

On Panchayat: A Study of Decentralization in India and Policy Recommendation

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Abstract

This paper aims to study India's decentralization process, which focuses on the Panchayat or the village government as a demonstration of success in India's decentralization. This paper employs documentary research with a systemic review of relevant literature, articles, and documents on India's decentralization policy after independence up to the present (during 1947- 2020) . This paper found that India emphasizes people participation and decentralization, primarily through the Panchayat, which the constitution has authorized. The Indian government also established the Ministry of Panchayati Raj to facilitate the process of decentralization. The key success of India's decentralization is related to its financial decentralization that allows the local government to collect tax and financial supports. This research also suggests five recommendations to increase the level of decentralization. First, decentralization must be written in a country's constitution. Second, decentralization could effectively work with a unitary state with a federal feature. Third, the village is the foundation of decentralization. Fourth, the state should establish or form a ministry or another form of a government body to implement a policy of decentralization. Finally, decentralization must be political, administrative, and financial.

Keywords: Constitution, Decentralization, India, Local government, Panchayat

Introduction

Decentralization

If Politics refers to the acquisition of power, the ability to influence others, and the authority to govern others, one needs to gain the given power to hold a position that decides to distribute goods and services to members of society. Accordingly, the key question is who is eligible to make such a decision, the government or the people?

Taking given distribution would serve the interests of the people. On this account, centralization is the case wherein the centre, the central government, or the capital controls all decision-making. Centralization then becomes a government's effort to control the process. As

mentioned by Janda, centralization refers to the position, distribution, and decision made by a few people, groups, and parties in the centre (Janda, 1980, p. 9). It is, therefore, uncertain of the significance of meeting people's needs.

The existing scholarship mutually agreed that decentralization refers to the transfer of the decision-making process and distribution to the people (Shodhganga, 2020; Kalirajan & Otsuka, 2010; Islam & Fujita, 2012; Sheikh, 2014). Decentralization is also a mechanism to uplift people's participation as it encourages people to initiate and decide their public policies (Shodhganga, 2020). Moreover, decentralization engages with democracy, development, and good governance (Islam & Fujita, 2012, p. 1). On this account, decentralization helps identify people's needs through direct and indirect processes of planning and implementation (Sheikh, 2014). Therefore, decentralization is regarded as a key process in the administrative reformation that facilitates knowledge in implementing policies to stimulate people's welfare (Chhertri, 2013, p. 64; Kalirajan & Otsuka, 2010, p. 1).

Decentralization also refers to the decision-making process that is away from the centre (Shodhganga, 2020). This explanation is per Charoenmuang's view that decentralization is the process in which a central government transfers some power and authority to the local government without interference (Chareonmuang, 2001, pp. 290-291). Therefore, decentralization refers to the basic activities that the local bodies are allowed by the laws to implement for public policies. The local bodies include state, provincial administrative organizations, municipalities, and sub-district administrative organizations (Ministry of Interior, 2021).

Following the given definition, decentralization could be divided into four forms. First, deconcentration is the weakest form of decentralization. It is mainly used in a unitary state by transferring a decision-making process and policy implementation from the central government to its units in the local body (Islam & Fujita, 2012, p. 5; Chhertri, 2013, p. 65). Second, delegation transfers responsibility, decision-making process, and services in -given and specific areas decided by the central government and implemented by the local government (Khan, 2009 ; Islam & Fujita, 2012, p. 5). Third, devolution is a basic form of decentralization in which the decision-making process, power, responsibility, and resources belong to the local government as legitimated by the constitution and its laws (Cheema & Rondinelli , 1983; Chhertri, 2013, p. 65). Last, privatization is the new phenomenon in transferring public responsibility to the private sector. It aims at engaging civil society in social and economic development (Shodhganga, 2020; Chhertri, 2013, p. 65).

