries; essential commodities and Education.

Important development schemes have been transferred to Zilla Parishad. Indeed all schemes with an inter-mandal, inter-taluk or district orientation have been transferred. The erstwhile District Rural Development Societies have merged with the Zilla Parishad.

All the DRDS programmes, for eg., IRDP, NREP, DPAP, RLEGP etc., also stand transferred. The Zilla Parishad itself has been given the power to accord administrative sanctions for all the schemes within an outlay of Rs.10 lakh. The Government has imposed detailed conditions that need to be satisfied in the implementation of schemes. It is such a thorough-going transfer of subjects and functions that persuaded a distinguished civil servant like Sri Nirmal Mukherji former Cabinet Secretary, to say that it constituted "a quantum leap, not an incremental advance".⁵

The meeting of the Zilla Parishad, the supreme body in the district, provides full scope for participation by elected representatives and they can do so with the knowledge that the chief executive officer of the Zilla Parishad, styled the "Chief Secretary" - who will be an officer of the rank of Deputy Commissioner- is subordinate to the Zilla Parishad and is subject to overall superintendence of the Adhyaksha. S.168 makes it explicit that the Adhyaksha "shall be the executive head of the Zilla Parishad". Again, as in the case of Mandal Panchayat, the programmes and projects of the Zilla Parishad will be implemented through 9 standing committees. One of them, the Social Justice Committee has a mandate to promote educational, economic, social and cultural interests of SCs, STs, and backward classes, and to protect them "from social injustice and all forms of exploitation". (S.178(5)). However, such vague wording is unlikely to help the weaker groups since the mandate is much too abstract, representing no more than a pious intention. The law can certainly be much more specific to include the severe punishment of some of the common place and obnoxious practices against the weaker groups. Nevertheless, I wonder if there is a comparable example of wholesome political decentralisation such as the Karnataka model.

Administrative

The demand for administrative decentralisation was the result of the bureaucracy's role and attitude towards popularly controlled panchayati raj institutions. Bureaucracy naturally engenders an authoritarian structure as against a participative structure which is a necessary component of democratic decentralisation. The Asoka Mehta Committee believed that:

"Bureaucracy had probably its own role in dissociating the PRIs from the development process. Several factors seem to have conditioned their perception. The system of line-hierarchy would find favour with them as an organizational principle. The officers would feel that they are primarily accountable for results and financial proprieties to the State Government. The officials knew no better than to trust their own fraternity. They would, on the one hand, therefore, be averse to PRIs being entrusted with additional functions and on the other would not easily get adjusted to working under the supervision of elected representatives"

Just as the state level political leaders feared loss of their power to PRIs, so also the bureaucrats and hence some resistance from them. The late Abdul Nazir Sab (one of the chief architects of the Karnataka experiment along with Sri Ramakrishna Hegde) had said that bureaucracy at state headquarters had not reconciled to the idea of dilution of its departmental authority implied in the establishment of a horizontal decision-making body.

Democratic decentralisation posed a threat to the entrenched status of the civil service based on hierarchical norms, the role of enforcing law and order and tax collection together with powerful revenue functions.

The government however reached a consensus with the bureaucracy on the need to institutionalise two broad directional thrusts

"first, there should be administrative decentralisation for the effective implementation of the development programme and that the decentralised administrative system should be under the control of elected bodies"⁶

For the successful execution of the functions of Zilla Parishad and Mandal Panchayats, three things were required: competent staff, adequate number of them and the staff's accountability to elected representatives.

As we have already seen, the official machinery of the Zilla Parishad is headed by a senior IAS Officer. He is senior in rank to the D.C. of the district who is now in-charge of law and order; land revenue administration and other regulatory functions. The Zilla Parishad has the services of a strong accounting and internal audit set up under a Chief Accounts Officer who is drawn from the State Accounts Department. It also has a planning cell of experts headed by a Chief Planning Officer. The district level officers with their supporting staff of all development departments have been brought under the Zilla Parishad. More than 50% of the 4.5 lakhs State Government employees are now on deputation in the Zilla Parishads. Group A and

Group B staff will continue to be on deputation from Government Departments; arrangements to permanently absorb/directly recruit Group C and D staff by Zilla Parishads including senior staff of the mandal panchayats (who will be from regular ZP cadres) is under way. The necessary cadre constitution and recruitment rules will come into force in 1988-89. Each mandal has a Secretary and the Village Extension Worker/Agricultural Assistant on deputation from Government. Mandals are being entrusted with powers to locally appoint other subordinate category staff with the prior approval of the Chief Secretary of the Zilla Parishad to meet strictly local needs.

The experience so far of the inter-face between the Chief Secretary and the elected leaders has been - with the exception of one or two districts - encouraging. The initial unwillingness on the part of the officers to go to Zilla Parishad as Chief Secretary and the uncertain and changing perceptions on the part of the Adhyaksha and others appear to have stabilised into a more rational way of transacting business. The recent experience of the Tumkur Zilla Parishad is significant. A resolution was passed in the Parishad castigating its Chief Secretary for some alleged irregularity and to request the government to place him under suspension. It did not cause any ripples either in the bureaucracy or in political circles.

Interface between D.C. and Chief Secretary

A question is being raised, not in Karnataka but outside its borders: Does the vesting of the entire gamut of development functions in the Chief Secretary of the Zilla Parishad on the one hand, and restricting the D.C.'s powers to regulatory functions on the other create an anomalous situation in the

district? Hitherto the D.C. was the unquestioned Chief of the District; now he is divested of his powers and is also junior in rank to the Chief Secretary. Will this not, it is asked, create a tension and conflict of focus? Most certainly, this is not an issue in Karnataka. Nevertheless, since this question is hotly discussed at the national level, it will be worth our while to take a brief look at.

Prime Minister Sri Rajiv Gandhi has attended a series of workshops attended by District Magistrates/Collectors to discuss the dimensions of what has been called "Responsive Administration" in the context of the proposed Panchayatiraj and District Planning. One of the themes which has aroused considerable interest as well as controversy concerns the interface between elected bodies and official agencies. Where the planning and development function is with an elected body at the district level, should the Collector be inside or outside that body? Related to this, is it advisable to separate development and regulatory functions? Is it not desirable to have the Deputy Commissioner as a single focal point in district administration? The suggestions made at the workshops have been distilled in the form of a final Report.⁷ The Report which appears to represent the view from Delhi argues in favour of the regulatory and development functions residing in the same person who will be the focal point of administration (p.13). No clear and persuasive reasons have been advanced in support especially from the standpoint of the people. On the contrary, it is seen from the entrenched angle of the Bureaucrat, and the status quo:

"Association with development work increases the stature and influence of the Collector in dealing with law and order situations".

The uncritical assumption that "law and order" must precede "development" is reminiscent of pronouncements by British Viceroy and Colonial administrators. Clearly, greater faith is placed on the civil servants than on the ordinary people. Similarly it is recommended that the Collector should be the Chief executive officer of the Zilla Parishad since that would bring to the Zilla Parishad the knowledge, the experience and the influence of the Collector and thereby enhance its effectiveness. This can surely be achieved by posting an experienced officer as CEO as in Karnataka?

The real question is: "Do we trust our people?" or "Do we want to re-establish the colonial Collector in all his regal glory?" If it is the latter, then Panchayati Raj and Democratic De-centralisation will mean precious little. If we do not go all the way with the necessary reforms, panchayatiraj will continue to be a diluted experiment.

References

1. M. Venkatarangaiya and M. Pattabhiraman (Ed) Local Government in India; Select Readings, 1969, p.197
2. Report of the Team for the Study of Community Projects and National Extension Services, New Delhi-57, p.3
3. M. Shiviah, et.al. Panchayat Raj; An analytical survey, N.I.R.D., Hyderabad, 1976, pp 123-125; G. Ram Reddy, ed. Patterns of Panchayati Raj in India, 1977, p.8
4. Government of Karnataka, Order No.RDP 183 VAC 86, Bangalore, 1st April 1987.
5. Indian Express, 14th and 15th April, 1986
6. As suggested by the Balwantray Mehta Study Team, in 1957, cited in the Report of the Asoka Mehta Committee, 1978, p.2
7. Conference of Chief Secretaries, discussion paper on Panchayati Raj and District Planning, Government of India, 1988.

CHAPTER VI

SUMMARY OF CONCLUSIONS & RECOMMENDATIONS

6.1 The actual performance of Zilla Parishads and Mandal Panchayats is impressive. Virtually in all districts the operation of schools and health facilities has improved vastly. Considerable progress has been made in the allocation of housing sites under various schemes. Performance in the fields of inland fisheries, horticultural and forests has also been good. Generally development works are being executed more speedily and there is better control of field staff. (2.5 to 2.8)

Structural

6.2 The ZPs and MPs have given ample evidence of their willingness and ability to mobilise resources. (2.9)

6.3 Notwithstanding the novelty and complexity of legislative and procedural arrangements for transfer of power, men and women at local levels have become keenly aware of their altered political status. The calibre of men and women elected to the offices of Zilla Parishad Adhyakshas, Upadhyakshas is remarkably

Psychological

high. The Mandal Pradhans command respect and seem to have a good appreciation of their role. Women and scheduled caste members of the Mandal Panchayat still appear to be hesitant in asserting themselves. (2.10 & 2.11)

6.4 A harmonious relationship exists between officials and non-officials at the district level and now public servants are more conscious of their accountability to the people. Unfortun-
nately some officers are not yet attuned to the new climate and often attempts are made to make inroads into the authority of local governments. Such attempts should be resisted absolutely at the political and official levels. (2.12)

Is it?
it is a fine of
'power'

6.5 As the states can share with the district governments only the powers they have, all attempts by the Central Government to abridge the powers of the States should be resisted. We should like to emphasize the obvious but vital issue of the need on the part of the Central Government to change its practices and policies in support of genuine decentralisation. (2.13)

6.6 There is plenty of evidence that legislators, ministers and officials of the State Government

Additional change
will result from
specific legal and
for. arrangements
I will have
Exhortation

still have mental reservations about the scheme of decentralisation. This attitude has to change. (2.14)

6.7 We did not come across any evidence to show that the conditions of the scheduled castes and other under privileged people have worsened consequent upon the introduction of Panchayat Raj. If the rural vested interests have waxed strong, it is for reasons which have been long at work, and which partisan politics at Central and State governments have regrettably encouraged. (2.15)

6.8 There is a gross mis-match between the functional responsibility of Mandal Panchayats and their direct command over resources. The Mandal Panchayats command over resources and freedom of action should be progressively enlarged. (3.4)

6.9 There is no immediate need to amend the 1983 Act. For the present the accent should be on developing proper conventions to guide inter-governmental relations and a commitment politically to press ahead with the actualities of decentralisation. (3.5)

6.10 If quick and effective steps are not taken to enable Mandal Panchayats to discharge

their functions well, and the Gram Sabhas fail to appreciate the constraints on them, people could lose interest in attending Gram Sabha meetings or accepting Mandal Panchayat as the effective local authority. (3.7)

- 6.11 On the whole there has been improvement in the selection of beneficiaries and implementation of poverty alleviation programmes. A lasting remedy to partisan decision making by Mandal Panchayats is the eternal vigilance of local communities. It is, therefore, vital that the requirement of canvassing Gram Sabha meetings atleast twice a year should be enforced. (3.8)
- 6.12 Overall it would appear that there is a good amount of cooperation and mutual respect along members of Mandal Panchayats even when they belong to different political parties or caste groups. (3.10)
- 6.13 We do not recommend any change in the electoral system for local elections or enhancement of reservations. (3.11)
- 6.14 There is a strong case for improving the salary and allowances of Mandal Panchayats. (3.12)
- 6.15 A serious flaw in the system has been the absence of proper operational linkages between Mandal Panchayats and Zilla Parishads. (3.13)
-

6.16 Considering the circumstances in which Panchayat Raj was introduced it was probably necessary to have MLAs as Chairmen of Taluk Panchayat Samithis. We are of the view that in due course it would be a healthy convention to limit a person's membership to one or the other of three tiers of government that would exist in the State. (3.14)

6.17 With a view to improving the linkages and means of communication between the Mandal Panchayats and Zilla Parishads a practical course would be for one Zilla Parishad Member holding the office of Adhyaksha, Upadhyaksha or Chairman of Standing Committees to be designated as the contact person for a number of Mandal Panchayats. (3.15)

6.18 Many of the schemes presently allocated to Zilla Parishads can conveniently be transferred Mandals, with a redeployment of existing staff and transfer of the required resources to the Mandal Account. (3.16)

6.19 Instead of leaving the Chairmanship of the Taluk Panchayat Samithi as a sinecure for the MLAs, a better arrangement will be to establish the convention of rotating the Chairmanship annually among MLAs, ZP members and Mandal Pradhans; or, on a rotating basis, election of a Chairman for each meeting from amongst those present. (3.17)

- 6.20 Zilla Parishads, with their larger staff and budgetary support compared to Mandals, have functioned with greater authority and facility. Development programmes for which they are responsible have been competently implemented. (3.18)
- 6.21 A good part of the inter-party and intra-party differences operating at the State level has spilled over to the Zilla Parishads. Overall, however, Zilla Parishad Adhyakshas and leaders of opposition parties have conducted themselves with commendable responsibility and a substantial amount of legislative and executive work has been carried out on an agreed basis. (3.19)
- 6.22 At present there are nine Standing Committees. We recommend that the number of Standing Committees be reduced to four or five by regrouping the existing ones and that their regular meetings could be once in two months rather than every month, with a provision for special meeting when the need arises. (3.21)
- 6.23 While we are opposed to a statutory allocation of authority between the Adhyaksha and Upadhyaksha, we suggest that the Adhyakshas could assign some specific administrative responsibility

to their deputies besides presiding over the General Standing Committee and acting in their stead in their absence. (3.22)

6.24 The State Government should reiterate its total and unequivocal commitment to the progressive devolution of authority to Panchayat Raj institution. (3.25)

6.25 The State Cabinet should make absolutely clear within the government that any direct or indirect measure to reduce the authority of Zilla Parishads and Mandal Panchayats will not be tolerated. (3.26)

6.26 The practice of assigning State Ministers responsibility for individual districts should be discontinued forthwith. (3.27)

6.27 Steps should be initiated to work out a time bound programme for transfer of all or most of the authority for district administration to Zilla Parishads & Nyaya Panchayats at the ground level. (3.29)

6.28 The State Development Council should be reactivated and we strongly urge the State Government to organise regular meetings of the Council. We also recommend that secretarial responsibility

for the council be transferred to the Secretary, Panchayat Raj Department. (3.30)

6.29 Procedures and conventions should be modified to prevent State Ministers and the State Legislature becoming concerned with day to day administration of the Zilla Parishads. (3.31)

6.30 A political change of the kind brought about by the 1983 Act necessarily implies major mental adjustments. Having taken the formal step of creating Panchayat Raj institutions, we earnestly hope that State Ministers and Legislatures will create a favourable environment for the Zilla Parishads and Mandal Panchayats to function efficiently. (3.32)

6.31 State department heads have retained substantial administrative control over their staff in the districts. It is necessary to review this arrangement so as to enable the ZP's Chief Secretary to have effective administrative control over all district level offices and their staff. (4.2)

} as different from operational control.

6.32 Notwithstanding the substantial transfer of power to Zilla Parishads, the actual operations of these bodies are seriously circumscribed by administrative and financial restrictions. There are also a large number of

circulars or orders issued by Finance, Planning and other departments limiting the freedom of action of Zilla Parishads and MPs. (4.6-4.7)

6.33 The attitude at the administrative level has palpably been one of continuing past practices and procedures and in some cases, tightening them on various grounds. (4.9)

6.34 We recommend the appointment of a Committee headed by an outside expert in government and including official representatives of both the State and Zilla Parishads as well as some non-official members to review all Government orders and instructions, with a view to modifying them in such a way as to prevent any abridgement of the rights conferred by statute on Panchayat Raj institutions. (4.10)

6.35 There is the need to restructure the Government budget and reorganise Government Departments with a view to enhance the technical support they can give to Panchayat Raj institutions. After the transfer of developmental and supervisory responsibilities to Zilla Parishads, the State Departments generally are left with more staff than they need. The High Power Committee could look into these matters and make appropriate recommendations. (4.11)

- 6.36 In the process of redefining the scope and functions of different departments, special attention should be paid to the nodal departments: viz Panchayat Raj and Planning. We recommend that Panchayat Raj work be entrusted to a full-fledged department under an officer of the rank of Addl.Chief Secretary and explicitly empowered to function as a nodal point for Zilla Parishad and Mandal Panchayat affairs. (4.12)
- 6.37 It is urgently necessary to strengthen and streamline the administrative setup at the Mandal, Taluk and District levels. It should be possible to pull out a sufficient number of village accountants from the Revenue Department to provide one more functionary for each Mandal Panchayat. Junior Engineer's responsibility to work for each Mandal should be specifically identified and Mandal Pradhans should be empowered to write confidential remarks on junior engineers. (4.14 to 4.16)
- 6.38 The post of BDO should be upgraded to Class-I. I.A.S. officers in the Junior Scale, State Civil Service Officers, hand picked officers of other departments and fresh graduates of I.I.M. IRMA and I.I.S. should be appointed on contract to posts of B.D.O. (4.19)

- 6.39 Part-time services of the Asst. Commissioners should be utilised for certain specific development duties under the Zilla Parishad. Both the Chief Secretary of Zilla Parishad and the Deputy Commissioner should record remarks on the Asst. Commissioners. (4.20)
- 6.40 The Chief Secretary of Zilla Parishad should be assisted by a Special Assistant drawn from the I.A.S. or the State level service. (4.21)
- 6.41 The progress made by the State in reorienting and strengthening the ^{/ process and planning} planning / capability to suit the compulsion of decentralised area planning leaves much to be desired. Technical assistance is particularly lacking at the Mandal level. The budgetary procedures adopted are also proving to be a bottle neck. At the apex level the State Development Council which started well has slackened. (5.1 to 5.4 and 5.9)
- 6.42 The report has made specific suggestions to overcome the shortcomings with speed and at low continuing costs, which if acted upon ^{the} faster area based plan approach, the essence of decentralisation. (5.5 to 5.12)

BANGALORE
March 30, 1989

K.S. Krishnaswamy - Chairman
P.S. Appu - Member
L.C. Jain - Member
T.Y. Nayaz Ahmed - Member-Secretary

HEALTH STATUS OF THE PEOPLE OF KARNATAKA IN THE CONTEXT
OF THE HEALTH SITUATION IN INDIA.

Background paper prepared for the
Annual General Body Meeting of

FEVORD-K

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at Belgaum

by

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A. INTRODUCTION

1. What is health?

Health is defined by the World Health Organization (1948) as a state of complete physical, mental and social well being and not merely the absence of disease or infirmity. This implies a goal of positive health for each individual in society. India had suggested that spiritual health be also included in this definition.

We need to try to understand the general status of health of the people of India and of Karnataka in the context of this definition. Here we would be looking at the levels of health of the population as a whole and not merely that of individuals. However, keeping in mind the many stratifications of class, caste and gender that are present in Indian society today, it would be equally important to try and understand the health status of these different sub-groups of the populations. There would also be differences according to age and occupation. Tribal and urban slum populations also have levels of health resulting from their own particular socio-economic-political-cultural situation.

