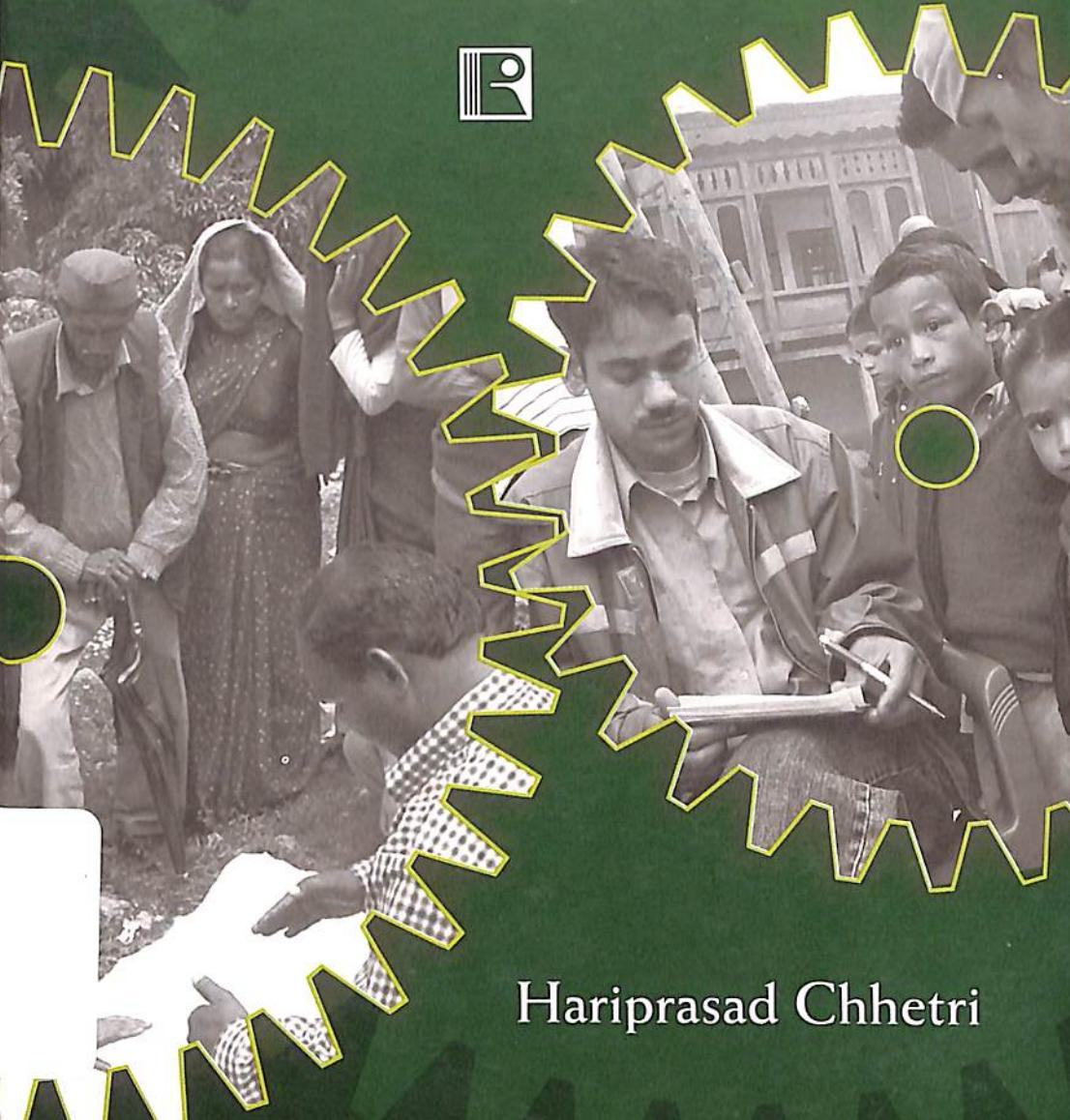


# Panchayati Raj System and Development Planning



Hariprasad Chhetri

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*The Case of Sikkim*



Hariprasad Chhetri



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# Contents

<i>Abbreviations</i>	vii
<i>Glossary of Local Terms</i>	ix
<i>Acknowledgement</i>	xi
<i>Preface</i>	xiii
1      Introduction	1
2      Panchayati Raj Institution in Sikkim	27
3      Gram Sabha Members' Perception of Panchayati Raj	67
4      Elected Representatives and Panchayat Officials: Background and Views	117
5      Major Findings, Conclusions and Recommendations	195
<i>Appendix - A:</i> The Constitution (73rd Amendment) Act, 1992	213
<i>Appendix - B:</i> The Sikkim Panchayat Act, 1993 (Act No. 6 of 1993)	222
<i>Appendix - C:</i> The Sikkim Panchayat (Amendment) Act, 1995 (Act No. 10 of 1995)	272

vi • Contents

<i>Appendix - D:</i> The Sikkim Panchayat (Amendment) Act, 1997 (Act No. 5 of 1997)	276
<i>Appendix - E:</i> The Sikkim Panchayat (Amendment) Act, 2001 (Act No. 7 of 2001)	277
<i>Appendix - F:</i> Activities/Functions Transferred to the Panchayati Raj Institutions as per Notification No. 35(2)94-95/38/RDD/P(ii) DT. 13th May, 1998	278
<i>Appendix - G:</i> List of Nominated Members of District Planning Committee (2002)	285
<i>Appendix - H:</i> Sikkim Panchayat (Procedure for Convening and Conducting the Meeting of Gram Sabha) Rules, 1998	289
<i>Appendix - I:</i> Sectoral Allocation of Funds Transferred to GPUS (For Non Total Sanitation Campaign Selected Gram Panchayat Units) (2005-06)	291
<i>Appendix - J:</i> Criteria for Allocation of Plan Outlay (Inter-District and Inter-Gram Panchayat Allocation of Fund)	295
<i>References</i>	296
<i>Index</i>	300

## Abbreviations

BPL	– Below Poverty Line.
DDO	– District Development Officer.
DPC	– District Planning Committee.
DWCRA	– Development of Women and Children in Rural Areas.
EAS	– Employment Assurance Scheme.
GC	– General Caste.
GP	– Gram Panchayat.
GS	– Gram Sabha.
IAW	– Indira Awaas Yojana.
ICDS	– Integrated Child Development Scheme.
INC	– Indian National Congress.
IRDP	– Integrated Rural Development Programme.
JGRY	– Jawahar Gram Rojgar Yojana.
JGSY	– Jawahar Gram Samridhi Yojana.
JRY	– Jawahar Rojgar Yojana.
MPHW	– Multi Purpose Health Worker.
MWS	– Million Wells Scheme.
NFBS	– National Family Benefit Scheme.
NGO	– Non-Governmental Organisation.

NOAP	- National Old Age Pension.
NREP	- National Rural Employment Programme.
NSAP	- National Social Assistance Programme.
OBC	- Other Backward Classes.
PDS	- Public Distribution System.
PHSC	- Primary Health Sub-Centre.
PRI	- Panchayati Raj Institution.
RDA	- Rural Development Assistant.
RDD	- Rural Development Department.
RLEGP	- Rural Landless Employment Guarantee Programme..
RM&DD	- Rural Management and Development Department.
RWSS	- Rural Water Supply Scheme.
SC	- Scheduled Castes.
SDDO	- Sub-Divisional Development Officer.
SDF	- Sikkim Democratic Front.
SEC	- State Election Commission.
SFC	- State Finance Commission.
SGRY	- Sampurna Gramin Rojgar Yojana.
SHG	- Self-Help Group.
SSP	- Sikkim Sangram Parishad.
ST	- Scheduled Tribes.
SITRA	- Supply of Improved Tool kits to Rural Artisans.
TRYSEM	- Training of Rural Youth for Self-Employment.
TSC	- Total Sanitation Campaign.
UR	- Unreserved.
VLW	- Village Level Worker.
VPF	- Village Planning Forum.
ZP	- Zilla Panchayat.

