



Study of Panchayati Raj and Rajasthan’s Panchayati Raj Act 2015, its benefits and loopholes in the bill.

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Introduction : It is the oldest system of local government in the Indian subcontinent. The word “panchayat” literally means “assembly” of five (panch) wise and respected elders chosen and accepted by the local community. Traditionally, these assemblies settled disputes between individuals and villages. British established local self-government in 1869 when they made a

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District Local Fund in Bombay. This was a nominated body. In 1882, Lord Ripon established local self- government in India with the seating up of district local boards. District boards and councils were established in Marathwada and Vidarbh.

The next important piece of legislation was the Bombay village panchyat Act 1920. Under this Act, the Panchayats was constituted into an elected body. Members were elected by adult male villagers and the Panchayat was entrusted with local functions, mainly of a civil nature. Panchayat were empowered to collect compulsory house taxes. The Bombay Village Panchayat Act 1920 empowered village Panchayats to take up various activities, including some social-economic functions, and gave the power to heavy taxes and duties in order to increase their income.

After the reorganization of states in 1956, laws to introduce the Panchayat system in different stator were gradually enacted. This process was almost complete in Andhra Pradesh, Assam, Madhya Pradesh, Madras, Mysore, Orissa, Punjab, Rajasthan, Utter Pradesh and Bombay. The Bombay Village Panchyats Act was enacted in Producers for seeking legal redress through judicial courts are both long and enormously complicated, and also involve considerable expenses. It is because of this that several different and newer ways of setting disputes both quickly and inexpensively have come up.



Since the 1950s, primary school education has seen a significant decline across certain regions of West Bengal. In this paper that focuses on three districts of the state, the sorry state of affairs that prevails in the panchayati system is largely to blame for the debacle. Panchayati raj institutions, instead of spearheading the decentralisation of the educational process, became a tool in the hands of the major political parties, which sought to implement populist policies like 'no detention' rather than bringing in a thorough revamp of the entire system.

The Rajasthan Panchayati Raj Amendment Bill 2015 :

The total population of Rajasthan is 6.85 crore (3.5 crore men and 3.3 crore women). The literacy rate of Rajasthan is 66.2% as per the census of 2001. The rural population is 75% percent. Rajasthan's Panchayati Raj Act was passed on 23-4-1994 pursuant to the 73rd Amendment Act, 1992. This came into effect on April 23, 1994. Certain important amendments were made in 1999, 2000 and 2004. Under this legislation, Panchayats at all the three levels have been entrusted with duties and functions with regard to all the 29 matters listed in the Eleventh Schedule of the Constitution.

The Rajasthan Panchayati Raj Amendment Bill 2015 was passed by the Rajasthan State Legislative Assembly in March 2015. With the passing of this bill, Rajasthan has become the first and the only state in India to make the educational qualifications compulsory for the contesting candidates.

The Bill states that to contest for the

- Zila Parishad polls, the contestant should have a minimum qualification of secondary education (Class 10) from the State Board or any approved board.
- Sarpanch elections, the candidate should have passed Class 8 from any school under the general category.
- While contesting for the scheduled area of Panchayat for the post of a Sarpanch, the candidate should have the qualification of Class 5 passed.

Benefits achieved from the Bill



- Use of technology – A good educated leader can bring in a lot of new technology to the state. With the help of this bill, more Internet facilities and banking services etc can invade the state. With the passing of the amendment, a lot of educated leaders will take up the role of improving the IT (Information Technology) sectors of the state. To improve the quality of governance in the states like Rajasthan, the Government of India has initiated schemes like e-governance that connects the various panchayats. It is known as e-panchayat.
- Development – Apart from the invent of new technology, an educated leader can bring about a lot of other developments into the state. The various sectors of the state like agriculture, industrial and banking can be improved with the knowledge of the leaders. The bill can help to reduce the corruptions which are taking place in the various governmental departments.
- Standard of Living – An educated leader can help to improve the standard of living of the people in the state. He can use his knowledge in the areas such as improving the issues caused due to water scarcity, electricity etc.
- Growth of education – There has been a significant growth in the educational sector of Rajasthan since 1991. An educated Panchayat leader can increase the quality of the education in the state as well as increase the educational institutes.

Loopholes in the Amendment

- Exclusion of women – The amendment states that a minimum educational qualification is required for the candidate who is contesting an election. But due to certain cultural and social reasons, most of the women in Rajasthan are illiterate. Around 15% of the women in Rajasthan fall under the category of illiterates. Thus, the women may be excluded under this bill. Men would get a good opportunity to contest the Panchayat elections.
- Gender Inequality – The concept of gender inequality would be largely practiced under this amendment as the men would be getting a lot of opportunities. Due to the practice of the patriarchal system, most of the women are deprived of the good opportunities. Thus, by imposing the educational qualification, this gap is widened further.



- Poor local administration – In most of the rural areas, the male members migrate to the Urban side in search of employment opportunities. Thus, the women are mostly involved in the local administration. By imposing this ordinance, the women will not get an opportunity to represent and they would be taken over by the male members. As the male members work in the urban side, they do not have a fair knowledge about the working of the administration. Thus, this would create an ineffective local administration.
- Potential Women – Though 52.1% of the women in Rajasthan are not educated, most of them have the potential to participate in the elections. Even without the help of an educational background, they have the capability to handle the administration effectively. A good educational qualification does not always make a good leader. Such women who have the strong capabilities to change a system would be neglected under this ordinance.
- SC and ST – Most of the people belonging to the Scheduled Caste and Scheduled Tribes are excluded from the participation. As most of them fall under BPL and have a low literacy, so they can not contest the Panchayat elections.

Criticism

- More than half of the women and 68% of the Schedule cast/ST women and 41% of the Schedule Cast/ ST men cannot contest in these local elections.
- Education is beneficial to implement the government policies in appropriate way but one can say that, this is a failure of government machineries who overburden with the things of inefficiencies with poor results of the PRI's and now it transfer to the citizen's mandate on the form of the education compulsion.

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