2. How do we measure health?

Given the above definition it is rather difficult to measure the exact status of health of people. However, over the years certain indicators have been developed which give some estimate of the levels of health and disease which can be used to compare different populations and to monitor changes in the same population over time. Some of these are life expectancy, infant mortality rate, maternal mortality rate etc. These terms will be explained as we go along. For specific diseases we can get a picture of the disease load in a population by their incidence and prevalence.

There needs to be a good health information collection system to work out these indicators. And to do this there needs to be a well spread out health service system which most people use, which works relatively efficiently and where records regarding various health and disease events are well maintained.

In India, though the development of the health infrastructure, throughout the country, by the government, in terms of number of sub-centres and primary health centres established and number of health personnel trained has shown a large quantum increase, the level of functional efficacy of these facilities leaves much to be desired. It is also an accepted fact that the data collected at these centres is of questionable quality. However, the census, the National Sample Surveys, studies by research institutions and data from some voluntary health projects do provide us with useful information regarding the health indicators mentioned above.

3. Some background factors to consider

When we try and understand the health status of the people of India it is important to keep in mind the magnitude of our country--the geographic size and even more its population. We are second only to China in population size, there being 850 million of us. This is equal to the population of USSR, USA and Japan put together. It is said we add an Australia to our population every year.

Our vast population is also very diverse: for instance people in very different geographic areas from the snowy Himalayas, the deserts of Rajasthan, the great river valleys, the hilly regions and coastal belts; there are different ethnic background, a variety of language groups, religions and cultures; levels of socio-economic development, education and political consciousness also vary a great deal. All these factors affect health in numerous ways; hence, talking about the health status of the people of India as a whole is a very broad generalization. The average figures given in the tables hide differences that occur from place to place and group to group. Within Karnataka itself, there are differences in the health indicators between urban and rural areas and from district to district. It would be revealing to know the breakup by income level, caste/tribe, age and sex.

Another factor to consider is that the health of individuals, communities and populations is a dynamic state, changing over time, responding to a number of factors which have a relationship with it. It has been observed in populations that as certain diseases decline, others may become apparent or develop anew. This has been termed the onion-peel effect.

4. Major health problems in India

Keeping in mind all the above factors it can be said broadly that in India people suffer from the diseases of poverty alongside the diseases of modernization. The 30-40% of the population under the poverty line (about 230-300 million) and also the lower middle class continue to bear the burden of malnutrition which takes its greatest toll from children and mothers. They also suffer from the lack of clean water and sanitation, adequate housing and clothing all of which result in various communicable or infectious diseases: eg., tuberculosis, leprosy, gastroenteritis, typhoid, cholera, jaundice, diarrhoeas, malaria filaria etc., This ill health affects the working and earning capacity of people and often results in disability and even unnecessary and early death. The tragedy is that most of these diseases are preventable by an overall equitable development process and also by public health measures.

TABLE 1

Percentage of population below the poverty line
1983-84 (Provisional)

	Rural	Urban	Combined
Karnataka	37.5	29.2	35.0
Kerala	26.1	30.1	26.8
All India	40.4	28.1	37.4

Source: Status Report 1988-89, Govt of Karnataka, Dept. of Health & Family Welfare.

Modernization, industrialization and urbanization have brought along their own ills. There are many specific occupational health problems and environmental pollution problems associated with the various industries. In agriculture also there is extensive use of chemicals as fertilizers and pesticides which enter the food chain affecting the total population, though more specially the sprayers and agricultural workers. Rural urban migration has resulted in the growth of the 'septic fringes of cities' where people have to live in dehumanized conditions resulting in many social health problems in addition to those of poverty: eg., broken families, alcoholism, prostitution, gambling etc. Rapidly growing cities face a major strain on their basic services, air pollution, traffic accidents, housing problems and alienation of the individual with its accompanying host of psychological and psychiatric problems. Cancers, cardiovascular diseases and stress related disorders are on the increase.

B. FOCUSING ON KARNATAKA

Karnataka is better than the national average in all the health indicators, coming second only to Kerala in some. However much more remains to be done. A brief overview of the health situation will now be given highlighting only the more important aspects.

1. The population and its distribution

With a population of 37.1 million (1981 census), Karnataka accounts for 5.42% of India's population, ranking 8th among the States in terms of population size. With an area of 191,791 sq kms the population density is 194/sq km (all India 216/sq km). Estimates of the population in 1990 are 44.48 million.

The following table gives some of the features of the distribution of the population in Karnataka.

Table 2

Population distribution in Karnataka (1981)
(T = Total; R = Rural; U = Urban)

	Area in Km	Popula- tion	Males	Females	Sex Ratio	%Urban Population
T	191,791	37135714	18922627	18213087	963	
R	188108.2	26406108	13352400	13053708	978	
U	3682.8	10729606	5570227	5159379	926	28.89

Source: Health Information of India, 1987, CAHI, DGHS, NewDelhi

(a) The sex-ratio is the number of females per 1000 males. In most countries of the world this is in favour of females. However in India (and Pakistan, Bangladesh, Afganistan etc) it is the reverse and more importantly has been steadily decreasing since the turn of the century, even post-Independence. The decline has come to a halt only in the last census (1981). The only two States in India to have a positive sex ratio are Kerala and Goa. Within Karnataka, Dakshin Kannada Dist also has a positive ratio. Otherwise it varies in the different States and Districts. The adverse sex ratio has been ascribed as being due to various causes--high maternal mortality following early marriage and repeated pregnancies, poor educational status of women, low utilisation of health services by women--the underlying reason being the inferior status of women in society.

Table 3

Conditions of children and women in India

Indicator	India	Developing countries	Developed countries
1. Infant Mortality (deaths) (per 1000 live births per year)	125	96	20
2. % of new borns weighing less than 2.5 kg	27.5	18	9
3. % of anaemia among pregnant women	70	60	20
4. Maternal mortality per 100,000 live births/per year	418	400	20

Source: Health Care in India, 1983, Joseph G et al,
CSA, Bangalore

(b) The age distribution of the population in Karnataka is as follows (1981 census)

0-14 years	: 39.6%
15--59 years	: 53.8%
60 + years	: 6.6%

This is very similar to the all India pattern. With almost 40% of the population being children, ours is predominantly a young population.

(c) Though the indicators of child health have shown some improvement over the years, it still remains a matter of serious concern. As shown in Table 3, the infant mortality which is the number of children who die before they reach the age of one year still remains unacceptably high. About 30% of newborn babies have a low birthweight (less than 2.5 kg). These babies are three times more likely to die in infancy than babies of normal weight at birth. The under 5 or toddler death rate is also very high.

Table 4
Estimated Infant Mortality Rates, 1985

	Rural	Urban	Combined
India	105	57	95
Uttar Pradesh	152	77	140
Karnataka	80	41	71
Kerala	32	30	31

Source: Registrar General, India

As can be seen, Karnataka is on the lower side of the range of IMR's among the States. Having reached thus far it would be useful to have a more detailed district wise and population group wise break up of IMR. Perhaps Volags in Karnataka could study this measure in their respective areas as it is an acceptable and good indicator of the standard of life of a given population.

Table 5
Other childhood death rates - All India, 1983

Age Specific death rate	Rural Male	Rural Female	Urban Male	Urban Female
0-4 year	40.5	43.1	21.1	21.7
5-8 years	3.4	4.0	2.0	1.8
10-14 years	1.7	2.0	0.9	1.2

Source: Health Information of India, 1987, CBHI, DGHS, New Delhi

In India, deaths of children still account for about 40% of the total deaths that occur--28.8% in Karnataka. A very large number of these are preventable, and we need to make specific efforts to allow these numerous children, the full bloom of their lives.

(d) The urban population of Karnataka has been growing and is high (28.9%) compared to the all India figure of 23.31%. It is necessary to find out what percentage of the urban population are slum dwellers. A large chunk -- 30% of the urban population--are in Bangalore, the remaining being spread over 281 towns.

Urban areas monopolize much of the health care and other social service facilities. These include finances available from both the government and private sector, highly trained health personnel, sophisticated capital intensive equipment and medical facilities.

In the village and hamlets, medical facilities are scarce and of poor quality. There is a shortage of basic essential drugs and vaccines. There are poorly trained staff in charge of large areas and basic public health measures of safe water supply and facilities for sanitation very inadequate. The disparities of income and living conditions along with the above factors is revealed in the striking difference in health indicators between urban and rural areas.

Table 6
Urban/Rural inequalities (%) in India

	Urban	Rural
1. Population (1981)	23.7	76.3
2. Doctors (1961-71)	70-80	20-30
3. Nurses/ANMs (1971)	60	40
4. Hospitals (1981)	73.9	26.1
5. Dispensaries (1981)	20.2	69.8
6. Hospitals/dispensary beds (1981)	83	17

Source: Health Care in India, Joseph G et al, 1983, CSA, Bangalore

Table 7
Urban/Rural Health indicators

	Karnataka		India	
	Urban	Rural	Urban	Rural
1. Birth rate (1986)	26.8	29.9	27.1	34.2
2. Death Rate (1986)	6.8	9.4	7.6	12.2
3. Infant mortality rate (1986)	47	82	62	105
4. Expectation of life at birth (1976-1980)	64	53.9	60.1	50.6

Source: Status Report 1988-89, Govt of Karnataka, Dept of Health & Family Welfare, Bangalore

2. Birth and Death Rates

The crude birth rate is the number of births per 1000 population per year. Amongst the States, Goa and Kerala have the lowest birth rates. The goal of the family welfare programme is to reduce the crude birth rate to 27/1000 population by 2000 AD (it is already 19.1/1000 population in Goa). These targets and the programme are not applicable to tribal populations. In Karnataka it is 29/1000 (1985)

The crude death rate is the number of deaths per 1000 population per year. Karnataka has already reached the national goal of a crude death rate of 9/1000 population to be achieved by 2000AD.

3. Changes in health indicators over time

A brief picture of the change in health indicators that have occurred in India since Independence is as follows:

Table 8

Year	Birth rate	Death rate	Infant Mortality Rate	Life expectancy at birth
1941-51	39.9	27.4	134	32.1
1951-61	41.7	22.8	146	41.3
1961-71	41.2	19.0	138	45.6
1980	33.3	12.4	127	52.1

Source: Health Care in India, Joseph G et al, CSA, Bangalore

4. Growth Rate

Since Independence the death rate in India has declined more steeply compared to the birth rate which decreased only gradually. Hence we have a high growth rate with an enormous increase in total population from 361 million in 1951 to 685 million in 1981. We are estimated to be 840 million now. In Karnataka, the increase in population has been from million in 1951 to 37 million in 1981.

Here one must mention the experience of some Volags working with defined population groups who state that there is an under-enumeration of the total population in their area: eg., in tribal regions. It would be important to have an estimate of the extent to which this occurs as it would have serious implications.

Only some health indicators have been highlighted in the Section above to present a general idea of the health situation prevailing in India and particularly in Karnataka.

C. NUTRITION LEVELS

The nutritional status of individuals is closely linked to their health status, determining to a large extent their resistance to disease. The optimal growth and development of children is also dependent on good nutrition. There are also specific nutrition deficiency diseases like protein caloris malnutrition, iron deficiency, anaemia, Vit. A deficiency, Vit B & D deficiency etc.

Some statistics regarding child malnutrition at an all India level are:

- | | |
|--|-------------|
| 1. % of infants with low birth weight | :30% |
| 2. % of malnourished children
(moderate/severe) | :around 40% |
| 3. Children affected by iron
deficiency anaemia | :around 50% |
| 4. Number of children turning
blind each year mainly due to
Vit. A deficiency (estimate) | :40,000 |

(Source: Future--Development Perspectives on Children, UNICEF (Based mainly on government statistics relating mostly to 1986).

The National Nutrition Monitoring Bureau systematically collects information on a representative stratified sample of households in rural and urban areas in 10 States of the country, of which Karnataka is one. Every fifth rural household does not eat adequately and among children below 4 years of age, one in 3 consumes less food than recommended.

Family income and land ownership are critical determinants of food intake. Those who own more than 10 acres of land have a mean intake of 3100 calories per day, those who own less than 5 acres ate 2600 calories per day while landless labourers consumed 2300 calories on an average. Protein intake showed a similar trend. Overall the calorie intake in Karnataka is higher than in neighbouring States like Andhra and Maharashtra.

Fluorosis caused by excess fluorine in the water, has been reported to be a public health problem in some areas, affecting the bony skeleton, teeth, sometimes causing knock knees. High levels of fluoride (5-11 ppm) in open well water has been reported in villages of Chitradurga, Tumkur and Bellary districts. Dental fluorosis affected 75.76% of individuals surveyed in Mundarqi Taluk of Dharwad Dist where the fluoride content of water was 3-7.6ppm. Fluorosis has also been reported in some areas close to dams with the possible causal factor being ecological changes caused by construction of dams.

D. DISEASE PROFILES IN KARNATAKA

An understanding of the quantum load of different diseases in a population also gives an idea of the level of health of the population. However, this is more easily said than done particularly in India. Some of the difficulties in measuring disease have been mentioned in the earlier part of the note. The situation is even more complex because several systems of medicine/healing practices are actively present here, each with their own approaches to disease/symptom complexes. Hence government health services cannot be the base used to measure disease in the community as only part of a population may use that service. The only alternative is to conduct community based surveys which are very expensive and cumbersome undertakings. Given the scant resources in the health sector it has not been possible to conduct nation wide sample surveys to measure different diseases. More complete information is available about some diseases: eg., leprosy and tuberculosis for which there are National Health programmes with active case detection.

Available information on some of the diseases in Karnataka as given in the Status Report 1988-89, Government of Karnataka, Dept of Health and Family Welfare, will now be given.

Table 9

	1987		1988 (Provisional)	
	Cases	Deaths	Cases	Deaths
A. Respiratory diseases				
1. Tuberculosis	103006	1140	125303	1172
2.i.Acute Respiratory infection			192127	75
.Pneumonia			6599	84
			contd.....10	

Table 9 (contd..)

	1987		1988 (Provisional)	
	Cases	Deaths	Cases	Deaths
B. Gastro-intestinal diseases				
3. Dysentery (all forms)	543944	91		
4. Acute diarrhoeal diseases			205161	237
5. Gastroenteritis	85393	524	14091	639
6. Cholera	1918	87	2167	70
7. Infectious hepatitis	7774	122	5413	60
8. Typhoid	17941	28	15406	36
C.				
9. Malaria: total positive cases	88505		127008	
Plasmodium falciparum cases	29582		37667	
10. Filaria	2457		11870	
11. Leprosy				
D. Vaccine preventable childhood diseases				
12. Diphtheria	2223	16	550	12
13. Measles	8522	25	4481	25
14. Whooping cough	4928	14	7113	12
15. Poliomyelitis	2456	30	759	22
16. Tetanus	1517	314	4841	299
E. Others				
17. Influenza	339827	8		
18. Chickenpox	2387	4		
19. Japanese encephalitis	132	43	81	27
20. Kyasanur Forest Disease	51	10	56	6

Table 9 (contd...)

	1987		1988 (Provisional)	
	Cases	Deaths	Cases	Deaths
21. Rabies	3486	46	3297	36
22. Meningococcal infection	523	73	118	12
23. Syphilis	5375	2	5749	1
24. Gonococcal infection	5036		7620	
25. Encephalitis	1347	190		
26. Haemorrhagic fever	53			
27. Guinea worm	990			
28. All other diseases	7927329	13991	7683977	10045

These figures are of those patients/cases who reported to the government health services. They do not represent the actual incidence of the disease in the community. A survey in Chirgaon Block, Varanasi showed that 77% of the population never used the primary health centre services and only 10.4% of illnesses in that community were attended to at the primary health centre. The number of deaths due to the different diseases given in the Table also do not represent the disease mortality rate but probably are the number who died out of those who reported. Hence, it would be unwise to draw too many inferences from this data.

Based on other reports and interactions with several people all that one can say is that tuberculosis is still a major public health problem more than 40 years after Independence causing much suffering, disability and death in the prime of life. It is a disease that affects children and young adults especially males. All development workers should be aware of the National Tuberculosis programme and create an awareness about the facilities provided under this.

When trying to work out the percentage prevalence rate of tuberculosis from figures given in the above report all the districts, except Kolar, had a surprising uniformity upto the third decimal point! The prevalence rate was 2.12 per 100 population. This is rather surprising and raises questions about the basic validity of the data.

Leprosy: The average prevalence rate for the entire State is given as 3/1000 population in 1989. However, there are large regional differences. The districts with high prevalence rates (per 1000 population) are:

Reichur	8.8	Gulbarga	8.6	Bellary	6.9
Bidar	5.7	Bijaour	5.3	Mysore	3.9
Mandya	3.6	Kolar	3.6		

The vaccine preventable diseases in childhood are diphtheria, whooping cough, tetanus, poliomyelitis, measles and tuberculosis. Great emphasis is being given to immunization programmes by the government, sponsored by UNICEF, through the Universal Immunization Programme (UIP) and the Technology Mission. Unfortunately it is being converted into a verticalised, top-down, target-oriented programme during the past few years. The history of our own health services and programmes has shown that an integrated health service at the level of the community works best, is most cost-effective and acceptable to the people. But this lesson seems to have been lost under various pressures and compulsions working at an international and national level.

Malaria which had declined considerably in the 60's has shown a resurgence in the 70's due to various reasons. Greater recognition is now being given to environmental and biological measures for the control of mosquitoes, instead of relying only on insecticides as there has been growing resistance in the mosquitoes to the latter.

Water and food borne diseases or the gastro-intestinal diseases (cholera, gastroenteritis, dysentery, diarrhoeas, viral hepatitis, typhoid) are a major cause of ill health in India and Karnataka. Facilities for safe water supply and proper sanitation are still inadequate especially in rural areas. There is a continuing need for this to be a major area of focus as a preventive health measure even though a water and sanitation decade has already gone by.

Kyasanur Forest Disease (KFD) is a viral disease transmitted by ticks to man. It was first reported in 1956-57 in Kyasanur Forest in Shimoga district. It also affects adjoining areas of Uttar Kannada, Chickmagalur and Dakshin Kannada districts. KFD is associated with the felling of forests and clearing of land for agricultural use. Those at greatest risk of infection are cultivators visiting the forest accompanied by their animals or for cutting wood.

Japanese Encephalitis (JE) is also a viral disease transmitted by mosquitoes. Mandya and Kolar districts are the most affected.

This is a brief overview of some of the communicable diseases. Non-communicable diseases including cancers, cardiovascular diseases, diabetes, mental ill health have not been discussed.

E. CONCLUSION

Causation of disease and the determinants of health

Concepts regarding the causation of disease or ill-health have evolved from miasmatic theories (factors relating mainly to the environment) to germ theories (discovery of bacteria, parasites, viruses etc) to multifactorial theories (a number of factors including both the above) in the West. In India, our own ancient systems understood the health of individuals to be the result of a composite of physical, mental and spiritual factors and the importance of food, cleanliness, good housing and a disciplined way of life were accepted as necessary for good health. Whether social, economic and political factors were recognised is a debatable issue.

