

**Peoples' Participation in Local Self-Government in Sikkim:
A comparative study of Samsing-Gelling and
Rongay-Tathangchen Gram Panchayat Units Since 1993**

A Dissertation Submitted

To

Sikkim University



**In Partial Fulfillment of the Requirement for the
Degree of Master of Philosophy**

By

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This work is dedicated to my beloved Mother

Mrs. Khina Maya Chhetri

and Father

Mr. Ram Bahadur Chhetri

Declaration

I, Bishnu P Chhetri, do hereby declare that the subject matter of this dissertation is the record of work done by me, that the content of this dissertation did not form basis of the award of any previous degree to me or to the best of my knowledge to anybody else, and the dissertation has not been submitted by me for any research degree in any other university.

The dissertation has been checked using URKUND and found within limits as per plagiarism policy and instructions issued from time to time.

This is being submitted in partial fulfillment of the requirement for the degree of Master of Philosophy in the Department of Political Science, School of Social Sciences, Sikkim University.

Registration No: 15/M.Phil/PSC/03

We recommend that this dissertation be placed before the examiners for evaluation.

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Certificate

This is to certify that the dissertation entitled **“Peoples’ Participation in Local Self-Government in Sikkim: A comparative study of Samsing-Gelling and Rongay-Tathangchen Gram Panchayat Units Since 1993”** submitted to Sikkim University in partial fulfillment of the requirements for the degree of Master of Philosophy in Political Science is the result of bonafide research work carried out by Mr. Bishnu P Chhetri under my guidance and supervision. No part of the dissertation has been submitted for any other degree, diploma, associateship and fellowship.

All the assistance and help received during the course of the investigation have been duly acknowledged by him.

Date: 07.02.2017

Place: Gangtok

Miss. Swastika Pradhan

Supervisor

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Abbreviation

ADC	:	Additional District Collector
BDO	:	Block Development Officers
CD	:	Community Development Programmes
CEO	:	Chief Election Commission
CMRHM	:	Chief Minister Rural Housing Mission
CMLBS	:	Chief Minister Land Bank Scheme
DC	:	District Collector
DDO	:	District Development officer
DESME	:	Directorate of Economics, Statistics, Monitoring and Evaluation
DPC	:	District Planning Commission
DPO	:	District Planning Officer
DPSP	:	Directive Principles of State Policy
GOI	:	Government of India
GOS	:	Government of Sikkim
GPDP	:	Gram Panchayat Development Plan
GS	:	Gram Sabha
GPU	:	Gram Panchayat Units
GVA	:	Gram Vikas Adharaki
HDI	:	Human Development Index
IAY	:	Indira Awas Yojana
MBC	:	Most Backward Classes
MBCW	:	Most Backward Class Women
MGNREGS	:	Mahatma Gandhi Rural Employment Guarantee Scheme
NERLP	:	Northeast Rural Livelihood Project
NREGA	:	National Rural Employment Guarantee Act
OAP	:	Old Age Pension
OBC	:	Other Backward Classes
OBCW	:	Other Backward Class Women
PA	:	Panchayat Assistance
PO	:	Programme Officer
POP	:	Poorest of Poor
PRI	:	Panchayati Raj Institution

RDA	:	Rural Development Assistance
REDRH	:	Reconstruction of Earthquake Damage Rural House
RMDD	:	Rural Management and Development Department
SC	:	Scheduled Caste
SCW	:	Scheduled Caste Women
SDM	:	Sub-Divisional Magistrate
SEC	:	State Election Commission
SFC	:	State Finance Commission
SHG	:	Self Help Group
SICB	:	State Institute of Capacity Building
SIRD	:	State Institute of Rural Development
SPA	:	Sikkim Panchayat Act
SPC	:	State Planning Commission
ST	:	Scheduled Tribes
STW	:	Scheduled Tribe Women
UR	:	Unreserved
URW	:	Unreserved Women
VLO	:	Village Level Officer
VLW	:	Village Level Worker
ZP	:	Zilla Panchayat/ Parishad

Executive Summary

After independence, India like many other newly independent countries undertook a massive programme of bringing about socio-economic transformation in the society. It is important here to stress the fact Mahatma Gandhi have always advocated his idea of Panchayati Raj. He visualized a form of decentralized government where each village was to be self-regulated, self-reliance and autonomous. His idea of Gram Swaraj or village Self-governance was to be the foundation of India's political system.

People's participation in local government and developmental process has been one of the central themes in present democratic political discourse. Their participation in developmental process has contributed towards socio-economic changes and political upliftment. It has been considered that people's participation in developmental processes has not only led to individual's development but also contributed to the development of a given society as a whole. Though people have not been able to actively participate in all forms of developmental process the Panchayati raj institutions has never less contributed in engendering democracy. The existence of local government in rural areas has helped to decentralize democratic institutions by providing an entry to these institutions, which until then remained outside the reach of the common masses. Thus, the process of democratization of access to these institutions has, in large major, promoted people's participation in developmental process and more substantially, this participation has contributed in the general human development. Therefore, people's participations in local self-government have come to mean people's involvement in particular projects or programmes in a society.

This research study is organised in to five chapters including introduction and conclusion. Chapter one dealt with the background of Panchayati Raj system in India in general and Sikkim in particular. Chapter two dealt with the evolution of Panchayati Raj in India and its different phases. Chapter three dealt with whether Sikkim Panchayat Act of 1993 is working in the context of Sikkim. And also dealt with the provision, features and highlights the institution and organizational structure of Panchayat in Sikkim. Chapter four dealt with the Nature of People's participation in two Gram Panchayat Units of West and East districts of Sikkim. Chapter also gives an overview the nature of People's participation in two Gram Panchayat Units of

Sikkim and highlights the emerging issues and challenges faced by the gram Panchayat units and the villagers in connection to flow of funds, infrastructural facilities and developmental activities. This chapter has made after exclusive field study. It deals with the data collection, interpretation and discussion. Chapter five is concluding chapter of the whole work. After data analysis and interpretation, findings are discussed in this chapter.

The successful development of any village depends upon how people participate in planning, decision-making and implementation of various schemes of the center and state Government and also how people participate in their respective village. The Panchayati Raj Act has provided rights and responsibilities to the people and Gram Sabha mainly played a very vital role to participate people into village affairs. Despite the various infrastructural developments undertaken in Sikkim, it is found that only infrastructure development does not contribute to the people's participation in local government. Various factors like- lack of political awareness amongst the people particularly amongst the women, lack of faith among the people upon their representatives, party lines, economic factors etc. have all generally affected people's participation at large in two GPU. In order to ensure more participation and involvement of local people in the decision making process at the local level the Government need initiate certain effective measures which includes confidence building measures, increasing political awareness and education amongst the people and putting forth the interest of the people as the prime focus.

Chapter - 1

INTRODUCTION

1.1. Background

The history of local government traces back to the famous Rippon Resolution of 1882. There is a broad consensus amongst the scholar working on areas of local self-government and democratic decentralization that Lord Rippon resolution indeed forms the basis of local government in India. However it should also be noted that the issue of local government suffered a setback with the end of the tenure of Lord Ripon as the Governor General.

It was only in the year 1915 that the imperial government turned its attention towards reforming local bodies. A declaration was issued in 1917 with a view to ensure a progressive realization of responsible government in India. The ideal of provincial autonomy enshrined in the Government of India Act, 1935 marked an important landmark in the direction of democratizing local bodies and strengthening them (Sikander, 2015).

After independence, India like many other newly independent countries under took a massive programme of bringing about socioeconomic transformation in the society. Mention may be made of Mahatma Gandhi who always has adhered to the idea of establishing a Panchayati Raj in India. He visualized a form of decentralized government where each village was to be self- regulated, self- reliance and autonomous. His idea of Gram Swaraj or village Self-governance was to be the foundation of India's political system (Nitisha, 2015).

A series of Community development programmes was launched on 2 Oct 1952 with an aim towards all round development of the people in rural areas and encourage people's participations in these programmes of rural reconstruction. State governments during the 1950s and 60s adopted laws to establish Panchayats at various levels. Panchayati Raj is included in the State List of the Seventh Schedule of the Constitution. The States have been charged with the responsibility for devolution of powers to the Panchayats. It is important in this context to discuss the failures of the Community Development Programmes. One of the reasons of this failure was that these programmes were not attached to the people. People took it as a burden put on

them by the government. A team under the leadership of Balwantrai Mehta tried to find out the causes for the failure of these programmes. After concluding its study, the committee recommended that there should be an organization at the village level, which would select the true beneficiaries and implement various government programmes and schemes. This organization would act as the representative of all the villagers and ensure the development of the village as well as participation of villagers. Many years down the line, Government of India instituted the Ashok Mehta Committee in 1977 and entrusted it with the task of reviewing the working of Panchayati system. The committee found out that Panchayati Raj is the soul of democracy and therefore it should be empowered with more power and functions. Many Panchayats were formed after 1977 and Panchayats were generally known as 'Second Generation Panchayats'. In West Bengal, for instance, the Panchayats became more effective after accepting the suggestions made in the report of Ashok Mehta Committee. Around 1990s, a realization dawned that without constitutional power self-government will not be truly effective and fruitful. Therefore, the Government passed the 73rd Constitutional Amendment Act in 1992, which was heralded as a major reform in local self- government in the country as it aimed at devolution of certain powers and responsibilities to the Panchayats both in terms of preparation as well as implementation of plans for socio-economic development in relation to twenty-nine subjects listed in the Eleventh Schedule of the Constitution. The idea of participation in local government has been thus encouraged by guaranteeing a constitutional status to the local level institutions including Gram Sabha. For the first time in the history of Sikkim, constitutionally recognized Panchayat elections were held in 1993. One of the most important provisions of the 73rd Constitutional Amendment is the setting up of Gram Sabha in the lower tier of Panchayats, known as Gram Panchayat with the adult citizens of concerned areas to ensure direct participation of ordinary rural people in local governance. This encourages people's participation in local affairs by involving them in decision-making process and local activities at various levels (Chhetri, 2008).

People's participation in local government and developmental process has been one of the central themes in present democratic political discourse. Their participation in developmental process has contributed towards socio-economic changes and political upliftment. It has been considered that people's participation in developmental

processes has not only led to individual's development but also contributed to the development of a given society as a whole. Though people have not been able to actively participate in all forms of developmental process the Panchayati raj institutions has never less contributed in engendering democracy. The existence of local government in rural areas has helped to decentralize democratic institutions by providing an entry to these institutions, which until then remained outside the reach of the common masses. Thus, the process of democratization of access to these institutions has, in large major, promoted people's participation in developmental process and more substantially, this participation has contributed in the general human development. Therefore, people's participations in local self-government have come to mean people's involvement in particular projects or programmes in a society (Sikander, 2015). Local government generally unites people with democracy and encourages them to participate in its activities without any bias or prejudice. Naturally, it can consolidate the political values and faith of ordinary people and encourage the people's participation in local level affairs in the society. People's participation in local government is a process of collective decision-making where citizens have the power to decide on policy proposals and politicians assume the role of policy implementation. According to Tasneem Sikander, "The local government institutions have come to play an important role not only in promoting the democratic values but also in accelerating the pace of development. According to D.P Chhetri, "Participation includes people's involvement in decision-making processes, in implementing programmes, their sharing in the benefits of development programmes and their involvement in efforts to evaluate such programmers". Therefore, local government is the real government of the people in local level, where people can take part in decision-making process (Chhetri, 2012).

Towards realizing this ideal of democracy and participation, the state legislature of Sikkim passed Sikkim Panchayat Act in 1993. The Act provides for a two-tier Panchayati institution, the Gram Panchayat at the village level and Zilla Panchayat at the district level. At present, there are 176 Gram Panchayat Units and 4 Zilla Panchayats in four districts. The elections were held in 1997 and since then periodic election have been held at an interval of five years, (Chhetri, 2012).

However, the history of the process of democratic decentralization goes beyond 1993. It must be born in mind that Sikkim from 1950 onward was a protectorate by virtue of Indo-Sikkim treaty of 1950. Sikkim also introduced local self-government around this time. Sikkim has started on the path of decentralized development ever since it enacted Panchayati Raj Act from 1965 that continued even after its merger to India in 1975. The Government of Sikkim enacted a new legislation on Panchayat called Sikkim Panchayat Act in 1982. This was the first measure on decentralization adopted by the democratically elected government in the state. The objective of the 1982 Panchayati Raj Act was to achieve maximum participation of the citizens in the administration of their local affairs and to reduce centralization of powers. The Sikkim Panchayat Act, 1965 was in fact the first attempt at establishing PRIs in Sikkim. The Act stipulated for the first time a formal single-tier, non-hierarchical Panchayat with block Panchayat at village level. The creation of block Panchayat resulted into the merger and amalgamation of some of the old village council (Chhodu system of Dzongu) existing in different part of the state with newly created Panchayats. The Dzomsa system that prevailed in the villages of Lachung and Lachen of North district of Sikkim however continues without any changes. As a further development to the Act, there was the establishment of 213 block Panchayats all over the then country (Chhetri, 2010). This inherent weakness of block Panchayats were resolved when the Government of Sikkim enacted the Sikkim Panchayat Act of 1982 for introducing two-tier Panchayat system, with Gram Panchayat at the block level and Zilla Panchayat at district level. The importance of these bodies lies in fact that they were based on universal adult suffrage and further the Act provides for the reservation of seats for the Scheduled caste, scheduled caste and women member (Dhamala, 1994).

In compliance with the provision of the Constitution Seventy-Third Amendment Act 1993, the state of Sikkim also enacted the Sikkim Panchayat Act 1993. This Act based on the 73rd Amendment Act envisages achieving the grass root democratic policies by making Panchayati Raj Institutions for SC's, ST's and women, State Election Commission, State Finance Commission and other related mandatory. To make the Panchayati Raj Institutions more effective and efficient several Amendments were made by the Government of Sikkim. Elections to the Panchayats in Sikkim under the 1993 Act was conducted for the first time in Oct 1997 and since then there has been regular elections as per the provisions of Central Act 1993. Before this, the state

witnessed elections to Panchayats in 1976, 1983, 1988 and 1993. All these elections were held after the merger. Several provisions were included within the Act to make local democracy more participatory like reserving 40% of the seats for women, allowing the Limboo and Tamang communities to contest the election for ST seats and extension of the reservation to Most Backward Classes (Chhetri, 2010).

1.2. Statement of the Problem

The goals of socio-economic development are not achievable unless the citizens actively involve themselves in the preparation of plan, implementation and follow up of the developmental programmes in a given society. Therefore, participation of the people becomes vital. It facilitates proper and effective mobilisation of local resources needed for rural development programmes in local level. Participation of the people also leads to social change and helps in generating awareness amongst the people of their rights and duties. However, various problems and challenges are associated with participation that hinders people's participation. If we look at the case of Sikkim even though there is participation of people in local government and functioning of the Panchayats, yet there is a problem of effective participation. Problems of political apathy, domination of the elites in decision making, local and non-local issues, lack of political education and interest amongst the landless labourers and historical legacy have all continued to effect and impact the people's participation in local government in Sikkim. Further, it has also failed to properly address the issue of power and power sharing and provide initiatives for all round developmental process. Due to these factors, there has been hesitation amongst the people to effectively participate in local self-government.

1.3. Literature Review

The following work in this area attempt to show the peoples' participation so called democratic people's participation.

A.S. Malik's article *Local Self Government at village level- An assessment*, has discussed historical origin of local government in India, and its importance in present day. He also talks about Article 40 in the chapter on Directive Principles of State Policy of the federal Constitution of India has raised the issue how village Panchayats should be organized and work for the betterment of the Indian society. He also says that idea of local governance has always been an integral part of Indian society. Today the institutions of local governance has become more formal and political one in comparison to the past when these institutions were much more informal and based on ethical considerations. In last part, he explains the role of gram Panchayat in policy and decision making body in local level which he calls mini parliament in Indian village. Further, he added Gandhi's idea of decentralization, which incorporated in Article 40 of Directive Principle of State Policy. Finally, he further discussed power and function of local level bodies to do welfare activities in Indian society. Malik article which highlighted the local self-government at village level, I find this article can be added some more idea regarding nature, origin and practice of local self-government in Indian village.

Bidyut Mohanti's article, *Panchayati Raj, 73rd Constitutional and Women* (1995) states is necessary to create healthy socio-economic and political conditions to encourage women participation actively and effectively in Panchayati Raj Institutions. According to Mohanti, women's reservation in local self-government provided under 73rd Constitutional Amendment Act 1992 is leading to their empowerment in real sense.

D.P Chhetri's article, *People's Participation in Development: Sikkim in Perspective* (2013) discussed about people's participation in planning, decision-making and development activities in a society. Mainly focuses on rural development and the success of development depend upon the participation of community in any society. Not only physical participation but in the implementation of programmes and projects

is another Important criterion for rural development. This article can throw some light in the mind of people and particularly public policy makers and bureaucrats.

J.R Subba's book (2008) *History, Culture and Customs of Sikkim* where he analyzed through pre-historic society of Sikkim and focus on the socio-economic condition of different ethnic group. There he mention chronologically the kingship in Sikkim first the Lepcha king or Rung-Pan, the Limbo king "Srijungga" and the Bhutia "Tibetans". He explains the cultural diversity among the ethnic groups of Sikkim but the Tibetans who legitimate the power successes over other ethnic groups. This book deals mainly the cultural development from the antiquity to the present and geographically importance.

Hariprasad Chhetri's book, *Panchayati Raj System and Development Planning the Case of Sikkim* (2008) which is divided into five chapters gives. Chapter 1 deals with the introduction on Panchayati raj. Chapter 2 deals with the Panchayati raj institution in Sikkim, history and nature of its origins. Chapter 3 mainly focused on the Gram Sabha and degree of people's participation. Chapter 4 discusses on elected representative and Panchayat Officials and also their role and function in Sikkim society. Chapter 5 gives findings and some recommendations. Overall, this work gives a bulk of idea and overview of Panchayati Raj Institution in Sikkim. However, he left the area, which really had to study that is people's participation in local government. Nevertheless, this book carries some value, which can be used to get little idea regarding Panchayats and its role in Sikkim as researcher.