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## x • Glossary of Local Terms

- Pipon — Village Headman.
- Thikadars — A term denoting one who functions according to the terms and conditions of a contract, i.e., Contractor.
- Zamindari — Under this system, the lease contractor has to pay a fixed amount of revenue to the state. The contractor has been interpreted as being the owner of the land under him, hence the word 'Zamin' meaning land.

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**H.P. Chhetri**

## Preface

On my transfer as Director, State Institute of Rural Development (SIRD) on 23 May 1996, my first action was to change the name of the Institute to SIRD to make it at par with other states of the Indian Union as it was known by the name 'Sikkim Institute of Rural Development' prior to my assuming charge. As Director of the training institute my main thrust was to make the elected Panchayat representatives aware of their social responsibilities as leaders of villages for their all-round development. A copy of 'Manual of Election Law' containing the Sikkim Panchayat Act, 1993 in the form of draft was made available by Mr. K.N. Sharma, the then Director, Panchayat, and later Secretary, State Election Commission, in lieu of Sikkim Panchayat Act, 1993, which was neither available in my office nor in my administrative department, i.e., the then Rural Development Department. Section 129 of the Act which prohibited any person from contesting Panchayat election with the support of a political party was deleted. With the help of the Act in draft form available from Mr. Sharma, I launched the training for elected Panchayat representatives immediately after the Panchayat election, which was held on 6 October 1997 for the first time on party-basis. The training was conducted with the support of the officers of almost all the development departments of the Government

of Sikkim. The resource persons drawn from different departments were overwhelmed to take classes as they found the training an easy method to communicate the message of their respective departments to the public leaders of the village. The training became popular and continued in different batches till I retired from service in August 2001. After my retirement I was looking for a platform to share my experience and express my ideas to give proper guidance to the rural leaders for proper utilization of power derived from democratic decentralization, management of fiscal resources, involvement in decision-making process etc., and hence this thesis.

## Introduction

Sikkim became one of the constituent State of the Indian Union on 16th May 1975. Prior to that it was under British Protectorate from 1817 to 1947. The statutory Panchayat in Sikkim is of recent origin but its resemblance can be traced back to the traditional tribal council or Panchayat system of the Bhutias and Lepchas known as *Dzumsa* and *Chhodu* respectively. These tribal societies were accustomed to regulation of their domestic, religious, social, economic, socio-political and judicial affairs at the grassroots level through their traditional tribal councils and the collective wisdom of the people in the villages.

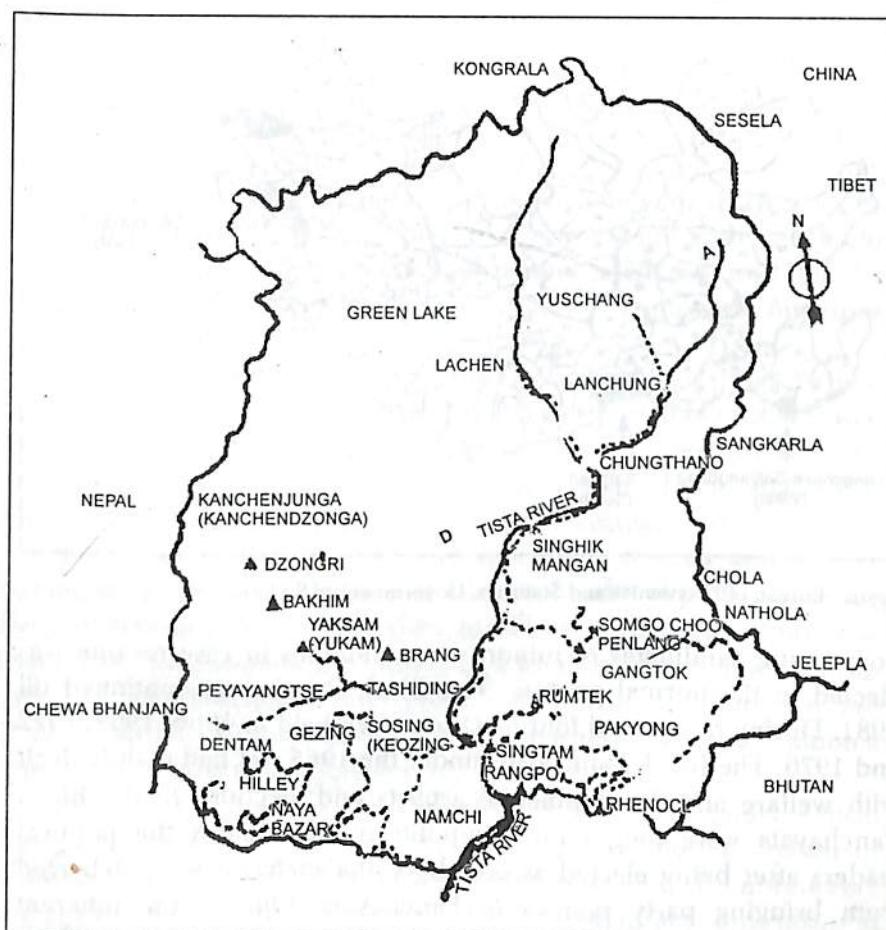
Other than the areas covered by *Dzumsa* and *Chhodu*, the State was divided into different *illakas* or estates leased out to influential persons called *illakadars*. Like in other traditional societies, in Sikkim too, the internal administration was feudal in character. This feudal class wielded both judicial and administrative powers within the limit of their *illakas* or estates. For the regulation of the intra-village affairs, *mondals* were appointed by these *illakadars*. The main function of the *mondals* was the maintenance of law and order and collection of land revenue. With the intrusion of the British in the administration of Sikkim and later the appointment of J.C. White, the first political