Presently, however, it is accepted that some of the basic determinants of the health status of a population are:

- i. adequate and equitable distribution of income, food, shelter and clothing;
- ii. accessibility to safe water supply, sanitation facilities, education and employment;
- iii. a healthy environment; and
- iv. healthy social relationships and life styles.

The role played by the health care services is secondary to these.

It has been shown by the histories of the developed countries that communicable diseases like tuberculosis, leprosy and gastrointestinal diseases declined before the era of antibiotics and vaccines following the improvement of the socio-economic condition of the population and by implementation of basic measures of sanitation.

Thus groups involved with rural development work, education, awareness building, conscientization all contribute significantly to improving the health status of people.

REFERENCES

1. Central Bureau of Health Intelligence, Health Information of India, 1987, DGHS., Govt of India, New Delhi
2. Bureau of Health Intelligence, Status Report, 1988-89, Dept of Health & Family Welfare, Govt of Karnataka, Bangalore
3. Joseph G et al, Health Care in India, 1983, Centre for Social Action (CSA), Bangalore
4. Narayan R, Health, Nutrition and Agricultural Development (an exploration focussing on Karnataka State), 1987, Community Health Cell, CNFCE., Bangalore
5. Park JE and Park K, Text book of Preventive and Social Medicine, 1976, Banarsidas Bhanot, Jabalpur.

24-1

WORKSHOP ON PANCHAYAT RAJ AND HEALTH CARE:
THE KARNATAKA EXPERIENCE

ORGANISED BY
THE NATIONAL INSTITUTE OF ADVANCED STUDIES
INDIAN INSTITUTE OF SCIENCE CAMPUS, BANGALORE
ON THURSDAY, 26 JULY, 1990

VENUE: CHOKSI HALL

PROGRAMME

- 09.45-10.00 A.M. Welcome and Introductory Remarks : Prof. R.L. Kapur
Deputy Director
National Institute of
Advanced Studies
- Inauguration : Prof. C.N.R. Rao, Director
Indian Institute of Science &
Hon. Director, IAS

SESSION I

- Coordinator : Mr. C. Narayanaswamy
Adhyaksha
Bangalore Rural Zilla Parishad
Bangalore
- 10.00-10.30 A.M. Impact of Panchayat Raj in Karnataka: A critical Examination
Speaker : Prof. B.K. Chandrasekhar
Indian Institute of Management
Bangalore
- 10.30-11.00 A.M. Panchayat Raj and Health Care
Speaker : Dr. G.V. Nagaraj
Joint Director,
Health & Family Welfare Services
Government of Karnataka
- 11.00-11.15 A.M. Discussion
- 11.15-11.30 A.M. Coffee

COMMUNITY HEALTH CELL
47/1, (First Floor) St. Marks Road
BANGALORE-560 001

SESSION II

Coordinator: Dr. R.M. Varma
Professor Emeritus
National Health of Mental
Health and Neuro Sciences
Bangalore

11.30-12.00 Noon. The Experience of Health Personnel in the
Panchayat Raj

Speaker : Dr. Mohan K Issac
Addl. Professor in Psychiatry
NIMHANS, Bangalore

12.00-12.30 P.M. People's Reaction to Health Care in the Panchayat
Raj

Speaker : Dr. B.S. Paresh Kumar
Department of Sociology
Mysore University, Mysore

12.30-12.45 P.M. Discussion

12.45- 1.45 P.M. Lunch

SESSION III

Coordinator: Dr. Ravi Narayan
Community Health Cell
Bangalore

2.00 - 3.30 P.M. General Discussion (including feed-back from invited
officers of Health Department and Zilla Parishad
Administration, non-Governmental organisations as
well as People's Representatives)

3.30 - 3.45 P.M. Coffee

SESSION IV

Coordinator: Prof. R.L. Kapur
Deputy Director, NIAS

3.45 - 4.15 P.M. Response to] : 1. Dr. C. Prasanna Kumar
General] Director of Health and
Discussion] Family Welfare Services
Government of Karnataka

2. Mr. Philipose Matthai
Secretary
Dept. of Rural Development and
Panchayati Raj
Government of Karnataka
3. Mr. B.N. Betkerur
Secretary
Dept. of Health & Family Welfare
Government of Karnataka

4.15 - 4.45 P.M. Formulation of
Recommendations

Indian constitution guaranteed to all women the fundamental rights to equality & political participation. It recognised the political rights of women, without any discrimination, distinction or qualification to participate in the decision making for the nation at all the levels, whether in parliament or in Panchayati Raj. ¹ No Developmental Mission can be successful if the women, who constitute one-half of the population, are ~~not~~ ^{not} made literate, Literate, Aware, Organise, Act and Empower; Accepting this reality Indian Social Institute (ISI) and Society for Social Development ^{aim at} ~~to~~ ^{ing} work for the empowerment of women among panchayati Raj representatives & ~~put~~ ^{shereby} them-empowerment-process aimed at changing the nature and direction of systemic forces which marginalise women, & ~~other~~ ^{an} disadvantaged section to act themselves effectively as a representatives of the people.

What do you mean by literate? Are you speaking about the skill & read the skill & write? If so how is it related to your project of women & Panchayat Raj?

You have not specified the three districts. There are little inappropiate

stuff this is the previous section

Why three District of Tamil nadu have taken up for study & training? PANCHAYAT RAJ INSTITUTION IN T.N.

1. The weakness in the Panchayati Raj institution in Tamil Nadu had been that Panchayati elections were not held regularly. They were postponed repeatedly for one reason or the other. The State Government as well as the political & bureaucratic leadership was ^v ~~relectant~~ ^{shere} to show power with Panchayat leaders. As per the Panchayat act of 1958, ¹ ~~poos~~ ¹ were held only twice (in 1965 & 1970) ⁰ to panchayati Raj. After a gap of fifteen years in 1986, elections to these bodies were finally held & it was dissolved in 1989. ^{came} [In April 1993, the 73 rd constitution Amendment Act in to force & accordingly Tamil Nadu Government have ^{According to this amendment, ...} passed the Tamil Nadu Panchayat Act, 1994. Since it is the first time in the political history of India & Tamil Nadu that one third of the total seats in its local self-Government institution. have been statutorily reserved for ~~Wamen~~ ^{Women}, it is necessary to create proper social, Economic & also political conditions to enable women to participate effectively in the local Government institutions

institutions without endangering the positive values of the prevailing family systems. *? Is it necessary?*

2. *According to a study by* ~~Institute of Social Science~~ *Delhi*; press report in "Hindu" reveals that the grass root political leadership was decisively shifting towards a new class of young, ^{is} ~~literate, illiterate,~~ [?] ~~lower &~~ middle income groups belonging to the depressed caste, ^S poor & women, most of them first generation politicians. ** Reference at bottom* This is the first time elected women representatives have entered the political arena of Tamil Nadu and more over Tamil Nadu people ~~were made to~~ *in sizeable number* forget the panchayat system by postponing the Panchayat elections more than 20 years. *they are new entrants* As novices in the political field, they must *need to develop* need information & access to information that will encompass a whole range of subjects from Government policy to the issues & problems confronting women every day. *If is just* Just one and half years *since moved* is over where they were put from the periphery to centre stage in *process and decision making in the* political decision making. So, *it is* this background that the idea of this project is born. The need of the hour is to initiate *this and* and sustain a process which will enable women to think critically, ~~to~~ question & analyse not only their own condition but that of the people of their village, block or district, ~~to~~ enable them to demand & access knowledge & skills ~~to function~~ *effectively as people's representative & to plan and act for* the greatest good of the greatest number.

Factors Affecting women's empowerment:-

1. Social Factors:- Tamil Nadu culture & social ethos have to a large extent been influenced by a patriarchal value framework, the main plank of which is that women are subordinate to men, men should order women should obey; Men are strong women are weak; and men are suitable for roles in public life & women, the more

Before talking about factors affecting women in T.N., write a para on the You plan to concentrate on T. Nadu.

Factors Affecting Women's empowerment:-

27 Social Factors:- Tamil Nadu culture and social ethos have to a large extent been influenced by a patriarchal value system. The major problems in women coming forward to contest & functioning successfully in the leadership position is that of the patriarchal value frame work, The main plank of which is that women are subordinate to men; men should order women should obey; men are strong women are weak & men are suitable for roles in public like & women, the more patient & more tender, should provide for the comforts and conveniences of ^a the home; for husbands, children and the kith and kin of the family. Women hardly get free time to think of politics, leave alone their effective participation in it.

Only in some rich families in which these house hold works are done by servants, ^{and women in these households} can the female members find the time to participate in politics, ^{that too,} but that ^{also} only if the husband & in-laws, permit this venture. Female infanticide is very sad social evil and ^{still} it is prevailing in the District of Salem & Theni. Even dowry-taking has registered ^{an} increase in certain parts of Tamil Nadu.

As a result of these deeply entrenched social attitudes and practices women by and large have not been independent decision-makers in the country. Their 'decisions' in most cases have been influenced by the wishes and dictates of the male family members. ~~Social- status~~

Socio-cultural factors are also acting a deterrent in many ^{cases}. For example, at night ^{if} any emergency arises, women obviously are not allowed to go to the spot and help, ^F even during day time also many families object to their going out to settle any dispute among the villagers. Rather their husbands are made to do the job; apart from attending official meetings

P.s Classify the factors under different heads. within social factors

at the panchayat or Panchayat Samite, the permission of the parents, in laws or the husband is necessary to visit any other place or any one of them have to accompany with her. Obviously this is causing a serious constraint on their mobility which is very much required in this positions.

In terms of access to food, there has been considerable debate on the gender ^{ce} difference in the requirement of food. It is well known that in crises situations, women do not get their legitimate ~~share~~ ^{share} of food, because in the preference scale of the Karta, who distributes food to all the family members of the family, they occupy a lower place and hence can get only a smaller scale. Some times, women of their own volition do not take nutritious food because of the wrong perceptions about their position and requirement in the traditional culture and social set up.

With regard to health care discrimination against female is also reflected in the type and relative frequency in utilizing the same. The data show males receive better medical treatment than females in all age groups. Of course, Recently the life expectancy at birth of female has exceeded marginally to that of males. This can be explained in terms of more females in the age group of 60 and above compared to males. However, in the younger age groups the female mortality rate has been higher than that of males leading there by to " a missing 100 million women? in successive censuses. Infant mortality rate both male and female is (1990-92) 58 per 1000 born. 64.28 percent of Rural are access to potable water. According to the census of 1991, the sex ratio in Tamil Nadu is 972 females for every 1000 males & has been declining since 1901, with marginal increase in 1981.

These are all general gender-based problems. How do you relate them to Panchayat Raj?

With regard to women literacy rate only 39 percent of the total female population above seven years of age are literate.

Caste relation also need to be taken account while dealing with the subject of women & panchayati Raj, Traditionally lower caste women always depended on high-caste women both economically & in social terms. They did house hold chores during festivals or helped the high-caste women in purifying their houses on certain occasions. In return, they were paid in kind with offerings of grain- money, sweets, etc., In times of crises the higher caste women would invariably help their lower, caste sisters.

Following the reservation of the seats ^{in Panchayat institutions} now granted, women, belonging to both high and low castes, will sit together on the panchayat bodies eventhough, traditionally, they have been barred from sharing a common platform. This is likely to create some conflicts, ^{among them} Moreover lower-caste women may not be inclined to hold their own [?] against their higher-caste counterparts because of unequal social status.

The reservation of seats in Panchayat institutions for women will encourage women of different age groups & castes to take part in village affairs . This may upset the existing patterns of inter-personal behaviour in the family. The younger members could offend the elders or their husbands. There would be reversal of roles. If the male & other family members of the family do not adopt to the now situation, this age-old institution will come under sever strain.

Finally, the resistance from caste panchayats should not be underestimated. ⁱⁿ These Panchayats consists of ~~elder~~ ^{elders} Members of a caste who are determined to preserve their tradition. Thus, caste panchayats would not like women to come

out publicly and participate in political activities since this will undermine the status quo. Similarly, the Village Elders may harass women panchayat members if they raise their voices against social evils. Generally women members of elected bodies are afraid of political gundas and rowdy elements to raise their voice against mal practices, social evils, gender injustice. In the case of councilor Mrs. Leelavathi of Madurai Corporation, she was murdered to fight against the availability of illicit liquor. Atrocities in Melavalavu Panchayat (Reserved) was another example in the same Madurai District. The part of Panchayat President in this village was reserved for Dalits during recent panchayat election. The high caste people unable to face this encroachment on what they have traditionally considered their domain ^{wanted them} and threatened the Dalits ~~against~~ ^{ing of severe consequences if the latter} not to contest the election. They burnt ~~even~~ ^{got} their houses. ^{Force the} Two times election were postponed because of the atrocities of the high caste people. After the ^{mediation initiated by the} reconciliation by Government officials, elections were conducted on December 31, 1966 and Mr. Murugan was elected as the President and Mr. Mookan was elected as the Vice-President of Melavalavu Panchayat. None of the caste Hindus voted in this election. In the four wards meant for others (four of the total ten) no one contested. After the elections the high caste people continued to threaten ^{se who were} the elected officials stating that within six months they would be murdered. On June 30, 1997 six persons, including President and Vice-President were killed by a gang of high caste in broad day light. ^{of this is} It is the case for ^{with Dalit} the Dalit male representatives, anybody can imagine the retort of male representatives ^{the threats to hit women} toward the female ^{members of the panchayat more serious} counterparts especially to the Dalit women representatives.

The 73rd Amendment to Panchayati Raj Act
Given the above background whether the 73rd Amendment ^{potential of the} will be able to bring about a significant change in the existing

situation leading to the political empowerment of women is still an open question. Micro studies available ^{on} from West Bengal as well as ^{on} Orissa indicate that elected women representatives do not have enough say in the decision-making process. The crux of the matter, Therefore, is that women should be made aware of their responsibilities & rights through active campaign and a much more comprehensive effort needs to be made the rough proper training to women representatives.

Give reference to this claim

b. Economic Factors:- Economically, women possess weak bargaining power, except perhaps in some parts of nearly cities & Towns. Agarwal (1994) who has examined extensive ethnographic evidence points out that south Asia ^{it} women ~~not only~~ do not own land but also do not control it in spite of having progressive legislations. Even in ^{those few} ~~some~~ families the women inherit the landed property, ^{exercise} ~~least~~ have very little control over the management of the same. According to the census of India 1991, only 29 percent of the women are recorded as ^{engaged} ~~working~~ on economically gainful ^{occupy} ~~way~~.

? At least 90 percent of the work in the primary sector (Agriculture) In the industrial sector, they predominate in the household industries characterised by seasonality, uncertainty, and low skill formation. In the tertiary ^a sector, women get employment in 'other services' including domestic service.

According to the Eight th Five Year Plan, around 30 percent of the household in India are ^a women-headed households and are below the poverty line. Lack of resources could ^a make women a less effective group in so far as resource allocation is concerned.

Since the beginning of the planned development the women have been viewed as a deprived section requiring welfare measure. It was only in 1975 that a UN Declaration compelled the national government to shift the emphasis of its women's programmes from

welfare to development . In 1986 , after the Women's world Congress at Nairobi, a national document prepared laying down forward-looking strategies for women development. In this document the question of their political participation was highlighted and it was recommended that 35 percent of the total seats should be reserved for women. The document known as the national perspective plan (1988). It was also recommended that some posts should be reserved at the black and village level bureaucracy. On the economic front a number of income generating schemes targeting women such as Development of Women and Child in Rural Areas (DWRA) were introduced. In addition, provisions were also made to keep certain proportion of women as beneficiaries in all the developmental schemes like IRDP, JRY, NRY, TRYSEM, Thus, we find a host of national and international events coupled with complex social and economic factors influencing the decisions as regards the status of women, culminating in the reservation of 33.3 percent of the total seats for them at Panchayat level.

c. Political Factors:- Since women don't have much social & economic power, they are also unable to exercise any political power. Their representation in evidence from parliament, state legislatures and trade unions clearly shows that the women's participation representation in them is insignificant. In political parties, important posts are also not given to women. In fact, the New Delhi Document on Women in Development (1985) was aware of this problem and remarked " despite the rapid growth in the informal political activity by women, our this role in the formal political structure had virtually remained unchanged-", (National Prospective planning for Women, Govt., of India 1988) After a decade, not much perceptibly change has taken place on the national scene except for the 73rd Amendment

of the Constitution. If it is implemented, around one million women would come to the national politics from both Panchayat's and Municipalities. But some of the states give lukewarm response towards the election of the local self Government. Further, a comparative study of all the State Acts reveals that there is less scope for decentralised process of decision-making than before.

Many people feel that even though one-third of the post have been reserved for women, ^{the} their may not be enough candidates. But the recent Panchayat election total of the elected women representatives me 33.3 percent.

There are several other factors which explained the low participation of women in the political activity. Criminalisation, Factionalisation of politics, Emergence of fundamentalism at the macro level, - and lack of awareness regarding legal and economic aspects of the society have constrained women entry into the public sphere. This indicates that the reservation of seats is necessary but not sufficient condition for women to take part in the political process in an effective manner. It is imperative, therefore, to bring women to the centre-stage of the political process - and for this political awareness ^{through} and training should be conducted ⁱⁿ the grass-root level of grama shoba and Gram-panchayat.

d. Therefore between the Administrators and Women elected Representative . Under the present set-up, all developmental schemes & allocations of funds for womens welfare are routed through collectors, BDOS and other officials. What is more, the developmental schemes treat the household as the unit equated with its head who often happens to be male, Hence, women in the house holds get neglected.

The administrators also don't take much interest in the specific problems of the women. Ofcourse, over the years, a number of schemes for the benefit of women have been specifically devised. But the administrators have been giving only lip-service to them. Since the elected women representative will not immediately be in a position to grasp the significance of the schemes, the administrator will have ample opportunity to by pass them completely. Very often there is no transparency about the decisions. Further, not many women officials are available, nor ^{are} all female officers sensitive to women's problems. Many ^{seem to} think that having risen to senior levels they belong to a superior category and deride village women & charge them of lack of even common sense. Last but not the least, wide spread red-tape ~~robs~~ ^{robs} the schemes of their dynamism. ~~for~~ ^{for} all these reasons, women should be made aware of their deficiencies of the sureaucracy and the bureaucrats should be sensitized to the needs of the women. Major findings of Recent study in six states of Gujarat, Maryana, Himachal Pradesh, Kerala, Madhya Pradesh and Uttara Pradesh by society for Participatory Research in Asia- 1997. ~~Confine~~ ^{to about 10 observations}

1. Nearly 80% of Gram Panchayats in the study conducted regular meetings as per the norms laid down in their states.
2. Nearly 75% of all Gram panchayat members regularly attended the meetings. Participation of members of weaker sections and women has been rather uneven.
3. The agenda and the dates of the meeting were fixed/proposed by block and district government functionaries.
4. The absence of clear understanding about roles of Gram Panchayat, President, Vice-President and members was a major problem afflicting their functioning.