The previous scholarship evaluates the success of decentralization by focusing on three aspects: political decentralization, administrative decentralization, and financial decentralization (Sheikh, 2014, p. 198). First, political decentralization is the most important aspect because it allows civilians and their representatives to hold power and responsibility in decision making (Gajwani, 2005, p. 1; Islam & Fujita, 2012, pp. 4, 21-22; Chhertri, 2013, p. 68). Second, administrative decentralization transfers the duties, responsibilities, functions, functionaries, and decision-making in public policy and public service from the central government into the hands of local government (Kumar, 2012, pp. 63-64; Islam & Fujita, 2012,

p. 4). Last, financial decentralization is the transfer of financial power, including raising taxes, financial decision making, and financial responsibility from the central government to local government (Gajwani, 2005, p. 1; Islam & Fujita, 2012, p. 22).

To study an example of decentralization, this paper aims at scrutinizing decentralization in India. This paper will focus on the Panchayat or the village government to demonstrate India's decentralization and seek policy recommendations to increase decentralization. The paper is divided into five parts. This first part explains an introduction to decentralization. The second part will elaborate on the research methodology. The third part will narrate the development of decentralization in India. The fourth part will discuss the key success and challenge in India's Panchayat since the constitutional amendments. And the last part will conclude and provide policy recommendations.

Research methodology

This research aims at studying the decentralization in India by explaining its government system, development of thoughts, and decentralization process. This case's justification is that India is regarded as the world's largest democratic country with substantial a political participation. In addition, India is an example of a state where political philosophy on decentralization is integrated into policy implementation. Its success resulted in the devolution of power to the local government following constitution amendments and establishing of the Ministry of Panchayati Raj.

To obtain data, this research employed documentary research with a systemic review of relevant literature, articles, and documents on India's decentralization policy. The systemic review emphasizes clearly four focused-formulated questions; first, to review the existing scholarship on politics and governance of India; second, to study the development of thought and implementation of decentralization in India; third, to identify factors related to India's success in decentralization; and last, to suggest recommended-policies for other developing countries. The research also employs a comprehensive, reproducible search strategy by using five keywords including "Decentralization", "India", "Panchayat", "Constitution", and "Local Government" and data extraction forms link systematic reviews and provides the foundation for analyzing and summarizing a body of synthesis.

This research focuses on two periods: one prior to and one post the constitutional amendments in 1992. This research marked 1992 as an important milestone because during the given year the Indian parliament had amended its constitution by emphasizing political, administrative, and financial decentralization to India's local government.

Development of decentralization in India

Decentralization is not newly invented in India. The idea of decentralization has been practiced in India throughout history and its political experiences. This section will deliberately explain the development of decentralization in India from the ancient period, the Middle Ages, colonial period, to pre and post-independence, as shown in Table 1.

Table 1 Development of Decentralization in India by author

Period	Significant Development of Decentralization in India
Ancient Period	The village council - Panchayat, Buddha's idea on republic
The Middle Ages	Strong society with centralization
Colonial period	India Act 1907, 1919, 1935
Pre Independence	Swaraj, Gandhi's village government
Post-Independence	Committees on decentralization, Constitutional amendments, The establishment of Ministry of Panchayati Raj

To begin with the ancient India, the Vedic described that there was a social system in Hindu society where the cooperative village emerged. In the village, the village council, including its population and seniors, would solve village problems. Each village was free from the centre and regarded a little republic (Shodhganga, 2020, pp. 42-43). In addition, the book entitled Arthashastra authored by Kautilya similarly explained that the village councils called Panchayat would decide in public issues in the villages (Human Development Resource Center, 2000, p. 5). In consonance, the Buddha also promoted the people's participation in decision making through dialogue, debate, and voting. The Buddha emphasized the idea of the republic in which parliament and council play vital roles in the decision making in each state and village (Arora, 2010, pp. 10.11-10.14).

During the Middle Ages, although villages in India had followed the tradition of decentralization, the coming of external intruders introduced and emphasized the strong society with centralization. Especially, Islamic rules had transformed the social system in the Indian subcontinent with more centralized laws, jurisprudence, administration, and finances (Human Development Resource Center, 2000, p. 5; Tammita-Delgoda, 209, pp. 91-107).