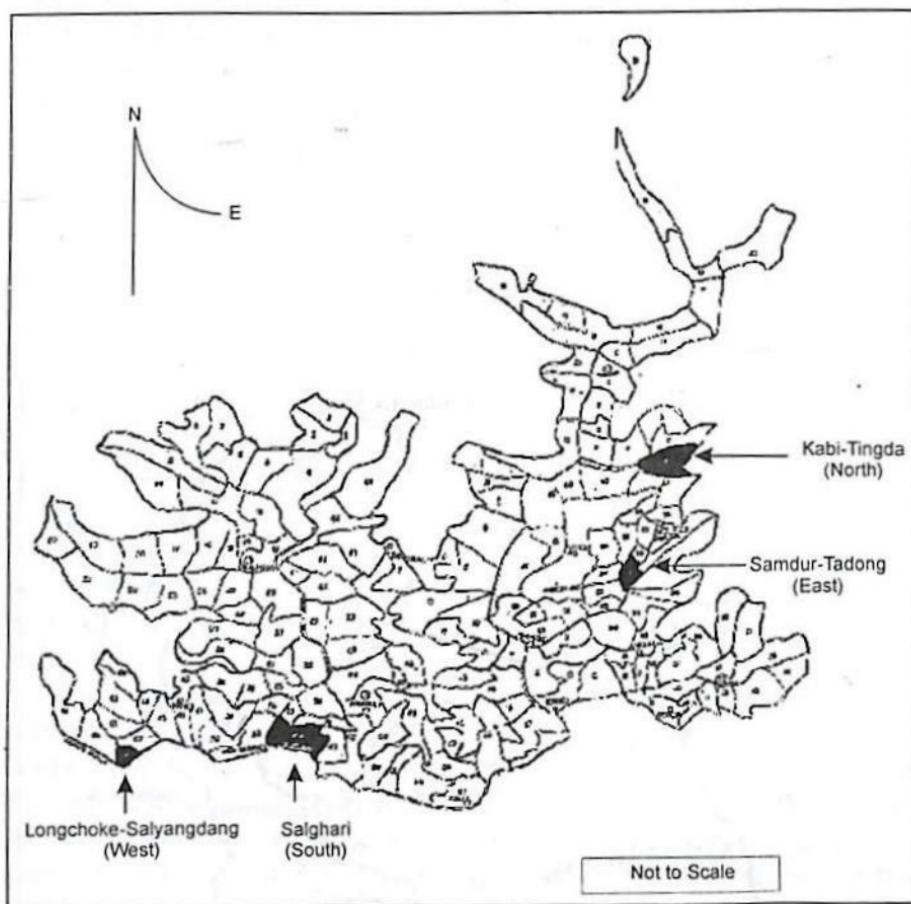
officer in Sikkim, a new era of administrative change began. The political officer's notification of 1906 gave official recognition to the centuries old *illaka* system, and the power of *illakadars* became well-defined. In general, all the *illakadars* were given the power to try petty cases of cattle trespass, petty land dispute and debt cases of value not more than Rs 10 with fine to the extent of Rs 5. The estates were the nucleus of internal administration and the *illakadars* the custodian of law and order. The system was highly feudalistic and the wishes of the people were hardly articulated. Nevertheless, in the later stages, the *illakas* while serving as revenue administrative units, formed the basis of future Panchayat bodies. Soon after the independence of India in 1947, various political parties grew in the State. Among them, Sikkim State Congress played a significant role for the abolition of landlordism and the introduction of Village Panchayat at the village level. Accordingly, as per the notification of 12 January 1948, the Panchayat Tribunal was to be formed in every estate consisting of a landlord and four villagers of that estate. These four villagers were to be elected by the block people. But, unfortunately, in the entire Sikkim where there were 104 estates, not a single tribunal was constituted in any estate since the period between 1947 and 1949. This was a period of political turmoil in the State.

With the signing of the Indo-Sikkim Treaty on 20 March 1950, an attempt was made to provide for the formation and functioning of a body representative of people residing in the local area. The Government notification issued on 5 August 1951 finally established Local Area Panchayats consisting of five elected members. Voting rights were provided to those over 21 years of age and residing in the local areas for at least twelve months prior to the electoral date. The five candidates receiving highest votes in order of merit would be declared elected. The members elected were to be approved by the Durbar. On receipt of approval from the Durbar the senior most *mondal* was required to convene the meeting of elected bodies to elect *Sarpanch* and *Mukhia* on the basis of votes. Under clause 8 of the notification, the Local Area Panchayats were empowered to undertake different welfare functions, but they had no powers of taxation. The Durbar had maintained the reign of Panchayats in its own hands through the device of various institutional and administrative controls. Because of this reason, the Panchayats did not operate in the North District as the mostly indigenous population had boycotted the election since they found no provision of safeguard for them.

After the failure of Local Area Panchayat, an attempt was made again to establish Village Panchayats by enacting Sikkim Panchayat Act, 1965. This Act stipulated for a non-hierarchical Panchayat with Block Panchayats at the village level. The Block Panchayat consisted of five members, the *mondal* being the ex-officio member having the same rights and duties as any elected member. In order to protect or safeguard the rights of minorities, the Government had options of

### *Sikkim*



*Study Areas*

Source: Bureau of Economics and Statistics, Government of Sikkim.

nominating candidates of minority communities in case no one was elected in the normal process. The Block Panchayats continued till 1981. During this period four elections were held in 1966, 1969, 1972 and 1976. The Block Panchayats under the 1965 Act had mainly dealt with welfare and developmental aspects and elections to the Block Panchayats were fought on non-political basis. Even the political leaders after being elected as members of Panchayat were debarred from bringing party politics in Panchayats. One of the inherent weakness of the Act was the absence of universal adult franchise which cut the provision of democracy at the grassroots level.

Later, the Sikkim Panchayats Act, 1965 was replaced by the Sikkim Panchayats Act, 1982, which established a two-tier Panchayat system with Gram Panchayat at the block level and the Zilla Panchayat at the district level. This Act was described as a radical step as it aimed at establishing Panchayati Raj Institution as an instrument of village level self-government. One of the most important features of this Act was the introduction of universal adult franchise as the basis of direct election to the Panchayati Raj Institution. The Act also provided for the nomination of Scheduled Tribes/Scheduled Castes and women to the Gram Panchayat, provided they failed to get elected. The term of office was five years. Under this Act, election to the Gram Panchayats were held in 1983, 1988 and 1993. The election to the Zilla Panchayats was held for the first time in 1990, followed by another in 1993. The Act provided a long list of functions and sources of finance, but in practice the Gram Panchayat leaders confined their functions to repair and maintenance of village roads, small bridges and water supply schemes etc. Regarding the sources of finance, the Gram Panchayats were entirely dependent on the State Government for grant-in-aid. On the other hand, Zilla Panchayats had neither sufficient fund nor the administrative capabilities to carry out the developmental functions assigned to them under the Act.

The Sikkim Panchayats Act, 1993 (Act No. 6 of 1993), which received the assent of the Governor on Act 11th October 1993, came into force from August 1995. The 1993 Act incorporated most of the essential features of the 73rd Constitutional Amendment Act, 1992. The significant provisions of this Act included regular election in every five years; reservation of seats and offices for women and weaker section of the society; provision of a forum for direct participation by the people through the Gram Sabha; local level planning; a democratic framework for devolution of funds and transfer of functions; constitution of State Election Commission; State Finance Commission and District Planning Committee etc. These provisions have set in motion a number of actions at the State level.

The Constitutional (73rd Amendment) Act, 1992 (under Article 243B), unambiguously defined the Panchayat as the "institution of self-government" constituted for the rural areas. They are not merely the agents of the State Government, implementing decisions taken at the State capital. They are supposed to be people's forum where people will plan and execute their own decision at the local levels. These were

the bodies set up to promote decentralisation of power, functions and authorities from the higher to the lower level. As a result, they were to look after rural administration and rural management as well as promotion of rural management and planning.

In 1992 Gram Panchayats were reorganized in Sikkim resulting in an increase in the number of Panchayats. Under the reorganized condition, election was held in 1993 for a term of five years. Enactment of Sikkim Panchayat Act, 1993, which was passed in conformity with the requirement of the Constitution (73rd Amendment) Act, 1992, did not affect the members elected under Sikkim Panchayat Act, 1982. The 1992 constitutional amendment followed the continuance in office of earlier elected members till the end of their full term unless dissolved sooner by a resolution passed to that effect by the legislative assembly of the State.

### **Statement of the Problem**

It will be interesting to study the composition and functions of the Panchayati Raj Institution in the State of Sikkim vis-à-vis participation by the people passing through different political stages, viz., as a protectorate of British Government in India, under Independent India, before merger as a mini country, after merger as one of the states of Indian Union and finally after the enforcement of Constitution (73rd Amendment) Act, 1992. When Sikkim became one of the Indian states it was 28 years younger than other states. However, the momentum of progress gained in regard to rural development activities is worth studying.