* What is the relevance of these findings considering women in the Panchayat? Even if you use them, you only the negative findings are important for you as you are building a case for study & training.

* These findings should precede the section that deal with the factors that impede the proper involvement and adequate functioning of women Panchayat members.

5. The major issues discussed in Gram Panchayat meetings relate to the schemes and programmes of Government (IRDP-JRY etc. Gram Panchayats rarely took up the issue of related to conflicts and disputes in the village, land and natural resource issues or comprehensive village planning.

6. Various sub-committees included in the legislations (Social Justice Amenities, Production, Executive Committee etc.) Never functioned in any of the panchayats under study. There is no clarity about the goal and composition of these committees & no effect has been made to make these operational.

7. The most disturbing finding of the study relates to the absence of clear guide lines on devolution of power and authority to Gram panchayats. As a result most Gram panchayat wait for instructions from Govt., functionaries and narrowly define their role as mere implementing agencies.

Role of Panchayat Secretary

In all States, a government functionary acts as Panchayat Secretary (covering 4.7 Gram Panchayats except Kerala where there is a Panchayat Secretary for each Gram Panchayat) in nearly 80% of the cases, Sarpanch/Pradhan and members of the Gram Panchayat complained about the functioning of the Panchayath Secretary. Regularly scheduled meetings of Gram Panchayats had to be cancelled due to sudden absence of Panchayat Secretary. Full and clear information about available schemes and resources was rarely provided by Panchayat Secretary. The attitude of Panchayat Secretary towards members of Gram panchayat coming from weaker sections and women members in most cases was reported to be either apathetic or downright hostile.

In only 10% of the cases, Sarpanch/Pradhan of the Gram Panchayat and Panchayat Secretary had good functional relationship-

In almost all the cases, the external relationship of the GPS were invariably mediated through Panchayat Secretary who utilised this for controlling their functioning. The study reveals that effective action to ensure open, accountable and efficient functioning of Panchayat Secretaries is crucial.

The experience of appointment of Panchayat Karmis in Madhya Pradesh shows that Gram Panchayats are able to work much more effectively with these Panchayat Karmis (appointed by Gram Panchayats) as opposed to Panchayat Secretaries, appointed by the government. Ensuring direct accountability of each Panchayat Secretary to the Gram Panchayat is of paramount importance.

II Gram Sabha.

1. The formality of convening Gram Sabha meetings as per the norms of each state (minimum 2 meetings per year) has been fulfilled in majority of the situations under study.
2. In a vast majority of these Gram Sabha meetings, the minimum required quorum as prescribed by each state was rarely fulfilled.
3. In nearly 1/3rd of the cases under study, records of Gram Sabha meetings were completed even when meetings were not held or there was no quorum.
4. The most significant reason for poor functioning of Gram Sabha is absence of understanding about its roles in the minds of both its members and Gram Panchayat leaders. No effort has been made in enabling members of the Gram Sabha & village community at large to understand their roles in ensuring policy advice and priority setting to Gram Panchayat, on the one hand and monitoring and accountability of its performance, on the other.

5. The single most important reason for poor attendance at the Gram Sabha meetings is absence of prior information about the date place and agenda.

6. Moreover Sarpanch/Pradhan & Gram Panchayat members have consulted members of the Gram Sabha in advance & discussed with the the problems of the village on an on-going basis, participation of members in Gram Sabha has been substantial and active. This has been so even in cases. where constraints of social or physical access or daily wage labour have inhibited participation of ~~many~~ weaker sections and women.

7. Confusion about the role of Gram Sabha is highlighted when those who attended the meeting view it as either a programme of a political party or an occasion to identify beneficiaries for different government schemes.

8. Except in Kerala and Madhya Pradesh, the advice and suggestions of Gram Sabha are not binding on Gram panchayat, In reality, Gram Sabha meetings do not serve the purpose of either establishing village priorities and overall policy framework for Gram Panchayat or regular monitoring and accountability of the resources and the decisions of the Gram Panchayat.

9. Most Sarpanch/Pradhan lack skills in conducting meetings of the Gram Sabha in a manner that could promote wider participation and discussion of issues affecting the village.

10. Issues of social justice and internal dynamics of the village have rarely been an agenda in the G.S.

Here comes the entire section on the Economic or Social factors Implications.
The following ~~points~~ can constitute a separate section as MEASURES needed to strengthen policies.

1. Proper orientation of elected Gram Panchayat members in general and Sarpanch/Pradhan in particular, about the roles of Gram Panchayat needs to be strengthened on a wide scale.

2. Specific Orientation of all government functionaries, most importantly of the panchayat Secretary, is necessary to ensure that Gram Panchayat and its leadership is supported on an on-going basis.
3. Constitutional provision at the national and state level needs to be strengthened to make the effective functioning of Gram Sabha mandatory. The advice and decisions of the Gram Sabha should be made binding on Gram Panchayat.
4. The process of village level micro-planning though wider consultation should be encouraged and resourced by the Government directly as well as with close co-operation of other bodies like voluntary Agencies, schools/colleges, etc., Such village plan should then be systematically used for conduct of the Gram Sabha meetings to review progress and plan for the future.
5. Special interventions should be made at enabling the leadership of the Gram Panchayat to effectively consult the Gram Sabha and to conduct its meetings effectively.
6. Sustained information dissemination of positive examples of functioning of the Gram Sabha and the Gram Panchayat need to be supported by the government at State and national level in order to create positive climate for promoting opportunities for self governance at the village level.

Profile of Panchayat in Tamil Nadu.

Sl. No.	Name of Tiers	Number of Panchayat	Total of Elected Representatives	Elected Women Representatives	Percent age to total
1.	Village Panchayat	12,504	1,25,852	41,950	33.33
2.	Panchayat Union council	384	6,499	2,168	33.36
3.	District Panchayat	28	648	216	33.33
Total		12,996	1,32,999	44,334	33.33

This table should come at the beginning whenever we discuss the Panchayat Raj in Tamil Nadu.

conclude by saying that an in-depth study is needed to find ways to overcome the weaknesses such as that hamper effective decentralisation of power through ⁻¹⁶⁻ Panchayat Raj institutions.

Area identified for the socio-economic and political study and training:-

1. Dharmapuri District
2. Erode "
3. Nilgiri "

Goals for study:-

1. Providing forum for women Panchayati Raj representatives where they can discuss their problems and find solutions from each other as well as from the experiences of various panchayat women representatives.
2. To help build up their confidence and self esteem.
3. To use the opportunity to help women analyse this role as representatives of the people.
4. To provide information which would strengthen them as elected women representatives.
5. To enable data building and documentation and create material to be useful as resource for training and advocacy.

Objectives of the study:-

1. To what extent or in what manner women have been associated with governance of Panchayati Raj.
2. The scope and extent of participation of women Representative in the activities of Panchayati Raj.
3. Peculiar problem which women faces by nature of being awomen and the role of the panchayati Raj in finding solution to these problems.
4. Estimate the capacity of women representatives in managing the political affairs.
5. At what extent the real empowerment of women realised and how effectively decentralised or power distribution taken place.
6. To identify factors which promote or hinder women from playing an effective role in the Panchayati Raj.
7. To study the emerging women leadership, its nature and determinants.

Providing forum
is an objective
of an action prog.
It is not an
objective of a
study.
What is you mean
is the significance
of the study.

8. To establish like between male and Female representatives of Panchayat Raj to enable dissemination and training.

Study Design, Methods techniques and Execution:-

What are they?
←

1. Analysis of historical records and analysis of documents to get Historical background and present history of Panchayat Raj

2. Field study:-

(i) Non participant direct observation- observational behaviour scale.

(ii) Participant observation- interactional recording.

(iii) Mass-observation; Recording mass opinion, interview using independent observers in public places.

(iv) Mail questionnaire- to the representatives unable to meet for interview.

(v) Personal interview - With a detailed schedule with open and close questions.

(vii) Focused interview- Interviewer focuses attention upon given experience and its effects.

(viii) Group interview- Grama Shaba members interview in Shaba meeting.

~~(ix) Case study - Grama Shaba members interview in Shaba meeting~~

(ix) Case study - Collection of data of intensive character.

3. Area Sampling:-

Two taluks of each district will be covered for personal interview with women panchayat representatives. The questionnaire will be sent to other taluks of women representative to respond. Three trained female interviewer will be appointed for this work with one co-ordination.

VI Perceptions of women in politics.

- (1) Is the representation for women to Gram Panchayat necessary and beneficial?
- (2) Are there enough government schemes for women?
- (3) Do they feel that men or women are better administrators.
- (4) In your opinion, what is women Role in politics?
- (5) What is your definition for politics?
- (6) How are their family feel about they being in politics?
- (7) Have they voted any election?
- (8) Are they ^{members in any} ~~a~~ member of a political party?

VII Position in community.

- (1) Did people come to them with various problems before they were a Gram Panchayat representative?
- (2) Do people come to them now?

VIII Standing for election.

- (1) How did they decide to stand for election, any body asked to stand or go on their own?
- (2) Who helped them to file their nomination papers?
- (3) Did political part of support them while contesting?
- (4) Did their family permit to contest election?

IX Participation in Grama Panchayat.

- (1) Do they attend the Grama Panchayat meeting regularly?
- (2) What is their perception of meaningful participation in Panchayat.
- (3) Do they speak in meetings?
- (4) Do other women members speak at the meeting.
- (5) How do the male members react women's participation?
- (6) Have any male members expressed this views of the 30% womens reservation for Gram Panchati Raj?
- (7) How does their family feel about they being involved in the Gram Panchayat?

Questions must be ~~as~~ be more elaborate. Options must be worked out for questions.

(8) Is the community and society they live in conducive to women's participation in Panchayats.

(9) Did they raise issues and problems specific to gender, in Panchayat meetings?

(10) Did they feel that affluent or influential women can participate effectively in Panchayat meetings?

X Attendance of training Programme.

(1) Have they attend any training programmes to help them as a Gram Panchayat representatives?

(2) Do they feel it is worth effort to be a Grama Panchayat representatives?

55 Analysis of Data

6. Generalisation an interpretation and →

7. Preparation of Report.

Duration:-

Part -II

Training Strategy to Strengthen the Women In
Panchayati Raj Institution.

- - - -

Introduction:-

In the wake of the 73 rd Amendment, hope has been created to make the Panchayat Raj Institutions more effective and independent. The new dimension towards gender equity has been inducted with 1/3rd reservation for the women in these institutions. According to this provision, the state of Tamil Nadu has ~~12,584~~ 12,584 panchayat, out of total of 1,25,852 representatives, 41,950 women representatives were elected for village panchayats on October 9th and 12th of 1946.

Being provided with this opportunity, it would be necessary to ensure that these provisions are made ^{accessible.} ~~accessible~~ to the common rural women. It must be ^{assured} ~~ensured~~ that that women representatives actively participated in the decision making process of these institutions. This Amendment has come as a boon to our social action in the empowering process.

The need for Training support.

It is important to recognise the fact that a large number of women who has got elected in to the panchayati Raj Institutions, have done so because of a crucial legislative intervention- the 73rd Amendment. Having continuously ~~experienced~~ experienced secondary positions in family, community and society at large, the situation may not be very different within the panchayath raj Institutions. It is crucial to provide an impetus to the women who have got elected to the Panchayath bodies to function to their fullest capacity in an environment that may not be quite supportive to enable them to realise to realise their full power. Therefore, process of training could

unfold their talent potentials, enhance their leadership development, and provide management skills to equip them to realise their full strength.

The training of women Grama Panchayat members will focus on:-

1. Building self confidence among the women. if this exercise commences, the women would on their own seek more information with regard to whatever they feel a need for. Psychological and social barriers constructed over time and dictating how they should behave with men, upper caste people, officials and others have to be dismantled. Not an ~~easy~~ easy or quick task but one that is of essence.
2. Examining the various components of one's identity, caste gender, class etc. and attempting to see how one moves to an identity that is beyond these. The tensions generated by the reservation and having people of various backgrounds together in the Grama Panchayats should be dealt with.
3. Concepts such as " Decentralisation", " democracy", " Politics", etc., have to be defined, with the trainees, based on their experience and understanding of the terms.
4. Structural analysis of the Panchayat Raj Institutions, its relationship with other systems. The Rules, Regulations, roles and responsibilities of members. Chairpersons, vice chairpersons, members, secretary and officials, prodedures and methods. Comparing and contrasting the current Grama Panchayats with the erstwhile Mandal Panchayats.
5. Legal Literacy on basic laws especially those related to women. scheduled Castes and Scheduled Tribes.

6. The need to form groups amongst themselves to tap Government schemes and to learn skills that would enhance their income.

The whole subject of organising people has to be dealt with, in stages.

7. Political skills such as lobbying, campaigning and manoeuvring for space have to be learnt by those who are new and unskilled at ensuring that their needs/viewpoint are heard.

8. Decision making: How to priorities, weigh options, choose work for consensus etc.,

9. The myriad Government schemes available will be looked into for a deeper analysis.

5.10. The Major Goals & Specific Objectives of the Training Programme:-

5.11. Major Goals.

To empower & enable the elected women representatives to effectively perform their role as Grama Panchayat Members.

2. To facilitate the acquisition of adequate knowledge and skills required to perform the role of representing women in particular & the people in general.

3. To provide the knowledge & skills needed for women to participate in decision making- for development at the local level.

4. To provide opportunities to help women (absorb) imbibe values of a just society & to enable them to work with other women & men.

5.12. Specified Objectives:-

1. To develop a clear understanding of the Tamil Nadu Panchayat Act, 1994.

2. To increase the awareness of the procedures and Rules of the Grama Panchayat Meetings.
3. To develop skills related to leadership and communication,
4. To develop a role perspective of a Grama Panchayat member in relation to issues which directly affect women, including education, health, environment etc.,

To equip Grama Panchayat Members to effectively participate in the decision making process:

- a) Conduct group meetings and discussions.
 - b) Acquire skills related to planning, problem solving budgeting, accounting, recording minutes and reporting,
 - c) Develop the art of public speaking.
 - d) Enable the women representatives to listen/read comprehend and critically analyse matters related to the functioning of the Grama Panchayat.
6. To enable women to become sensitive to gender issues.
 7. To promote a sense of commitment among women representatives to undertake concrete activities, to solve issues affecting women.
 8. To facilitate processes which would enable women to imbibe values of equality, liberty and social justice.
 9. To develop capacity for team work.

5.20 Principles of Training:-

Training will be a participatory process, allowing trainees to have time and space for reflection, thereby influencing the contents and structure of the training programme.

Training will be experiential, enabling participants to learn from their own experiences as well as that of ~~each~~ others, leading to a situation whereby women imbibe a new set of values, behaviour patterns, attitudes, methods of work

and begin to take qualitative decisions about themselves. their homes and their community;

Training will impart certain essential information for women to carry out their responsibilities as panchayat members adequately;

Training will be an ongoing, continuous process, rather than a single, time-bound event, carried out in stages with a span of 3- 4 months between phases;

Training will be conducted in a decentralised manner at Panchayat union levels;

Training will be imparted in a residential context, each phase with a duration of 4 days; the first 3 days of training will be exclusively for women, while joint training for men and women will be imparted on the last day-

Training will be imparted by a group of trained Resource persons who will continuously work with the same group of members;

5.30 Training content:-

In collaboration with district officials, NGOs., Training & Research Organisations, Panchayat members etc., a separate training manual with the following curriculum will be developed (a) participatory training methodology, (b) core-instructional design, (c) locally prepared supportive curriculum, and (d) checklist for assessment of training effectiveness and follow-up. The broad content areas considered significant for training are given below:-

- (i) Building a learning environment; understanding learners' anxieties, learners' resistance to participatory learning-

- II. 1) Social analysis in terms of gender and class discrimination.
- 2) Status of women
- 3) Women and Law- Laws relating to dowry, paper, equal Remuneration Act, child marriage Act, Hindu Marriage Act, Divorce and Provisions concerning uncohabitability.
- III. 1) Leadership and communication skills
- 2) Personality Development. Self confidence and self-esteem
- IV. 1) History of Panchayat Raj Institution
- 2) Importance of decentralisation.
- 3) Principles and objectives of panchayat Raj
- 4) Main features of constitutional 73rd Amendment
- 5) Importance of Reservation for women.
- VI. 1) Main Features of Tamil Nadu Panchayat Act 1994.
- 2) Three tier system
- 3) Importance of Grama Sabha.
- 4) Scope and constitution of village Panchayat
- 5) Types of Grama Panchayat Meetings and Meeting procedure
- 6) Quorum
- 7) Standing Committee.
- VII. 1) Functions of Grama Panchayat as given in schedule-I
- 2) Duties & responsibilities of President, Vice-President, & Members.
- VIII 1) Staff Grama Panchayat.
- 2) Grama Panchayat Funds & means of resource Mobilisation.
- 3) Budgeting.
- 4) Community Development & panchayat Raj Institutions-needs of Community, Priority of needs, action plan and implementation.
- 5) Details on Income Generation & welfare schemes of Central & state Governments.
- IX . Methods of Training. —? abhyas

Women and Grama Sabha

Experiences from Kerala

The 73rd and 74th Amendments of the constitution paved the way for decentralisation of power and setting up of Grama Sabhas. Grama Sabha envisages direct participation of people in the administration and development activities of a village.

All the voters in a village are members of grama sabha. Grama Sabha in the lowest body which has direct representation of the people. No other body in the democratic set up has direct representation.

In Kerala

Women constitute 50 % of the population. The setting up of Grama Sabha helped rural women to express their views and ideas without fear. Since grama Sabha meetings are held in the ward itself women can attend the meeting without difficulty. They can explain their problems in their own language.

The average attendance of women in Grama Sabha is 25 to 30% out of this only 10 to 15% actually participate in discussion and raising of problem. The women participants come from BPL families. Women from APL families normally do not attend grama sabha.

There is one grama sabha each for each ward. 10% of the total voters is the quorum. During a year grama sabha must meet 4 times. The grama sabha meetings are connected with the plan process. In the 1st meeting discussion on the annual plan is being done. In the 2nd meeting discussion on annual project prepared by the grama panchayat is being done. Recommendations and approval is given by the grama sabha. The third and fourth meetings of the grama sabha is in connection with selection of beneficiaries and implementation.

Since 1/3 of the panchayat members are women they can play a vital role in the developmental activities. Women members in majority of panchayat encourage women's to participation in grama sabha. When supported by women panchayat members the rural women raise their problems in the grama sabha without fear.

In Kerala as a result of the planning process women self help groups have emerged. Self Help Groups are non formal groups with women from BPL families as members. These groups promote saving habits and thrift programmes. They

Empowerment of panchayats smithy, especially the women panchayat members is the need of the home. The members who came from rural areas do not have any experience. Hence they must be empowered through awareness programmes and skill development programmes.

Gender Governance and Grama Sabha

In Kerala grama panchayats headed by women, function more effectively. Women elected members have another important role also. They can work for the upliftment of the entire women folk in the panchayat. Women participate actively even in election campaign.

During the early years of Panchayat Raj (1996) political parties found it difficult to get women candidates to contest election. But at the close of the first term 1996-2000 women voluntarily came forward to contest. Women have themselves proved to be capable of election campaign, governance and to discharge their official duties. Women are now actively working in political parties.