Gopal Gaunley and Samiran Chhetri's (2002) edited book *History of Democratic Movement* gives an outline of the democratic movement. The Kazi's and the moneylenders exploited the masses. The political parties in Sikkim opposed this exploitation and raised movements against the Chogyal and the Kazi's and it sought to eradicate Sikkim from the evil of Zamindari system. The book focuses on the contribution made by various people in the democratic movement of Sikkim.

Lalita Chandrasekhar's book *Undermining Local Democracy, Parallel Governance in Contemporary South India*, has discussed the decline of power and the role of Panchayats immediately after the adoption of globalization during 1990s. The study, though region-specific, has implications for the model of development sought to be

introduced in the entire country following the liberalization reforms in the 1990s. It demonstrates that governance through institutions that deliberately avoid political decentralization will result in increasing inequality and not correct development. She mainly focuses on the state of Karnataka and said, "Karnataka has been one of the premier states in the country in institutionalizing Panchayati Raj". The book is mainly divided into nine chapters, in chapter one gives a brief introduction of overall local government. Chapter 2 discusses the nature of local government in India in brief. The same way her entire work mainly gives importance to the education and watershed development in the state of Karnataka. At last, she also discussed about the people's participation in brief. Nevertheless, she left some aspects, which are very important in local democracy. The book, which can be helpful to add some knowledge to the researchers.

M.P Lama (ed) book: *Sikkim-Society, Polity, and Economy, Environment* (1994), is divided into four broad sections viz., Society, Polity, Economy and Environment. Each section carries articles written by scholars, professionals and policy-makers most of whom have worked in Sikkim in various capacities. Some of them were instrumental in introducing policy changes in Sikkim based on their research studies, experiments and findings. The book mainly focuses on people's participation from a governmental point of view and explains, this chapter discusses about the origin and development of Panchayati Raj institution in Sikkim. This book gives detailed information on the electoral process, administration and the formation of government in Sikkim after the merger. However, it fails to discuss the present decentralization and people's participation in local government in present Sikkim.

V. Sudhakar's book, *New Panchayati Raj System: Local Self-government and Community Development* (2002), explains details about every aspect of the Panchayati Raj System in India, including power, function and responsibilities. The book mainly focuses on community development, management of services, people and finance in local self-government. In addition, it explains leadership roles in the contemporary era.

1.4. Rationale of Study

The present study has focused on People's Participation in local government; it also tries to bring-out logical analysis regarding the function of local government towards solving rural issues and challenges. The proposed study may not be able to highlight all the aspects of local government but it certainly aims at highlighting the welfare aspects of local government in the rural areas. The study is a comparative study of two Gram Panchayat Units; Samsing-Gelling Gram Panchayat Unit of West district and Rongay-Tathangchen Gram Panchayat Unit of East district, Sikkim. The two GPU has been selected as the Samsing Gelling GPU falls under the rural area which lacks infrastructural development and facilities while the other Rongay Tathangchen GPU falls under the periphery area which is equipped with well-built infrastructures. Therefore the study is an attempt to see whether these factors contribute towards participation of the people at large.

The area of study here undertaken examines the nature of people's participation in political campaigns, their involvement in political decision-making, planning and representation and other developmental activities and the various issues, problems and challenges face by the people of these two areas in order to participate in various levels.

1.5. Objectives of the Study

The main objectives of the study shall be to understand the nature and dimension of local government in Sikkim within the following parameters.

1. To study the structure and functioning of Panchayati Raj Institution in the State of Sikkim.
2. To access the impact of the Sikkim Panchayat Act 1993 in decision-making process.
3. To analyse the various factors that influence the people's participation in local Government.
4. To study the advantages and disadvantages of people participation in local government.

1.6. Research Questions

1. What are the organizational set up and functions of Panchayati raj in Sikkim?
2. What are the impacts of the Sikkim Panchayat Act of 1993 in the decision-making process?
3. What are the various factors that influence the people's effective participation?
4. What are the advantages and disadvantages of people participation in local government?

1.7. Methodology

The methodology for the present study involves the primary method of data collection that includes the gathering of relevant data after conducting personal interview with the elected representatives, Panchayat officials, and electorate from two Gram Panchayat Units i.e. Samsing-Gelling Gram Panchayat Units and Rongay Tathangchen Gram Panchayat Units West and East District districts of Sikkim respectively. A structured as well as unstructured Interview schedule was used. A structured interview schedule was used separately for the elected representatives, Panchayat officials of Gram Panchayats and electorate. A separate set of questionnaire used for persons who interested in the activities and workings of Panchayati Raj Institution in order to elicit the primary data. Apart from primary and secondary sources, field survey also conducted in two-selected GPU. A sample of 100 respondents was prepared through stratified sampling based on age, sex, economic condition, educational qualification, profession etc. survey was mostly conducted in two-research areas i.e. Samsing-Gelling Gram Panchayat Units West and Rongay Tathangchen Gram Panchayat Units East District districts of Sikkim through scheduled structured questionnaire. The findings has analysed through using different statistical tools like pie chart and graphs.

The secondary data for present study has collected from various books, journals, party literature, pamphlets, newspapers, unpublished thesis, officials' records and reports available at the Panchayat office to support the views express by respondents

interviewed during field survey. The data has collected from both the primary source (fieldwork) and secondary sources.

1.8. Chapterisation

The present study has been divided into five chapters

Chapter I: Introduction

This chapter deals with introduction of the study undertaken including statement of the problems, review of literature, objectives, research questions and methodology.

Chapter II: Evolution of Panchayati Raj in India

This chapter deals with history and provisions of Panchayati Raj in India in general and Sikkim in particular.

Chapter III: Sikkim Panchayat Act 1993: An Analysis

This chapter outlines the Sikkim Panchayat Act of 1993 and analyzes its provision and features. And also highlights the institution and organizational structure of Panchayat in Sikkim.

Chapter IV: Nature of People's participation in Gram Panchayat Units in West and East districts of Sikkim: Major findings

This chapter gives an overview the nature of People's participation in two Gram Panchayat Units of Sikkim and highlights the emerging issues and challenges faced by the gram Panchayat units and the villagers in connection to flow of funds, infrastructural facilities and developmental activities.

Chapter V: Conclusion

This chapter dealt with major findings and recommendations.

Chapter - 2

EVOLUTION OF LOCAL SELF-GOVERNMENT IN INDIA

2.1. Introduction

The institution of Panchayati Raj or local self-government is not new to India. Its existence can be traced back to the ancient times, where we find ample references about the Panchayats in the Manusmriti, the Arthashastra of Kautilya and the Mahabharata. In the Rig Veda also, there is a mention of 'sabha' and 'samiti', which were the democratic bodies at the local level. Panch (a group consisting of five people) settled all the village-related disputes, (Chhetri, 2012). During the Muslim rule and later Cholas or the imperial Cholas of Tanjore the system continued to operate unobstructed but suffered a decline under the onslaught of feudalism during the Muslim rule. However, it was again revived under the British period through Lord Rippon's Resolution in 1882. Before the advent of British in India, there was no advanced tradition of local self-government, which we have today (Ananth, 2014). After Independence, the idea of Gandhian i.e. Grama Swaraj greatly influenced the constitution makers of independent India. India being a rural country where 90 percent of the population lives in villages, emphasis was laid for the creation of a village panchayat, (Lama, 1994). Restoration of panchayats to their former glory has been an article of faith during India's freedom struggle. For this reason, after independence and framing of the constitution, Article 40 was incorporated in the constitution, which made it mandatory for the state government to systematize village Panchayats at the local level. This Article states as follows: "the State should take steps to organise village panchayats and provide them with such powers and authority as may be necessary to enable them to function as the units of self-Governments" (Kumar, 2015).

Even though the institution was developed as an early stage yet a concept. Panchayati Raj is the ancient system which further developed as a present form. The literal meaning of the word Panchayat is council of five people which formed to settle the disputes in the village. In fact, the word is derived from the Sanskrit 'Panch and Ayatanam'. As per the Indian mythology a group of five members are the

representatives of god and each one stand for the five important elements of the universe. Together they constitute 'Parmeshwar' or god of justice. (Gaikwad, Karmadkar, 2015).

The evolution of the local self-government in India can be traced through different phases.

2.2. Local self-government during the ancient times

The existence of local self-government can be traced back to the times of the Rig Veda (1700 BC) where there was the prevalence of a self-governing village bodies called 'Sabhas'. With the passage of time, these bodies became council of five persons. Panchayats were functional institutions of grassroots governance in almost every village in ancient times. The Village Panchayat or elected council had large powers, both executive and judicial. Land was distributed by this panchayat, which also collected taxes out of the produce and paid the government's share on behalf of the each village. Above a number of these village councils, there was a larger panchayat or council to supervise activities if necessary, (Altekar, 1977). Casteism and feudalistic system of governance under Mughal rule in the medieval period slowly eroded the self-government in villages. A new class of feudal chiefs and revenue collectors (Zamindars) emerged between the ruler and the people. Moreover, so began the stagnation and decline of self-government in villages, (Singh, 2003, Evolution of Local Government in India (1882-1947)).

2.3. Local self-government during the medieval period

In the medieval period, the temple and the village council (Panchayat) emerged as the most effective and important institutions. As Medieval Hindu rulers fail to discharge their obligations towards their subjects. The temples under took the responsibility and there by maintained a good number of employees, patronized scholars, and served as seminaries of higher knowledge and the fine arts. They also served as bankers and farmers, daily feeding thousands of people, besides carrying on a variety of religious, educational and cultural activities.

In the early medieval period, the majority of people lived in villages with agriculture as their principal occupation. The agriculturists were required to pay land revenue to the state through different types of intermediaries. The land-man ratio was low, food was plentiful and cheap. Life in the villages was isolated and unprogressive, and extremely simple and unchanging. The village economy was largely self-sufficient. The village artisans and servants, the priest and the moneylender satisfied all his (the villager's) requirements. The joint family system afforded him protection; the village panchayat gave his minor grievances a just redress. The village with its caste panchayats and headman was an autonomous unit of the state, which carried out its activities unmindful of what happened to the central government. Thus, medieval India had a different village scene from that of ancient India.

2.4. Local self-government during British rule

In the name of trade when India was colonised, there occurred a smooth break from the traditional system of local governing bodies into colonial form. Before the British rule in India the power was decentralized to the local authority. However, it became highly centralized with the advent of the British in India. As a result the autonomy of Panchayats gradually declined with the establishment of local civil and criminal courts, revenue and police organisations, the increase in communications, the growth of individualism and the operation of the individual Ryotwari (landholder-wise) system as against the Mahalwari or village tenure system, (Kumar, 2015). The British never gave priority to the Panchayati Raj. They were always interested in the creation of 'controlled' local bodies, which could really help them in their trading interests by collecting taxes for them. When the colonial administration came under severe financial pressure after the 1857 uprising, and then transfers the certain power to the people like- construction of road and public works, (Venkatarangaiah, Pattabhiram 1969).

The East India Company destroyed the panchayat when it was granted the office of Diwan in 1765 by the Mughal Emperor as part of reparation after his defeat battle of Buxar. As Diwan, the Company took two decisions. The first was the abolition of the village land records office and the creation of a company official called Patwari. The Patwari became the official record keeper for a number of villages. The second was the creation of the office of magistrate and the abolition of village police. These two

measures completely disempowered the village community and destroyed the panchayat system. After 1857, the British tried to restore the panchayat by giving it powers to try minor offences and to resolve village disputes. However, these measures never restored the lost powers of the village community, (Bajpai and Verma, 1995). The Viceroy Lord Mayo's Resolution of 1870, that gives more emphasis to the development of local self-government in India. It was a landmark to the evolution of colonial policy towards local government. The British policy on decentralisation can be attributed to Lord Rippon for his famous resolution on local self-government of May 18, 1882, which virtually recognised the twin considerations of local government: (I) administrative efficiency and (II) political education. The Ripon Resolution, which focused on towns, provided for local bodies consisting of a large number of elected non-official members and presided over by a non-official chairperson. This resolution met with resistance from colonial administrators. The progress of local self-government was overdue with only unenthusiastic steps taken in setting up municipal bodies. However, rural decentralisation remained a neglected area of administrative reform, (Kumar, 2015).

The Royal Commission on Decentralisation of 1907 under the leadership of C.E.H. Hobhouse recognised the significance of panchayats at the village level to look after the village affairs. However, the Montague-Chemsford reforms of 1919 brought local self-government in India as a provincial transferred subject, under the domain of Indian ministers in the provinces. Because of organisational and fiscal constraints, the reform was not successful to make panchayat institutions truly democratic and vibrant. However, the most significant development of this period was the establishment of village panchayats in a number of provinces, which were no longer mere temporary judicial tribunals, but representative institutions that symbolized the corporate character of the village and had a wide jurisdiction in respect of civic matters. In 1925, eight provinces passed the panchayat acts and in 1926, six native states passed the panchayat laws, (Rai, 2001).

Popularly elected governments in provinces enacted legislations to further democratise institutions of local self-government during British period. However, the system of responsible government at the local level was less responsible. D.P. Mishra, the then minister for local self-government under the Government of India Act of

1935 in Central Provinces was of the view that “the working of our local bodies... in our province and perhaps in the whole country presents a tragic picture... 'Inefficiency' and 'local body' have become synonymous terms”. By his views we can rightly say that, the local government was not so much of develop and efficient, (Kashyap, 1989). In spite of various committees on decentralisation from the Royal Commission on Decentralization of 1907 to the Government of India Resolution 1919, a hierarchical administrative structure was on the top and powers were only exercise by the British. The British were not concerned with decentralised democracy or giving power up-to the grassroots level but were aiming for collect taxes and ruled as centralised power.

2.5. Local self-government in Post-Independence Period

The village Panchayats or local government have been an essential part of village administration since times immemorial but not much is known about the status, structure, power, functions and finances of panchayats in ancient India. The initiative of decentralised planning thought local self-government, the idea of Gandhi, which attempts to give a solid shape to this idea in the post independence period. In the process of constitution making and thereafter since the setting up of planning in India, certain choices had been made between the needs of national unity, national security and economic growth on the one hand, and the consideration of achieving a measure of distributive justice, on the other. This was undertaken so that the benefits of development increase to the people at the grass-root level and people may participate in the course of planning and development at different levels. In the preliminary years, the choice was made in support of rapid planning and growth and, therefore, decision-making remained centralised in two political levels, viz. the Union and the state. Local bodies mostly functioned as civic agencies of the state government and not did much in the grassroots level planning and decision-making.

Various Committees were formed for the said purpose to give light to the Panchayati Raj Institutions and to strengthen it. The Committees includes Balwant Rai Mehta Committee of 1957, G.V.K. Rao Committee of 1985, Balwant Rai Mehta Committee of 1957, and L.M.Singhvi Committee 1986. These are briefly discussed below.

2.6. The Balwant Rai Mehta Committee 1957

Balwant Rai Mehta Committee, formed in 1957, studied and scrutinized the Community Development Programme and the National Extension Service and assessed the level to which the movement had succeeded in using local initiatives and in creating institutions to ensure permanence in the process of civilizing economic and social conditions in rural areas. The Committee held that Community Development Programme would only be profound and lasting when the community was involved in the planning, decision-making and implementation process.

The CDP had given many suggestions that were as follow:

- There should be an elected local bodies and transference to them of some required resources, power and authority, that the essential unit of democratic decentralisation was at the block level since the area of jurisdiction of the local body should be neither too big nor too small. The block was large enough for efficiency and economy of administration, and small enough for sustaining a sense of involvement in the citizens.
- Such body not to be restricted by too much control by the government.
- The body must be constituted for five years by indirect elections from the local Panchayats.
- Its functions should cover the all aspects for the promotion of local industries, agriculture, services such as drinking water, road building, etc, and the higher-level body, Zilla Parishad, would play an advisory role.

However, the Panchayati Raj (PRI) Institution structure did not develop the essential democratic drive and failed to furnish to the needs of rural development. There are number of reasons for such a product which include political and bureaucratic power at the state level to power sharing, and resources with local level institutions, domination of elites over the major sharing of benefits of various welfare schemes, lack of potential at the local level and lack of political determination. It was determined to appoint a high-level committee under the leadership of Ashok Mehta to scrutinize and suggest measures to strengthen the Panchayati Raj Institutions. The Committee had to grow an effectual decentralised system of development for PRIs. According to which committee made the following recommendations:

- The district is a viable administrative unit for which planning, co-ordination and resource allocation are feasible and technical expertise available,
- PRIs as a two-tier system, with Mandal Panchayat at the base and Zilla Parishad at the top,
- The PRIs are capable of planning for themselves with the resources available to them,
- District planning should take care of the urban-rural continuum,
- Representation of SCs and STs in the election to PRIs based on their population, four-year term of PRIs and participation of political parties in elections.
- The states of Karnataka, Andhra Pradesh and West Bengal passed new legislation based on this report. However, the flux in politics at the state level did not allow these institutions to develop their own political dynamics. (<http://www.ijmr.net.in>, Aug 2015)

2.7. Ashoka Mehta committee 1977

The Janata Government appointed a committee on PRIs under the chairmanship of Ashoka Mehta in December 1977. The committee submitted its report in August 1978 and made various recommendations to revive and strengthen the declining Panchayati Raj system in the country. Because of this report, the Indian states like Andhra Pradesh, Karnataka, and West Bengal passed new legislation. However, the flow of politics at the state level did not allow the institutions to develop their own political dynamics.

The main recommendations of the Ashok Mehta committee were:

- The 3-tier system of Panchayati Raj should be replaced by the 2-tier system i.e. Zilla Parishad at the district level and below it, the Mandal Panchayat consisting of a group of villages covering a population of 15000 to 20000.
- A district should be the first point for to decentralisation under popular control in the grassroots level.
- Zilla Parishad should be the executive body and made accountable for planning at the district level.

- There is need an official participation of political parties at all levels of Panchayat elections.
- The Panchayat Raj institutions should have compulsory powers to impose tax to mobilise their own financial resources.
- Regular and compulsory social audit by a district level agency and by a committee of legislators to check whether the funds, which are allotted for the needy social and economic groups are actually spent on them or not.
- The government should not succeed the Panchayat Raj institutions. In case of a necessary supersession, election should within six months from the date of supersession.
- The Chief Electoral Officer of the state in consultation with the Chief Election Commissioner should conduct and organised the Panchayati Raj elections.
- Development functions should be transferred to the Zilla Parishad and all development staff should work under its control and supervision. The voluntary agencies should play an important role in mobilising the support of the people for Panchayati Raj.
- A minister for Panchayati Raj should be appointed in the state council of ministers to look after the affairs of the Panchayati Raj institutions.
- Seats for SCs and STs should be reserved based on their population.
- A Constitutional recognition should be accorded to the Panchayati Raj institutions. This would give them the requisite status and an assurance of continuous functioning. (GOI, Department of Rural Development Ministry of Agriculture New Delhi, 1978).