The enactment of the Constitution (73rd Amendment) Act, 1992 resulted in the establishment of a democratically elected Panchayat system in all states in accordance with the provision of the Constitution. The 73rd amendment to the Constitution was a major step in institutionalizing decentralized governance at the grassroots levels. Within a year of enactment of this amendment, the State of Sikkim also brought about a conformity Act for the Panchayati Raj Institutions (PRIs). Since then; within a decade, the state has already conducted two Panchayat elections in 1997 and 2002. This gives us an enabling time frame for an assessment and evaluation of the functioning of PRIs in Sikkim.

PRIs in Sikkim have kept themselves busy with rural development since the late eighties. The actual implementation of rural

development schemes is done by Panchayati Raj Institution with the cooperation of local level bureaucracy. They have been successfully managing poverty alleviation programmes and various government sponsored developmental schemes, viz., Jawahar Rozgar Yojana, Indira Awaas Yojana, Development of Women and Children in Rural Areas etc. However, they have no say in formulation of these schemes and the bureaucracies of various departments involved in rural development have also not been placed under the control of the Panchayats, either at the Gram level or at the Zilla level. Their co-operation is sought through the standing committee of the Panchayati Raj Institution in which they were made members. The achievement or success of Panchayati Raj Institution depends not only on development of the villages, but also on increasing people's participation in planning and development activities. The Sikkim Panchayats Act, 1993 provides for the Gram Sabha to entail direct participation of common villagers and at the local level people may use the opportunity to influence decisions that affect their day-to-day life and exercise control over those who take decisions on their behalf. The establishment or formation of Gram Sabha is an attempt at making the non-participative masses more aware and participative in managing their own affairs. However, in many villages, people in general are found to be apathetic towards any kind of participation. The political parties or elected representatives have failed to encourage the people to make the dream of participatory democracy a reality. PRIs are no longer considered as agents of rural development but as self-government at local levels. People in general are still not aware of the purpose of the Panchayati Raj Institutions. Without a proper understanding of PRIs they cannot be successful in achieving the goal of self-governance. Under the present study, an attempt has been made to study the extent of participation by Gram Sabha members as well as by the elected representatives and to explore the reasons for their non-participation or low participation. The study also tries to assess the awareness level of villagers and elected representatives for without awareness people cannot actively participate in planning and developmental activities of Gram Panchayats. Another problem of the existing PRIs is that despite fiscal decentralisation being attempted under the 1993 Act they have failed to emerge as effective local self-governments due to lack of technical

knowledge of financial management, inadequate financial resources, and the under qualification of the members. In fact, the self-generating revenue of Gram Panchayats is negligible in comparison to their income from governmental grants. They depend heavily on State and Central Government for finances. The fiscal powers of these bodies to raise revenue vested by the constitution, remain grossly underutilised. With no resources of their own, these bodies depend totally upon the grants from the State Government for their effectiveness. Why have the Panchayat have not been able to mobilise local resources? What are the practical reasons behind the difficulties faced by Gram Panchayats for the collection of revenue? All these problems have been studied under the present study.

One of the objectives of the 73rd Constitutional Amendment Act, 1992, was to ensure that rural women play a major role in the decision-making process. To ensure greater participation of women, the Sikkim Panchayat Act, 1993 provided 33 per cent reservation of seats for women at both the levels. As a result of this provision, a large number of women who were hitherto unrepresented, are getting entry into grassroots level democracy. Similarly, Scheduled Castes/ Scheduled Tribes got the opportunity to enter into the system through reservation at various levels. However, there is a lack of preparedness on the part of these functionaries, especially the women representatives, to shoulder new responsibilities. Due to low level of education, low legal literacy and lack of clarity about the basic objectives of the Panchayati Raj, women have not been able to emerge as successful village leaders representing the wishes of electorate at the grassroots level. Therefore, in this study the researcher tries to examine the factors facilitating or hindering the effective participation of women and other weaker sections in the Panchayati Raj.

No systematic sociological study on Panchayati Raj thus established has been conducted except some casual attempts made here and there to study the old PRIs in the state of Sikkim before the enactment of the new Sikkim Panchayat Act, 1993. It was thus considered pertinent to conduct a survey to examine the new Panchayati Raj structure and its functioning in the state. How a local self-government is actually functioning is an empirical question which requires field-based clinical investigation. In the present study, an attempt has been made to study the structure and functioning of Panchayati Raj in

the state with special reference to empowerment of women, devolution of powers, participation of weaker sections of people in the developmental process, resource mobilisation by the Gram Panchayats, the extent of autonomy enjoyed by the Gram Panchayats, state of benefits from developmental schemes, role of bureaucracy etc. The new structure established under the new Act (1993) may be expected to yield some better desired results. The composition of the Panchayati Raj system and the implementation of the new model may have some bearing on the Panchayati Raj process, which has been investigated under this research frame. Besides the debate on ongoing issues the early experiences of Panchayati Raj system have also encouraged the researcher to conduct the empirical study and to examine how decentralisation is progressing in the State of Sikkim. Its facilitating factors as well as the obstacles to empower the local people in promoting their own development process would also be studied. The present study covers almost all the sociological aspects relating to functioning of the Panchayati Raj system in Sikkim. This comprehensive study has made an attempt to fill up the gaps, which remained uncovered in the earlier studies.

## **Review of Literature**

The present study pertains to functioning of PRIs in Sikkim, particularly after the passing of the Constitution (73rd Amendment) Act, 1992. However, a review of related literature shows that the empirical studies relating to the Panchayati Raj in Sikkim is almost insignificant. A few studies have been conducted on Panchayati Raj and Local Self-Government in Sikkim during mid-1980s, i.e., prior to the 73rd Amendment Act. In the subsequent paragraphs an attempt has been made to review the related publications on the Panchayati Raj system in India. Varied forms of related literature, i.e., books, articles in journals and research papers, are being reviewed here for this study.

Dhamala (1986) has done a pioneering work on the evolution of local self-government and democratic decentralisation in Sikkim in her unpublished Ph.D. thesis entitled, "A Study of Local Self-Government and Democratic Decentralisation in Sikkim". In the study she has outlined the evolution of the Panchayati Raj system in Sikkim and has also examined the role played by traditional tribal Panchayats like

'*Chhodu*' and '*Dzumsa*' of Lepcha and Bhutia. The thesis presents the socio-economic profile of the respondents, and the powers, functions and working of block Panchayats. She has made an attempt to identify the shortcomings and bottlenecks of the Panchayati Raj system in Sikkim and recommended some measures for streamlining the Panchayat bodies to enable them to achieve the objectives of Panchayati Raj Institutions. It is a pioneering work on Panchayati Raj Institution as local self-administration in the state but does not deal with the operational part of Panchayati Raj Institution. How far these Panchayat bodies are really effective in promoting self-governance is an aspect not proved in her thesis.

Another article by Dhamala (1986) on "Land Management and Development of Panchayati Institution in Sikkim" deals with the evolution of the Panchayat system in Sikkim vis-à-vis land management. Here, the author seeks to examine how the various estates or *illakas* served as units for future development of Panchayat bodies. The study reveals that the institution of Panchayat in Sikkim had evolved out of the primitive land holding system and the estates or *illakas* constituted the basic functional unit. The study also examined the slow curbing of the landlords' power in relation to the Panchayat system. For example, in Panchayat Tribunal of 1948 the landlords occupied the key position. In Local Area Panchayat of 1951 the *mondals* were members of the body and the senior most *mondal* had the privilege of convening the first meeting of the Panchayat for the purpose of electing *Sarpanch* and *Mukhia* from among the members. Finally the 1965 Act placed the *mondals* only as ex-officio members of the Block Panchayat. The Sikkim Panchayat Act, 1965 firmly established the Panchayati Raj Institution in Sikkim.