In the colonial period, the British government settled a new political landscape in India by establishing laws, a bureaucratic system, a tax system, and a trade monopoly. This centralization process destroyed the village government and the idea of decentralization in India (Shodhganga, 2020, p. 45). However, after the Sepoy rebellion, the British rules adopted more decentralization. Therefore, the British government had incrementally transferred more administrative and judicial power to the local government, provinces, and village Panchayats to leverage political participation as mentioned in the Indian Act of 1907, 1919, and 1935 (Basu, 2011, p. 281; Sheikh, 2014, p. 199; Shodhganga, 2020, pp. 40-45). However, this decentralization was not fully completed as India remained under the British imperialism (Sheikh, 2014, p. 199).

During India's independence movement, Mahatma Gandhi proposed the concept of Swaraj and self-government which highly criticized the centralized government. On this account, Gandhi emphasized the spirit of village in distributing goods and services within the community. He highly supported the grassroots democracy in which people could participate in self-government and decision-making process at the village level (Prasad, 1955; Shodhganga, 2020, p. 40). On that point, the best form of government is the village government

called Panchayat. This popular democracy allows the village to be a sovereign political institution whose population could regulate laws to govern and administrate themselves in the fields of welfare, recreation, education, agriculture, industry, commerce, public health, and justice. Gandhi's Panchayat was regarded as a self-sufficient republic, governed by five-elected representatives. This reflects people as the architect of their government (Sharma, 1987, p. 48; Shubhangi, 2021).

After India's independence in 1947, there was an ideological crash between Gandhi and constitutional drafters on the form of the new government and its underpinning political philosophy. While Gandhi believed in self-government and the Panchayat, the constitutional drafters perceived that a centralized state was in need to solve the economic, social, and political inequalities in India (Sheikh, 2014, p. 199). The Republic of India then opted to centralize the distribution of goods and services to the wider society. Accordingly, the constitution of India limited the idea of decentralization and implemented it only through community development projects (Basu, 2011, p. 281; Shodhganga, 2020, pp. 41-42; Human Development Resource Center, 2000, p. 6).

Fortunately, the Government of India had continued developing the idea of decentralization and attempted to engage it into the constitution. On this account, several committees, including the Balwantrai Mehta committee in 1957, the K Santhanam committee in 1963, the Asoka Mehta committee in 1978, the G V K Rao committee in 1985, and the L M Singvhi committee in 1986 (Shodhganga, 2020; Sheikh, 2014, p. 199), were established to review the legal process in uplifting village development.

In 1989, the then Prime Minister of India, Rajiv Gandhi, emphasized decentralization and transferred more power to the local government and the Panchayat institution (Basu, 2011, p. 281; Sheikh, 2014, p. 2000). This attempt resulted in the constitutional amendments in 1992 to legitimate decentralization and establish India's three-tier government.

The development of India's decentralization has been crystal clear after the 73rd and 74th constitutional amendments in 1992. These amendments resulted in tremendous changes in Part 9 and Part 9-4 which transferred power to the local governments by including Panchayat and municipality, including a direct election for the Gram Sabha every five years, establishing the Panchayat, reserving seats for women and scheduled caste, including the roles of an election committee, and including the financial committee in safeguarding the stability of local government (Sheikh, 2014, pp. 200-201). The amendments facilitated and encouraged political, administrative, and financial decentralization to the local body, especially to the Panchayat. This milestone demonstrated the development of grassroots democracy and civic participation in India (Basu, 2011, p. 282; Sheikh, 2014, pp. 196-197).

Three decades after the constitutional amendments (1992-2021): Key successes and challenges in India's Panchayat

To cope with physical, economic and cultural diversities, India becomes a unitary republic with federal feature where three tiers of government: national (union), state and local have been formulated following the 73rd and 74th constitutional amendments. Focusing on the

Panchayat, the Constitution of India legitimates the establishment of the Panchayat as the local and village government in the rural areas (Basu, 2011, p. 283). Each Panchayat consists of a village committee directly elected by the voters in the community every five years under the election commission (Basu, 2011, pp. 284-285). The constitution reserved committee seats to tribal groups, oppressed classes, and women to obtain equal opportunity and wider participation, as stated in Article 243D (Basu, 2011, p. 243). The functions and responsibilities of Panchayat includes, formulating and implementing a village plan on economic development and social justices, functioning villages' s duties such as land development, small irrigation, education, women and children empowerment, cultural preservation, and natural resource preservation (Basu, 2011, p. 284). However, the Panchayat' s proposed plan and implementation must be two-pronged approval and per policies regulated by state government (Human Development Resource Center, 2000, p. 7).