2.8. G.V.K. Rao Committee 1985

The G.V.K. Rao Committee was appointed by the Planning Commission in 1985 to look after the different aspects of PRIs. The Committee was of the opinion that a total view of rural development must be taken in which PRIs must play a central role in managing people's problems. It recommended the followings:

- Panchayati Raj Institutions have to be provided with all the essential support to become effective organisations.

- PRIs at district level and below should be assigned the work of planning, monitoring and implementation development programmes at the local level, and
- The block development office should be the backbone of the rural developmental process.

(Report of the committee on administrative arrangements for Rural Development and poverty alleviation programmes, 1985)

2.9. L.M. Singhvi Committee 1986

The committee that formed in 1986 which viewed the local self-government in India and the people's participation in planning and development. The committee also studied the Gram Sabha considering as the base of a decentralised democracy, and PRIs looked as institutions of self-governance, which actually strengthen and empowered the participation of the people in the process of planning and development

Accordingly, L.M Singhvi committee, made the following recommendations.

- local self-government should be constitutionally recognised, protected and preserved by the inclusion of new chapter in the Constitution,
- Not to involve any political parties in Panchayat elections.

The Sarkaria Commission opposed the suggestion made by L.M.Singhvi Committee, about providing constitutional status. However, the idea gained momentum in the late 1980s because of the approval by the late Prime Minister Rajiv Gandhi, who introduced the 64th Constitutional Amendment Bill in 1989, which was defeated in the Rajya Sabha. In 1989, the National Front introduced the 74th Constitutional Amendment Bill in this respect, which could not become an Act because of the dissolution of the Ninth Lok Sabha. All these various suggestions, recommendations, and means of strengthening PRIs were considered while formulating the new Constitutional Amendment Act. (L.M. Singhvi Committee report, 1986)

2.10. 73rd Constitutional Amendment Act 1993

The 73rd Constitutional Amendment Act was passed by the Parliament in 1993. The Amendment provided a Constitutional status to the PRIs in India and did

not left prudence with the State governments in several matters pertaining to these Institutions. Before this Amendment was made effective, Article 40 of the Constitution provided for a directive to the government to take steps to organize village Panchayats and give them with the power and authority which enable them to take charge of local affairs. However, by mid-eighties original constitution which directive was not sufficient to institutionalize Panchayati Raj in India. (Journal of Education & Social Policy Vol. 1 No. 1; June 2014).

It was observed that the political power had remained in the hands of socially and economically influential people, with the poor man having little participation in decision-making. The same was found in the case of women also, whose percentage in the Parliament has remained between 4 to 7 per cent after independence. The political policy makers then began to think in terms of Amendment to the Constitution to empower the people in the rural areas, more particularly the women, and give a Constitutional status to the PRI, to bring uniformity in the participation this regard in the entire country. The Constitutional Amendment Act was passed in the year 1993 and the State governments were then required to enact revised Panchayati Raj Acts as per the provisions of the amended Constitution. Articles 243, 243A to 243-O were added as parts of newly inserted Part IX of the Constitution. As per the new insertion the intermediary level as known as Block Panchayat/ Panchayat Samiti/ Taluka Panchayat which was to be headed by the President known as Sabhapati. The district level Panchayat as known as the Zilla Parishad/ Zilla Panchayat heads by Sabhadhipati and at the Gram Panchayat level there was the establishment of Gram Sabha. The electorates at Gram Panchayat level had been named as the Gram Sabha, which elects the representatives to Gram Panchayat by people. Further, Article 243D provides for reservation of seats at all levels for Scheduled Castes (SCs), Scheduled Tribes (STs) and women. While the reservation for the SCs/STs is as per their actual proportion in population of the concerned area, it is not the case with regard to women as one-third of the total seats in all the tiers will be reserved for them. The States are empowered to reserve the offices of the Chairpersons at all the three tiers. The States have also been empowered to allow the PRIs in their respective legislative Acts to levy, collect and appropriate several tolls and taxes. With this the PRIs at all the tiers will be able to generate financial resources at local-level and make expenditure in the desired field to meet the local needs which was also earlier recommended by the

Ashok Mehta Committee. The State laws may lay down the procedure to be followed, as well as the limits of such taxes/levies. The State governments may also assign to the Panchayats various taxes and duties collected by it. The State governments are required to appoint a State Finance Commission to review the financial position of the PRIs and make recommendations with regard to the distribution of net proceeds of taxes between the States and the PRIs, assignment of certain taxes exclusively to the PRIs and the grants-in-aid.

Another set of important changes made in the Constitution pertain to the elections to the PRIs. To ensure free and fair elections to these institutions, the 73rd Amendment provides for setting up of a State Election Commission in every State and the Governor of the State concerned appoints the State Election Commissioner. With a view to ensure the independence of the State Election Commission, it is laid down that the State Election Commissioner can be removed only in the same manner and on the same grounds as the Judge of a High Court. As per Articles 243G and 243H, the PRIs are entrusted with the responsibility of preparing micro-plans for economic development, beginning at Panchayat level. These institutions are also responsible for implementation of schemes aimed at socio-economic development and exercise powers delegated in respect of 29 developmental items as prescribed in 11th Schedule of the Constitution. These items include land improvement, irrigation, animal husbandry, fisheries, education, women and child development, etc. Most of the States have delegated these functions to the PRIs as per the spirit of 73rd Amendment and the PRIs are now empowered to function in these fields as per enabling provisions in the concerned Acts of the State governments. (Chhetri, 2012). Though reservation of seats for the Scheduled Caste and Scheduled Tribes is based on their population, yet some States have also reserved seats for Other Backward Classes (OBCs). However, there is no discretion with the States to reduce the reservation for women, which is prescribed to be not less than one-third of the total seats. The actual reservation for women in the PRIs ranges from 35 to 42 per cent in various States before 1993, but presently some state including Sikkim, women enjoying 50 per cent reservation in local government. As a result, people belonging to the backward and the vulnerable sections, including the women, have almost 50 per cent seats in the PRIs to themselves, which is expected to result in their actual empowerment, (Chhetri, 2012). The PRIs have been made responsible for preparing District, Block

and Panchayat level plans for ensuring economic development in their respective areas. The flow of funds for economic development would be based on such plans. With the power to impose several taxes at Panchayat level, these provisions would empower the PRIs financially and make them self-reliant. However, these institutions are not financially sound and not able to generate own revenue to run their own affairs. Most of the States have also taken necessary steps to enforce most of the provisions by incorporating it within their Panchayati Raj Acts.

Though in most of the States, the Panchayati Raj Institutions are functioning as per the Constitutional provisions yet some of the states are not adhering to the Constitutional provisions. Issues like Caste, class, gender, local and non local have now emerged as a major obstacle in present day society there by impacting the functioning of PRIs. Therefore it is seriously doubted whether the objective of people's participation at the grass root level has actually been achieved even after 24 years of enactment of Panchayati Raj Amendment Act.

Chapter - 3

SIKKIM PANCHAYAT ACT 1993: AN ANALYSIS

3.1. Background

The constitution 73rd Amendment Act, which came into force on 24 April 1993, is a turning point in the field of decentralization and political empowerment in Local Self Government in India. The Act for the first time, accords constitutional status to the local government institutions and ensure the women reservation in local level, (Chhetri, 2012). In 1993, the Government of India passed a series of constitutional reforms (the 73rd and 74th Constitutional Amendment Acts), which were intended to empower and democratize local bodies both in the rural and urban areas. The 73rd and 74th Constitutional Amendment Acts provided constitutional status to local bodies in the country. The passage of these Acts indicates a fundamental restructuring of the governance and administrative system of the country, based on the philosophy of decentralization and power to the people. Sikkim introduced Panchayati Raj Act in 1993 to conform to the 73rd Constitutional Amendment. The year 1992 was the most significant year in the history of Panchayats in India as the Indian Parliament declared Panchayats as institutions of self-government and passed the 73rd amendment of the Constitution (amendment of Article 243). The major features of the 73rd amendment can be enumerated as under:

- There should be three tiers of Panchayats (District Panchayats, Block Panchayats i.e. intermediary Panchayats and Village or *Gram Panchayats*) in states with over 25 lakh of population. States with less than this population will have only two tiers omitting the intermediary tier.
- Panchayats declared as institutions of self-governments (signifying that the status of Panchayats is same in their respective areas, as that of the Union Government at the national and State Governments at the state level).
- States were mandated to devolve functions relating to 29 subjects (including agriculture, land reforms, minor irrigation, fisheries, cottage and small scale industries, rural communication, drinking water, poverty alleviation programmes etc.) to the Panchayats. (The local bodies grants are released to

Gram Panchayats through their respective State Governments as per the recommendations and allocations made by respective Finance Commissions)

- Panchayats were mandated to prepare plan for economic development and social justice and implement them.
- States were asked to constitute a State Finance Commission every five years to determine the Panchayats' share of state's financial resources as a matter of entitlement (just as the Central Finance Commission determines how resources of the Central government should be shared between the union and state governments). (The earmarked basic grants for gram Panchayats are envisaged to be distributed, using the formula prescribed by the most recently approved State Finance Commission (SFC) for the distribution of resources. However, in case the SFC formula is not available, then the share of each Gram Panchayat is envisaged to be distributed across the entities using 2011 population with a weight of 90 per cent and area with a weight of 10 per cent.)
- Panchayat bodies must have proportionate representation of Scheduled Caste, Scheduled Tribes and women. Such reservation should also apply in the cases of Chairpersons and Deputy Chairpersons of these bodies.
- There shall be State Election Commission in each state, which shall conduct elections to the local bodies in every five years.

Amendment of the Constitution necessitated large-scale amendments in the Panchayat Acts of various states. Almost all the states are presently having three tiers of Panchayats. (Not application to the state of Sikkim). At lowest level is the Gram Panchayat (headed by Pradhan/Sarpanch/Mukhia). The intermediary level Panchayat called Block Panchayat/Panchayat Samiti/Taluka Panchayat (headed by President/Sabhapati). At the district level there is the District Panchayat/Zilla Parishad/Zilla Panchayat (headed by Chairman/Sabhadhipati), (The Sikkim Panchayat Act, 1993, Act No. 6 of 1993).

3.2. Institution and Organizational structure of Panchayat in Sikkim

In conformity with the requirement of the 73rd Amendment Act of 1992, the government of Sikkim passed the Sikkim Panchayat Act 1993, which received the assent of the Governor on 11 Dec 1993 and became effective in 1995 by notification on 10th of August 1995. The Sikkim Panchayat Act, 1993 provided two-tier Panchayati Raj Gram Panchayat at village level and Zilla Panchayat at the district level. The elections are held to these Panchayat bodies directly at the both level and the elected members are called Sabhapati, Up-Sabhapati and Adhyaksha, Up-Sabhapati respectively. After the new Sikkim Panchayat Act of 1993, four-consecutive election for the both Gram Panchayats and Zilla Panchayats were held in 1997, 2002, 2007, 2012. Under the provision of direct elections both Gram Panchayat and Zilla Panchayat level, have significantly change the composition and structure of Panchayati Raj Institution in Sikkim, (Chhetri, 2008).

The following table shows the total number of Gram and Zilla Panchayats and their elected representatives in Sikkim.

Table 3.1

District-wise number of Zilla Panchayats, Gram Panchayats, Elected Representatives of Gram and Zilla Panchayats (2012)

District/Zilla Panchayat	No. of Zilla Panchayat members	No. of Gram Panchayat Unit	No. of Gram Panchayat members	No. of Panchayat Wards
North	20	55	109	109
East	32	52	290	290
West	28	55	317	317
South	28	47	271	271
Total	108	174	987	987

Note- Excluding 2 Dzomsas i.e. Lachen and Lachung Village which are treated as Gram Panchayat and Territorial Constituencies.

Source: State Election Commission Report 2012.

The above table indicates that the total numbers of Zilla Panchayat are four. The total number of directly elected Zilla Panchayat members is 108, out of which the North district has 20, which is less number as compared to other districts of Sikkim because of its sparse population. East district has highest number of Zilla Panchayat members' i.e.32 among the districts. The east district is densely populated because it is the State Capital. The number of Zilla Panchayat members in west and South are 28 each. The total number of Gram Panchayats in the state is 174, with 987 directly elected by the people of Sikkim.

The Sikkim Panchayat Act, 1993, earlier Sikkim Panchayat Act, 1982 became effective from August 1995, provides for Gram Sabha where people can participate in decision making process and Gram Panchayats at the village level and Zilla Panchayat in district levels. (S.E.C Report 2012)

3.3. Gram Sabha

The Gram Sabha as an institution below the Gram Panchayat is a new medium in which the citizen has opportunity to participate actively and directly in decisions made for all of society. Chhetri says "This is an institutional form of participatory democracy which seeks to place direct political power in the hands of people without the mediation of elected representatives". As per the Article 243 A of the Constitution, states to comprise a Gram Sabha at the village level (Chhetri, 2013). The Sikkim Panchayat Act of 1993 provides for the constitution of Gram Sabha at the village level and has made the Gram Sabha a constitutional unit in the system of Panchayati Raj Institutions. This is viewed that this body supposed to achieve people's participation in decision-making, planning, policy formulation and implementation. The Gram Sabha has been considered as the essence of the Panchayati raj in the state and the thriving functioning of the PRIs would depend upon the task played by the Gram Sabha in any society. As a result Sikkim Panchayat Act of 1993 provides for the Constitution of Gram Sabha at the village level. The registered voters in electoral rolls can take part in Gram Sabha within the jurisdiction of a Gram Panchayat, under Section 12 of the Act of 1993. The Gram Sabha shall meet at least twice in a year but in case of emergency it can held many times also. The required quorum for the meeting is one-tenth of the total member of the Gram Sabha. Meeting of Gram Sabha shall be presided by the Sabhapati (Panchayat President) and

in absent of Sabhapati meeting shall be conduct by Up-Sabhapati (Vice-President), (Chhetri, 2008, Chhetri, 2012)

3.4. Function of Gram Sabha

The 73rd Constitutional Amendment Act of 1992 has made Gram Sabha as mandatory for all states but it does not explain much more about the power and function of Gram Sabha. The state legislature has sole power to determine the power and function of Gram Sabha. Most of the states have assigned a very marginal role to the Gram Sabha and Gram Sabha has treated as mere advisory or recommendatory body. Government of Sikkim incorporated provisions in its 1993 Panchayat Act. The power and functions of Gram Sabha in Sikkim under 11 of the Sikkim Panchayat Act of 1993 as follows:

1. Mobilising voluntary labour and offerings in kind and cash for the community welfare programmes.
2. Identification of beneficiaries for the implementation of developmental schemes pertaining to the villages.
3. Exposé assistance in the implementation of developmental schemes pertaining to the village.

Besides these above mentioned power and functions, the Gram Sabha under Section 10 (1) of Sikkim Panchayat Act 1993 can make following recommendation and suggestions to the Gram Sabha.

- The annual statement of accounts of the Gram Panchayat, the report of administrations' of the preceding financial year;
- The report in respect of development programmes proposed to be undertaken during the current year,
- The promotion of unity and harmony among all sections of the Society in the village,
- Programmes of adult education within the village; and
- Such other matters as the state government may by order specify.

Apart from above mentioned power and function, Gram Sabha has following responsibilities:

1. To disseminate information to the people on development and welfare programmes;

2. To encourage public participation in health, literacy and other development campaigns;
3. To collect some essential data on social and economic;
4. To provide feedback on the performance of development programme undertaken in the village;
5. To mobilize local resources to augment Panchayat finances.

3.5. Gram Panchayat

Gram Panchayat is the executive body of Gram Sabha. Village has been divided into a number of wards. Each ward constitutes one elected representatives, which is directly elected by the people. The number of ward ranges from five to eight it depend on the population. In Sikkim, Village Panchayat is relatively smaller in size as compared to other state of India. For the constitution of Gram Panchayat the whole villages are divided into territorial wards, and each ward represented one elected member. At present there are 174 Gram Panchayat Units in Sikkim. (Now, Tuesday, July 2012)

3.6. Function of Gram Panchayat

Gram Panchayat has various functions to be performed in the village. It is the local government, which is directly elected by the people of same village through universal adult franchise. Mandatory tasks of Gram Panchayat, subject to any general or special direction of the State, the duties and functions of Gram Panchayat shall be to provide within the area under its jurisdiction.

3.7. Obligatory or the Compulsory Functions

- (a) Sanitation, conservancy and drainage and the prevention of public nuisance;
- (b) Curative and preventive measures in respect of any infectious disease;
- (c) Supply of drinking water and the cleaning and disinfecting the sources of supply and storage of water.
- (d) Maintenance, repair and construction of village roads and protection.

- (e) The removal of encroachments of village roads or public place.
- (f) The management of common grazing grounds and public graveyards.
- (g) The supply of local information which the District Collector or District Development Officer-cum-Panchayat Officer of the Zilla Panchayat may require, within the limits of the jurisdiction of the Gram Panchayat;
- (h) Organizing voluntary labour for community work and works for the upliftment of its areas;
- (i) Control and administration of the Gram Panchayat Fund established under this Act;
- (j) The imposition, assessment and collection of taxes, fees or rates livable under this Act;
- (k) Construction and maintenance of dharmasala;
- (l) Regulating places for the disposal of dead bodies and carcasses and other offensive matters;
- (m) Assisting the development or agriculture, forestry, animal husbandry, poultry fisheries, village and cottage industries and co-operative;
- (n) Registering birth, deaths and marriages and annually submitting such records to the Zilla Panchayat;
- (o) Maintenance of such records relating to cattle census, population census ,crop census and census of unemployed persons and such other statistics as may be required and annually submitting such other statistics as may be required and annually submitting such records to the Zilla Panchayat;
- (p) Regulating inflow of animals within the area and their transfer;
- (q) Distraction and disposal of ownerless and rabid dogs and disposal of unclaimed animals;

(r) Maintenance, upkeep and supervision of any building or other property which may be entrusted to it by the State Government for management;

(s) Assisting the Zilla Panchayat in preparing development plan of its area;

(t) Tendering assistance in extinguishing fire and protecting life and property when fire occurs;

(u) Any other local work or service of public utility which is likely to promote the health, comfort, and convenience or material prosperity of the public not otherwise provided for in this Act.