Dhamala and Das (1983), in their article "Evolution of Local Self-Government in Sikkim" have discussed the historical evolution of Panchayati Raj Institution in Sikkim which emerged out of the feudalistic nature of society where the feudal lords or *illakadars* wielded both judicial and administrative powers within the limits of their estates or *illakas*. For the regulation of intra village affairs, the *mondals* were appointed by their *illakadars*, and their main function consisted in the maintenance of law and order and collection of land revenue. The authors have vividly described the attempt made to establish the local self-government at the grassroots level under different government notifications since 1906 and covered the period till the passing of the

Sikkim Panchayat Act, 1965. They have argued that the 1906 notification could be regarded as a stepping-stone in the development of decentralisation but the real pace of democratic decentralisation has been set up by the 1948 notification. The 1951 Panchayat notification further empowered the Panchayats to try civil cases too but they had no taxation power. Later, the Sikkim Panchayat Act, 1965 was enacted, which constituted Block Panchayats comprising of five members for a period of three years.

Dhamala (1994), in another article "Panchayati Raj Institutions in Sikkim: Participation and Development", has examined the evolution and role of PRIs since the formation of Local Area Panchayat in 1951, which became defunct as soon as they were established. The author has also examined the inherent weakness of the non-hierarchical Block Panchayat introduced through the Sikkim Panchayat Act, 1965, which continued till 1981. She feels that the popular participation, which is the cornerstone of the Panchayati Raj system was lacking under the Act, 1965. The author says that the real participation of the people was sought to be ensured with the enactment of the Sikkim Panchayat Act, 1982, which introduced a two-tier Panchayat system following the recommendations of the Ashok Mehta Committee. The importance of these bodies lies in the fact that they were constituted for the first time on the basis of universal adult franchise. Though the Act provided for a long list of functions, but in practice the Gram Panchayat leaders were confined to identification of local problems. She also criticises the role of Zilla Panchayat as it has neither the fund nor the administrative capabilities for the implementation of the various developmental schemes. While concluding her article, she says that 'planning from below' has become the guiding principle of our planners and in Sikkim efforts should be directed towards achieving this goal. This calls for a reorientation of attitude on the part of the Government as well as the bureaucracy.

Jayakumar (1997), in his article "Local Self-Government Institutions in Sikkim", has examined in detail the provisions of structure and functions of PRIs in Sikkim under the different Panchayat Acts (Acts of 1965, 1982 and 1993). The article includes four tables dealing with the salient features of some Gram Panchayats, representation of members belonging to different categories (Scheduled Tribes/Scheduled Castes/Other Backward Classes/ Woman/General) in PRIs and districtwise break-up of Panchayati Raj Institution. The

details of powers and functions of Gram Panchayat and Zilla Panchayats as stipulated in the Sikkim Panchayat Act, 1993 are also presented. The article has contributed to the existing literature on Panchayati Raj in Sikkim by incorporating a few suggestions given by the Sabhapatis of Gram Panchayat during the training period organised by State Institute of Rural Development for the elected representative.

Bhandari and Upadhyay (2000), in their article on Sikkim in a book entitled *Status of Panchayati Raj in the States and Union Territories of India*, have discussed the structure and functions of PRIs in Sikkim provided under various Acts, viz., The Sikkim Panchayat Act, 1965, 1982, and 1993. The main focus of the paper is a detailed description of the various provisions made under the Sikkim Panchayat Act, 1993, which was passed in conformity with the requirements of the Constitution (73rd Amendment) Act, 1992.

There are also a number of studies conducted on this topic in India and the contribution of these studies have been enormous to the present study. Related publications in books, articles in journals and research papers are being reviewed here for this study.

Desai (1991), in his book entitled *Panchayati Raj*, has presented a comprehensive picture of Panchayati Raj in the whole country covering not only the major states but even smaller States, Union Territories, like Manipur, Mizoram and Sikkim. The author has given a more detailed description of Panchayati Raj of three States, viz., Maharashtra, Gujarat and Karnataka which have achieved maximum degree of decentralisation. The book also contains valuable information on the history of Panchayats in ancient India as well as in modern India, and a general discussion about the role of the PRIs in rural development and their problems.

Singh (1993), in his article "Decentralisation through Constitution (73rd Amendment) Act", has discussed the conceptual aspect, working, shortcomings and suggestions for strengthening the Panchayati Raj in India. According to him, the 73rd Amendment Act will help to revitalise Panchayati Raj essential for rural development and decentralisation.

Mukherjee (1993), in his article "The Third Stratum" has explained that the 73rd Constitutional Amendment Act requires the states to constitute Panchayats at village, intermediate and district

levels and consequently there will be a three-tier government viz., the Union, the States and the Panchayats. He has opined that these Panchayats would prepare and implement the plans for economic development and social justice as entrusted to them including the matters listed in the Eleventh Schedule of the Constitution.

Pal (1994), in his article entitled "Centralized Decentralisation Haryana Panchayati Raj Act, 1994" has discussed the provisions of Haryana Panchayati Raj Act, 1994 and made some comments on the centralised tendencies of the Act. He has opined that the leadership at grassroots level could not be strengthened because of providing a major role to the centralised bureaucracy of PRIs in Haryana.

Khanna (1994), in his book entitled *Panchayati Raj in India: National Perspective and State Studies*, has made an attempt to analyse the working of the Panchayati Raj system in the various States of India. The author has most succinctly undertaken statewise description of Panchayati Raj enactments, followed by structural analysis and performance evaluation. He also subscribes to the view that only structural change in Panchayati Raj may not prove to be decisive. The book, which includes few case studies too, does well to provide us an insight on Panchayati Raj and its state of affairs in general and also in particular pertaining to certain states of India. The author has also highlighted many shortcomings, which plague the system. He has also suggested some of the most practical solutions to enthuse the languishing system. The relevance of the book becomes manifold in the wake of the recent implementation of the revamped Panchayati Raj in many states of India.

Singh (1994), in his article "Constitutional Base for Panchayati Raj in India", has discussed the evolution of Panchayati Raj after independence and its working, shortcomings, reasons for decline and the need for the constitutional base for Panchayati Raj in India. He has opined that despite some weaknesses and certain lacunae, 73rd Constitutional Amendment Act is a step toward decentralisation of powers at the grassroots level and to strengthen Panchayati Raj in the country.

Bhat (1995), in his book *New Panchayati Raj System: A Study of Politico-Administrative Dynamic*, has presented the new Panchayati Raj system in Karnataka which has brought the local administration closer to the people in terms of efficiency, development and greater accountability. In this work the author has attempted to bring out the general

background of the Panchayati Raj movement in India and also highlighted the different phases in the development of the Panchayati Raj. The evolution of the Panchayati Raj system in Karnataka since independence has also been discussed. This book is based on an empirical study conducted in Dakshina Kannada district of Karnataka. In this study the author has critically examined the nature of relationship between the Panchayat officials and non-officials as the whole success of the Panchayati Raj system depends on the interaction between the two functionaries.

Singh (1995), in his article entitled "Haryana Panchayati Raj Legislation: A Critical Review", has examined critically the Haryana Panchayati Raj Act, 1994 and indicated certain lacunae in this Act as it empowers government bureaucracy rather than elected representatives of PRIs in the State.

Mohanti (1995), in his article "Panchayati Raj, 73rd Constitutional Amendment and Women", has opined that it is necessary to create positive and healthy socio-economic and political conditions to enable women to participate actively and effectively in Panchayati Raj Institutions. According to him, women's reservation in Panchayati Raj Institutions as provided under the 73rd Constitutional Amendment Act is leading to their empowerment in the real sense.