Major Lessons Learnt

1. The percentage of reservation for women much be increased from 33% to 50%. Since the population constitute more than 50%.
2. The entire women folk must be induced to participate in the grama sabha.
3. Awareness programmes must be conducted to empower women about Panchayat Raj. This can effectively be done through self help groups and neighbour hood groups.
4. All out efforts must be made to release the plan fund in full in time to the grama panchayats, implementation of the projects must also be transparent.
5. Grama sabha now listen to the words of women.
6. Women members in grama sabha has succeeded in cultivating transparency in the selection of beneficiaries.
7. Women have succeeded in solving the problem issued in grama sabha.
8. Women representatives have also succeeded in tackling the bureaucracy.

Efforts, Experiences in strengthening in grama sabha in your state

1. The "Dalits" usually keep aloof from the grama sabha. Efforts must be made to increase their participation.

participate in grama sabha and actively participate in discussion. These groups have also started implementing projects under productivities sector.

The participation of women in grama sabha is high when benefits of any kind is being distributed. When beneficiaries are selected through grama sabha also the number of women participants increase. When women panchayat members personally contact rural women the participation is on the high. The style of conducting grama sabha also differs. Women panchayat members show more care in the case of rural women as a result of which the number of participants increase.

10 % of the plan fund is being allocated for projects which directly improve the conditions of women. During 1997-98 there was a request to the grama panchayats to earmark 10 % of the plan fund for women development. But majority of the panchayats did not allocate 10 %. During 1998-99 it was made mandatory to prepare projects for 10 % of the plan for women development. During 1999-2000 women component plan scheme was introduced. The plan document must have to contain projects for 10 % which aimed at women development.

Grama panchayats started releasing financial aid to Self Help Groups by giving working capital. NABARD and other Banks also came forward to help the SHGs which performed better. SHGs in turn started cultivating paddy, vegetables, tapioca etc. in agricultural lands which were kept uncultivated. Self Help Groups also started income generating programmes, small scale industries such as food processing, garment making etc. also have been started by these SHGs. In those panchayats where SHGs function properly the participation of women in grama sabha is high.

After 3 years of "JANAKEYASOOTHANAM" there is a steady increase in the participation of women in grama sabha. The members of SHGs have become aware of grama sabha participation. Members of SHGs participate in grama sabha as groups and actively engage in discussion. They also came forward to be represented in development seminar of grama panchayats. Grama Panchayats have found that rural women have their own abilities. If they are given a chance to lead any responsibility they will do it in full spirit. Therefore the panchayats have started identifying and evaluating SHGs for extending support for implementing developmental projects.

Empowerment of panchayats smithy, especially the women panchayat members is the need of the home. The members who came from rural areas do not have any experience. Hence they must be empowered through awareness programmes and skill development programmes.

Gender Governance and Grama Sabha

In Kerala grama panchayats headed by women, function more effectively. Women elected members have another important role also. They can work for the upliftment of the entire women folk in the panchayat. Women participate actively even in election campaign.

During the early years of Panchayat Raj (1996) political parties found it difficult to get women candidates to contest election. But at the close of the first term 1996-2000 women voluntarily came forward to contest. Women have themselves proved to be capable of election campaign, governance and to discharge their official duties. Women are now actively working in political parties.

Major Lessons Learnt

1. The percentage of reservation for women much be increased from 33% to 50%. Since the population constitute more than 50%.
2. The entire women folk must be induced to participate in the grama sabha.
3. Awareness programmes must be conducted to empower women about Panchayat Raj. This can effectively be done through self help groups and neighbourhood groups.
4. All out efforts must be made to release the plan fund in full in time to the grama panchayats, implementation of the projects must also be transparent.
5. Grama sabha now listen to the words of women.
6. Women members in grama sabha has succeeded in cultivating transparency in the selection of beneficiaries.
7. Women have succeeded in solving the problem issued in grama sabha.
8. Women representatives have also succeeded in tackling the bureaucracy.

Efforts, Experiences in strengthening in grama sabha in your state

1. The "Dalits" usually keep aloof from the grama sabha. Efforts must be made to increase their participation.

2. The participation of upper middle class in grama sabha is also poor. This must be tackled.
3. The "Panchayat Samithy" must be strengthened first. The elected body must be given more power and resource.
4. Neighbourhood group and self help groups are to be linked with the grama sabha.
5. Elected members must be given continuous training in various subjects.
6. Non governmental organisation must be brought to the developmental activities.
7. The political parties also must extend necessary help to the elected members.

M. Anithamol

Vice-President

Kallara Grama Panchayat

Kottayam Dist. Kerala

I am a native of Kallara grama panchayat in Kottayam district of Kerala state. I had my school days at LPS Kallara and St. Thomas High School Kallara. After passing the X th class I joined for Pre-degree. After passing pre-degree I joined for typewriting and shorthand course and then joined as a teacher in a commercial institute.

I have two brothers and 4 sisters. I am the youngest in my family.

I have never been a political worker. But as my father and brothers used to work in politics I had a chance to cultivate some interest in politics.

On becoming an elected representative I had no clear idea about the functioning of a grama panchayat.

After becoming a elected representative I was able to undergo a series of training in different subjects. These training programme, together with one year experience in the panchayat has helped me a lot in discharging my duties. During the one year period as an elected member I could cultivate a cordial relation with many people in all works of life.

I have not come through any serious difficult problems till now. The officials in panchayat as well as other often are helpful and cooperative. My social status has since been improved. I also do believe that I could do many things to the poor people. As a woman I have many limitation. From the general public I receive the best cooperation. Therefore, I am more interested in political/ social field.

Even after becoming an EWR I had participated in 'grama Sabha'. I had also participated actively in group discussion. This experiences helped me to conduct the grama sabha of my ward. Now I am confident to successfully handle the any problems raised in grama sabha.

It has since been proved that grama sabha is a must in planning and implementation. In our state grama sabha is the most effecting body at the lower level in which the needs and problems of the poor people as well as the village as a whole is being discussed. The procedure for selecting the beneficiaries is so transparent that there is no chance for any complaint. At present women attend. the grama sabha with more enthusiasm and interest.

In Kerala 10 % of the plan fund is year marked for women development (women component plan) programmes. Promotion of Self Help Groups (SHG) Neighbourhood Groups (NHG) and affiliation of SHGs to the Kudumbasree project (A mission to eradicate poverty) has helped the empowerment of women in rural Kerala.

Ward wise details of Grama Sabha Participation in Kallara Grama Panchayat

Ward No.	Date	Male	Female	Total	
I	22/5/1997	44	16	60	
	20/8/1997	80	21	101	
	24/11/1997	81	26	107	
	31/7/1998	135	106	241	
	6/12/1998	77	82	159	
	1/5/1999	40	70	110	
	27/10/1997	97	46	143	
	2/3/2000	84	62	146	
	8/7/2000	97	54	151	
	10/10/2000	92	64	156	
	22/7/2001	89	34	123	
	2/11/2001	75	38	113	
	11/12/2000	96	84	160	
	II	24/5/1997	67	47	114
6/9/1997		82	43	125	
21/11/1997		59	46	105	
28/7/1998		88	44	132	
18/12/1998		81	39	120	
6/5/1999		39	26	65	
25/10/1999		78	39	117	
6/3/2000		37	15	52	
13/3/2000		40	20	60	
20/7/2000		65	41	106	
17/7/2001		70	34	104	
3/11/2001		63	46	109	
III		25/7/1997	80	54	134
		8/8/1997	58	52	110
	17/11/1997	49	64	113	
	30/7/1998	68	75	143	
	14/12/1998	78	66	144	
	5/5/1999	54	22	76	
	29/10/1999	85	70	155	
	12/3/2000	70	75	145	
	17/7/2000	72	46	118	
	11/10/2000	85	45	130	
	14/7/2001	89	26	115	
5/11/2001	71	37	108		
IV	28/5/1997	81	62	143	
	9/8/1997	148	167	315	
	18/11/1997	62	49	111	
	30/7/1998	168	200	368	
	15/12/1998	87	67	154	
	4/5/1999	35	66	101	
	28/10/1999	105	97	202	
	9/3/2000	70	96	166	
	17/7/2000	72	77	149	

Ward No.	Date	Male	Female	Total
	14/7/2001	63	57	120
	5/11/2001	51	68	119
V	27/5/1997	35	25	60
	21/8/1999	57	78	135
	15/11/1997	45	44	89
	1/8/1998	126	87	213
	7/12/1998	54	41	95
	3/5/1999	51	45	96
	22/10/1999	59	75	134
	10/3/2000	73	69	142
	12/7/2000	64	73	137
	15/7/2001	69	77	146
	3/11/2001	43	70	113
VI	31/5/1997	69	1	70
	30/8/1997	93	10	103
	19/11/1997	73	31	104
	24/7/1998	95	23	118
	12/12/1998	77	24	101
	3/5/1999	60	23	83
	23/10/1999	74	68	142
	11/3/2000	86	48	134
	21/7/2000	96	50	146
	15/7/2001	64	60	124
	11/11/2001	41	82	123
VII	29/5/1997	81	26	107
	24/8/1997	21	80	101
	20/11/1997	70	40	110
	26/7/1998	46	97	143
	3/12/1998	77	82	159
	5/5/1999	28	76	104
	20/10/1999	70	48	118
	4/3/2000	52	45	97
	15/7/2000	64	48	112
	16/7/2001	57	45	102
	12/11/2001	47	43	102
VIII	30/5/1997	40	14	54
	25/8/1997	85	120	205
	22/11/1997	51	52	103
	25/7/1998	98	51	149
	19/12/1998	52	42	94
	5/5/1999	41	35	76
	20/10/1999	39	79	118
	5/3/2000	36	22	58
	11/3/2000	47	29	76
	15/7/2000	45	47	92
	21/7/2001	82	61	143
	10/11/2001	55	85	140

Ward No.	Date	Male	Female	Total
IX	21/7/1997	70	55	125
	10/11/2001	64	49	113
X	20/7/2001	139	86	225
	12/7/2001	64	39	103

**Regional Seminar on "Gender, Governance and
Grama Sabha: Presentations from Karnataka,
Kerala, Andhra Pradesh, Tamil Nadu and
Maharashtra"**

Venue: Indian Social Institute, Bangalore. Date : 13 – 14 December, 2001

*Submissions by Rani, the President of Vanduvancherry Panchayat,
Vedaranyam Union, Nagapattinam District, Tamil Nadu.*

I, Rani, the President of Vanduvancherry Panchayat, Vedaranyam Union, Nagapattinam District feel proud to say that I am elected for the second term amidst much opposition. I consider this as a credit to the hard struggle initiated and led by Vanduvancherry Grama Sabha under my leadership.

1. Vanduvancherry Panchayat and its Resources:

Vanduvancherry is a village panchayat in Vedaranyam Union of Nagapattinam District, with 1200 households consisting of a population of 5000. The total number of voters in this panchayat is 2907. The Panchayat owns 56 acres of plantations yielding various fruits, 187 acres of grazing lands and 877 acres of Revenue Lands, which are leased and cultivated by the members of Grama Sabha.

With this rich and potential land the panchayat was able to get a total revenue of Rs.3,65,693 /- (Rs. Three Lakhs Sixty five Thousand Six hundred and ninety three only) in the year 2000 – 2001, which was used for the development of the panchayat.

I was elected as Panchayat President in the year 1996. In this election I won with the difference of 126 votes, with the polling of 700 votes in my favour. There were 4 other candidates who contested against me. In October 2001 election, I was elected again as the president for the second term, winning over 5 other candidates, with the difference in vote of 11, with the polling of 696 votes in my favour. Three candidates who contested against me were deployed and supported by the Mining Industrial Owners, to split the vote and defeat me.

2. Achievements and Challenges:

From the date of taking charge, I have been toiling hard to fulfil the basic needs of the people, to develop the panchayat and to protect the common resources of our panchayat, which has been the source of livelihood for the entire village community. Solving the problem of drinking water formed the first priority among basic needs. Constructing two overhead tanks and linking the supply to the existing pump house solved the drinking water problem in three hamlets in the panchayat. The next priority was low voltage of electricity, which was addressed by installing 4 transformers. There are two bus services everyday for the use of the villagers especially school going children. The existing roads have been improved with the available revenue of the panchayat. Tanks were deepened and maintained for the

use of the villagers. Through the group-housing scheme the villagers were given 40 houses. Improvement of the school building was executed by availing funds from the M.L.A. fund. Also a bridge linking Annapettai and Vanduvancherry Panchayats was constructed during the last tenure of five years.

As a woman president, I feel proud to say that the people in my panchayat, especially women were satisfied as they could approach me for any issue. The women members of the Self Help Groups played a very supportive role. Most of the Grama Sabha Meetings were well attended, which formed the forum for discussion and planning the developmental activities.

In spite of all these achievements, there were also various challenges. The non-cooperation of the Village Administrative Officer was a great hindrance in executing my duties. Even after repeated requests and passing of resolutions in the panchayat meetings, the documents of the village are not made available for the panchayat. Continuous efforts to remove the encroachments in the panchayat lands failed due to the interference and support of the Village Administrative Officer. We have represented to the higher officers seeking immediate intervention.

Various actions have been initiated and taken towards protecting the common resources of the village panchayat. The casuarina plantations developed in the panchayat lands form hindrance to the existing fruit bearing trees like mangoes, cashew, coconut, etc.. The villagers due to ignorance countered attempts taken to remove the casuarina trees in order to protect other vegetation. Extensive Silicon Sand Mining in our panchayat has devastated the green vegetation of our village, depleted the ground water resources and destroyed the cultivable lands. This issue was discussed in the panchayat and Grama Sabha meetings and various steps were initiated to fight against this issue.

3. Why we are opposed to the Mining Activities in our Panchayat:

- This village forms part of Thahattur revenue division, which is rich with vegetation. The villages namely Thulasiapattinam, Vanduvancherry, Vellikkidangu Pazhamuthir Cholai, Chettipulam, Chettiakadu, Vadamalai, Kariyapattinam, Thanikkottagam and Thahattor forms part of this revenue division. One can see rich plantations of coconut, mango, casuarina and cashew plantation everywhere. The village Vanduvancherry is the source of good ground water which is being pumped and supplied to the nearby villages for the past three years. There are about 1500 houses in this area with the population of 5000. Agriculture is the main source of the livelihood. This ecosystem is close to the Point Calimer wetland and wild life sanctuary.
- The Great Vedaranyam Swamps with its components the Point Calimer Sanctuary, Muthupet lagoon and Vedaranyam Swamps is one eco-system which are interdependent on one another, which is very fragile and sensitive. The impact on one these waterbodies or land eco-system adversely affect the other and totally damages the entire eco-system, thereby destroying the life and livelihood of lakhs of cultivators, agricultural labour, artisans, traders and fisher people who are dependent on this eco-system and the very fragile coastal eco-system.
- The fishery and forest resources of the Muthupet mangroves are utilised by the residents of a total number of 26 hamlets, belonging to 16 revenue

villages. Out of these, 20 are fishing hamlets and 6 are farming hamlets. The total number of households of all these hamlets is about 8216, of which 4334 are fisher families while the remaining 3882 are farming families and agricultural labourers. The total population of the fishing and farming communities living in the above hamlets is about 37255, who are solely dependent on these resources for their livelihood. Any tampering in the eco-system will result in the deprival of the livelihood of these coastal communities.

Kodiyakarai in Nagapattinam District is a very famous fish-landing centre, which harbours many fishing crafts. It serves as a shelter for most of the marine fishermen in Nagapattinam District. A population of 54,340 marine fishermen in Nagapattinam District alone depend on the marine resources for their livelihood. The marine resources in this district are very related to the eco-system of the Great Vedaranyam Swamp, as it forms a spawning ground for numerous marine species. Any threat to the fragile eco-system of Great Vedaranyam Swamp will result in the destruction of marine resources and thus the livelihood of 1.5 lakhs population which includes 54,340 marine fishermen, agriculture labourers, etc.

- The Directorate of Mines and Geology has granted licenses for silicon sand mining to Tvl. Ezhil Chemicals (Pvt Ltd) Uthamacholapuram, over an extent of 2.66 acres of patta land in S.No. 205/1C1 in Vanduvancherry Village, Vedaranyam Taluk, Nagapattinam District for a period of 20 years on 23.11.1992, to Tvl. Shakthi Mines and Minerals, Thiruthuraipoondi over an extent of 4 acres in S.No.2.5/1 in Vanduvancherry Village for a period of 10 years on 3.8.1992 and Tvl Sri Ram Mines and Minerals, Thiruthuraipoondi, over an extent of 0.92.5 hectares of patta land in S.F.No. 158/6B/1A, 158/6B/2A, 158/20, 158/10B and 158/14 A for a period of 20 years in September 2000. The Assistant Director (Mines & Geology) has estimated the resource as 47000 tons in the area of Ezhil Chemicals Private Limited and 57,000 mt, in the area of Shakthi Mines and Minerals as per the technical report. The technical report is not made public and debated in the Panchayat. We feel that the recommendation of the Collector and the Commissioner of Geology were not right in recommending in grant of license and the same has been done without regard to environmental consideration and availability of resources locally.
- The sand miners though have license to work in a small area of the land, is in fact mining over much a large tracts of land (patta, Panchayat, Government poramboke and temple lands) without any authority what so ever. These unauthorised illegal mining activities had resulted in flooding of nearby lands belonging to residents and panchayat coconut, cashew, mango and casuarina plantations (spread over 58 acres). Neighboring house (some of which has situated at the quarry site) had suffered physical damage including major cracks to the support walls. The Panchayat fencing has almost collapsed and roofs of panchayat are lying exposed and it is a matter of time before these trees are uprooted. Ground water resources and recharge is also being threatened because of the indiscriminate mining of the topsoil and consequent erosion. Heavy rains would result in massive uprooting of trees, collapse of houses and other structures and further erosion. The Ground water of the village that catered to the drinking water needs of surrounding villages has dwindled to such an extent that it is insufficient to support even the local residents. The ecosystem of

the area-which is close to the Point Calimer wetland and wild life sanctuary in under threat.

- The firms are carrying on illicit and illegal mining operation in a manner disruptive of the environment and threatening mangroves, wet lands and precious ground water resources. Indiscriminate mining has resulted in complete denudation of the topsoil over 100 acres exposing clayey soil, which has no retentive capacity to recharge our ground water. There is grave danger of salinisation of the ground water due to the mining being carried on by the mining companies.
- It is highly condemnable and a disgrace for transparent governance that the District administration both the revenue and the mining departments did not give the people or Coastal Action Network copies of the details of the licenses given for silicon sand mining in Nagapattinam District, the information of the action taken against the illegal miners, the details of mining, the technical report, the mining map despite repeated requests.