(v) Such other duties as may be entrusted to it by the State Government.

Apart from above mentioned duties and functions of gram Panchayat there are some other duties of Gram Panchayat shall also perform such other functions as the State Government may assign to it in respect of-

(a) Primary, social, and vocational education.

(b) Village dispensaries, health centers, maternity and child welfare centers: (c) minor irrigation.

(d) Grow more food campaign; (e) care of the infirm and destitute; (f) rehabilitation of displaced persons.

(g) Improved breeding of cattle, medical treatment of cattle and prevention of cattle diseases. (h) Its acting as a channel through which Government assistance should reach the residents of the Gram.

(i) Bringing private waste land under cultivation.

(j) Promotion of plantations in the Gram.

(k) Arranging for cultivation of land lying fallow.

(l) Arranging for co-operative management of resources of the Gram.

(m) Implementation of such schemes as may be formulated or performance of such acts as may be entrusted to it by the State Government.

(n) Field publicity of matters connected with development works and other welfare measures undertaken by the State Government.

(o) Regulation of fairs, meals, hats and exhibition of local produce and products of local handicrafts and home produces.

(p) Assisting and advising the residents of Gram in the matter of obtaining state loan and its distribution and repayment.

(q) Assisting in the implementation of land reform measure in its area.

(r) The promotion and encouragement of education including adult education. (s) To supervise during office hours, the records of the Gram Panchayat after giving due notice to the Sarpanch. (t) To move resolution or question on any office bearer on matters connected with the administration of the Gram Panchayat. (u) To exercise inspection over all works undertaken by the Gram Panchayat. (v) To supervise all institutions working under the direction, management and control of the Gram Panchayat. (w) To bring to the notice of the Sarpanch the irregularities if any, noticed during such inspection. (x) Such other functions which the State Government may, from time to time, by order writing, entrust to such Gram Panchayat which in its opinion to promote direct or indirect, the welfare of the public. The State Government may, after recording its reasons, withdraw such functions from such Gram Panchayat, where the State Government assigns any functions to a Gram Panchayat under subsection; it shall place such funds at the disposal of the Gram Panchayat as may be determined by the State Government for the due performance of such function.

3.8. Optional Functions:

In addition to the compulsory functions, each Gram Panchayat is also required to perform certain optional functions for the development of the rural people. These functions are given below:

1. Planning and preservation of plantations.

2. Growth and maintenance of village forests.
3. Development of the livestock.
4. Construction, management and control of slaughter houses.
5. Reclamation of cultivable wastes and follows land.
6. Organization and management of multi-purpose co-operative societies.
7. Famine relief measures.
8. Establishment and maintenance of village libraries.
9. Marketing of agricultural produce
10. Organization of the Fire services and protection of life and property in case of fire.
11. Maternity and child welfare and establishment of centers of the purpose.
12. Establishment and management of village clubs.
13. Establishment and maintenance of works for providing employment in time of scarcity and establishment and granaries.
14. Organization, management and promotion of cottage industries.
15. Organization and maintenance of industrial and agricultural exhibitions.
16. Construction and maintenance of Dharmasala and Rest houses.
17. Provision of adult education, establishment of primary schools with the prior approval of the Panchayat Samiti.
18. Prevention of gambling and implementation of prohibition.
19. To keep the records about the unemployed persons in the society

3.9. Power of Gram Panchayat

1. **First**, for some social welfare activities, a number of village Panchayats may form a joint committee to perform it and those concerned Panchayats may also form some rules and regulations necessary in that regard.
2. **Secondly**, the State Government can confer the responsibility of maintaining some of its landed property on the Panchayat.
3. **Thirdly**, the Zilla Parishad can also confer some responsibilities on the Panchayat on the letters consent. In that case the Zilla Parishad and the concerned Village Panchayat may jointly formulate some rules and regulations necessary to perform those functions.

4. **Fourthly**, the Village Panchayat can also confer any type of power and responsibility on any of its members or on all its members on the basis of the necessary proposals adopted by it. This is how the functioning of Panchayati Raj in Sikkim.

3.10. Function of Zilla Panchayat

The 73rd Amendment is about Rural Local Governments (which are also known as Panchayati Raj Institutions or PRIs Panchayat at District(or apex) Level Panchayat at Intermediate Level Panchayat at Base Level The Zilla Panchayat or District Council or Zilla Parishad or District Panchayat, is the third tier of the Panchayati Raj system. Members of the Zilla Parishad are elected from the district on the basis of adult franchise for a term of five years. There are seats reserved for Scheduled Castes, Scheduled Tribes, backward classes and women. The Chief Executive Officer, who is an IAS Officer or Senior State Service Officer heads the administrative set up of the Zilla Parishad. He supervises the divisions of the Parishad and is assisted by Deputy CEOs and other Officials at district and block level officers.

3.11. Administrative structure

The Chief Executive Officer (CEO), who is an IAS or a State Civil Service officer, heads the administrative machinery of the Zilla Parishad. He may also be District Magistrate in some states. The CEO supervises the divisions of the Parishad and executes its development schemes.

3.12. Functions of Zilla Panchayat

Provide essential services and facilities to the rural population and the planning and execution of the development programmes for the district. Supply improved seeds to farmers. Inform them of new techniques of training. Undertake construction of small-scale irrigation projects and percolation tanks. Maintain pastures and grazing lands. Set up and run schools in villages. Execute programmes for adult literacy. Run libraries. Start Primary Health Centres (PHC) and hospitals in villages. Start vaccination drives against epidemics and family welfare campaigns. Construct bridges and roads. Execute plans for the development of the scheduled castes and

tribes. Run ashrams for adivasi children. Set up free hostels for scheduled caste students. Encourage entrepreneurs to start small-scale industries like cottage industries, handicraft, agriculture produce processing mills, dairy farms, etc. Implement rural employment schemes. They even supply work for the poor people. (Tribes, scheduled caste, lower caste)

3.13. Functions and Powers of Zilla Panchayat

1. The Zilla Parishad maintain District Development fund and utilize for any type of constructive work in District.
2. Implement the programmes as per directives of the State Government.
3. Zilla Parishad looks after safety, health, education, industry and financial aspect of the people living in the district.
4. They render advisory service to their Panchayat Samities.
5. They approve the budgets, plans of the plans of the Panchayat Samities.
6. Zilla Parishad plan for and prepare proposals for all items of developmental activities.
7. They supervise the work of different subjects undertaken by Panchayat Samiti in coordination.
8. They organize for various meetings of the members and officials.
9. They keep up to date records for various programme and documentation with the help of other Departments.
10. It works for the areas where Panchayat Samiti is defunct. The Zilla Panchayat is Vice Government in respect of related matter of Rural Development.

According to the project report conducted by Centre for Research in Rural and Industrial Development in the month of August 2014 the Panchayat Act of 1993 assigned various duty, power and function in the local government. And in the field of people's participation, it has provided lot of scope through Gram Sabha, reservation to the Women and minority. Now, local self government and participation of the local people becomes very crucial for the development of the society. Accordingly Panchayats are functioning and also people are actively participating in local level activities. So the state of Sikkim was awarded the third best performing state with regard to Panchayati raj for 2006-07, second best performing state in Panchayati raj for 2008-09 and again the third best performing state in Panchayati raj for 2009-10. During the year 2010-11 also the state was awarded Third best performing state in Panchayati raj.

Chapter - 4

NATURE OF PEOPLE’S PARTICIPATION IN GRAM PANCHAYAT UNITS IN WEST AND EAST DISTRICTS OF SIKKIM: ANALYSIS

Despite the existence of Panchayats in India in order to improve the participation of the people at large and to bring in more efficiency and autonomy at the local level majority of local-self governments are subjected by capital oriented works hence branding the concept of community participation as irrelevant due to the dominance of few people in the societies coupled with lack of political autonomy. “The importance of deliberative democracy, democratic renewal, and citizen participation in governance has emerged as an important normative and instrumental concern in public policy formulation” (Kathi and Cooper, 2005). Unstable policies and programs in the society, lack of skilled resources, political pressures, lack of political awareness among the people and unwillingness to active participation in decision making process, some time political pressure in the society have all contributed and added to the problems and hindrance in the society, which is responsible for the inactive participation of the people in local-self Government.

For the said study the two GPU’s were selected. The following section deals with the brief introduction of the study area followed by the major findings.

4.1. Samsing-Gelling

The word Samsing Gelling is derived from Bhutia language Samsing”Chillinew Ghari” and Gelling means “Gellong Lama Residence”, village which is originated at 17th century. Samsing-Gelling GPU which falls under Shalghari-Zoom constituency (Schedule Caste Constituency) is one of the largest GPU in terms of wards which has divided into eight wards after delimitation of 2012, namely-1. Gelling, 2. Middle Gelling, 3. Bara Samsing, 4. Baiguney, 5.Samsing, 6. Sawali Gaon, 7. Bhasmey and 8. Pibley. According to the census of 2011 total population is 2510. Among the 2510 scheduled caste population is 300, Scheduled Tribe population is 460 and rests are State OBC and Central General. There are 562 household of which the SC household is sixty (60), ST household is ninety two (92)

and remaining are OBC. The eighty percent village economy is dependent on agriculture and only twenty (20) percent are in the service sector. The main produce of the village are Maize, Pulses, Millet, vegetables, broom and little. This GPU which is considered as backward amongst the 174 GPU of Sikkim having literacy rate is of only 65 percent and where the female literacy rate is low as compared to male. According to the survey report gives references. With the introduction of Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) people are working on that, assets created through this scheme like Cow sheet, CMRHM, which they considered as very useful and it will further become their main source of income. They also argued that in the future it will become the growth source of family income

(Source: Village Development Action Plan- Samsing-Gelling GPU, RMDD GOI, 2015)

Table 4.1 Details of votes polled in Samsing-Gelling GPU, 2012

Name of the Wards	Total Electors			Voted polled		
	Male	Female	Total	Male	Female	Total votes polled
Six Wards						
Gelling	121	116	237	101	94	195
Middle Gelling	109	97	206	97	88	185
Bara Samsing	126	88	214	103	72	175
Baiguney	105	106	211	91	94	185
Samsing	103	83	186	86	73	159
Sawali Gaon	142	114	256	102	86	188
Bhasmey	124	89	213	108	69	177
Pipley	158	150	308	126	111	237
Total	988	848	1831	814	687	1501

Source: SEC, report 2012

4.2. Rongay-Tathangchen

This village is located in Gangtok East District in Sikkim, India. It is situated 4km away from Gangtok. According to the 2011 population census, population is 936, among 936, 480 Male and 456 Female. The total geographical area of village is 521.5 hectares. Their economy is based on service sector and little agriculture. Sources: (State Election commission 2012, (DESME, census 2011) Rongay-Tathangchen Gram Panchayat Unit is divided into five wards namely- 1.Tathangchen, 2. Rongay Maneydara, 3. Rongay Gumpa Gaon, 4. Chongay Tar and 5.Merrung. Which is tribal village, 70 percent population is dominated by the tribal mainly Bhutia, Lepcha, Sherpa and Tamang. Almost 80 percent of the total representatives are dominated by women and can be considered as women empowerment in Sikkim in terms of local level.

Table 4.2.Details of votes polled in Rongay-Tathangchen GPU, 2012

Name of the Wards	Total Electors			Voted polled		
	Male	Female	Total	Male	Female	Total votes polled
Five Wards						
Lower Tathangchen	234	247	481	148	159	307
Rongay Maneydara	137	137	274	89	108	197
Rongay Gumpa Gaon	235	220	455	157	145	302
Chongay Tar	206	202	408	152	159	311
Merrung	194	140	334	143	114	257
Total	1006	946	1952	689	685	1374

Source: SEC report, 2012

4.3. Participation of people of the two GPU's in 2012 Panchayat Election

The development of the village or society depends upon how people actively and effectively participate and implementation of various developmental programmes, plan and also in election. According to the State Election Commission report of 2012, (See Table 4.1 and 4.2) the voting turnout in both the GPU was not satisfactory. In Samsing-Gelling GPU total voters are 1831, among this 988 are Male and 848 are Female. But if we look at the participation in election, here only 1501 total vote are polled, of which 687 are female and 814 are male. Here we can see male are more active than female. Some reason are there like-students those who are studying outside Sikkim they are less interested to cast their vote. I asked one graduate studying who is doing medical course, she said “what we will get by casting our vote” here graduate student also don't have political education also do not know the value of their rights. So there is lack of awareness among the people.

In Rongay-Tathangchen GPU the total number of voters is 1952 among this 1006 are Male and 946 are female. But if we look at the participation of people in 2012 Panchayat election there are only 1374 voter polled their vote, among 1374 female voters is 685 and male voters is 689. As compared to two GPU of Sikkim i.e. Samsing-Gelling to the West and Rongay-Tathangchen to the East, we find female are less participatory in Samsing-Gelling GPU due to lake of political education and unaware about their political rights. And male and female are less interest to participate in Panchayat election in Rongay-Tathangchen GPU. Majority people of both GPU do not attend regular Gram Sabha meeting because they believed that they (Panchayats officials and few elite people) don't listen to them, slowly they are losing trust and hope towards their elected representatives. One of my interview with the person of Samsing village, some time they don't attend the social audit, they believed that they are not counted as a decision making body and few people influenced the entire decision in the village. If we talk about the population size, both GPU has not more than 2000 voters even they are not actively participated either in election or in Gram Sabha.

(Survey Report, 24.10.2016, SEC, Report, 2012)

4.4 Analysis

A sample of 100 respondents was prepared through stratified sampling based on age, sex, economic condition, educational qualification, profession etc. survey was mostly conducted in two-research areas i.e. Samsing-Gelling Gram Panchayat Units West and Rongay Tathangchen Gram Panchayat Units East District districts of Sikkim through scheduled structured questionnaire. The data for the present study was collected from both primary and secondary sources. In all the two Gram Panchayats interviews and discussions were held with the electorate, the Gram Panchayat representatives and also with the Panchayat officials. The field survey was conducted on Sep-Nov, 2016. The primary data was collected through the structured interview schedules prepared separately for the elected representatives of Gram Panchayats and electorate or villager

Table 4.3 Sample for the study

District	Gram Panchayats Units	Elected Representatives (Members and Chairpersons interviewed)	Electorate (Villagers) interviewed	Officials interviewed	
West	Samsing-Gelling	08	40	02	50
East	Rongay-Tathangchen	05	43	02	50
Total		13	83	04	100

Table 4.4 Male and female respondents

Samsing-Gelling	22 Male	28 female
Rongay-Tathangchen	24 Male	26 Female
Total	46 Male	54 Female

Table 4.5 Educational qualifications

Samsing-Gelling	Male	Female	Total	Rongay-Tathangchen	Male	Female	Total
Below Primary	4	6	10	Below Primary	4	3	7
Primary	2	3	5	Primary	5	4	9
Class 8th	6	4	10	Class 8th	3	3	6
Class 10th	3	5	8	Class 10th	7	3	10
Class 12th	4	5	9	Class 12th	5	3	8
Graduation	4	3	7	Graduation	4	4	8
Above	1	0	1	Above	1	1	2
Total	24	26	50		29	21	50

Source: Field Survey

Table 4.6 Income and occupation of two GPU

Samsing-Gelling		Rongay-Tathangchen	
No. of Person	Income	No. of Person	Income
24	Below- 5000	10	Below-5000
21	5000-10000	17	5000-10000
05	10000 and above	23	10000 and above
50	Total	50	Total

From the Samsing-Gelling GPU 50 respondents were interviewed base on sex, occupation, income, education and profession. In this GPU, 22 male and 28 female were interviewed, 4 male and 6 female were below primary, 2 male and 3 female were primary, 6 male and 4 female class standard, 3 male and 5 female class 10th standard, 4 male and 5 female were class 12th standard, 4male and 3 female graduation and only 1 male above graduation were interviewed. Among them 24 people are having up to 5000 income per month, 21 person having income between Rs 5000 to 10000 and only 5 person having above more than 10000 income per month.

From the Rongay-Tathangchen GPU 50 respondents were interviewed base on sex, occupation, income, education and profession. In this GPU, 24 male and 26 female were interviewed, 4 male and 3 female were below primary, 5male and 4female were primary, 3 male and 3 female were class 8th, 7 male and 7 female were 10th standard, 5 male and 3 female were class 12th standard, 4 male and 4 female were graduation and 1male and 1female were above graduation. Among them 10 people are having below 5000 income per month, 17 person having income between Rs 5000-10000 and 23 person having more than 10000 income per month. The people of Samsing-gelling have less income as Rongay-Tathangchen GPU and also in education level.

4.5. Participation of people in action plan and Gram Sabha of two GPU

The Gram Sabha as an institution below the Gram Panchayat is a new medium in which the citizen has opportunity to participate actively and directly in decisions made for the society. The Sikkim Panchayat Act of 1993 provides for the constitution of Gram Sabha at the village level and has made the Gram Sabha a constitutional unit in the system of Panchayati Raj Institutions. The body is supposed to achieve people's participation in decision-making, planning, policy formulation and implementation. As a result, Sikkim Panchayat Act of 1993 provides for the Constitution of Gram Sabha at the village level. The assignment of selection beneficiaries for employment and rural poverty alleviation programmes like, CMRHM, CMLBS, MGNREGS asset creation, REDRH programme for the poor families of the society, selection of sites under area development programme has been assigned to the Gram Sabha. Despite of extending various facilities by the State and central government, people are less interested and shows negligence to take part in decision making, and planning process.