Mishra (1998), in his article "The 73rd Constitutional Amendment and Local Resource Base: A Critical Appraisal", has emphasised the need for a strong resource base of Panchayati Raj Institutions in India after the 73rd Constitutional Amendment. He categorically examined the fiscal provisions of the Act and opined that these institutions have been overburdened with a large number of functions without adequate financial, technical and administrative support.

Mathew (1996), in his article entitled "Transfer of Power to Local Bodies", has discussed several reasons for the unsatisfactory conditions prevailing in transfer of powers to PRIs and has made recommendations to fill up the gap between their finances and functions. He has emphasised the need for financial autonomy of PRIs, which can be achieved through the political will of the State Government.

Oommen and Datta (1996), in their book entitled *Panchayats and their Finance*, have reviewed the existing structure of Panchayat Finance in a historical context, and note that the existing Panchayat finance at

all levels in most states is in doldrums, though there are significant exceptions. One paper discusses some basic principles of inter-governmental transfers with special reference to local bodies in India. It also reviews the tasks of State Finance Commission vis-à-vis the Union Finance Commission and makes a strong case for the creation of a permanent Finance Commission at the federal level. The second paper focuses attention on the conceptual and operational problems before the State Finance Commission in relation to Panchayats functions and finance. Some of the generic issues relating to devolution of fiscal powers to the Panchayats and strengthening of their fiscal position are also spelled out. The book is an important contribution on the subject in the context of the 73rd and 74th Constitutional Amendments and would be of immense help to those concerned with policy and research.

Samanta's (1996) edited book *New Vista in Rural Development Strategies and Approaches* is a collection of 13 papers contributed by well-known experts in the field of rural development, administrators and policy makers across the world from both developed and under-developed countries. The first part of the book deals with the theme on Changing Perspectives of Rural Development. It has four papers illustrating the existing technological innovations in agriculture and need for sustainable innovations that could embrace economic viability and social desirability, changing development paradigms and need for empowering people for decentralised planning. The Kerala experiment of decentralised planning through village Panchayat has been cited as a successful and positive contribution to the development of rural area. The second part focuses on management of human resources in agriculture for rural development. The third part of the book deals with experiences of rural development in Nigeria, China etc. The last section of the book deals with the people's participation in rural development and analyses the Indonesia experience of community participation. This book is a well-documented effort in furthering to the knowledge of rural development. It is worth reading to insights into the crucial aspects of the subject and for being exposed to various approaches and experiments made across the developing countries.

Mathew and Nayak (1996), in their article "Panchayats at Work: What it Means for the Oppressed?" have discussed four case studies from Madhya Pradesh, which indicate that even after fifty years of

independence, the power structure at village level remains oppressive, feudal and inhuman. The case studies of *dalit* Panchayat representatives of various villages in Madhya Pradesh show that a lady *Sarpanch* was stripped naked and a *panch* was beaten up by the higher caste people, but the State Government remained silent on these incidents.

Sharma (1997), in his book *Grassroots Politics and Panchayati Raj* provides a comprehensive analysis of grassroots politics and Panchayati Raj in India. She has traced the genesis and growth of the village government from ancient time till today in terms of Panchayats and Panchayat leadership as also Panchayat elections and voting behaviours. A unique feature of the book is the interaction of caste, class and power in rural areas. The profile of the rural leadership and analysis of rural power structure throw a new light on the working of the Panchayat system. The book analyses various aspects of grassroots democracy and politics in terms of performance of Panchayats, pattern of rural power structure and links of rural leadership with higher political leadership.

Crook and Manor (1998), in their book entitled *Democracy and Decentralisation in South Asia and West Africa*, have done an in-depth empirical study of four Asian and African attempts to create democratic decentralised local government in the late 1980s and 1990s. The case studies of Ghana cote d' Ivoire, Karnataka (India) and Bangladesh focus upon the enhancement of participation and accountability between people, politicians and bureaucrats. The book is based upon extensive popular surveys and fieldworks. It makes an important contribution to current debates in the development literature on whether good governance and decentralisation can provide more responsive and effective services for the mass of poor and disadvantaged who live in the rural areas.

Mishra (1998), in his article "Five Years of New Panchayati Raj System: A Review", has drawn attention towards certain basic and practical weaknesses of Panchayati Raj on the basis of its activities during the last five years in the country. He has also made some suggestions for the effective functioning of Panchayati Raj in India.

Pal (1998), in his article "Panchayats in Election Manifestos", has analysed comparatively the election manifestos of almost all the national and regional parties during the Eleventh Lok Sabha elections and opined that in spite of the promise in their election manifestos to make the PRIs strong and viable people's bodies, no other political

party than the left parties, are serious about decentralisation of the powers to Panchayati Raj in the real sense.

Kurian (1998), in his book *Empowering Conditions in the Decentralisation Process: An Analysis of Dynamics, Factors and Actors in Panchayati Raj Institutions from West Bengal and Karnataka in India*, explores the necessary conditions for an effective and accountable local self-governing system, in the context of the PRIs in two Indian states, namely, Karnataka and West Bengal, in the pre-constitutional amendment scenario.

Biju (1998), in his book entitled, *Dynamics of New Panchayati Raj System*, discusses the historical growth of Panchayati Raj in India and analyses the present structure, powers, finance and personnel system of Panchayati Raj in Kerala. He has also explained people's participation in rural development and Panchayati Raj and role of Panchayati Raj in population control in Kerala State.

Datta's (1998) book *Major Issues in Development Debate: Lesson in Empowerment From India* is a collection of essays on grassroots development in India which have discussed issues on decentralisation of powers and function, and empowerment of people at the macro level in general and West Bengal in particular at the micro level.

The first article discusses the concept and reality of sustainable development with reference to the Indian scenario where the author has suggested two alternative modes which need changes at the micro and macro level. The second and third articles debate on institution building for rural development which began after Independence. Similarly, the fourth and fifth articles analyse political empowerment of women and their grassroots level participation. The author believes that women participation cannot be made effective in the Panchayati Raj system until and unless village feudal system is not washed out from the rural social structure. In the sixth article author makes recommendations for positive leadership in self-governance system at the village level. The last two articles deal with the importance of education and universalisation of primary education.

Joshi (1998), in his book entitled *Constitutionalisation of Panchayati Raj*, has discussed the inadequacies of the present system despite the constitutionalisation of Panchayati Raj in India. He has emphasised the need to create a healthy and positive atmosphere for natural growth of Panchayati Raj and has also given suggestions for the improvement

and strengthening of the system provided that the states have political will to devolve powers and authority to PRIs.

Reviewing the development of democratic decentralisation process in India, the author has observed that out of fear of losing power with the emergence of a new leadership at the village level, the vested interests undermined the potential role that Panchayati Raj Institution could play in local development. The author has observed that autonomy by itself does not ensure that the system becomes accountable. Mechanisms like regular elections, regular village meetings, and active community organisations acting as a counter-vailing force against anomalies are essential conditions for the successful working of the Panchayati Raj Institution. The author has emphasised accountable governance which works on the principle of equity in the distribution of powers in the decision-making structures and processes. It is essential for the people to keep a check on the excessive use of state power to have a synergy of both state and people accountability. It is for this reason, according to the author, that we need neither absolute decentralisation nor complete centralisation, but a mid path between the centralisation and decentralisation.

Singh and Mahanti's (1999) edited book *Role of Democratic Decentralisation: Panchayati Raj in Tribal Sub-plan Areas* is an outcome of a National Workshop on the Role of 73rd and 74th Constitutional Amendments in the Scheduled Areas. It highlights the role of Panchayati Raj Acts in scheduled and tribal areas and sub-plan areas. The papers have traced the evolution of local self-government, empowerment and increased participation of women. They also discuss the role and participation of women in Panchayat. There has been radical change in the outlook, attitude and participation of women in rural India. The book also discusses the status of women in the North-East. The authors feel that what is required is not simply a uniform national law to reserve seats for women but women's participation and empowerment.