Interestingly, the Indian government initiated a function and institution in transforming decentralization into actual implementation. The ministry of Panchayati Raj was thus established in 2004 as a special ministerial body for decentralization to strengthen and empower Panchayat. The ministry' s objectives are to formulate laws in Indian states, set mechanisms to support village government, and provide financial support. This establishment aims to emphasize the decentralization process and effectively engage civic participation in India' s public services. The ministry' s supporting mechanism includes the institutionalization of a village government called the Panchayati Raj Institution (PRIs), the application of E-Panchayats, the development of application to encourage Panchayat Enterprise, granting funds for backward regions, and the giving of awards for Panchayats with excellence performance (Ministry of Panchayai Raj, 2021).

There are three levels of Panchayat; Gram Panchayat (village level), Block Panchayat (cluster of villages), and District Panchayat (district level). According to the Ministry of Panchayati Raj, there are 255,805 Panchayati Raj institutions in India, consisting of 248,901 Gram Panchayats, 63,606 Block Panchayats, and 598 District Panchayats. The statistics also reveal approximately 3,100,000 elected members of Panchayati Raj institutions (Ministry of Panchayati Raj, 2018). Therefore, the Panchayat is regarded as the closet local government to the people as it covers more than 60 percent of the Indian population (Sahoo, 2020).

Three decades after the constitutional amendments (1992- 2021), the Panchayat is regarded as a key mechanism in supporting the process of decentralization in India. Its functions and responsibilities have been legitimated by the Indian constitution and have covered all three areas: political, administrative, and financial decentralization. The key successes and challenges in India' s Panchayat could be seen as following:

To begin with the successes and challenges in political decentralization, the Panchayat offers opportunities for grassroots people and oppressed classes to participate in public policy decision-making processes (Human Development Resource Center, 2000; Chhertri, 2013, p. 64). This success in political decentralization reflects the development of the democratic process and political participation in the society, especially the emergence of a million politicians from the unheard sectors such as the backward caste, tribes, Dalit, and women

(Sahoo, 2020). However, the big challenges for India's decentralization include the limitation in representatives' capacity development and the level of the state's legislation in transferring powers to the local government. These challenges impact on the level of the actual implementation of Panchayat in India.

Second is the successes in administrative decentralization. The constitution amendments have empowered local governments in India to be responsible for their public service. The performance of the Panchayat demonstrates this achievement in making decisions on villages' plans, policies, developments, and public services; for example, the Age-Friendly Village Administration in Kerala. The project sets up an elderly council to work on village welfare for the elderly people. It collects the elderly's records and coordinates service teams in emergency (Deccan Chronicle, 2017; Kattakayam, 2021). On this account, India was named one of the world's best in administrative decentralization (Sheikh, 2014, p. 201). However, hierarchical order between state and local governments in administration remains a big challenge for administrative decentralization in India. To be precise, the level of success in administrative decentralization relies on the power legitimated and regulated by each state government (Kumar, 2012, pp. 64-65). Thus, the state legislature is likely to create a success in decentralizing administrative power to the local governments in its respective state.

Last but not least, financial decentralization, the transfer of financial power in making decision and responsibility from central government to local government, is the key success in India's decentralization process. There are two channels that the Panchayat could access for income and revenue. One, the state legitimates the Panchayat to collect tax and fees. The state distributes financial support through a financial committee to the Panchayat (Basu, 2011, pp. 284-285; Ghai, 2021; Rao, 2020, p. 4). To be precise, all Panchayat have been supported financial resources from the central government and state government. The budget has been distributed by population criteria and a proposal proposed to the state finance commission. Panchayat also gains budgets by way of taxes regarded as the incentive revenue collection, which includes house tax, profession tax, vehicle tax, tax on agricultural land for specific purposes, pilgrim tax, and water tax (Islam & Fujita, 2012, p. 13; Ministry of Panchayati Raj, 2018). In addition, the establishment of the Ministry of Panchayati Raj enhances financial supports as more budgets have been tremendously distributed to the local government as shown below.