Fig: 4.1 Peoples ‘Participation in Gram Sabha in Samsing-Gelling

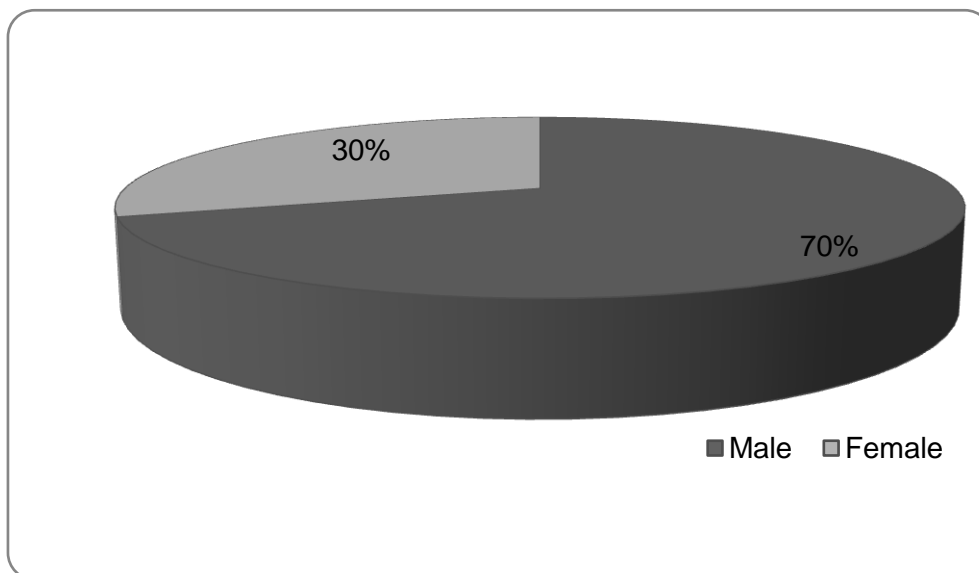
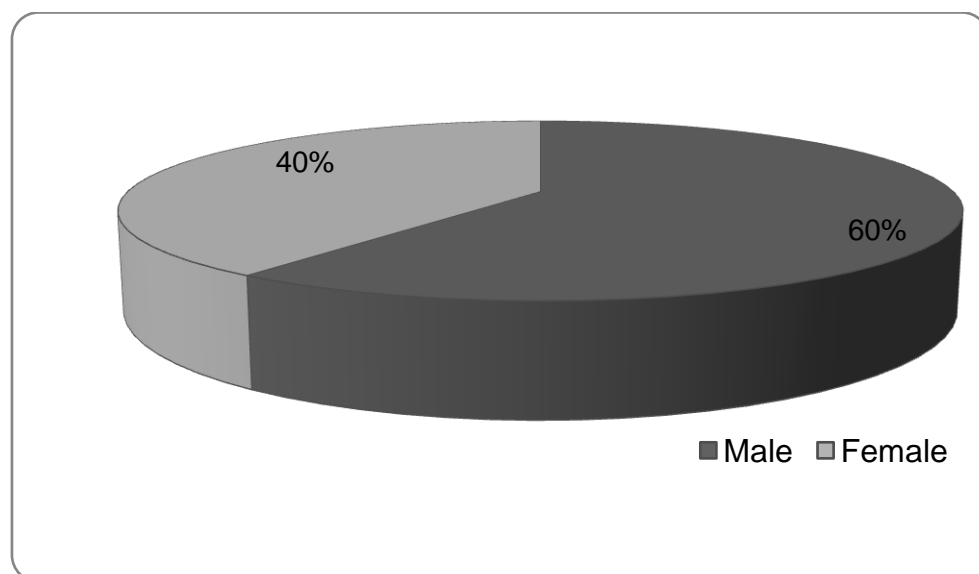


Fig: 4.2 Peoples ‘Participation in Gram Sabha in Rongay-Tathangchen



Above figure shows clear picture about the Peoples’ Participation in Gram Sabha in two GPU. In Samsing-Gelling GPU male Participation in Gram Sabha is 70%, whereas women participation is only 30%. It shows women of these GPU are less interested in local politics and decision making process in local level. And people of Rongay-Tathangchen, it shows 60% male and 40% female actively participated in Gram Sabha meetings. So, here women are more interested to participate in decision making process and also in local politics (Interviewed with the people of two GPU).Despite having various facilities by the State as well as central government,

there was less participation amongst the people in attending the meetings as well as in the deliberations in the meetings in the GPU level.

Fig: 4.3 Awareness of 73rd amendment Act, Samsing-Gelling GPU

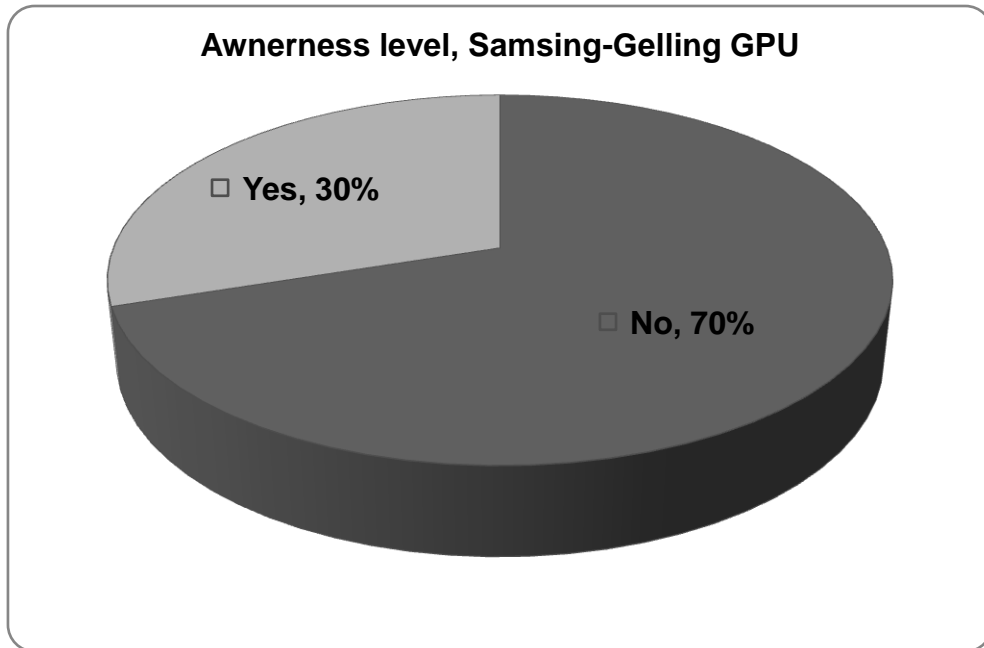
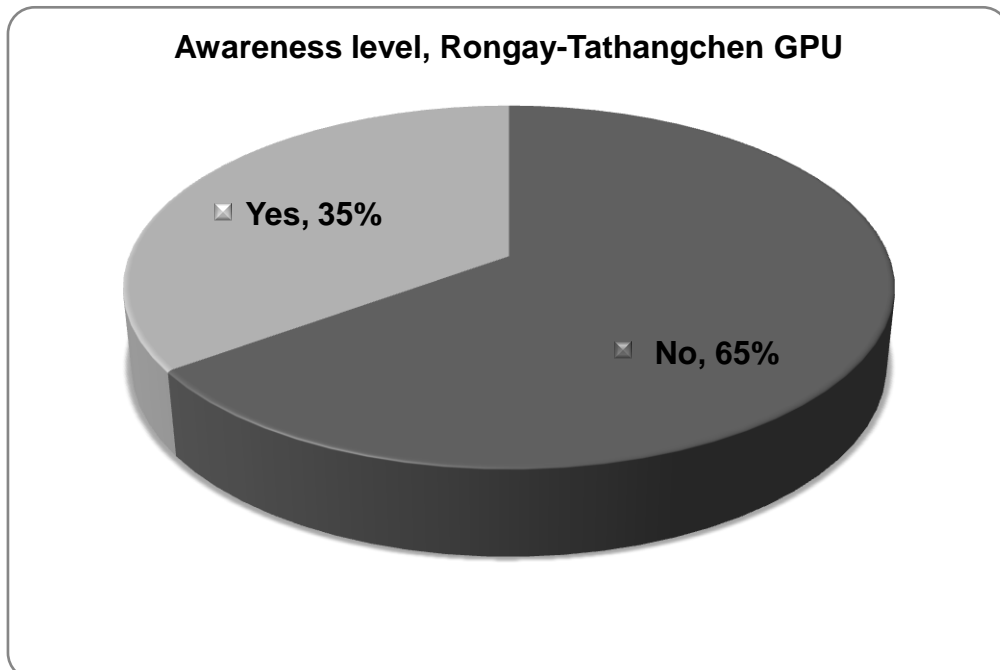


Fig: 4.4 awareness of 73rd amendment Act, Rongay-Tathangchen GPU



Source: Field visit and Interviewed with the people

Above figure shows the awareness of 73rd amendment Act, by the people of Samsing-Gelling GPU and Rongay-Tathangchen GPU. Among the 100 respondent 50

from each GPU, first from the Samsing-Gelling about 70% people are unaware about the 73rd amendment Act which is directly related to the local Government. And only about 30% people partially knew about the Act. Secondly in Rongay-Tathangchen GPU, about 35% people were only aware about the Act and about 65% people were unaware about the Act. Therefore the awareness level of people of two GPU is not satisfactory.

Fig: 4.5 Awareness regarding the reservation system in local-self government in Sikkim

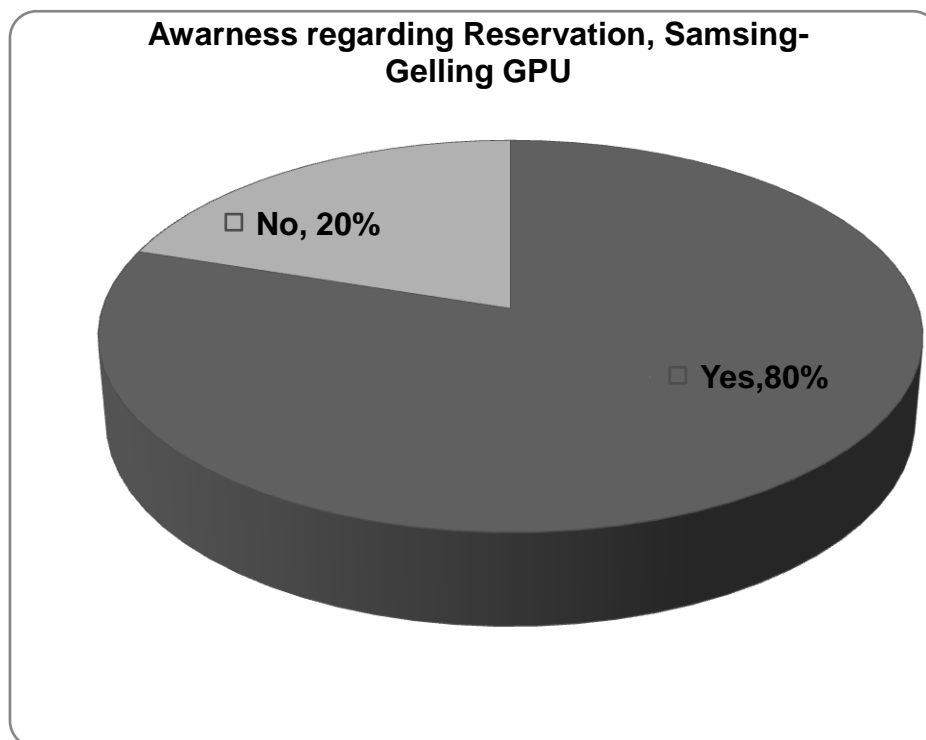
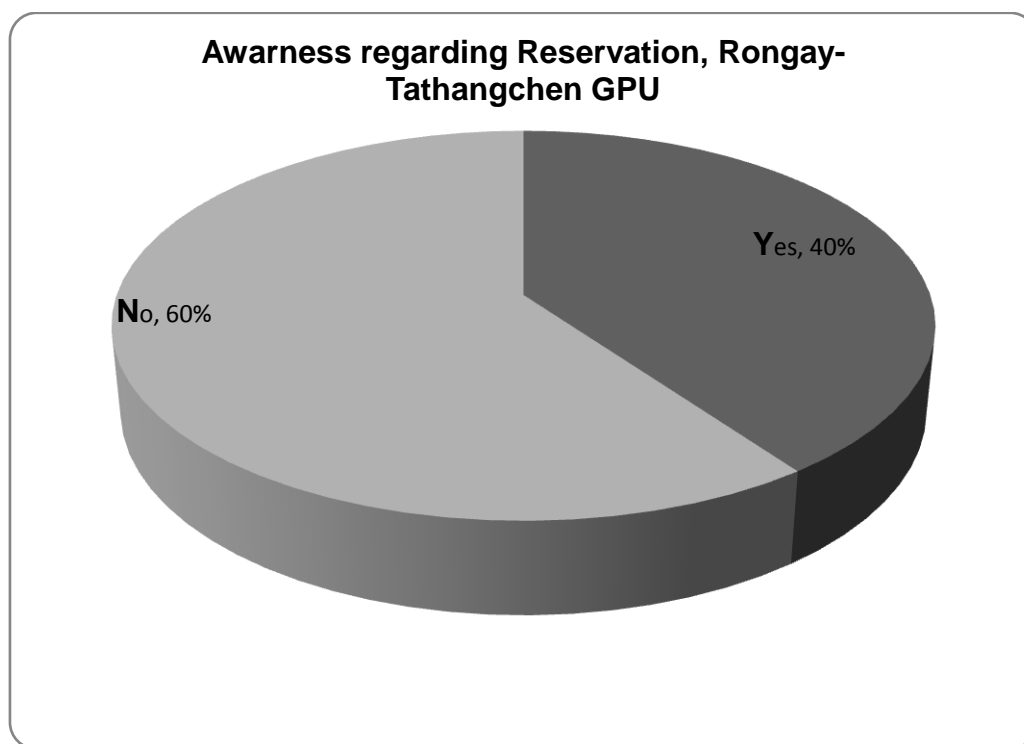


Fig: 4.6 shows the awareness regarding the reservation system in local-self government in Sikkim



Source: Field visit and Interviewed with the people.

Figure 4.5 and 4.6 shows the awareness among the people regarding reservation of seats in the local government. Most of the people are unaware about the reservation which has been provided to the people in local self government. About 60 percent women do not know the percentage of women reservation in local governance. For them, reservation has no meaning and they only cast the vote in favor of party. After the establishment of party base Panchayati Raj System in Sikkim, till now maximum election was won by party. People vote for the party as they are completely dependent upon them since they are unemployed. Therefore their only hopes are those various policies and schemes that the government frames. Unemployment is another hindrance, because of which they cannot go against the policy which are framed at the GPU level. In fact all representatives are ruling party members so majority of the people are not aware about the reservation system in local-self government.

Fig: 4.7 voting pattern of Samsing-Gelling GPU

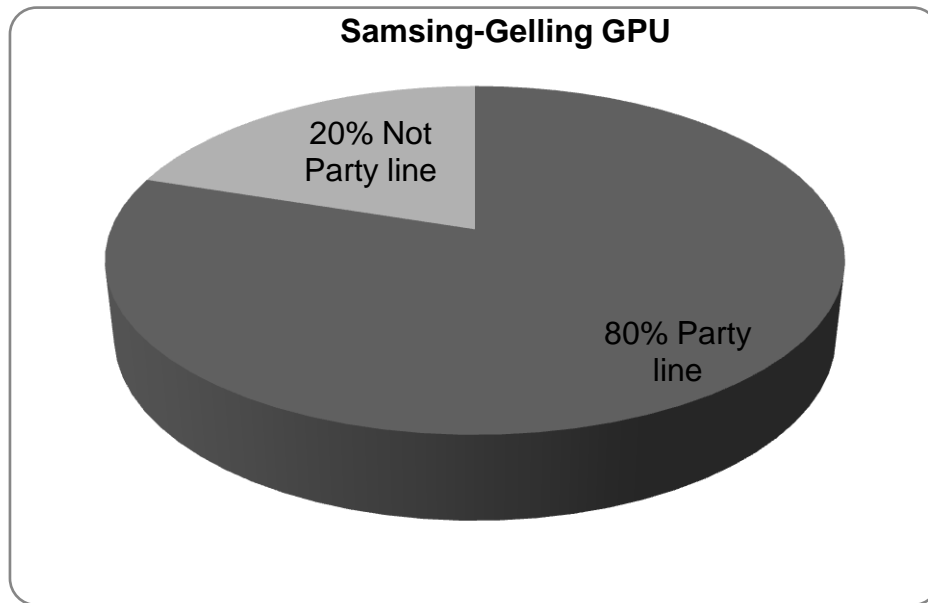
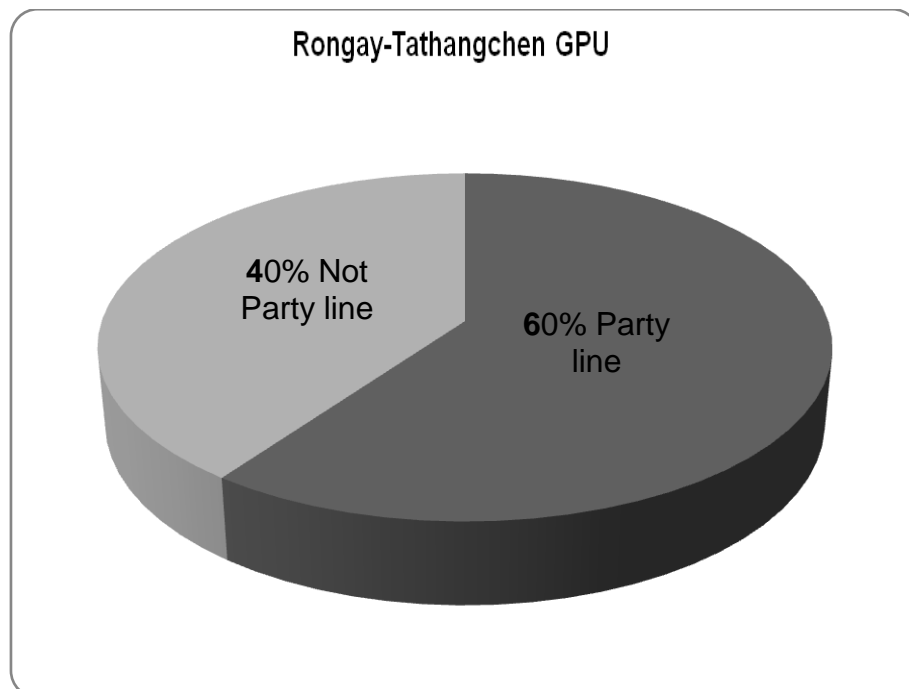


Fig: 4.8 voting pattern of Rongay-Tathangchen GPU



Above figure shows the voting pattern of two GPU. Table 4.8 shows 80 percent of the voters of Samsing-Gelling vote in party line and only 20 percent of the voters vote not in party line. And the people of Rongay-Tathangchen, 60 percent of the voters vote in favor of party and only 40 percent voters vote on the basis of candidature of the candidate. So, they do not vote freely out of the fear that, if the

party wins the election than they will not get any benefit from the government. These are the mindset of the people.