4. Various actions of the Panchayat against Silicon Sand Mining:

- For the past 5 years the efforts to protect and safeguard the livelihood resources of the people in this panchayat are many folded. In the efforts to sustain and continue this spirit, the members of Grama Sabha have faced various threats and sufferings. It is a on going struggle and campaign, in which we have been successful to a certain extend. I am highlighting the various steps taken by the village panchayat in the following paragraphs.
- In the year 2000 the panchayat passed a resolution to ban the mining activities in the panchayat and was sent to the District Collector (The Inspector of Panchayats) and other revenue officials. From then onwards various resolutions were passed on various occasions.
 - ☞ Resolution dated 06.12.2000 in the Panchayat Meeting.
 - ☞ Resolution No. 137 in the Panchayat Meeting on 25.01.2001.
 - ☞ Resolution No. 152 in the Panchayat Meeting on 05.01.2001.
 - ☞ Resolution No. 153 in the Panchayat Meeting on 22.01.2001.All the resolutions were ignored by the officials and there is no response from them till today.
- Though the numerous dimensions of the struggle against silicon sand mining can be narrated in volumes, here I am trying to list out a few.
 - ☞ The entire village boycotted the Parliamentary Election in 1998.
 - ☞ Peace meeting was called for by the Thasildar, on 12th August 2000 on the announcement of Hunger Strike to be held on 14.08.2000.
 - ☞ Dharna before the Revenue Inspectors Office of Thahattur Division on 14.09.2000
 - ☞ The women from the panchayat picketed and stopped the trucks transporting silicon sand, which was released after getting the assurance of not mining in the peace meeting, called for by the Thasildar.
- Representatives of Vanduvancherry panchayat filled a Writ Petition in the High Court of Chennai, praying to take legal action against the illegal sand miners. (W.P.No. 12583 / 2000)

- To speed up and win the support of the entire village, a Public Protest Meeting was organised by the representatives of Vanduvancherry Panchayat on 15.12.2000, in which leaders of different political parties from the village came together to fight against the silicon sand mining. Also Thiru. S.K. Vedarethinam the M.L.A. of Vedaranyam Constituency participated in the meeting and promised to extend his support. Members from Coastal Action Network were also invited for this meeting. With the support of CAN, a Joint Action Committee Against Silicon Sand Mining was formed and this Committee is very active in campaigning against this issue under my leadership for the past one year with the following demands.
 - ☞ To ban the mining of silicon sand in the village of Thahattur revenue division
 - ☞ To Cancel the license of the contractors
 - ☞ To take legal action against the violators.

- There were various public actions by the Joint Action Committee against Silicon Sand Mining to pressurise the Government for immediate action. To quote a few
 - ☞ In the event of stopping the mining activities by the Grama Sabha members, Thasildar of Vedaranyam Taluk, called for a peace meeting on 22.01.2001.
 - ☞ On 09.02.2001 the members of Grama Sabha of Vanduvancherry Panchayat picketed before the lorries loading and transporting the silicon sand from their panchayat and stopped the same.
 - ☞ The same day 15 members of the Panchayat including the President were arrested and taken to the Police Station based on a false complaint preferred by the miners
 - ☞ Nearly 300 men & women from the panchayat picketed the Voimedu main road demanding the release of the arrested persons.
 - ☞ Hunger Strike jointly organised with Coastal Action Network in front of Thasildar's Office at Vedaranyam, on 19.02.2001.
 - ☞ On the announcement of Road Rokko on 4th April 2001, a peace meeting was organised by the Thasildar of Vedaranyam. The peace meeting on 3rd April 2001 was attended by the Vedaranyam Panchayat Union Chairman P.V.Kuzhandaivelu, a few councilors of the Panchayat Union and representatives of Vanduvancherry panchayat. The meeting ended up with the assurance from the licensees of sand mining to stop mining till the lands are surveyed to find out the illegal mining activities.

- False complaints were preferred against me with allegation of involving in illegal mining activities. Placing evidence of resolutions passed in the panchayat meetings the allegation was disproved. Later the miners filed Writ Petitions in the High Court of Chennai praying the government officials to take legal action against me (W.P.No. 3100/2001 & 3101/2001)

- The panchayat has pressurised the Union Panchayat of Vedaranyam and made them pass a resolution banning the activities of Silicon Sand Mining in Thahattor Revenue Division (Date of resolution - 12.10.2000; Resolution No. 88/ 2000).

As all the efforts at the Panchayat level yielded only limited results, we tried and linked with other forums.

- In the effort to strengthen the struggle and seek solidarity from various others forums, the Joint Action Committee Against Silicon Sand Mining became a member of Coastal Action Network, a State Level Network for Protection of coastal people's livelihood and coastal-ecology and promotion of human rights education and culture. Along with Coastal Action Network, we are building a statewide campaign against the mining activities.
 - Fact Finding Visits were jointly facilitated with Coastal Action Network and the findings were highlighted in the press.
 - Campaign Alerts were circulated seeking solidarity for the struggle.
- After a yearlong struggle, the Department of the Mines and Geology formed an Special Enquiry Committee to look into the matters. The committee conducted an enquiry at Nagapattinam District Collector's office on 3rd May 2001. Nearly 200 representatives from Vanduvancherry Panchayat gathered and placed their objections before the Committee. Representatives from various People's Organisations, Federation of Consumer Organisations of Tamil Nadu, Tamil Nadu Environment Council, Citizens Forum for the Protection of Environment and NGOs gathered in the hall and raised their objections to the Silicon Sand Mining.
- On 4th May 2001, the members of the committee inspected the area, surveyed the lands and the licensees were found to have encroached the puramboke lands and violated the conditions.
- We are planning to appear before the jury team in the Public Hearing in February 2002, organised by the Campaign for the Protection of Water Resources, to give evidence and bring this issue to the attention of the State.

5. Elected as the East Zone Convenor of Tamil Nadu Federation of Women Presidents of Panchayat Government, I was successful in getting the support of the Federation to the ongoing protest actions and struggles and I am also actively involved in the federation activities.

The Role of Tamil Nadu Federation of Women Presidents of Panchayat Government in the empowerment of Panchayat Government:

- ◆ The Tamil Nadu Federation of Women Presidents of Panchayat Government was formed in the first State – Level Convention of Women Panchayat Presidents on 18th October – 2000 at Chennai. 210 Women Panchayat Presidents from 20 Districts and two District Panchayat Women Chairpersons and more than 100 women leaders of voluntary organisations, political parties, trade unions, women and dalit organisations participated in this Convention. This was made possible by the efforts of District level Women Presidents Associations with the support of 29 Voluntary Organisations. A state committee to facilitate and strengthen the Federation of Women Presidents was formed.
- ◆ The first State Committee Meeting of the federation was held in Madurai on 17.02.2001, in which 36 women leaders participated from 20 districts and elected their office bearers.

- ◆ The Federation Committee consolidated the Federation representation in all the districts of Tamil Nadu, as per the resolution of the First State Committee Meeting. In Many districts members were identified and incorporated with the federation and also the district level committees were formed and strengthened.
- ◆ In most of the districts the district committees submitted a memorandum to the District Collector especially calling for annulment of Sec. 205 of Chapter X of the Tamil Nadu Panchayatraj Act which gives the Collector as Inspector enormous powers over the Panchayat Government. No where in the world where rule of law and democracy and the constitution is functioning can a public servant dismiss / remove a constitutionally elected representative of government also vested with powers of the executive.
- ◆ On 16.03.2001 a delegation of the Federation submitted a memorandum and discussed their manifesto with political parties in the light of the General Elections to the Legislative Assembly.
- ◆ Accepting one of the demands of the federation, after elections the Government of Tamil Nadu headed by AIDMK passed a Government Order stating that the reserve constituencies for women and dalits will continue for the next 10 years period.
- ◆ The Tamil Nadu Federation of Women Presidents of Panchayat Government expressed their solidarity to the murder of J.Menaka, the President of Urappakkam Panchayat and conducted an independent fact-finding into the cause of the murder and presented their findings and recommendations to the Government of Tamil Nadu, other political parties. This enquiry took place on 31.03.2001, 3.4.2001 and 5.4.2001. The team was lead by the State President, Ms.S.Pankajam.
- ◆ The Fact Finding team also addressed the press on 06.04.2001, which pressurised the Government to arrest the main accused in the murder.
- ◆ The Zonal Convenor (North Zone) of the federation L. Amutha, the president of Echempoondi Panchayat, participated and delivered a special address in the inaugural function of the First State Level Convention of the Dalit Panchayat Presidents at Chennai on 11th April 2001. Also she suggested many resolutions for the empowerment of Panchayat Government and Dalit Panchayat Presidents.
- ◆ The federation supported many of the struggles led by Panchayat Presidents against destruction of natural resources, gender injustice, untouchability, industrial pollution, land alienation and acquisition, irrigation tank encroachment etc. and send telegrams and petitions to the concerned officials.
- ◆ As a step to extend support to the struggles led by Rani, the President of Vanduvancherry Panchayat against the illegal silicon sand mining, the federation sent their objections to the concerned authorities. Also the issued supporting press releases.
- ◆ On 03.05.2001 Ponni Kailasam, the General Secretary of the federation submitting her objections, demanded immediate action to the Special Enquiry Committee to inquire into the issue of illegal silicon sand mining in Thahattor Revenue Division of Vedaranyam Taluk, Nagapattinam District.

- ◆ On 09.05.2001 Ponni Kailasam, the General Secretary of the federation participated in the seminar on "Financing for District Development" organised by Singamma Sreenivasan Foundation at Bangalore and shared her views.
- ◆ In the meeting on "Evolving Recommendations to the Government for Empowerment of Women and Eradication of Violence Against Women" organised by All India Democratic Women's Association at Chennai on 23rd June 2001, K. Mari, the President of Mampakkam Panchayat and member of the Executive Committee of the Federation presented the resolutions passed by the federation and advocated for including the same in the main agenda of Women's Movement.
- ◆ The Second State Committee Meeting of the Tamil Nadu Women Panchayat Presidents was convened on 28.06.2001, in which various resolutions were passed.
- ◆ Various members of the federation assisted and supported women candidates those who contested in the October 2001 elections.
- ◆ On 29.06.2001 a delegation of the Federation submitted a memorandum to Thiru. Govindan I.A.S., The Secretary, Rural Development and Thiru. S. Rada Krishnan I.A.S., the Member of the State Planning Commission and advocated for their resolutions. The same day they addressed the press, placed their demands and resolutions and explained their plan of action in the October 2001 election.
- ◆ Forming part of the delegation of representatives from Women's Movements, the advisor of the federation Kalpana on 17th March 2001 presented a memorandum emphasising various resolutions of the federation to the Chief Minister.
- ◆ On 27th August 2001 a team met the leaders of various political parties and presented their Memorandum for More Powers and Finance for the Empowerment of Panchayat Government and lobbied for raising the same in the Legislative Assembly.
- ◆ Pangajam, the president of the federation participated in the five Zonal Conventions of Dalit Panchayat Presidents (from August – September 2001) and highlighted the resolutions and demands of the federation.
- ◆ An Election Manifesto consisting of necessary policy reforms and changes for empowerment of Panchayat Government and the resolutions and demands of the federation was jointly released with the Tamil Nadu Federation of Dalit Presidents of Panchayat Government.
- ◆ A petition was sent to the State Election Commission and the District Collector on 5th October 2001, condemning the auctioning of the posts of panchayat presidents in various districts. The same day the statement was released to the press also.



ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಗ್ರಾಮ ಸಭೆಗಳನ್ನು
ನಡೆಸುವ ಬಗ್ಗೆ
ಮಾರ್ಗಸೂಚಿಗಳು

ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಇಲಾಖೆ
ಬಹುಮಹಡಿ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು-560 001

1999

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಗಮಿಗ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಇಲಾಖೆ

ವಿಷಯ: ಕರ್ನಾಟಕ ಪಂಚಾಯತಿ ರಾಜ್ ಅಧಿನಿಯಮದ
ಆಡಿಯಲ್ಲಿ ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ನಡೆಸುವುದರ ಬಗ್ಗೆ
ಮಾರ್ಗಸೂಚಿಗಳು.

ಭಾರತ ಸರ್ಕಾರವು 1999-2000ನೇ ಇಸವಿಯನ್ನು ಗ್ರಾಮ ಸಭೆಯ
ವರ್ಷವೆಂದು ಘೋಷಿಸಿರುತ್ತದೆ. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸರ್ಕಾರವು ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳಲ್ಲಿ
ಗ್ರಾಮ ಸಭೆಗಳ ಮಹತ್ವದ ಪಾತ್ರವನ್ನು ಮತ್ತೆ ಮೊದಲಾಗಿ ಗುರುತಿಸಿದ ರಾಜ್ಯಗಳಲ್ಲಿ
ಒಂದಾಗಿರುತ್ತದೆ. ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ 1993ರ ಪ್ರಕರಣ
3 ರನ್ವಯ ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ವರ್ಷಕ್ಕೆ ಎರಡು ಬಾರಿ ಗ್ರಾಮ
ಸಭೆಗಳನ್ನು ಕಡ್ಡಾಯವಾಗಿ ನಡೆಸಬೇಕೆಂದು ವಿಧಿಸಲಾಗಿದೆ. ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ
ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳಿಗೆ ಒಂದು ಪರಿಣಾಮಕಾರಿ ವೇದಿಕೆಯನ್ನು ನಿರ್ಮಿಸುವಲ್ಲಿ
ಗ್ರಾಮ ಸಭೆಯನ್ನು ಬಲಪಡಿಸುವುದರ ಬಗ್ಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ತೀವ್ರ ಅಸಕ್ತಿಯನ್ನು
ಹೊಂದಿರುತ್ತದೆ. ಜಿಲ್ಲಾ ಪಂಚಾಯತ್ ಮತ್ತು ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಗಳು ಕ್ರಿಯಾ
ಯೋಜನೆ (Action plan) ರೂಪಿಸುವಲ್ಲಿ ಗ್ರಾಮ ಸಭೆಗಳು ಮಾಹಿತಿ
ಶಿಫಾರಸ್ಸುಗಳನ್ನು ಹಾಗೂ ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ವ್ಯಕ್ತಪಡಿಸುವ ಅವಶ್ಯಕತೆಗಳನ್ನು
ಗಮನದಲ್ಲಿಟ್ಟುಕೊಳ್ಳಬೇಕೆಂದು ಸರ್ಕಾರವು ನಿರ್ದೇಶಿಸುತ್ತದೆ. ಈ ಅಂಶಗಳನ್ನು
ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ಬಲಪಡಿಸಲು ಈ ಕೆಳಕಂಡ ಮಾರ್ಗಸೂಚಿಗಳನ್ನು
ನಿಗದಿಮಾಡಿದೆ.

1. ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ಕನಿಷ್ಠ ವರ್ಷಕ್ಕೆ ಎರಡು ಸಲ ಏಪ್ರಿಲ್-ಮೇ ಮತ್ತು
ಅಕ್ಟೋಬರ್-ನವೆಂಬರ್ ತಿಂಗಳುಗಳಲ್ಲಿ ಸಮಾವೇಶಗೊಳಿಸತಕ್ಕದ್ದು. ಗ್ರಾಮ ಸಭೆಗಳು
ಕ್ರಮಬದ್ಧವಾಗಿ ನಡೆಸುವ ಸಲುವಾಗಿ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ಕಾರ್ಯನಿರ್ವಾಹಕ
ಅಧಿಕಾರಿಯು ಸಂಬಂಧಿಸಿದ ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳ ಅಧ್ಯಕ್ಷರುಗಳ ಸಭೆ ನಡೆಸಿ
ಅಪರೋಕ್ಷ ಸಮಾಲೋಚನೆ ಇಡೀ ತಾಲ್ಲೂಕಿನ ಎಲ್ಲಾ ಗ್ರಾಮಗಳ ಗ್ರಾಮ ಸಭೆಗಳನ್ನು
ಅನುಕೂಲವಾಗುವ ಒಂದು ವಾರದಾಹತ್ಯ ದಿನಗಳ ಅವಧಿಯನ್ನು ನಿರ್ದೇಶಿಸತಕ್ಕದ್ದು.
ತಾಲ್ಲೂಕಿನ ಪ್ರತಿ ಗ್ರಾಮದಲ್ಲಿ ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ನಡೆಸಲು ಗ್ರಾಮ ಸಭೆಗಳ ವೇಳಾ
ಪಟ್ಟಿಯನ್ನು ಎರಡು ವಾರಗಳ ಮುಂಚಿತವಾಗಿ ಪ್ರಕಟಿಸತಕ್ಕದ್ದು. ಸಾಧ್ಯವಾದಷ್ಟು

ಮಟ್ಟಿಗೆ ಗ್ರಾಮಸ್ಥರು ವಾಲ್ಮೂಳು ಅನುಕೂಲವಾಗುವಂತೆ ಗ್ರಾಮಸಭೆಗಳನ್ನು ಮಧ್ಯಾಹ್ನದ ನಂತರ ನಡೆಸಲು ಕ್ರಮಕೈಗೊಳ್ಳತಕ್ಕದ್ದು.

2. ಪ್ರತಿ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿಯೂ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ಪರವಾಗಿ ಭಾಗವಹಿಸಿ ಚರ್ಚೆಗೆ ಮಾರ್ಗದರ್ಶನ ನೀಡಲು ಮತ್ತು ಗ್ರಾಮ ಸಭೆಯ ಒಗ್ಗುಟವರವಾದ ವರದಿ ನೀಡಲು ಒಬ್ಬ ಮಾರ್ಗದರ್ಶಿ ಅಧಿಕಾರಿ (Moderator) ಯನ್ನು ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯು ನೇಮಿಸತಕ್ಕದ್ದು. ಅಂತಹ ಅಧಿಕಾರಿಗಳ ಹೆಸರುಗಳನ್ನು ಗ್ರಾಮಸಭೆಗಳ ವೇಳಾ ಪಟ್ಟಿಯಲ್ಲಿ ಪ್ರಕಟಿಸಬೇಕು. ಮಾರ್ಗದರ್ಶಿ ಅಧಿಕಾರಿಯ ಜೊತೆಗೆ ಅನುಕೂಲವಿದ್ದಲ್ಲಿ ಸಹಮಾರ್ಗದರ್ಶಿ (Co-Moderator) ಅಥವಾ ಸಹಾಯಕ ಮಾರ್ಗದರ್ಶಿ (Assistant Moderator) ಅಧಿಕಾರಿಗಳನ್ನು ಸಹ ನೇಮಿಸುವುದರಿಂದ ಹೆಚ್ಚು ಉಪಯೋಗವಾಗುತ್ತದೆ. ಹೆಚ್ಚು ಜನಸಂಖ್ಯೆ ಇರುವ ಗ್ರಾಮಗಳಿಗೆ ವಿಶೇಷವಾಗಿ ಎರಡು ಅಥವಾ ಹೆಚ್ಚು ಅಧಿಕಾರಿಗಳನ್ನು ನಿಯೋಜಿಸುವುದು ಅಗತ್ಯ.

3. ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ವ್ಯವಸ್ಥಿತವಾಗಿ ಮತ್ತು ನಿಯಮಾನುಸಾರವಾಗಿ ನಡೆಸಲು ಮಾರ್ಗದರ್ಶನ ನೀಡುವುದಲ್ಲದೆ ಜಿಲ್ಲಾ ಪಂಚಾಯತ್ ಮತ್ತು ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ವಿವಿಧ ಇಲಾಖೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ಕಾರ್ಯಚಟುವಟಿಕೆಗಳನ್ನು ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ಚರ್ಚಿಸಲು ಸಹಾಯ ಮಾಡಿ ಅಲ್ಲಿ ಕೈಗೊಂಡ ತೀರ್ಮಾನ ಮತ್ತು ಶಿಫಾರಸ್ಸುಗಳು ಯಾವುದಾದರೂ ಇದ್ದರೆ ಅದರ ಸಂಕ್ಷಿಪ್ತ ಟಿಪ್ಪಣಿಯನ್ನು ದಾಖಲು ಮಾಡುವುದು ಮತ್ತು ಈ ವಿಚಾರವನ್ನು ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖೆಗಳಿಗೆ ಹಾಗೂ ಜಿಲ್ಲಾ ಪಂಚಾಯತಿ ಅಥವಾ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಗಳಿಗೆ ತಿಳಿಸುವುದು. ಮಾರ್ಗದರ್ಶಿ ಅಧಿಕಾರಿಯ (Moderator) ಮುಖ್ಯ ಕರ್ತವ್ಯಗಳಾಗಿರುತ್ತದೆ. ಮಾರ್ಗದರ್ಶಿ ಅಧಿಕಾರಿಯು ಗ್ರಾಮ ಪಂಚಾಯತಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿ ಮತ್ತು ಜಿಲ್ಲಾ ಪಂಚಾಯತಿಗಳಲ್ಲಿ ಅನುಷ್ಠಾನಗೊಳಿಸುವ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳ ಕುರಿತು ಸಾಕಷ್ಟು ಪರಿಚಯವುಳ್ಳವರಾಗಿದ್ದು ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ಸಾಮಾನ್ಯವಾಗಿ ಕೇಳುವ ಪ್ರಶ್ನೆಗಳಿಗೆ ಉತ್ತರಿಸುವ ಸಾಮರ್ಥ್ಯವನ್ನು ಹೊಂದಿರತಕ್ಕದ್ದು.

4. ಗ್ರಾಮ ಸಭೆಗಳ ವೇಳಾ ಪಟ್ಟಿಯನ್ನು ತಾಲ್ಲೂಕು ಕಛೇರಿ, ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಛೇರಿ ಮತ್ತು ಪಂಚಾಯತಿ ವಾರ್ತಾಪತ್ರಗಳಲ್ಲಿ ಪ್ರಕಟಗೊಳಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಸ್ಥಳೀಯ ದಿನಪತ್ರಿಕೆ ಮತ್ತು ಆಕಾಶವಾಣಿಯಲ್ಲಿ ಪ್ರಚಾರಗೊಳಿಸತಕ್ಕದ್ದು.

5. ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ಗ್ರಾಮಸಭೆಗಳನ್ನು ನಡೆಸಲು ಗೊತ್ತುಪಡಿಸಿದ ದಿನಾಂಕದ ಒಂದು ವಾರದ ಮುಂಚಿತವಾಗಿ ಗ್ರಾಮದಲ್ಲಿ ಟಾಂ ಟಾಂ ಮೂಲಕ

ಪ್ರಚಾರಮಾಡಿಸಬೇಕು. ಗ್ರಾಮಸಭೆ ನಡೆಸಲು ಗೊತ್ತುಪಡಿಸಿದ ಒಂದನೇ ಬಸವವರೆಗೆ ಟಾಂ ಟಾಂ ಮುಖಾಂತರ ಪ್ರಚಾರಮಾಡುವುದನ್ನು ಒಂದೆರಡು ಬಾರಿ ಪೂರಾವರ್ತಿ ಸಾಬೀತು.

6. ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ನಡೆಸಲು ಗೊತ್ತುಪಡಿಸಿದ ವಿಚಾರ ಮತ್ತು ವೇಳೆಗೆ ಗ್ರಾಮಸ್ಥರು ಬಹುಸಂಖ್ಯೆಯಲ್ಲಿ ಭಾಗವಹಿಸುವುದನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳು ಖಾತ್ರಿಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. ವಿಶೇಷವಾಗಿ ಮಹಿಳೆಯರು ಮತ್ತು ಸಾಮಾಜಿಕ ದುರ್ಬಲ ವರ್ಗದ ಜನರು ಹೆಚ್ಚಾಗಿ ಭಾಗವಹಿಸುವುದನ್ನು ಖಾತ್ರಿಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಮಹಿಳೆಯರು ಹಾಗೂ ದುರ್ಬಲ ವರ್ಗಗಳ ಜನರು ಸುಯಾಗಿ ಭಾಗವಹಿಸಲು ಸಾಧ್ಯವಾಗುವಂತೆ ಅವರಿಗೆ ಗ್ರಾಮ ಸಭೆಯ ಮುಂದಿನ ಸಾಲುಗಳಲ್ಲಿ ಕೂಡುವ ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕು.

7. ಒಂದು ವೇಳೆ ಗ್ರಾಮದಲ್ಲಿನ ಮತದಾರರ ಸಂಖ್ಯೆಯು ಶೇ 10 ಕ್ಕಿಂತ ಕಡಿಮೆ ಜನ ಹಾಜರಿವರೆ ಗ್ರಾಮ ಸಭೆಯನ್ನು ಇನ್ನೊಂದು ಬಿಸಾಂಕಕ್ಕೆ ಮುಂದೂಡಬಹುದಾಗಿರುತ್ತದೆ. ಆದರೆ ಗ್ರಾಮ ಸಭೆಯನ್ನು ಒಂದು ಬಾರಿಕ್ಕಿಂತ ಹೆಚ್ಚು ಅವಧಿಗೆ ಮುಂದೂಡಬಾರದು.

8. ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಭಾಗವಹಿಸಲು ಮಾರ್ಗದರ್ಶಿ (Moderator) ಅಧಿಕಾರಿಯು ಗೊತ್ತುಪಡಿಸಿದ ಗ್ರಾಮ ಸಭೆ ಪ್ರಾರಂಭವಾಗುವವಕ್ಕೆ 2 ಗಂಟೆಗಳ ಮುಂಚಿತವಾಗಿ ಗ್ರಾಮವನ್ನು ತಲುಪಿ ಗ್ರಾಮ ಸಭೆಯನ್ನು ನಡೆಸಲು ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಾರ್ಯದರ್ಶಿಯು ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಂಡಿರುವ ಬಗ್ಗೆ ಖಾತ್ರಿ ಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು.

9. ಗ್ರಾಮ ಸಭೆಯ ಕಾರ್ಯಸೂಚಿಯಲ್ಲಿರುವ ವಿಷಯಗಳ ಬಗ್ಗೆ ವಿವರವಾದ ವರದಿಯನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಾರ್ಯದರ್ಶಿಯು 10 ದಿನಗಳ ಮುಂಚಿತವಾಗಿಯೇ ತಯಾರಿಸಿ ಪಂಚಾಯತಿಯ ಅನುಮೋದನೆಯನ್ನು ಪಡೆದುಕೊಳ್ಳಬೇಕು. ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಹಿಂದಿನ ವರ್ಷಗಳ ಕಾರ್ಯಚಟುವಟಿಕೆಗಳ ವರದಿ, ಪ್ರಸ್ತುತ ವರ್ಷದಲ್ಲಿ ಕೈಗೊಂಡಿರುವ ಕಾರ್ಯಕ್ರಮಗಳು ವಿವರಗಳು ಹಾಗೂ ಇತ್ಯಾದಿ ಆಡಿಟ್ ಮಾಡಿದ ಲೆಕ್ಕದ ವಿವರಗಳನ್ನೊಳಗೊಂಡ ಕಾರ್ಯಸೂಚಿಯ ಕನಿಷ್ಠ ಪಕ್ಷ 100 ಪ್ರತಿಗಳನ್ನು ತಯಾರಿಸಿ, ಪ್ರತಿಯೊಂದಕ್ಕೆ ಶತಲಕ್ಷ ರೂ. 1.00 ರಂತೆ ಸಾರ್ವಜನಿಕರಿಗೆ ಮಾರಾಟ ಮಾಡತಕ್ಕದ್ದು. ಈ ಕಾರ್ಯಸೂಚಿಯನ್ನು ಪ್ರತಿಗಳನ್ನು ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿಯೂ ಮಾರಾಟ ಮಾಡಲು ಕ್ರಮ ಕೈಗೊಳ್ಳತಕ್ಕದ್ದು.

10. ಗ್ರಾಮ ಸಭೆಯನ್ನು ಕೇವಲ ಔಪಚಾರಿಕವಾಗಿ ಸೇರಿಸುವ ರೀತಿಯಲ್ಲಿ ಆಚರಿಸದೇ ಉತ್ಸಾಹದಿಂದ, ಸ್ವಲ್ಪಮಟ್ಟಿಗೆ ಸಮಾರಂಭವನ್ನು ಹೋಲುವ ರೀತಿಯಲ್ಲಿ ಸಭೆಯನ್ನು

ಸೇರಿಸಬೇಕು. ಇದಕ್ಕಾಗಿ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಯ ವತಿಯಿಂದ ಅಥವಾ ಊರಿನ ಜನರ ಸಹಕಾರದಿಂದ ಚಿಪ್ಪರ/ಶಾಮಿಯಾನ, ಧ್ವನಿವರ್ಧಕ ಮುಂತಾದವುಗಳ ವ್ಯವಸ್ಥೆ ಮಾಡಬೇಕು. ಪ್ರತಿ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿಯೂ ದಾಖಲೆಗಾಗಿ ಛಾಯಾ ಚಿತ್ರ (ಫೋಟೋ) ತೆಗೆಸುವ ಅಥವಾ ವಿದಿಯೇ ಚಿತ್ರೀಕರಣ ಮಾಡುವ ವ್ಯವಸ್ಥೆ ಮಾಡಬೇಕು ಮತ್ತು ಛಾಯಾ ಚಿತ್ರಗಳ ಪ್ರತಿಗಳನ್ನು ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರಿಗೆ ಒದಗಿಸಬೇಕು.

11. ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಅಧ್ಯಕ್ಷ ಅಥವಾ ಉಪಾಧ್ಯಕ್ಷರುಗಳೇ ಗ್ರಾಮ ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ವಹಿಸತಕ್ಕದ್ದು. ಗ್ರಾಮ ಪಂಚಾಯಿತಿಯು ನಿರ್ದರಿಸಿದಂತೆ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಸಲಹೆ ಮಾರ್ಗದರ್ಶನಗಳನ್ನು ನೀಡಲು ಕಜ್ಜರನ್ನು ಅಥವಾ ಅತಿಥಿಗಳನ್ನು ಆಹ್ವಾನಿಸಬಹುದಾಗಿರುತ್ತದೆ. ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ಭಾಗವಹಿಸಲು ಈ ಕೆಳಕಂಡವರನ್ನು ಅಗತ್ಯವಾಗಿ ಆಹ್ವಾನಿಸಬೇಕು.

- ಅ) ಗ್ರಾಮದಲ್ಲಿರುವ ಶಾಲೆಯ/ಗಳ ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು ಮತ್ತು ಶಾಲಾ ಅಭಿವೃದ್ಧಿ ಸಮಿತಿಯ ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಸದಸ್ಯರು;
- ಆ) ಪ್ರಾಥಮಿಕ ಆರೋಗ್ಯ ಕೇಂದ್ರದ ವೈದ್ಯಾಧಿಕಾರಿಗಳು ಮತ್ತು ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಪಶುವೈದ್ಯಕೇಂದ್ರದ ಮುಖ್ಯಸ್ಥರು;
- ಇ) ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಗ್ರಾಮೀಣ ಬ್ಯಾಂಕ್ /ವಾಣಿಜ್ಯ ಬ್ಯಾಂಕ್‌ನ ವ್ಯವಸ್ಥಾಪಕರು;
- ಈ) ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಸಹಾಯಕ ಕೃಷಿ ಅಧಿಕಾರಿ ಅಥವಾ ಕೃಷಿ ಸಹಾಯಕರು;
- ಉ) ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಗ್ರಾಮ ಲೆಕ್ಕಾರು/ ಕಂದಾಯ ನಿರೀಕ್ಷಕರು;
- ಊ) ಗ್ರಾಮದ ಅಂಗಸವಾಡಿ ಕಾರ್ಯಕರ್ತೆಯರು;
- ಋ) ಗ್ರಾಮದ ನೀರು ಸರಬರಾಜು / ನೀರು ಪಂಚಾಯಿತಿಯ ಅಧ್ಯಕ್ಷರು;

12. ಪ್ರತಿ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿಯೂ ಈ ಕೆಳಗೆ ಸೂಚಿಸಿದ ವಿಷಯಗಳನ್ನು ಕಡ್ಡಾಯವಾಗಿ ಮಂಡಿಸಿ ಚರ್ಚಿಸಬೇಕು ಮತ್ತು ಚರ್ಚೆಯ ವಿವರಗಳನ್ನು ದಾಖಲಿಸಬೇಕು:-

- ಅ) ಹಿಂದಿನ ಗ್ರಾಮ ಸಭೆಯ ದಿನಾಂಕದ ನಂತರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಯ ಚಟುವಟಿಕೆಗಳ ಬಗ್ಗೆ ವರದಿ. ಇದರಲ್ಲಿ ಹಿಂದಿನ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಕೈಗೊಂಡ ತೀರ್ಮಾನ ಮತ್ತು ಮಾಡಿದ ಸಲಹೆ ಶಿಫಾರಸ್ಸುಗಳ ಬಗ್ಗೆ ಕೈಗೊಳ್ಳಲಾದ ಕ್ರಮವನ್ನೂ ಸೇರಿಸಬೇಕು;

- ಅ) ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಕಳೆದ ಒಂದು ವರ್ಷದ ಅವಧಿಯಲ್ಲಿ ವಸೂಲಿ ಮಾಡಿದ ತೆರಿಗೆಗಳು ಮತ್ತು ಬಾಕಿ ಉಳಿದಿರುವ ತಗಾದೆಯ ವಿವರಗಳು. ಇದರಲ್ಲಿ ನೀರಿನ ಶುಲ್ಕದ ವಿವರಗಳನ್ನು ಸೇರಿಸಬೇಕು. ಗ್ರಾಮ ಸಭೆ ನಡವಳಿಗಾಗಿ ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ವಿವರಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ತಿಳಿಸಬೇಕು;
- ಇ) ಗ್ರಾಮದಲ್ಲಿ ಕಳೆದ ಒಂದು ವರ್ಷದಿಂದ ನೋಂದಾಯಿಸಲಾದ ಜನನ/ಮರಣಗಳನ್ನು ಗ್ರಾಮ ಲೆಕ್ಕಗಾರ ಪ್ರಕಟಿಸಿ ಯಾವುದೇ ಜನನ/ಮರಣಗಳು ನೋಂದಾಯಿಸಲ್ಪಡದೆ ಬಿಟ್ಟು ಹೋಗಿದ್ದಲ್ಲಿ ಅವುಗಳ ವಿವರಗಳನ್ನು ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಪಡೆದು ಕೊಳ್ಳಬೇಕು;
- ಈ) ಗ್ರಾಮದಲ್ಲಿ ಪಡಿತರ ವಿತರಣೆಯ ಪದ್ಧತಿ, ವೃದ್ಧಾಪ್ಯವೇತನ, ಅಂಗವಿಕಲರ ವೇತನಗಳ ವಿತರಣೆ ಮುಂತಾದುವು ಸಮರ್ಪಕವಾಗಿ ನಡೆಯುತ್ತಿತ್ತೆಯೇ ಎಂದು ಚರ್ಚಿಸಬೇಕು;
- ಉ) ಗ್ರಾಮದ ಮಕ್ಕಳನ್ನು ಶಾಲೆಗೆ ಸೇರಿಸಿದ ಹಾಗೂ ಅವರ ಹಾಜರಾತಿ ವಿವರಗಳು, ಶಾಲೆಯ ಅಭಿವೃದ್ಧಿಯ ಬಗ್ಗೆ ಚರ್ಚೆ;
- ಊ) ಗ್ರಾಮದಲ್ಲಿ /ಸಮೀಪದಲ್ಲಿರುವ ಅಸ್ಪತ್ರೆ ಹಾಗೂ ಪಶುವೈದ್ಯ ಶಾಲೆಗಳ ಚಟುವಟಿಕೆಗಳ ಬಗ್ಗೆ ಚರ್ಚೆ; ಜನರ ಹಾಗೂ ಜಾನುವಾರುಗಳ ಆರೋಗ್ಯದ ಬಗ್ಗೆ ಕೈಗೊಳ್ಳಬೇಕಾದ ಮುಂಜಾಗ್ರತೆ ಕ್ರಮಗಳ ಬಗ್ಗೆ ಚರ್ಚೆ;
- ಋ) ಕಳೆದ ಒಂದು ವರ್ಷದಲ್ಲಿ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ವಿವಿಧ ಯೋಜನೆಗಳಲ್ಲಿ ನೀಡಲಾದ ಅನುದಾನ ಹಾಗೂ ಅವುಗಳನ್ನು ವೆಚ್ಚ ಮಾಡಿದ ವಿವರಗಳು;
- ಋ) ನೀರು ಸರಬರಾಜು ವ್ಯವಸ್ಥೆಯನ್ನು ನಿರ್ವಹಿಸಲು ಗ್ರಾಮ ಪಂಚಾಯತಿ/ ನೀರು ಪಾಚಾಯತಿಯಿಂದ ಮಾಡಿದ ವೆಚ್ಚ ಹಾಗೂ ಕೈಗೊಂಡ ಕ್ರಮಗಳು;
- ಎ) ಗ್ರಾಮದಲ್ಲಿ ಶೌಚಾಲಯಗಳನ್ನು ನಿರ್ಮಿಸಿರುವ ಬಗ್ಗೆ ಹಾಗೂ ಸಹಾಯಧನ ನೀಡಿರುವ ಬಗ್ಗೆ ವಿವರಗಳು;
- ಐ) ಗ್ರಾಮದಲ್ಲಿ ಅಂಗನವಾಡಿ ಕೇಂದ್ರದ ಚಟುವಟಿಕೆಗಳ ಬಗ್ಗೆ ಚರ್ಚೆ;
- ಐ) ವಿವಿಧ ಕಾರ್ಯಕ್ರಮಗಳಲ್ಲಿ ಸಹಾಯ ಪಡೆಯಲು ಅರ್ಹ ಕುಟುಂಬಗಳ ಆಯ್ಕೆ ಹಾಗೂ ಪಟ್ಟಿ ಮಾಡುವುದು;
- ಅಂ) ಮುಂದಿನ ವರ್ಷದಲ್ಲಿ ಪಂಚಾಯತಿಯಿಂದ ಕೈಗೊಳ್ಳಲು ಉದ್ದೇಶಿಸಿರುವ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳ ಬಗ್ಗೆ ಪ್ರಸ್ತಾವನೆಗಳು;

ಆ) ಗ್ರಾಮ ಪಂಚಾಯಿತಿಯು ಸೂಚಿಸುವ ಅಥವಾ ಅಧ್ಯಕ್ಷರ ಅನುಮತಿಯ ಮೇರೆಗೆ ಇತರ ವಿಷಯಗಳು;

13. ಅಕ್ಟೋಬರ್: ನವೆಂಬರ್ ತಿಂಗಳಲ್ಲಿ ನಡೆಸಲಿರುವ ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗಳ ಮತ್ತು ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿಗಳ ಸಂಪನ್ಮೂಲಗಳಿಂದ ಮುಂಜಾನೆ ಆರ್ಥಿಕ ವರ್ಷದಲ್ಲಿ ಆದ್ಯತೆ ಮೇರೆಗೆ ಕೈಗೊಳ್ಳಬೇಕಾಗಿರುವ ಕಾರ್ಯಕ್ರಮಗಳ ಕುರಿತು ಪಟ್ಟಿಯನ್ನು ಸಿದ್ಧಪಡಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಬಹುದು. ಈ ಕಾಮಗಾರಿಗಳು ಸಾಮೂಹಿಕ ಕಾರ್ಯಗಳಾಗಿದ್ದು ಸಂಪೂರ್ಣ ಗ್ರಾಮಕ್ಕೆ ಲಾಭದಾಯಕವಾಗಿರತಕ್ಕದ್ದು.