Datta (2001), in his book entitled *Panchayats, Rural Development and Local Autonomy: The West Bengal Experience*, has made an attempt to study of functioning of Gram Panchayats in two districts of West Bengal, viz., Birbhum and Jalpaiguri. The author has rigorously analysed the data relating to socio-economic features of the Gram Panchayat population, villagers' perception as well as leaders'

perceptions about the working of the system, people's initiative and resource mobilisation etc. The study has revealed some of the anomalies in the working of the Panchayat systems in West Bengal. For instance, 46.33 per cent of villagers in Birbhum and 23 per cent in Jalpaiguri are not aware of Gram Sansad meeting. As regards resource mobilisation the finding is that neither the party members nor the Panchayat members have taken up the issues of resource raising seriously. The research deserves commendation for presenting a vivid picture of the real life situation pertaining in the area under study.

Bhattacharya (2002), in her book *Panchayati Raj in West Bengal: Democratic Decentralisation or Democratic Centralisation*, discusses the Panchayati Raj Institution in West Bengal which is facing a challenge over the last few years. The author argues that the earlier enthusiasm among the rural population of West Bengal about Panchayats and their activities has subsided. The book attempts to find out the reason for this gradual change in the people's attitude towards Panchayats. In this study different indicators of democratic decentralisation used for developmental activities being pursued, actual participation of elected representatives as well as villagers in the decision-making process and the extent of control exercised by political parties in the decision-making activities of Gram Panchayats have been studied. A key message of this book is that a strong and centralised party organisation of CPI (M) that could bring about discipline in Panchayats and promote rural development activities should also encourage people's participation and their involvement in local governmental activities in line with the commitment to democratic decentralisation. Both people's participation and their development can be considered the prerequisite for successful self-governments at local levels for rural areas.

Malik (2002), in his book entitled *The New Panchayati Raj: Rural Transformation in the State of Haryana* examines the structure and functioning of Panchayati Raj system in Haryana under the Haryana Panchayati Raj Act, 1994. This book is the first systematic attempt to study the 'new' Panchayati Raj in Haryana. It presents a comprehensive overview of the organisational structure and democratic functioning of PRIs in Haryana. The book highlights not only the socio-economic background of Panchayat leaders but also projects their views and perceptions on a very wide gamut of issues ranging

from empowerment of women to bureaucracy and prospects and problems of resource mobilisation.

Menon and Bakshi (2003), in their book entitled *Panchayati Raj in Scheduled Areas* have made a critical evaluation and comparative analysis of the implementation of the provisions of the Panchayats (Extension of the Scheduled Areas) Act, 1996 and Conformity State Panchayat Act with special reference to the powers of Gram Sabha. Based on field studies in the States of Maharashtra, Orissa and Rajasthan it examines the nature, functions and the role of the Gram Sabha. The authors have observed that out of eight states the provisions of the seven States Panchayat Acts in the Scheduled Areas (Except Bihar) have been amended in pursuance of the Extension Act of 1996. The Conformity Panchayat Acts of Maharashtra and Orissa are more or less in conformity with the Extension Act. The Rajasthan Ordinance lacks direction and does not fully reflect the contents and spirit of the Extension Act. All these aspects have been evaluated in this study.

Another book by Pal (2003) entitled *Gap Between Needs and Resources of Panchayats in India* is a result of an empirical quantitative research conducted in Saharanpur district of Uttar Pradesh. The book consists of eleven chapters. He points out life devolution of power and functions to the Panchayats and the developmental role being played by the Panchayats at various levels. Though they have a role to play in the implementation of the centrally sponsored schemes but they have no say in formulation of these schemes. The author suggests restructuring of the entire culture of plan formation and implementation for meaningful bottom-up planning. He has investigated the basic needs like drinking water, sanitation, primary education, health care, roads and paths, and electricity, and has examined the existing status of these services in the selected villages and the adequacy of financial resources of Panchayats. He has also studied the existing and potential income of Gram Panchayats and has given recommendations useful for policy makers and practitioners. According to him, Panchayats should put in practice their legal powers of raising financial resources.

Sharma's (2004) book *Bureaucracy and Decentralisation* is one of the most important contributions to the growing body of literature on bureaucracy and decentralisation. The focus of the book is on the process of the reforms in the bureaucracy. It also examines the process

through which public bureaucracies adjust their style and substances as they brace up to meet the challenges of decentralisation.

Singh (2004), in his book *Panchayati Raj Finances in Madhya Pradesh*, has provided an account of the financial position of Panchayats in Madhya Pradesh in general and Raigarh district in particular. The book examines the fiscal relations between the state and Panchayats in the light of the recommendations of the First Finance Commission of Madhya Pradesh and action taken thereon by the State Government. The chapter on Financial Devolution on Panchayats gives a description of the additional functions assigned by the State Government after the Constitution (73rd Amendment) Act 1992 to all three levels of Panchayats. The author has provided practical reasons as to why collection of taxes at the local level is becoming difficult. This book is useful for academicians and administrators working in the area of state and local finance.

### **Objectives of the Study**

The foregoing review of literatures reflects that there is a vast scope of study on Panchayati Raj in Sikkim as very few studies have been carried out on the subject so far. The present empirical study intends to examine the structure and functions of Panchayati Raj Institution in Sikkim under the Sikkim Panchayat Act, 1993. The following are the main objectives of the study to fulfil the existing gaps in the knowledge of the Panchayati Raj of Sikkim:

1. To trace back the historical evolution of Panchayati Raj Institution in Sikkim and try to show how, over the years, the Panchayati Raj structure and the whole Panchayat apparatus have developed in Sikkim, for without structural development no institution can function properly.
2. To study the socio-economic and political background of the electorate as well as elected representatives as the electorates belong to the cross section of the people of villages having political affiliation to different parties with varied manifestos.
3. To explore the extent of participation and empowerment of Scheduled Castes, Scheduled Tribes and women in Panchayati Raj Institution and to explore the problems faced by them in performing their duties, as reservations are provided to the weaker section of the people in order to facilitate their meaningful

participation in the developmental process so that they can come forward with their problems and proposals.

4. To study the actual involvement and participation of elected representatives as well as the common people who constitute the electorate for without active participation of the people and their elected representatives in decision-making as well as in implementation of those decisions, the objectives of democratic decentralisation cannot successfully be met.
5. To study the changing leadership pattern in villages particularly after the introduction of party based Panchayat election in 1997. In other words, to study who are the people coming to the seats of power, i.e., whether the common people covering a cross-section of the society are being represented or not, because normally in party based Panchayats the quality candidates are not given importance; rather party workers are given preference to be the leader of the village.
6. To present the perception of Panchayati Raj representatives, officials and electorate or Gram Sabha members regarding the achievement of objectives of Panchayati Raj in the State after the implementation of Constitutional (73rd Amendment) Act, 1992.
7. To study the extent of autonomy enjoyed by the Gram Panchayats or to study the extent of control exercised by political parties in the decision-making activities of the Gram Panchayats. This is based on the assumption that political interference in the functioning of PRIs may result in loss of autonomy and discrimination towards the sympathisers of rival parties.
8. To discuss the various resources endowed to PRIs and resource mobilisation by Gram Panchayats, and to examine the practical reasons behind the difficulty faced by Gram Panchayat for the collection of revenue.
9. To examine interactions between Panchayati Raj representatives and the officials as we know that the success of PRIs depends upon the proper co-ordination, co-operation and effectiveness of both the functionaries.
10. To examine the role of Gram Sabha and Gram Panchayats in the developmental activities being pursued for this is an important indicator of successful working of Panchayats. The role of Gram Sabha is perhaps the most important in ensuring the success of

Panchayati Raj Institution at the village level. In many villages, Gram Sabha are not functioning effectively and this has adversely affected people's participation in the developmental activities of the Gram Panchayats.