4.6. Women participation

The movement for women's suffrage began in the early 1900 in response to a national movement for suffrage, even though majority of neither men nor women had a right to vote before 1947 in India. After gaining independence from the British rule, the Indian Constitution in 1950 officially granted women and men suffrage. Prior to universal suffrage, provincial legislatures had granted women the right to vote. The term 'women political participation' has a very wide meaning. It is not only correlated to 'Right to Vote', but all together relates to participation in decision making process, political activism, political awareness, etc. Women in India participate in voting, run for public offices and political parties at lower levels more than men. Political activism and voting are the strongest areas of women's political involvement. To contest gender inequality in politics, the Indian Government has instituted reservations for seats in local governments. Though women of Sikkim were given 50 percent reservation in the local-self government, which reflects a good symbol for the empowerment of the women in the society where they are exercising their rights. During India's 2014 parliamentary general elections women representatives was 65.63 percent, compared to 67.09 percent make for men. Women have held the posts of president and Prime Minister in India, as well as chief ministers of various states like-Utter Pradesh, West Bengal, Delhi, Tamilnadu etc. in the state and national level. Seats reserved for women are rotated for assurance that each seat has an equal chance of being reserved. India in 1993 established reservations in constitutional amendments 73rd to empowered women in local governance. The Sikkim legislation has made one-third of the seats for women in both the tiers as requirements to ensure adequate and effective participation of women in the Panchayat raj system. After the establishment of women's reservations, political participation went from 4-5 percent to 25-40 percent among women, and gave millions of women the chance to serve as leaders in local-self government.

In 2012, reservation for women has raised to 50 per cent. Presently there are 492 Gram Panchayat and 53 Zilla Panchayat are there in Sikkim. But so far, women participation is concerned in Gram Sabha, it is insignificant and less interested. Even

if they attended the meeting, they were mere listeners. Many women are not aware of the significance of Gram Sabha and their presence in the meetings. In addition, most of women are engaged in household activities which prevent them from attending such meeting despite of their inclination to attend the meeting. Therefore, in all the meetings of Gram Sabha or in other meetings, there is more number of males' presents than female. Despite of having 50% reservation for women in local government only few women are actively involved in policy making, planning in the society (SEC, report 2012, Chhetri, 2013).

4.7.1 Problems of Participation for the Women

India has one of the largest illiterate populations. In January 2014, the United Nations reported 287 million adults in India are illiterate. Literacy among Indian women is 53.7%, which is much lower than literacy among men reported at 75.3%. Illiteracy limits the ability of women to understand the political system and issues. Problems with exploitation, such as women being left off of voters lists, have been reported as illiteracy limits the ability of women to ensure their political rights are exercised.

1. Unaware of the importance of Gram Sabha and their presence in the meetings.
2. Illiteracy among the women in the society.
3. Lack of interest among the women.
4. Engaged in household activities
5. Influence of male decision.
6. Lack of political education and culture.

These are the sole reason that restricts to women participate in Gram Sabha meetings, decision making, policy planning and other activities which carry out in the society. These are the ground reality which we find in the society.

(Praveen, Rai, Jan 2011, Nupur, 2012, United Nation report 2014)

4.8 Role of Self Help Groups (SHGs)

Today Self Help Groups have become the most powerful community organizations in some village in Sikkim and also they have gained strong scope in the

social and economic life of villages. It has also resulted in improvement of the financial condition of ordinary citizen, especially poor women, unskilled person in the society mainly through running various projects like NERLP, which basically focus on the community participation in sustainable livelihood by providing opportunities to the rural people. It basically focused on the vulnerable section of the society and provides security to them. And their main target is to provide minimum income, so that people can participate and move freely which is very much important for the expansion of local democracy. Some time it also provides community training and awareness programme in the village like-health awareness programme, community development training, and education programme.

4.9 Advantages and disadvantages of peoples' participation in local Government

There are many advantages and disadvantage of peoples' participation in local self Government.

Advantages

- Community and village development.
- Peoples' participation brings effective social change.
- Improved and increased sustainability
- Peoples' participation in planning can develop self-reliance in the society.
- Peoples' participation can develop local and skilled resources.
- Peoples' participation can lead to better target of benefits to the poorest people in the village.
- Participation of the people can increased the status of the women in the society.
- Participation can increase aware about their rights and duties.
- Participation helps to maintain gender equality.
- Participation helps to empowerment the low status women in the society.

Disadvantages

- Participation always driven by some ideology so main focus will be develop ideology rather development of the society.

- Participation can legitimize and some national governments plan and policy to promote development with equity.
- Participation fails to address the power sharing in the institutions.
- Participation of various people and its leads to the influence of decision making by majority of people, in democracy “where will of the majority” prevail.
(Rousseau, 1762)

Participation of Peoples at large brings in empowerment. The people of two GPU have also participated in local self government however there are certain hindrance in their path which obstructs effective participation.

Chapter - 5

CONCLUSION

The preceding Chapters have tried to analyze how people participate in Gram Sabha, decision making process, policy formulation and implement action of various schemes of the government in the two villages in local-self government in two GPU of Sikkim that is Samsing-Gelling to the West and Rongay-Tathangchen to the East. It also tries to examine the nature of people participation in the election (voting turnout).

Even though there has been the establishment of local self-government in the form of panchayats in both the districts it has been seen that there are various problems associated with peoples' participation. Historically, if we see the village politics of Samsing Gelling and Tathangchen then it is mainly dominated by male members of the society and the few women those who belong in landlord family. During the period of Chogyal (King) there was the system of Kazi and Thekadar, who successfully acquired huge plot of land and they are the ones who always influenced the decisions in the village. On the other hand there are many people in the village who are landless workers and work in the lands of the others. The political culture and legacy is still found in the mind of the people therefore they cannot freely take any decision in the society Development of the society is not possible unless people are not actively participating in planning, decision making and implementation of the various central, state and local policies. Based on the study, there are many people who are still not aware about various governmental schemes and not willing to take part in any decision in the society.

It is a fact that Peoples' participation plays a crucial role for the development of any village. During field study on local-self Government and people' participation, it was found that the nature of peoples' participation are different in the two Gram Panchayat Units of Sikkim. Peoples' participation is not only affected by institutional context of the Gram Panchayats itself, but also by the other village level community and program or plan factors It is also interesting that peoples' participation makes an affirmative part to organization and development efforts through the input of different

ideas and knowledge in the given society. But the people do not want to actively involve in local Governmental activities and are not serious about the governmental policies and schemes. An issue of local and non local factors also effects the active participation in the two village of Sikkim. Another problems is migration, during 1990s many people migrated from Nepal, Bhutan, Tibet and Myanmar (then Burma) and settled down in different parts of Sikkim those do not have Sikkim Subject Certificate, Certificate of Identification or Residential Certificate. They cannot influence any decision in the society because they have only voting rights but cannot contest the Panchayat election. Even they are not allowed to buy land; they are living in rented house so they never against the governmental policies and also in Gram Sabha. The eighty percent people of Samsing-Gelling depended upon the petty agriculture and wage labour for their economy and the rest twenty percent peoples' economy is depended upon the service sector. Samsing-Gelling village also faces water scarcity and there is no road carpeting, there is no good private school near by the village. Education is most essential element to develop the society and it is lacking in these village due to absence of good schools. School drop-out rate is high; children do not go to the school after completing class ten, parents are illiterate. There is only one Secondary school in this village, there is no primary health center, no good village library there is small library with insufficient books. These are some of the issues and challenges faced by the people of this village. The Rongay-Tathangchen village is more developed as compared with Samsing-Gelling village in comparison to facilities like-health facilities, schools and colleges and also in marketing because this village is nearby capital town Gangtok which is biggest town of Sikkim. So the people of this village avail to the various facilities as compared to the Samsing-Gelling village.

If we talk about the peoples' participation in local government in two GPUs of Sikkim, the study found that despite various infrastructural developments in Rongay-Tathangchen GPU, the level of peoples' participation is less as compared to the Samsing-Gelling GPU. People of this GPU do not participate in local level decision making process. Even elected members do not know the power and functions of Gram Panchayats. There is no as such infrastructural development in Samsing-Gelling but the people actively used to participate in Gram Sabha meetings and other Panchayat

level activities. Therefore the study indicated that it is not necessary to have good infrastructural facilities to actively participate in local level politics.

5.1 Findings

- Gram Sabha could have been a powerful weapon for transparency, accountability and for involvement of the marginalized sections. However, the study shows that influence of few elite in the society leads to peoples' voice unheard.
- Party interference is at large the people are discriminated on the basis of position and opposition party in various time.
- Individual asset construction by the MGNREGA like cow sheet, pig stay, plantation even community asset like waiting sheet, construction of CC foot path are not good quality. And people never questioned before the officials and also officials often did not visit the field.
- Lack of safe drinking water, first aid box, and tent, child care facility is seen in the work site of NREGA.
- Record maintenance is very poor in two GPU; don't find the beneficiary list from 2014 to 2016 also.
- Elected representatives also unaware about the Act of 1993 and power and function of the Panchayats.
- Using low quality materials in the community and individual work like foot path community water tank, CMRHM, IAY, and REDRH.
- Despite of getting various facilities by the governments, their economy as remains the same.
- Lack of effective participation of the people in Gram Sabha in two villages.
- Lack of awareness about the functioning of the Panchayat and also their role and responsibilities.

5.2 Based on the study the following suggestion and recommendations has been prescribed.

- Selection of the beneficiaries should be carried-out by the Panchayats and the GPU and ward members in present of some high rank government officials, so there is less chance to influence and mischief. And state media should be present on the day.
- Panchayati Raj Institution should held public awareness programme in the GPU at least twice in a year, so people can know the presence in the Gram Sabha and their rights and duties.
- Government should follow the concept of (social citizenship) those who have voter and Adhar card they also should treat as local, while distributing the schemes to the people, (local and non local).
- Government shall extend effective and extra priorities that could help for the low income people to meet their needs.
- There shall be special provisions for the poor women, minorities' tribes and the most disadvantaged groups of society not based on their need.
- Government shall give benefits to the people not based on caste reservation, because study finds some OBC women are less advantaged than ST and SC women.
- Regular training should be given to the Panchayats officials so that they could know their power and function in the GP level.
- There should not be any kind of discrimination to the people while distributing some benefit, and it should be checked by the government.
- Those who are contesting Panchayat election, they should have at least 8th or 10th pass qualification so that they can read or write the constitution of Panchayati Raj Institution.
- Government should increase the effectiveness and efficiency of investment for promoting peoples' participation in the GPU level.
- In the time of social audit, one member from the family, APO, GRS, supervisor and Supplier of raw materials should be present. Most of the time supplier pretended to be busy and they don't attend the audit, (study shows).

- Panchayat election should not be on the basis of party, it should hold independently without any party support. So that people can choose their representatives on the basis of candidature of the candidate and not base on the party candidate which is fixed by the ruling or opposition party.
- Directorate of Panchayati Raj Institution should have at least one copy of CD recorded of Gram Sabha meetings held in each GPU of Sikkim.

The successful development of any village is depends upon how people participate in planning, decision-making and implementation of various schemes of the center and state Government and also how people participate in their respective village. The Panchayati Raj Act has provided rights and responsibilities to the people and Gram Sabha mainly played very vital role to participate people into village affairs. D.P Chhetri pointed out that “the Gram Sabha has been regarded as the head and soul of the Panchayati raj in the state and the successful functioning of the Panchayati raj system would depend upon the role played by the Gram Sabha”. But the two Gram Panchayat Unit of Sikkim has less interested to participate in decision making process in the village. It is found in the study that people are not taken serious to take participate themselves in the function of the local Government. Sikkim experienced the institutionalized Panchayati Raj system but the participation of the people in some cases is less. Despite the various infrastructural developments under taken in Sikkim, it is found that only infrastructure development does not contribute to the peoples’ participation in local government. Various factors like- lack of political awareness amongst the people particularly amongst the women, lack of faith among the people upon their representatives, party lines, economic factors etc. have all generally affected People’ participation at large in two GPU. In order to ensure more participation an involvement of local people in the decision making process at the local level the Government need initiate certain effective measures which includes confidence building measures, increasing political awareness and education amongst the people and putting forth the interest of the people as the prime focus.

REFERENCES

- Bhadra, Madhumita (1992); *Sikkim Democracy and Social Change*; Minerva Association Pvt. Ltd; Calcutta.
- Barber, B. (1984). *Strong Democracy: Participatory Politics for a New Age*. USA: University of California Press.
- Basnet, L.B (1974); *Sikkim a Short Political History*; S. Chand and Co.; New Delhi.
- Chandrashekar, L. (2011). *Undermining Local Democracy, Parallel Governmence in Contemporary South India*. New Delhi: Routledge Publication.
- Chhetri, D.P.(2012). *Decentralised governance and development in India*. New Delhi: Mittal Publication.
- Chhetri, D.P.(Sep, 2013). Gram Sabha in Sikkim: two decades of experience of direct democracy, *International Journal for Educational Research and Interdisciplinary*.1-12.
- Chhetri, D.P.(2013). People's Participation in Development: Sikkim in. *International Journal of Innovative Research and Development*, 1477-1497.
- Chhetri, H.P. (2008). *Panchayati Raj System and Development Planning In case of Sikkim*. Jaipur India: Rawat Publication.
- Das, B. S (1983); *The Sikkim Saga*; Vikash Publishing House Pvt. Ltd; New Delhi.
- Dutta, A (1991); *Sikkim Since Independence*; Mittal Publication; New Delhi.
- Dutt, Shyamal (2009), *Encyclopedia of Sikkim*, Vol. 1 and Vol. 2, Anmol Publications Pvt. Ltd, New Delhi.
- Datta-Ray, K Sunanda (1984); *Smash and Grab: Annexation of Sikkim*; Vikash Publishing House Pvt. Ltd; New Delhi.
- Dhamala, R. R (1994); *Panchayati Raj Institution in Sikkim: Participation and Development*; Indus Publishing Company; New Delhi.
- Francesco, K. (1995). The Changing Values of Local Government. *The Annals of the American Academy of Political and Social Science*, 40-50.
- Gandhi, M. K, *Panchayat Raj*, Jitendra T Desai Navajivan Mudranalaya Ahmadabad, (India).
- Gauley, Gopal (2002); *Rajtantra Dekhi Prajatantra Samma*; Nirman Prakashan; Namchi, Sikkim.
- Guley, G and Chhetri Samiran (1997); *Prajatantrik Andolan ko Etahas*; B. B Gurung Chanvin Mul Samiti; Gangtok, Sikkim.

- Giri, Mukunda (2009); *Sikkim: Politics of Inclusiveness and One Party Dominance*; Economy and Political Weekly; Volume 44; No 39; PP 150-152; Accessed 29/09/16.
- Goetz, Anne Marie (2009). *Governing Women: Women's Political Effectiveness in Contexts of Democratization and Governance Reform*. New York: Routledge.
- Gupta, Ranjan (1975); *Sikkim: The Merger with India*; University of California Press; Volume 15; No 9; PP 786-798; Accessed 25/10/16.
- Gurung, Mahindra (2014); Sikkim Progress ensure Mass Appeal; Friday, 2014.
- Gurung, Suresh Kumar (2011); *Sikkim Ethnicity and a Political Dynamics: A triadic Perspective*; Deepak Offset Press; Delhi.
- Johari, J. C (2002); *Comparative Politics*; Sterling Publisher Pvt. Ltd.; New Delhi.
- Joshi, H. G (2004); *Sikkim: Past and Present*; Mittal Publication; New Delhi.
- Kazi, N. Jigme (1993); *Inside Sikkim: Against the Tide*; Hill Media Publication; Gangtok, Sikkim.
- Kazi, N. Jigme (2009); *Sikkim for Sikkimese*; Hill Media Publication; Gangtok, Sikkim.
- Kazi, N. Jigme (2013); *The Lone Warrior*; Hill Media Publication; Gangtok, Sikkim.
- Khamdak. (2014); *Governance and Good Governance: A Nutshell review in Sikkim*. www.slideshare.net/khamdak/good-governance-2979529.
- Kochanek, A. Stanley (1995-96); *Transformation of Interest Politics In India*; Pacific Affairs, University of British Columbia; Volume 68; No 4; pp 529-550.
- Kumar, Vivek, December 2001), Globalisation and Empowerment of Dalits in India, *Indian Anthropological Association*, 15-25.
- Lama, M. P ed. (1994); *Society, Polity, Economy, Environment*; Indus Publishing Company; New Delhi.
- Mahajan, V. D. (1946). Why has Local Self-Government Failed in India ? *The Indian Journal of Political Science*,, 521-527.
- Mishra, S. (1997). Women and 73rd Constitutional Amendment Act: A critical Appraisal, *Social Action* Vol.47, Jan-March.
- Muthaiah, P. (July-Sept, 2004), Politics of Dalit Identity, *Indian Political Science Association*, 385- 402.
- Pal, Mahi, (2001). Gap Between Needs and Resources of Panchayats in India, Mittal Publication New Delhi.