14. ಪ್ರಾಥಮಿಕ : ಓರಿಯ ಪ್ರಾಥಮಿಕ ಪ್ರೌಢಶಾಲೆಯಲ್ಲಿ ಶಾಲೆಗಳಿಗೆ ದಾಖಲಾದ ಮಕ್ಕಳು ಅದರಲ್ಲಿ ಓದಬೇಕಾಗಿ ಹೆಚ್ಚು ಮಕ್ಕಳು ಶಾಲೆಗೆ ದಾಖಲಾತಿ ಮತ್ತು ಬಿಟ್ಟಿರುವ ವಿವರ, ಶಾಲೆಯ ಪರಿಷ್ಕಿ ದುರಸ್ತಿ ಹಾಗೂ ಆತ್ಮಾವಶ್ಯಕ ಸೌಕರ್ಯಗಳ ಕುರಿತು ಗ್ರಾಮಸಭೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಶಾಲೆಯ ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು ತಿಳಿಸತಕ್ಕದ್ದು.

15. ಗ್ರಾಮದಲ್ಲಿ ಇರುವ ಪ್ರಾಥಮಿಕ ಆರೋಗ್ಯ ಕೇಂದ್ರ ಅಥವಾ ಆರೋಗ್ಯ ಭಜಕದ ಆರೋಗ್ಯಾಧಿಕಾರಿಯು ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ಹಾಜರಾಗಿ ರೋಗವಿರೋಧಕ ಚುಚ್ಚಿಮುದ್ದುಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕಾಗಿರುವ ಮಕ್ಕಳ ವಿವರ ಮತ್ತು ವೈಜ್ಞಿಕ ಆಹಾರದ ಕೊರತೆಯಿಂದಾಗಿ ಬಳಲುತ್ತಿರುವ ಮಕ್ಕಳು ವಿವರಗಳು ಮತ್ತು ಮಳೆನೀರು ಮುಂತಾದ ಇತರ ಖಾಯಿಲೆಗಳ ಕುರಿತು ಸಾಮೂಹಿಕವಾಗಿ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾಗಿರುವ ಮುಂಜಾಗ್ರತೆ ಕ್ರಮಗಳ ಕುರಿತು ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ತಿಳಿವಳಿಕೆ ನೀಡತಕ್ಕದ್ದು ಹಾಗೂ ಆರೋಗ್ಯ ಕೇಂದ್ರದಿಂದ ಗ್ರಾಮಕ್ಕೆ ಬಂದಿರುವ ಯಾವ ಸೌಕರ್ಯಗಳ ಬಗ್ಗೆ ಸಾರ್ವಜನಿಕರೊಡನೆ ಚರ್ಚಿಸತಕ್ಕದ್ದು.

16. ಗ್ರಾಮದ ನೀರು ಪಂಚಾಯಿತಿ ಅಧ್ಯಕ್ಷರು ಅಥವಾ ನೀರು ಸರಬರಾಜು ಸಮಿತಿಯ ಅಧ್ಯಕ್ಷರು ಗ್ರಾಮಗಳಲ್ಲಿನ ನೀರಿನ ಗುಣಮಟ್ಟ ಮತ್ತು ಪರಿಮಾಣ ಹಾಗೂ ನೀರು ಸರಬರಾಜು ಯೋಜನೆಗಳು, ನೀರು ಶುಲ್ಕದ ವಾಕಿ ಮತ್ತು ವಸೂಲಾತಿ ಕುರಿತು ಗ್ರಾಮಸಭೆಗಳಲ್ಲಿ ವಿವರವಾದ ವರದಿಯನ್ನು ನೀಡತಕ್ಕದ್ದು.

17. ಗ್ರಾಮ ಸಭೆಗಳಲ್ಲಿ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗೆ ಸೇರಿದ ಕರ್ತವ್ಯಗಳಾದ ಕುಡಿಯುವ ನೀರಿನ ವ್ಯವಸ್ಥೆಯ ನಿರ್ವಹಣೆ, ತೆರಿಗೆ ವಸೂಲಿ ಮುಂತಾದ ವಿಷಯಗಳಲ್ಲದೆ, ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ ಮತ್ತು ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ವಿಷಯಗಳನ್ನೂ ಚರ್ಚಿಸಬಹುದು. ಉದಾಹರಣೆಗೆ, ಊರಿನಲ್ಲಿ ಪ್ರಾಥಮಿಕ ಅಥವಾ ಪ್ರೌಢ ಶಾಲೆಗೆ ಸಂಬಂಧಿಸಿದ ವಿಷಯಗಳು, ಪ್ರಾಥಮಿಕ ಆರೋಗ್ಯ ಕೇಂದ್ರ ಹಾಗೂ ವಶುವೆದ್ದ ಶಾಲೆಗೆ ಸಂಬಂಧಿಸಿದ ವಿಷಯಗಳು, ತಾಲ್ಲೂಕು ಮತ್ತು ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿ ಪಡೆಯಿಂದ ಊರಿನ ಅನುಕೂಲಕ್ಕಾಗಿ ಕೈಗೊಳ್ಳಬಹುದಾದ ರಸ್ತೆ ಮುಂತಾದ ಕಾಮಗಾರಿಗಳ ಬಗ್ಗೆಯೂ

ಚರ್ಚಿಸಬಹುದು. ಅಂತಹ ವಿಷಯಗಳ ಬಗ್ಗೆ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಕೈಗೊಂಡ ತೀರ್ಮಾನ / ಶಿಫಾರಸ್ಸುಗಳನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿಯು ವಿವರವಾಗಿ ಪರಿಶೀಲಿಸಿ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರಿಗೆ ತಮ್ಮ ಶಿಫಾರಸ್ಸನ್ನು ಅಭಿಪ್ರಾಯವನ್ನು ಹತ್ತು ದಿನಗಳೊಳಗಾಗಿ ಕಳುಹಿಸಬೇಕು.

18. ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಕಾರ್ಯದರ್ಶಿಯು ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಅನುದಾನದಲ್ಲಿ ಕೈಗೊಳ್ಳಲಾಗುವ ಕಾಮಗಾರಿಗಳನ್ನು ಗುರುತಿಸಿ ಅವುಗಳನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಕ್ರಿಯಾ ಯೋಜನೆಯಲ್ಲಿ ಸೇರಿಸಿ ಪಂಚಾಯತಿಯ ಅನುಮೋದನೆ ಪಡೆಯಲು ಕ್ರಮ ಕೈಗೊಳ್ಳತಕ್ಕದ್ದು.

19. ಸಂಬಂಧಪಟ್ಟ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿ ಯೋಜನೆಗಳ ತಯಾರಿಕೆಯಲ್ಲಿ ಗ್ರಾಮ ಸಭೆಗಳಿಂದ ಶಿಫಾರಸ್ಸು ಮಾಡಲ್ಪಟ್ಟ ಕಾಮಗಾರಿಯನ್ನು ಸೇರಿಸಲು ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರು ಪರಿಶೀಲಿಸಿ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ಅನುಮೋದನೆಗೆ ಮಂಡಿಸಬೇಕು. ಯಾವುದೇ ಕಾರಣಗಳಿಂದಾಗಿ ಕೆಲವು ಕಾಮಗಾರಿಗಳನ್ನು ಯೋಜನೆಗಳ ತಯಾರಿಕೆಯಲ್ಲಿ ಸೇರಿಸಲು ಸಾಧ್ಯವಾಗದೇ ಇದ್ದಲ್ಲಿ ಅದನ್ನು ಗ್ರಾಮಸಭೆಗಳಲ್ಲಿ ತಿಳಿಸಲು ಸಂಬಂಧಿಸಿದ ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳಿಗೆ ಬರೆಯಬೇಕು. ಗ್ರಾಮ ಸಭೆಗಳ ನಿರ್ಣಯಗಳು ಜಿಲ್ಲಾ ಪಂಚಾಯತಿಯ ಯೋಜನಾಕರ್ತವ್ಯಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ್ದಲ್ಲಿ ಅವುಗಳ ಬಗ್ಗೆ ಜಿಲ್ಲಾ ಪಂಚಾಯತಿಯ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರಿಗೆ ವರದಿ ಕಳುಹಿಸಬೇಕು.

20. ತಾಲ್ಲೂಕಿನ ಎಲ್ಲಾ ಗ್ರಾಮ ಸಭೆಗಳಿಂದ ಜಿಲ್ಲಾ ಪಂಚಾಯತಿಯ ಕಾರ್ಯಕ್ರಮಗಳ ಬಗ್ಗೆ ಸ್ವೀಕರಿಸಲಾದ ಜೇಡಿಕೆ, ಸಲಹೆ ಹಾಗೂ ಶಿಫಾರಸ್ಸುಗಳನ್ನು ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರು ಕ್ರೋಢಿಕರಿಸಿ ಜಿಲ್ಲಾ ಪಂಚಾಯತಿಯ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯವರಿಗೆ ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ನಡೆಸಲು ನಿಗದಿ ಮಾಡಿದ ಅವಧಿಯು ಪೂರ್ಣಗೊಂಡ ಒಂದು ವಾರದೊಳಗಾಗಿ ಕಳುಹಿಸತಕ್ಕದ್ದು.

21. ಗ್ರಾಮ ಸಭೆಗಳನ್ನು ನಡೆಸುವಾಗ ಭಾಯಚಿತ್ರ / ವಿಡಿಯೋ ಚಿತ್ರಗಳನ್ನು ತೆಗೆಸಿ ಗ್ರಾಮ ಪಂಚಾಯತಿಯಲ್ಲಿ ದಾಖಲೆಗಾಗಿ ಇಡತಕ್ಕದ್ದು ಮತ್ತು ಒಂದು ಪ್ರತಿಯನ್ನು ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗೆ ಕಳುಹಿಸಿ ಕೊಡತಕ್ಕದ್ದು.

22. ಗ್ರಾಮ ಸಭೆಗಳ ಸಂದರ್ಭದಲ್ಲಿ ಗ್ರಾಮಸ್ಥರ ಅಥವಾ ಪಂಚಾಯತಿಯ ವತಿಯಿಂದ ಸೂಕ್ತ ಸಾಂಸ್ಕೃತಿಕ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಏರ್ಪಡಿಸಿಕೊಳ್ಳುವುದರಿಂದ ಗ್ರಾಮಸ್ಥರು ಆಸಕ್ತಿಯಿಂದ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಭಾಗವಹಿಸಲು ಅನುಕೂಲವಾಗುತ್ತದೆ.

ಮೇಲ್ಕಂಡ ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಗ್ರಾಮಸಭೆಗಳನ್ನು ನಡೆಸುವಾಗ ಕಡ್ಡಾಯವಾಗಿ ಪಾಲಿಸತಕ್ಕದ್ದು.

ASHOK DAS

I.A.S.

Commissioner Cum Secretary, Health



Directorate of Health Services

Madhya Pradesh

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554588 (H)

FAX : 0755-551671

e-mail : akdas@vallabh.mp.nic.in

D.O. No. 1252

Bhopal, dated 31.10.98

Dear Dr

Sub:- Training of Trainers of Jan Swasth Rakshaks

You are aware that the training of JSRs has been going on for the last 2 years in the State wherein a community level person is being trained in every village to look after the basic health needs of the community. Under this scheme the training was initially being given at the Block PHC level and later at the districts. So far only about 9,000 JSRs could be trained. To increase the training output, it is now decided that the JSR training will be undertaken at the Sector PHC under the overall control of the Sector Medical Officer with the help of the Supervisors, ANMs, MPWs. Training of Trainers i.e., the Sector Medical Officers will be for 2 days and start from 5 October, 1998. The JSR training will start from 10 October in all the Sector PHCs where a Medical Officer is posted and has been given the TOT. While the basic syllabus for teaching remains the same as before, the JSR manual is being modified in view of the experience from the first 3-4 batches of JSRs. The salient features of the modifications are enclosed and highlighted below:-

- 1 The training will be undertaken at the Sector PHCs and about 10-12 JSRs will be enrolled per PHC.
- 2 Teaching will consist of theory lectures, role play, demonstration clinical cases and field visits. The Sector Medical Officer will be the chief trainer and will be assisted by the Supervisors, ANMs, MPWs posted at the Sector.
- 3 The six months training course has been divided into six units each of one month duration and after the completion of each unit there will be a theory and practical examination. The BMO will set the unit papers of 10 marks each. At the end of six months a final examination of 50 marks will be held. The final assessment will be based on five unit examinations (total marks -50) and the final examination (total marks 50).
- 4 After successful completion of the course and passing of the examination the JSR will be issued a registration certificate entitling him to practice within the specified village. In case of any malpractice his registration will be cancelled and he will not be allowed to practice.

A brief note on the modifications in the training curriculum of the JSR is enclosed. You are requested to refer to the earlier module for TOT scheduled for 5 October. In the meantime the modified manual consisting of six units is being prepared and will be sent to you shortly. The printing will have to be done at your end.

With kind regards,


Yours sincerely,

Ashok Das
Ashok Das

Noted
11/10/98
(S.B.)

Copy for information:-

- 1 Principal Secretary, Public Health & Family Welfare.
- 2 Divisional Joint Director
- 3 Chief Medical & Health Officer


Health Commissioner

Dear Dr Ravi,

We're sending you this brief outline of revised curriculum of IISL try. Please let us know your comments on this at the earliest.

with best regards

Sincerely

P. L. Mathur
3.X.98.

Dr Ravi Narayan
Co-ordinator
Community Health Cell.
Bangalore.

TRAINING CURRICULUM OF JAN SWASTH RAKSHAK

DURATION OF TRAINING

6 MONTHS

PLACE OF TRAINING

SECTOR PRIMARY HEALTH CENTRE

Month I Unit-I

Week	Topic	Teaching Mode	Learning Objectives
1 Week	Introduction to Health Care Services, Health Programmes, Duties of JSR, Code of Conduct, Visit to CHC, FRU, Sub-centre	Lecture & Field demonstration	Knowledge about basic health infrastructure
2 Week	Anatomy and Physiology of the Human Body	Lecture and clinical demonstration	Knowledge about human body and its functioning
3 Week	Nutrition and Diet, Dietary supplementation for Pregnancy, Lactation, growing children	Lecture, Demonstration & Role Play	Knowledge about nutritive value of foods and nutritional requirements, identification of malnutrition
4 Week	Examination of Patient	Lecture, Field and Clinical Demonstration	Clinical examination of cases

Unit-I Examination

Month II Unit-II

Week	Topic	Teaching Mode	Learning Objectives
5 Week	RCH Programme, ANC and Maternal services	Lecture & clinical demonstration	Identification of normal pregnancy, high risk pregnancy
6 Week	ANC & Maternal services cont.	Lecture, clinical demonstration & role play	Treatment of anaemia, knowledge about care during pregnancy
7 Week	New Born Care & Immunisation	Lecture, demonstration & role play	Knowledge about care of new born, motivate for immunisation, refer high risk child
8 Week	Growth & Development in children	Lecture, field and clinical demonstration	Assess growth and development of child, refer cases of malnutrition

Unit-II Examination

Month III Unit-III

Week	Topic	Teaching Mode	Learning Objectives
9 Week	RTI, STI, HIV-AIDS & Target Free Approach (TFA)	Lecture, clinical demonstration & field visit	Motivate patients for taking treatment for RTI/ STI, Propagate safe and healthy sexual practices
10 Week	Tuberculosis Control Programme	Lecture, clinical demonstration & field demonstration	Motivate patients for regular treatment and follow up, refer suspected cases and contacts for diagnosis
11 Week	Leprosy Eradication Programme	Lecture, clinical & field demonstration & role play	Motivate patients for regular treatment and follow up, refer suspected cases and contacts for diagnosis
12 Week	Blindness Control Programme	Lecture, field and clinical demonstration	Identify cataract cases and motivate and refer them for surgery

Unit-III Examination

Month IV Unit-IV

Week	Topic	Teaching Mode	Learning Objectives
13 Week	Epidemiology of diseases, sanitation, personal hygiene, environmental sanitation	Lecture, clinical & field demonstration, field visit and practical training	Knowledge about prevention of communicable diseases
14 Week	Water borne diseases diarrhoea, dysentery, typhoid, jaundice	Lecture, clinical and field demonstration, practical training & role play	Knowledge about household treatment of diarrhoea, recognise signs of dehydration for timely referral
15 Week	Outbreak investigation and control measures, treatment of drinking water sources	Lecture, clinical & field demonstration & role play	Prompt reporting of cases in outbreaks, initiate control measures
16 Week	Malaria, slide preparation, presumptive and radical treatment of cases	Lecture, field and clinical demonstration	Making of blood slides in fever cases & distribution of Chloroquin tablets

Unit-IV Examination

Month V Unit-V

Week	Topic	Teaching Mode	Learning Objectives
17 Week	Fevers	Lecture, clinical & field demonstration, field visit and practical training	Knowledge about treatment of fevers and prevention
18 Week	Treatment of Minor Ailments	Lecture, clinical and field demonstration, practical training	Knowledge about management of cases and household treatment
19 Week	Identification and Referral of Serious Cases	Lecture, clinical & field demonstration	Recognise serious cases and refer to PHC & follow up
20 Wee.	Counselling and Communication Skills	Lecture, field demonstration and role play	Motivate the community for FP methods, registration of vital events, healthy nutritive and sanitary practices etc.

Unit-V Examination

Month VI Unit-VI

Week	Topic	Teaching Mode	Learning Objectives
21 Week	First Aid, Dressings	Lecture, clinical demonstration and practical training	Knowledge about first aid
22 Week	Emergencies, accidents, drowning, snake bite	Lecture, clinical demonstration, practical training & role play	Knowledge about treatment of minor accidents
23 Week	Registration of Vital Events	Lecture, clinical & field demonstration & practical training	Record all vital events in the village
24 Week	Other Health Programmes- Ayushmati, Vatsalya Yojana	Lecture, field demonstration	Motivate the community for instructional deliveries

Unit-VI Examination

25 & 26 Week Preparation for Final Examination