11. To discuss the problems and prospects of PRIs in Sikkim for improvement.
12. To recommend some concrete steps to strengthen and vitalize the Panchayati Raj Institution in the State.

### **Research Questions**

The following research questions that have emerged out of the earlier discussion, will be raised while doing the present research:

1. Will the Act (1993) encourage participation in Panchayati Raj process?
2. Will women representatives and the weaker sections of Panchayat representatives be able to exercise their power in the real sense?
3. Will the Gram Panchayat remain financially weak despite the fiscal decentralisation under the Act 1993?
4. Will the Act provide better organisational linkages between the Gram and the Zilla Panchayats? •
5. Will the Panchayati Raj Institution be able to plan and execute a socio-economic development programme?
6. Will the working of Panchayati Raj Institution be politically motivated in the State?
7. Have Panchayats succeeded in emerging as institutions of local self-government?

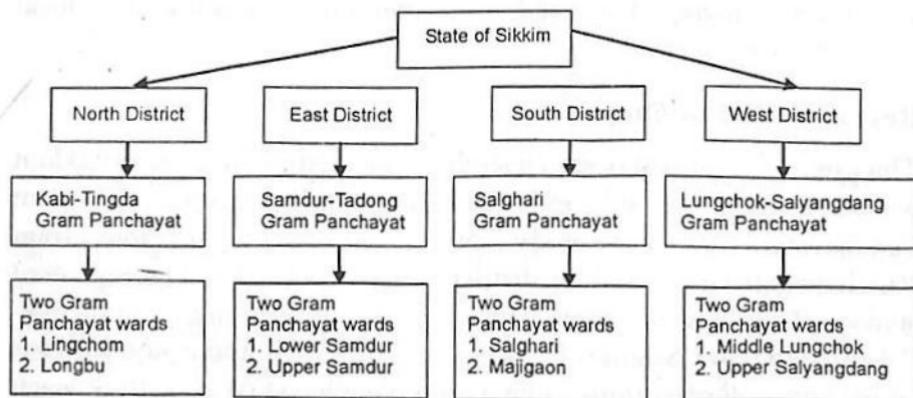
### **Research Methodology**

The present empirical research study conducted in the State of Sikkim was made at the lowest level of the Panchayati Raj, namely, the Gram Panchayats. To make the study a more representative one, four Gram Panchayats from all the four districts were selected for the purpose of study. They were Kabi-Tingda, Samdur-Tadong, Lungchok-Salyangdang and Salghari from North, East, West and South districts respectively. Furthermore, two Gram Panchayat Wards from each Gram Panchayats were taken for intensive data collection and detailed examination. All the four Gram Panchayats from the four districts were

selected on the basis of purposive sampling. Kabi-Tingda Gram Panchayat represents North district which is a tribal village dominated by *Bhutia*, *Lepcha* and *Sherpa* tribes. Among these tribes, along with modern statutory Panchayat, the traditional *Gyapen* system also prevails. Samdur-Tadong Gram Panchayat was selected from the East district because the researcher belongs to the same Gram Panchayat and is well versed with the socio-economic and political life of the people which has been helpful in eliciting the requisite information. Another reason for selection of this Gram Panchayat is that it is a semi-urban village which is situated about 6 km. ahead of Gangtok, the State Capital. Lungchok-Salyangdang Gram Panchayat of West district was selected as this Gram Panchayat represents multi-ethnic/caste village dominated by higher caste *Nepalis*, i.e., *Bahun (Brahmin)* and *Chhetris* and some other middle and lower *Nepali* castes like *Rai*, *Bhujel*, *Kami*, *Darjee* etc. Salghari Gram Panchayat was selected from the South district as it represents the multi-caste or ethnic groups living in semi-urban villages of Majigaon and Salghari which are proximate to Jorethang town.

The following chart gives an idea about the sample of the present study.

**Chart 1**  
*Sample of the Present Study*



**Chart 2**  
*Design of the Study*

<i>District</i>	<i>Gram Panchayats</i>	<i>Sample</i>		
		<i>Elected Representatives (Members and Chairpersons interviewed)</i>	<i>Electorate (Villagers) interviewed</i>	<i>Officials interviewed</i>
North	Kabi-Tingda	06	29	05
East	Samdur-Tadong	05	56	05
South	Salghari	05	110	05
West	Longchok	05	35	05

The data for the present study was collected from both primary and secondary sources. In all the four Gram Panchayats interviews and discussions were held with the electorate, the Gram Panchayat representatives and also with the Panchayat officials. A preliminary work was conducted in June-September, 2004, after which the field survey was conducted in October-December, 2004. The primary data was collected through the structured interview schedules prepared separately for the elected representatives of Gram Panchayats and electorate or villagers. In case of Panchayati Raj, officials or bureaucrats separate set of questionnaire were used. Beside, the influential persons who take interest in the activities and working of Panchayati Raj Institution were also contacted to elicit the primary data.

All the elected representatives from four Gram Panchayats were interviewed with the help of an interview schedule which contained detailed information about the socio-economic and political background of Panchayati Raj representatives. The indicators used to assess the background were age, sex, marital status, caste, religion, educational level, occupation, family composition, number of children, income, land holding, affiliation to political party etc. The important questions contained in the interview schedule were related to objectives, structure, functioning, fiscal decentralisation, devolution of powers, awareness of local affairs, decision-making process, empowerment of women, interactions between Panchayat representatives and the officials, perceptions of elected representatives regarding the achievement of objectives of Panchayati Raj in the State etc. A separate

set of interview schedule was used in case of the electorate or the villagers. A total of 230 electorates were interviewed because the perception of the villagers regarding the functioning of Gram Panchayats was found to be quite necessary. While selecting the respondents from the huge number of electorate from four Gram Panchayats, the researcher has used simple random sampling by choosing every 15th person as respondent from the total list of electorate separately made for males and females. The villagers were found to be more or less co-operative and provided a lot of information but only after being convinced of the academic purpose of the interview. The questions contained in the schedule were related to the socio-economic background of the villagers, structure and functioning of Gram Panchayats, grassroots level participation, resource mobilisation, decision-making process, role of Gram Sabha, schemes of rural development, empowerment of women and weaker sections etc. Apart from elected representative and electorate, the Gram Panchayat officials or bureaucrats were also interviewed with the help of questionnaires. The respondents included the concerned Panchayati Raj Officers and officials like the District Development Officers who are also ex-officio District Panchayat Officers, Sub-divisional Development Officers, Panchayat Inspectors, Rural Development Assistant and Village Level Workers who work in close association with Panchayati Raj Institution. Along with formal questions or discussions contained in the questionnaire, informal discussions with these persons were of immense help. The items contained in the questionnaire were related to interaction between elected representatives and Panchayat officials, bureaucratic control, political party control, fiscal decentralisation and mobilisation of resources, devolution of power and functions, perceptions regarding the functioning of Gram Panchayats under the new Act.

The secondary data for the present study was collected from various books, journals, party literature, pamphlets, newspapers, unpublished Ph.D. theses, official records and reports available at the offices of District Development Officers who are also ex-officio District Panchayat Officers, and Directorate level officers of the government, to support the views expressed by the respondents interviewed during field survey. The data collected from both the primary source (fieldwork) and secondary sources were qualitatively analysed to write the book.

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