- Pal, Mahi. (2004). Panchayati Raj and Rural Governance: Experiences of a Decade. *Economic and Political Weekly*, 37-143.
- Pal, Mahi. (2004), Caste and Patriarchy in Panchayats, *Economic and Political Weekly*, 3581-3583.
- Peter, John, (2001), *Local Governance in Western Europe*, London, Sage.
- Rai, Praveen (14 January 2011). "Electoral Participation of Women in India: Key Determinants and Barriers". *Economic and Political Weekly*. XLVI (3): 47–55.
- Ran, S.K. (2001) Gram Sabha, *Journal of Rural Development*, Vol.21, No.4 Oct,-Dec.
- Samanta, R.K. (1996). *New Vista in Rural Development strategies and Approaches*, B.R Publishing Corporation, New Delhi.
- Siga, Gandhi, (November 2014). Evolution of Panchayati Raj in India with Special Reference to Arunachal Pradesh, *International Journal of Humanities & Social Science Studies, Vol-I, Issue-III, 225-240*
- S, Rukmini, (March 2014) "Rising female voter turnout, the big story of 50 years. *The Hindu*. Retrieved on 22.10.2016.
- Sikander, T. (2015). A Theoretical Framework of Local Government. *International Journal of Humanities and Social Science*.
- Sikkimarchives.gov.in. Accessed on. 4/10/2014. (n.d.). *Sikkimarchives.gov.in*. Accessed on. 4/10/2014.
- Sorensen Eva and Triantafillou Peter (ed. 2009), *The Politics of Self-Governance*, Aghgate Publishing Limited, England.
- Subba, Jash Raj, (2008) *The Evolution of Man and the Modern Society in Mountainous Sikkim*, Gyan Publishing house, New Delhi.
- White, J.C, (2008), *Sikkim and Bhutan twenty-One Years on the North-East Frontier 1887-1908*, London.
- Wraight, D, (2008,) *ROUSSEAU'S THE SOCIAL CONTRACT, A READER'S GUIDE*, Continuum International Publishing House, New York.
- Vojislav, S. (1997). Local and Regional Self-Government. *The scientific journal FACTA Universities*, 233 - 269.

Reports

Election Commission of India, Electoral Roll Data – 2013, Retrieved on 22 Nov. 2016.

United Nations Research Institute for Social Development Retrieved on 24 Sep. 2016

Gram Panchayat Development Plan-2015-2020, Directorate of Panchayati Raj, Rural Management and Development Department, Government of Sikkim.

Roadmap for the Panchayati Raj (2011-16): An All India Perspective, Ministry of Panchayati Raj Version date: Feb., 2011

Annual Technical Inspection Report on Panchayat Raj Institutions for the year 2009-10. Government of Sikkim.

The Political Economy of Decentralization in Sikkim: Strengthening Gram Panchayat Planning and Budgeting, Government of Sikkim RMDD, Gangtok, January 11, 2011.

Government of Sikkim Memorandum to the Fourteenth Finance Commission, Vol – IV Memorandum and Subsidiary Points (local bodies), Finance, Revenue and Expenditure Department.

Appendix-A

The Constitution (Seventy-Third Amendment) Act, 1992

An Act

Further to amend the Constitution of India.

It enacted by Parliament in Forty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Constitution (Seventy-third Amendment) Act, 1992.
(2) It shall come into force on such date as Central government may, by notification in the Official Gazette, appoint.
2. After Part Viii of the Constitution, the following part shall be inserted, namely:

Part IX

The Panchayats

243. In this part, unless the context otherwise requires:

- (a) "District" means a district in a State;
- (b) "Gram Sabha" means a body consisting of persons registered in the electoral rolls relating to the village comprised within the area of Panchayat at the village level;

Appendix-B

THE SIKKIM PANGHAYAT ACT, 1993

(ACT NO.6 OF 1993)

To consolidate and amend 'the law relating to Panchayats and to provide for the constitution and organization of Panchayats as units of Self-Government in Sikkim in accordance with the provisions of Part IX of the Constitution as inserted by the Constitution (Seventy-Third Amendment) Act, 1992 and for matters connected therewith and Incidental there be it enacted by the Legislative Assembly of Sikkim in the Forty-fourth Year of the Republic of India as follows:

Chapter I

Preliminary

- (1) This Act may be called the Sikkim Panchayat Act, 1993.
 - (2) It extends to the whole of Sikkim except the areas which may hereafter be declared as or included in the Nagar Panchayat.
 - (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint and different elates may be appointed for different areas and for different provisions of the Act.
- (1) In this Act, unless the context otherwise requires,
- (a) "Adhyaksha". Means 'an Adhyaksha of a Zilla Panchayat elected under sub-section (1) of section 54; .
 - (b) "Auditor" means an auditor appointed under sub-section (2) of section 48;
 - (c) "District Collector" means the Collector of the District;
 - (d) "District Development Officer cum Panchayat Officer" means the District - Development Officer -cum-Panchayat Officer of the District appointed by the State Government;
 - (e) "Governor" means the Governor of Sikkim;
 - (f) "Gram" means any village or part of a village or group of adjoining villages or parts thereof declared by the State Government to be a Gram under sub-section (1) of Section 3;

- (g) "Gram Panchayat", means a Gram Panchayat constituted under section 12;
- (h) "Nagar Panchayat" means a Nagar Panchayat and includes a municipality, municipal Committee or corporation or such other body by whatever name called constituted under the law relating to such Nagar Panchayats for the time being in force;
- (i) 'Notification means the notification published in the Official Gazette
- (j) "Prescribed Authority" means: the authority appointed by the State Government, by Notification, for all or any of the purposes of this Act;
- (k) "Sabhapati" ,means a Sabhapati of a Gram Panchayat elected under subsection (1) of Section 17; .
- (l) "Secretary" means the Secretary to the Government of Sikkim in the Rural Development Department and includes an Additional Secretary, Joint Secretary. Deputy Secretary and Under Secretary of that Department;
- (m)"State Government" means the Government of the State of Sikkim;
- (n) "Up-Adhyaksha" means an Up-Adhyaksha of a Zilla Panchayat elected under subsection (1) of section 54
- (o) "Up-Sabhapati" means an Up-Sabhapati of a Gram Panchayat elected under subsection of section 17; .
- (p') "Zilla Panchayat" means a Zilla Panchayat of a district constituted under subsection (I) of section 49;
- (2) Words defined in the Constitution (Seventy-Third Amendment) Act, 199 but not defined in this Act shall have the same meanings as respectively assigned them in the Constitution (Seventy-Third Amendment) Act, 1992.

Chapter II

Constitution of Gram and Gram Sabha

1. Subject to the consideration of local conditions, the State Government may, by
 - (1) Notification, declare for the purpose of this Act any village or part of a village or group of adjoining villages or parts thereof to be a Gram.
 - (2) As soon as may be after the constitution of a Gram under sub section (1), the State Government may, by notification, divide each Gram into wards and each ward shall, as far as possible, comprise of a Revenue Block.
 - (3) The State Government may, by notification, specify the number of members to be elected from each ward having regard to the number of voters in such ward and such other considerations as the State Government may consider appropriate.
 - (4) The notification under sub section (1) shall specify the name of the Gram by which the Panchayat shall be known and shall specify the local limits of such Panchayat.
 - (5) The State Government may, after making such enquiry as it may think fit and or after obtaining the views of the Gram Sabha, by notification
 - (a) Exclude from any Gram any area comprised therein; or
 - (b) Include in any Gram any area adjoining to such Gram; or
 - (c) Divide the area of a Gram so as to constitute two or more Grams; or
 - (d) Unite the areas of two or more Grams so as to constitute a new Gram.
4. (1) When an area is excluded from a Gram under clause (a) of sub-section (5) of section 3, such area shall, as from the date of the notification referred to in that subsection, cease to be subject to the jurisdiction of the Gram Panchayat of that Gram and, unless the State Government otherwise directs, all rules, orders, directions and notifications in force in that Gram shall also cease to apply to the area so excluded.
 - (2) When an area is included in a Gram under clause (b) of sub-section (5) of section 3, the Gram Panchayat for that Gram shall, as from the date of the notification referred to in that sub-section have jurisdiction over such area and, unless the State Government otherwise directs, all rules, orders, directions and notifications in force in that Gram shall apply to the area so included.
 - (3). When the area of any Gram is divided under clause (c) of sub-section (5) of section 3 so as to constitute two or more Grams, the Gram Panchayat of that Gram

shall as from the date of the notification referred to in that sub-section, cease to exist, and there shall be reconstitution of the Gram Panchayats for the newly constituted Grams in accordance with the provisions of this Act. , .

(4) When the areas of two or more Grams are united under clause (d) of sub-section (5) of section 3 so as to constitute a new Gram, the Gram Panchayats of the said Grams shall, as from the date of the notification referred to in that sub-section, cease to exist and a separate Gram Panchayat shall be constituted for the new Grams in accordance with the provisions of this Act.

(5) When under sub-section (5) of section 3 any area is excluded from, or included in, a Gram is divided so as to constitute two or more Grams, or two or more Grams are united to constitute a new Gram, the properties, funds and liabilities of the Gram Panchayat or Panchayats, affected by such reconstitution shall vest in such Gram Panchayat or Panchayats in accordance with such allocation as may be determined by order in writing by the prescribed authority, and such determination shall be final.

(6) An order made under sub-section (5) may contain such supplemental, incidental and consequential provisions as may be necessary to give effect to reconstitution.

5. (1) If, at any time, the whole of the area of a Gram is included within the Gram Panchayat under the provisions of the law made in this behalf, the Gram Panchayat concerned shall cease to exist, and the properties, funds and other assets vested in such Gram Panchayat and all the rights and liabilities of such Gram Panchayat shall vest in and devolve on, the Nagar Panchayat.

(2) If, at any time, a part of the area of a Gram is included in a Nagar Panchayat under the provisions of the law made in this behalf, the area of the Gram shall be deemed to have been reduced to the extent of the part so included within the Nagar Panchayat and the properties, funds, rights and liabilities of the Gram Panchayat concerned in respect of the part so included shall vest in, and devolve on the Nagar Panchayat in such manner as may be determined by the prescribed authority and such determination shall be final, and unless the State Government otherwise directs, all rules, orders, directions and notifications in force in the areas comprised in the Nagar Panchayat shall apply to the part of the area of the Gram so included.

6. Subject to the general orders of the State Government the Gram Sabha shall meet at least twice in a year and when the Gram Panchayat fails to convene Gram Sabha, the prescribed authority shall with the approval of the State Government and after giving notice to the Gram Panchayat concerned, convene it.

7. (1) Quorum for the meeting of a Gram Sabha shall be one-tenth of the total members of the Gram Sabha.

(2) Any resolution relating to the matters entrusted to the Gram Sabha shall be passed by a majority of votes of the members present and voting in the meeting of the Gram Sabha.

8. The procedure for convening and conducting the meetings of the Gram Sabha shall be such as may be prescribed.

9. Every meeting of the Gram Sabha shall be presided over by the Sabhapati of the concerned Gram Panchayat and in his absence by the Up-Sabhapati of that Gram Panchayat. .

10. (1) The Gram Sabha shall consider, and may make recommendations and suggestions to the Gram Panchayat on the following matters, namely:-

(a) The annual statement of accounts of the Gram Panchayat, the report of, administrations of the preceding financial year and the last audit note and replies, if any, made thereto;

(b) the report in respect of development programmes proposed to be under taken during the current year;

(c) The promotion of unity and harmony among all sections of society in the village

(d) Programme of adult education within the village;

(e) Such other matters as the State Government may, by general or special order, specify..

(2) The Gram Panchayat shall give due consideration to the recommendations and suggestions of the Gram Sabha.

11. The Gram Sabha shall perform the following functions, namely:-

(a) Mobilizing voluntary labour and contributions in kind and cash for the community welfare programme;

(b) Identification of beneficiaries for implementation of developmental schemes pertaining to the village: Provided that if the Gram Sabha fails to identify the beneficiaries within the reasonable time, the prescribed authority shall, in consultation with the Gram Panchayat, identify the beneficiaries;

(c) Rendering assistance in the implementation of developmental schemes pertaining to the village.

Chapter III

Gram Panchayat

(1) There shall be constituted, in each Panchayat area, an institution of Self Government called the Gram Panchayat bearing the name of the Gram.

(2) For the purpose of sub-section (1), each Panchayat area shall be divided into wards in such manner as the State Government, may determine: Provided that the number of members to be elected in each ward shall, as far as practicable, be in the same proportions to the total number of persons to be elected for the Gram Panchayats as the population of the ward bears to the total population of the Panchayat area.

(3) The list of wards determined under sub-section (2) shall be prepared and published in the Official Gazette.

13. (1) A Gram Panchayat shall, subject to the provisions of sub-section (5), consist of such number of members not less than five and not more than nine, as the Secretary may, subject to the general order of the State Government in regard to the allocation of number of seats to different Gram having regard to the varying extent of population therein, determine and such members shall be chosen by direct election through secret ballot by persons whose names are included in the electoral roll of the Sikkim Legislative Assembly for the time being in force pertaining to the area comprised in the Gram.

(2) Election to the Gram Panchayat shall be held in such manner as may be prescribed.

(3) Where a Gram fails to elect the full number of members as determined under sub-section (1) it shall be called upon to elect the remaining number of members.

(4) The term of office of the members of Gram Panchayat shall, subject to the provisions of section 29, be co-terminus with the term of the Gram Panchayat.

(5) The State Government shall, by notification reserve the seats for Scheduled Castes and the Scheduled Tribes in every Gram Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats shall be allotted by

rotation to different wards in a Gram Panchayat in: such manner as may be prescribed.

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

(7) Not less than one: third of the total number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes of the total number of-seats to be filled by direct election in every Gram Panchayat shall be reserved for women and such seats may be allotted. by rotation to different wards in a Gram Panchayat in such manner as may be prescribed

14. (1) Every Gram Panchayat shall be a body corporate having perpetual succession and a common seal and shall by its corporate name, sue and be sued.

(2) A Gram Panchayat shall have power to acquire, hold and dispose of property and to enter into contract: Provided that in cases of acquisition or disposal of immovable property, the Gram Panchayat shall obtain the previous approval of the State Government.

15. (1) Every Gram Panchayat save as otherwise provided - in this Act, shall continue for a term of five years from the date appointed for its first meeting and no longer.

(2) No amendment of any law for the time being in force shall have the effect of "causing dissolution of a Gram Panchayat, which is functioning immediately before such amendment till the expiration of its duration specified in sub-section (1).

(3) The election to constitute a Gram Panchayat shall be completed

(a) before the expiry of it's duration specified in sub-section (1);

(b) in the case of dissolution, before the expirati6n of a period of six months from the date of its dissolution: Provided that where the remainder of the period for which the dissolved Gram Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Gram Panchayat for such period.

(4) A Gram Panchayat constituted upon the dissolution of a Gram Panchayat before the expiration of its duration, shall continue only for remainder of the period for which the dissolved Gram Panchayat would have continued under sub-section (1) had it not been so dissolved.

16. A person shall be disqualified for being chosen as and for being, a member of a Gram Panchayat-

- (a) if he is so disqualified by or under any law for the time being in force for the purpose of elections to the Legislative Assembly of Sikkim: Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years; or
- (b) if he is a member of a Nagar Panchayat established under the law relating to constitution of such Nagar Panchayat for the time being in force; or
- (c) if he holds any office or profit' under a local authority or co-operative society or a Government company or a Corporation owned or controlled by the Central or the State Government; or.
- (d) has been dismissed from the service of a State Government or the Central Government or a local authority or a Co-operative Society or a Government company or a Corporation owned or controlled by the Central or the State Government for misconduct; or - .
- (e) if he is of unsound mind and so declared by a competent court;
- (f) or if he is an undercharged insolvent; or
- (g) if he is suffering from a variety of leprosy which is infectious; or
- (h) if he is convicted of an election offence; or .
- (i) if he has been convicted by a Court of an offence involving moral turpitude and sentenced to imprisonment for a term exceeding six months; or
- (j) if he has not paid any arrear in respect of any tax or rate or fee payable to a Gram Panchayat or a Zilla Panchayat or a Nagar Panchayat or the State Government: Provided that the disqualification under this clause shall cease upon payment of the tax or fee; or
- (k) if he has directly or indirectly by himself or by his partner or employer or an employee, hold any share or interest in any contract with, by or on behalf of a Zilla Panchayat or a Gram Panchayat: Provided that a person shall not be deemed to have incurred disqualification by reason of his having a share or interest in any public company or registered cooperative society which has a contract with or is employed by a Gram Panchayat or a Zilla Panchayat or the district. .
17. (1) Every Gram Panchayat shall at its first meeting at which a quorum is preset, elect one of its members to be the Sabhapati and another member to be the U p- Sabhapati of the Gram Panchayat in such manner as may be prescribed.
- (1) The State Government shall, by notification reserve

(a) such number of offices of Sabhapati and Up-Sabhapati of Gram Panchayats in each district for the Scheduled Castes and the Scheduled Tribes and member of such offices shall bear as nearly as may be, the same proportion to the total number of offices in the District as the population of the Scheduled castes and of the 6 Scheduled Tribes in the district bears to the total-population of the district; ,

(b) not less than one-third of the total number of offices of Sabhapati and Up Sabhapati of the Gram Panchayat of the district from each of the categories which are reserved for persons belonging to the Scheduled Castes and the Scheduled Tribes and of those which are reserved for women: Provided that the offices reserved under this sub-section shall be allotted by rotation to different Gram Panchayats in such manner as may be prescribed. *Explanation-* For the removal of doubt it is hereby declared that the principle of rotation for purposes of reservation of offices under this sub section shall commence from the first election to be held after the commencement of this, Act.,

(3) The Sabhapati and Up-Sabhapati shall, subject to the provision of section 27 and - their continuing as members, hold office for a period of five years.

(4) When-

(a) the office of the Sabhapati falls vacant by reason of death, resignation removed or otherwise; or

(b) the Sabhapati is: by reason of leave, illness or other cause, temporarily: unable to' act, the Up-Sabhapati shall exercise the powers, perform the functions and discharge the duties of the Sabhapati until a new Sabhapati is elected and assumes office or until the Sabhapati resumes his duties, as the case may be. .

(5) When-

(a) The office of the Up-Sabhapati falls vacant by reason of death, resignation removed or otherwise; or'

(b) The Up-Sabhapati is ,by reason on leave, illness or other cause, temporarily unable to act, the Sabhapati shall exercise the powers, perform the functions and discharge the duties of the Up-Sabhapati until a new Up-Sabhapati is elected and assumes office or until that Up-Sabhapati resumes his duties, as the case may be. .

(6)When the office of the Sabhapati and the Up-Sabhapati are both vacant, the Sabhapati and Up- Sabhapati are temporarily unable to act the prescribed authority may appoint a Sabhapati and Up-Sabhapati from among the members of the Gram

Panchayat to act as such until a Sabhapati and Up-Sabhapati are elected and assume office. .