Table 2 Allocation and Release of Finance Grants to Rural Local Bodies from 2005-2020

Finance Commission	Fiscal Year	Total Fund Million Rupees	Fund Allocation Million Rupees	Funds Released Million Rupees
Twelfth Finance Commission	2005-2006	200,000	40,000	30,430
	2006-2007		40,000	33,980
	2007-2008		40,000	39,000
	2008-2009		40,000	41,770
	2009-2010		40,000	44,090
Thirteenth Finance Commission	2010-2011	651,610	59,590	57,810
	2011-2012		102,030	84,030
	2012-2013		144,070	102,170
	2013-2014		165,480	176,440
	2014-2015		180,430	162,110
Fourteenth Finance Commission	2015-2016	2,002,921	216,240	
	2016-2017		338,710	
	2017-2018		390,410	
	2018-2019		450,700	
	2019-2020		606,870	

Source: Ministry of Panchayati Raj (2018)

Table 2 shows that India tremendously increases its financial supports to the Panchayat every year. During the twelfth finance commission from 2006-2010, India's local bodies had received 40,000 million rupees per year- a total of 200,000 million rupees. Interestingly, the total funds allocated in the thirteenth finance commission from 2010-2015 had reached 651,610 million rupees which is approximately 3.26 times larger than the previous finance commission. This trend continued to the fourteenth finance commission from 2015-2020 which allocated approximately 3.08 times larger than the thirteenth finance commission and reached 2,002,921 million rupees. Comparing the twelfth and fourteenth finance commission, the table states that the money allocation to local bodies has largely increased approximately 10 times (Ministry of Panchayati Raj, 2018).

On this account, the financial decentralization through the Panchayat helps empower local governments in regional development; such as health and medical policy, social justice, and women and youth empowerment (Sahoo, 2020). Moreover, financial decentralization allows the local governments to decide on their public policies and services under the given resources. This responsibility will create a better decentralization in India.

Conclusion and policy recommendation

This paper explains the decentralization process in India which focuses on the Panchayat or the village government as a demonstration of success in India's decentralization. It concludes that India emphasizes people participation and decentralization especially through the Panchayat which the constitution has authorized. The Indian government also established the Ministry of Panchayati Raj to facilitate the process of decentralization. The key success of India's decentralization is related to its financial decentralization that allows the local government to collect tax and financial supports. According to the data and evidence described in the previous sections, this research suggests five recommendations to increase level of decentralization in other countries:

First, decentralization must be written in every country's constitution and it needs to be written more practically in the government regulations. The constitution of India clearly states that there are three tiers of government: national, state, and local. It affirms their existence and relationship in the country's supreme law. On this account, emphasizing decentralization in the constitution is highly recommended in strengthening the local government's roles, functions, and performances.

Second, decentralization could effectively work in a unitary state with a federal feature. India's administrative and government system consists of a national government and 28 state governments demarcated by region and language. On this account, each state could formulate its policy to meet local demand. However, the national government could recall all power back from the state government. This is an interesting approach that helps integrate the decentralization process and combine local needs and national policy.

Third, the village is a foundation of decentralization. The third-tier of the Indian government is a local government that consists of two forms: municipality for urban areas and the Panchayat for rural areas. However, India emphasizes the Panchayat or the village government as a key process in decentralization because the village is the nearest political unit to the people. If each village could decide on its policy, this achievement will reflect more people's participation in government.

Fourth, the establishment of a ministry or other forms of government could enhance the level of decentralization. The establishment of the Ministry of Panchayati Raj in 2004 as a key government mechanism to promote and strengthen villages as a local government unit emphasizes the concept of decentralization into the actual implementation.

Finally, decentralization must be political, administrative, and financial. India enthusiastically focuses on uplifting the decentralization process, especially the financial decentralization which is the most important factor.

However, the findings of this study have to be seen in light of some limitations. The paper has provided a discussion to showcase overall development, success and challenges in India's Panchayat. To deepen and enlarge understanding on this issue, the future research must demonstrate India's decentralization in-depth details by using comparative studies between different states and elaborate how efficient in implementation.

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