18. Every election or nomination of Up-Sabhapati, Sabhapati, Sachiva and members of Gram Panchayat, the case may be, shall 'be published by the State Government by notification and such persons; shall enter upon their respective offices from the date of such publication: Provided that if no such Publication has been made the Sabhapati, Up-Sabhapati, Sachiva and members shall be deemed to have entered upon their respective offices from the date of declaration of result of their election or nomination, as the case may be. .

19. (1) notwithstanding any vacancy in the membership of the Gram Panchayat, the prescribed authority shall immediately after but before the expiration of thirty days from the date. of publication of the notification under : section 18 appoint a date for the meeting of the Gram Panchayat members (which meeting shall be called the first meeting of the Gram Panchayat for electing the Sabhapati, Up-Sabhapati and the Sachiva of the Gram Panchayat from 'amongst themselves.

(2) The meeting to be held under sub-section (1) shall be convened prescribed authority in such manner as may be prescribed.

20' (1) Every Gram Panchayat shall hold a meeting for transaction of its business at least twice in every month at the office of the Gram Panchayat or at such place within the local limits or the Gram Panchayat concerned : and at such time as the Sabhapati of the Gram Panchayat may decide.

(2) The Sabhapati may, whenever he thinks fit, in the public interest or shall upon receipt of a written requisition of not less than one half of the total number of members of the Gram Panchayat or if directed by the Secretary of the Rural Development Department or District Development Officer-cum- Panchayat Officer or the District Collector of the concerned district, call a special meeting of the Gram Panchayat will in a period often days from the date of receipt of the requisition or direction, as the case may be: Provided that if the Sabhapati fails to call such special meeting within the specified period from the date of receipt of the requisition or direction, as the case may be, the Secretary of the Rural Development Department or District Development Officer cum-Panchayat Officer or the District Collector of the concerned district may direct the Sachiva or any member of the' Gram Panchayat to call such meeting at such time and at such place within the local limits of the Gram

Panchayat concerned as the Sachiva or the member directed to call the meeting may, decide. .

(3) Two-third of the total number of members constituting the Gram Panchayat shall form a quorum for a meeting of the Gram Panchayat: Provided that no quorum shall be necessary for an adjourned meeting.

(4) The Sabhapati or in his absence, the Up-Sabhapati shall preside at the meeting of the Gram Panchayat and in the absence of both the members present shall elect one from amongst themselves to preside at the meeting.

(5) All questions coming before a Gram Panchayat shall, unless otherwise specifically provided under this Act be decided by a majority of votes of the member present and voting:

Provided that in case of equality; of votes the person presiding shall have a second or a casting vote.

(6) No member shall vote on, and take part in the discussions of any question coming up for consideration at a meeting of a Gram Panchayat if the question is one in which he has any direct or indirect pecuniary interest other than an interest as a member of public.

(7) If it appears to any member present at a meeting that the person presiding at the meeting has any such pecuniary interest in any matter before the meeting for discussion or any' question coming up for consideration is referred to in sub -section (6) and a motion brought by him to that effect is carried, such a person shall not preside at such meeting and shall not take-part therein, and for the purpose of subsection

(4) Such person shall be deemed to be absent during the discussions or consideration of the particular matter.

21. No matter once finally disposed of by the Gram Panchayat shall be reconsidered by it within the period of six months unless the. recorded consent of not less than one-half of its total number of members is been obtained there to.

22. (i) A list of the business to be transacted at every meeting of the Gram Panchayat except at an adjourned. Meeting, shall be sent to each member of the Gram Panchayat, at least seven days before the time fixed for such meeting and no business shall be brought before or transacted at any meeting, other than the business for which notice has been so given except with the approval of the majority of .the members

present at such meeting: Provided that non-receipt of a notice by a member shall not vitiate the proceeding: of the meeting:

Provided further that if the Sabhapati thinks that ,the situation has arisen for which an emergent meeting of the Gram Panchayat should be entitled he may call such meeting at such time and at such place within the limits of the Gram Panchayat concerned after, ensuring receipt of intimation of such emergency meeting by all members.

(2) The business of the Gram Panchayat shall be transacted in the language commonly spoken and understood by the members.

(3) Minutes of the proceedings at each meeting of the Gram Panchayat shall be recorded in a book, to be kept for this purpose and shall be read and signed by the Sabhapati of the meeting before the meeting disperses.

(4) The Sachiva of the Gram Panchayat shall, within a week after a meeting of the Gram Panchayat is held, send copies of minutes of every such meeting to the Secretary of the Rural Development Department and the District Development Officer-cum Panchayat Officer of the concerned district.

23. The Sabhapati shall

(a) Regulate the meetings of the Gram Panchayat;

(b) Be responsible for the maintenance of records and registers of the Gram Panchayat

(c) Exercise supervision and control over the acts done and action taken by the members of the Gram Panchayat and such officers and other employees whose services may be placed at the disposal of the Gram Panchayat by the State Government;

(d) Operate jointly with the Sachiva of the Gram Panchayat the funds of the Gram Panchayat including authorization of payment, issue of cheques and refunds;

(e) Issue receipts under his signature for money received by him on behalf of the Gram Panchayat;

(F) cause preparation of all statements and reports required by or under this Act

(g) Exercise such other powers, perform such other functions and discharge such other duties as the Gram Panchayat may, by general or special resolution, direct or as the State Government may prescribe.

24. The Up-Sabhapati shall

(a) In the absence of the Sabhapati regulate the meetings or the Gram Panchayat; .

(b) Exercise such of the. Powers and perform such other functions and discharge such, of the duties of the Sabhapati as the Sabhapati may, from time to time, delegate to him

by order in writing: Provided that the Sabhapati may at any time withdraw all or any of the powers, functions and duties so delegated to the Up-Sabhapati;

(c) During the absence of the Sabhapati, exercise 'all the powers, perform all the functions and discharge all the duties of the Sabhapati.

25. The member of a Gram Panchayat at any of the meeting may move resolution may put questions to the Sabhapati or Up-Sabhapati or the Sachiva, as the case may be, on matters connected with the administration of the Gram Panchayat or execution of any work or scheme undertaken by. or entrusted to such Gram Panchayat.

26. (1) A Sabhapati or an Up-Sabhapati or a member of a Gram Panchayat may resign his office by notifying in writing his intention to do so to the prescribed authority and on such resignation being accepted the Sabhapati or the U p-Sabhapati the member shall vacate his office and the casual vacancy shall be deemed to have occurred in such office: Provided that a person tendering resignation may withdraw his resignation before it is accepted by the prescribed: by authority.

(2) When the resignation is accepted under sub-section (1), the prescribed authority shall communicate it to the members of the Gram Panchayat within a period of thirty days of such acceptance.

27. A Sabhapati or a Up-Sabhapati of a Gram Panchayat may, at any time be removed from office by a resolution of the Gram Panchayat carried by the majority of' the members of the Gram Panchayat present at a meeting specially conveyed for the 9 purpose. Notice of such meeting shall be given to the prescribed authority: Provided that at any such meeting while any resolution for the removal of

(i) The Sabhapati from his office is under consideration: or

(ii) The Up-Sabhapati from his office is under consideration, he shall not, though present, preside at such meeting and the provisions of Sub section (4) of section 20 shall apply in relation to any such meeting as they apply in relation to a meeting from which the Sabhapati or, as the case may be, the Up-Sabhapati, is absent.

28. (1) In the event of removal of a Sabhapati or an Up-Sabhapati under section 27 or when a vacancy occurs in the office of a Sabhapati or: an Up- Sabhapati by resignation, death or otherwise, the Gram Panchayat shall elect: any other Sabhapati or Up-Sabhapati and the person so elected shall take office forthwith and shall hold such office for the unexpired term of office of his predecessor.

(2) No person who has been removed from office under section 27 shall be eligible for reelection to the vacancy so caused. .

29. (I) The prescribed authority may, after giving an opportunity, to a member of a Gram Panchayat to show cause :against the action proposed to be taken against him, by order remove him from office if,

(a) After his election he is convicted by a criminal court of an offence involving moral turpitude and punishable with imprisonment for a period of more than six months; or .

(b) he was disqualified to be a member of the Gram Panchayat at the time of his election; or

(c) he incurs any of the disqualifications mentioned in section 16, after his election as a member of the Gram Panchayat; or

(d) He is absent from three consecutive meetings of the Gram Panchayat without the leave of the Gram Panchayat.

(2) Any member of a Gram Panchayat who is removed from his office by the prescribed authority under sub-section (1) may, within a period of thirty days from the date of the order, appeal to the Secretary to the Government of Sikkim in the Rural Development Department who may stay the operation of the ,order till the disposal or the appeal and may, after giving notice of the appeal to the prescribed authority and after giving the appellant an- opportunity of be being heard, modify, set aside or confirm the order. *Explanation:* - For the purpose of this sub 'section, the term "Secretary" will mean only the Secretary. .

(3) The, order passed by such authority on such appeal shall be final.

30. (1) if the office of a member of a Gram Panchayat becomes vacant by reason of his death, resignation, removal or otherwise, such vacancy shall be filled in by election of :another person under this Act. The person elected shall take office forthwith and shall hold such office for the unexpired term of office of his predecessor: Provided that no election for filling in of a casual vacancy shall be held if the vacancy occurs within a period of six months preceding the date on which the term of office .of the person concerned expires.

(2) No person who has beer1 removed from his office under section 29 shall be eligible for reelection,

31. (1) Every Gram Panchayat shall, at its first meeting at which a quorum is present, elect one or its members to be Sachiva of the Gram Panchayat: Provided that no member who is not able to read or write any of the official languages of the State shall be qualified to be elected as a Sachiva: Provided further that where no such person as referred to in the first proviso is available, the Gram Panchayat may appoint

Panchayat Assistant appointed by the Secretary to the Government in the Rural Development Department to look after the ,works or Sachiva. .

(2) The Sachiva of the Gram Panchayat: so elected or as the case may be, appointed shall assist the Sabhapati the U p-Sabhapati as the case may be, of the Gram Panchayat in due maintenance of the Gram Panchayat office and for proper organization and execution of rural development schemes and shall be directly answerable to the members of the Gram Panchayat.

(3) The Sachiva shall be in charge of office of the Gram Panchayat and shall exercise such powers and perform such other functions and discharge such other duties as the State Government may by rules made in this behalf, prescribe.

(4) The term of office of the Sachiva shall, subject to the provisions of section 33 be co-terminus with the term of the Gram Panchayat.

32. A Sachiva of a Gram Panchayat may resign from his office by notifying in writing his intention to do so to the prescribed authority and on such resignation being accepted the Sachiva shall vacate his office and the casual vacancy shall be deemed to have occurred in such office: Provided that a person tendering resignation may withdraw his resignation before it is accepted.

(2) When the resignation is accepted under sub-section (1), the prescribed authority shall communicate it to the members of the Gram Panchayat within a period of thirty days of such acceptance. .

33. (1) A Sachiva may, at: any time, be removed from office by a resolution of the Gram Panchayat carried by the majority of the members of the Gram Panchayat present at a meeting specially convened for the purpose. Notice of such meeting shall be given to the prescribed authority.

(2) In the event of removal of a Sachiva under sub-section (1) or when it vacancy occurs in the office of a Sachiva by resignation, death or otherwise, the Gram Panchayat shall elect one of its members to be the Sachiva and the person so elected shall take office forthwith and shall hold such office for the un-expired term of office of his predecessor.

(3) No person who has been removed from his office under sub-section (1) shall be eligible for reflection to the vacancy so caused.

Chapter IV

Duties of Gram Panchayat

34. Subject To Any General Or Special Direction Of The State Government, the duties *of* a Gram

Panchayat shall be to provide within the .area under its jurisdiction for

- (.1) sanitation, conservancy and drainage and the prevention of public nuisance
- (b) Curative and preventive measures in respect of any infectious disease;
- (c), supply of drinking water and the cleaning and disinfecting the sources of Supply and storage of water;
- (d) Maintenance, repair and construction of village wilds and protection thereof
- (e) The removal or encroachments of village roads or public places;
- (f) the management *of* common grazing grounds, burning places and public graveyards;
- (g) The supply of any local information which the District Collector or District Development Officer-cum-Panchayat Officer or the Zilla Panchayat may require within the limits of the jurisdiction of the Gram Panchayat;
- (h) Organizing voluntary labour for community work and works for the upliftment of its areas;
- (i) Control and administration of the Gram Panchayat Fund established under this Act
- (o) Regulation of fairs melas hats and exhibition of local produce and promotion of cottage industries.
- (p) Assisting residents of the Gram in obtaining loans , its repayment and distribution-
- (q) Assisting in the implementation of land reform measures
- (r) The promotion and encouragement of education including adult education
- (s) Such other functions which the State Government may, from time to time
- 11 (j) the imposition, assessment and collection of taxes, fees or rates leviable this Act.
- (k) Construction and maintenance of dharmasala:
- (l) Regulating places for the disposal of dead bodies and carcasses and other offensive matters;

- (m) Assisting the development of agriculture, forestry, animal husbandry, poultry, fisheries, village and cottage industries and co-operative;
- (n) Registering births, deaths and marriages and annually submitting such records to the Zilla Panchayat;
- (o) Maintenance of such records relating to cattle census, population census, crop census and census of unemployed persons and such other statistics as may be required and annually submitting such records to the Zilla Panchayat;
- (p) Regulating inflow of animals within the area and their transfer;
- (q) Destruction and disposal of ownerless and rabid dogs and disposal of unclaimed animals;
- (r) Maintenance, upkeep and supervision, of any building or other property which may be entrusted to it by the State Government for management;
- (s) Assisting the Zilla Panchayat in preparing development plan of its area;
- (t) Rendering assistance in extinguishing fire and protecting life and property when fire occurs.
- (u) Any other local works or service of public utility which is likely *to* promote the health, comfort, convenience or material prosperity of the public not otherwise, provided for in this Act;
- (v) Such other duties as may be entrusted to it by the 'State Government from time to time.

35. (1) A Gram Panchayat shall also perform such other functions: as the State Government may assign to it in respect of-

- (a) Primary, social technical or vocational education.
- (b) Rural dispensaries health centers, maternity and child welfare centers.
- (c) Minor irrigation.
- (d) Grow more food campaign.
- (e) care of the infirm and destitute.
- (f) Rehabilitation or displaced persons.
- (g) improved breeding of cattle, medical treatment of cattle and prevention of cattle disease
- (h) its acting as a channel through which Government assistance should reach the residents of the Gram; .
- (i) bringing private waste land under cultivation

- (j) promotion of plantations in the Gram;
- (k) arranging for cultivation of land lying fallow;
- (l) arranging for co-operative management of resources of the Gram; .
- (m) implementation of such schemes as may be formulated by the State Government;
- (n) field publicity of matters connected with development works and other welfare works under taken by the Government.

Appendix - C

Notification regarding taxes, rates and fees to be levied by the Gram Panchayat

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Gangtok Thursday 30th September, 2010 No. 543

GOVERNMENT OF SIKKIM

RURAL MANAGEMENT & DEVELOPMENT DEPARTMENT

GANGTOK

NO: 05/RM&DD/P DATED: 27 / 09 /2010.

NOTIFICATION

In exercise of the powers conferred by Sub-Section (1) of Section 40 of the Sikkim Panchayat Act 1993 (6 of 1993), the State Government hereby fixes the taxes, rates and fees to be levied by the Gram Panchayat as under, namely:

1. Household Tax @ Rs. 5/-, Rs, 10/- and Rs.15/- per month from each household-small, medium, and bigger respectively. For Resorts, hotel, restaurant, guest houses @ Rs. 2500/- per annum.
2. Water and Sanitation Tax @ Re. 1/- per month from each household.
3. Village Road and Environment Tax @ Rs. 2/- per month from each household.
4. Sale of Tender Forms as per Government norms. 142

5. Building Construction fee @ Rs. 2/- per Sq. ft. for RCC building and @ Re. 1/- per sq. ft. for Ekra /Kacha structure.

6. Other Miscellaneous Receipts (Bank interest, donation, disposal of unserviceable items, charges for use of Panchayat Ghars/ Conference Halls/ other properties etc.) (As per Panchayat resolution, duly approved by Gram Sabha).

7. Trade License fees and hawker license fees as per UD&HD rates. (The licenses will be issued by GPs on fulfillment of required conditions as per Trade License rules).

8. Fees on Mela / Picnic etc. in rural area. (As per Panchayat resolution, duly approved by Gram Sabha).

9. Fees for construction of temporary sheds for any kind of social gathering in public property. (As per Panchayat resolution, duly approved by Gram Sabha).

10. Fees for minor dispute redressal. (Such redressal forum should be created in GPs. @ Rs. 20/- per application/case)

2. Terms of reference:

1). All the above rates are recommended by the State Finance Commission and approved by the State Government. The Gram Panchayats may revise these rates on the recommendation of the Gram Sabha and approval of the State Government.

2) All receipt from fees, taxes or user charges shall be booked under the head prescribed to facilitate distinction of receipt as per the new Accounting procedure. No separate account shall be opened for the purpose.

Sd/-

A.K. Ganeriwala, IFS

Secretary

Appendix - D

29 Subjects as per Eleventh Schedule (Article 243G)

1. Agriculture including agricultural extension
2. Land improvement, implementation of land reforms, land consolidation and soil conservation
3. Minor irrigation, water management and watershed development
4. Animal Husbandry, dairying and poultry
5. Fisheries
6. Social forestry and farm forestry
7. Minor Forest Produce
8. Small Scale industries including food-processing industries
9. Khadi, village and cottage industries
10. Rural Housing
11. Drinking Water
12. Fuel and Fodder
13. Roads, culverts, bridges, ferries, waterways and other means of communication
14. Rural electrification including distribution of electricity
15. Non-conventional energy sources
16. Poverty alleviation programmes
17. Education including primary and secondary schools
18. Technical training and vocational education
19. Audit and non-formal education
20. Libraries
21. Cultural activities
22. Markets and fairs
23. Health and Sanitation including hospitals, primary health centres and dispensaries
24. Family Welfare
25. Women and Child Development
26. Social Welfare including welfare of the handicapped and mentally retarded
27. Welfare of the weaker sections and in particular of the SCs and STs
28. Public Distribution System
29. Maintenance of community assets.