PANCHAYAT SYSTEM IN KARNATAKA: DEMOCRACY, REPRESENTATION AND POLITICAL PARTIES

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ABSTRACT

Abstract: As far as the Indian sub-continent is concerned local governance/panchayat has an elaborate history. The rural population have for long practiced this system of governing themselves through their representatives. The mode of working and the powers vested in the local bodies, have not been uniform throughout. The federation conferred constitutional status to the local governance bodies in 1993 and this system has progressed in an interesting way. Karnataka, a southern State in India has been ahead of time in enacting legislations dealing with local governance. Even before the amendment inserting provisions to the Constitution of India was passed, Karnataka had and was implementing extravagant laws pertaining to panchayats. Since democracy and decentralisation are closely associated with the panchayats, the idea of representation has a key role to play. The concerns with respect to involvement and influence of political parties in the local body elections are an important aspect as well. This paper ventures out to understand the panchayat system in Karnataka, pre and post the Constitutional amendment. The paper intends to throw light on the essence of the legislations relating to panchayats in Karnataka and understand the idea of democracy, representational factor and the concept of elections on a non-party basis. The researchers have keenly pondered upon the implementation of apolitical elections in Karnataka, the flaws in the proposed phenomenon. The paper also aims to look into hurdles in the way of these local bodies and propose suggestions to get over the same.

Purpose: To Analyze the panchayat system in Karnataka, both before and after the 1993 constitutional amendment. Examine the essence of Karnataka's panchayat-related legislation. Explore the concepts of democracy, representation, and non-party elections in the context of panchayats. Evaluate the implementation of non-partisan elections in Karnataka and identify potential flaws. Analyze the challenges faced by panchayats and propose solutions.

Theoretical Reference: Mainly Doctrinal research methodology. Relies on primary sources like the Indian Constitution, relevant statutes relating to panchayaths, and relevant data. Draws on secondary sources like articles and research papers.

Method: Analyzes relevant legal documents and scholarly works. Analytical Method of Study Comparative Studies in relation to various factors pertaining to the research between the three levels of Panchayat (Gram Panchayat, Taluk Panchayat and Zilla Panchayat)

Results and Conclusion: Non-partisan elections in Karnataka are largely theoretical; political parties influence local elections. Political interference hinders effective panchayat functioning. The paper likely proposes recommendations for strengthening panchayats and minimizing political influence.

Implications of Research: Provides insights into the challenges and potential of decentralized governance in India. Informs policymakers and stakeholders about improving panchayat effectiveness. May contribute to debates on non-partisan elections and local democracy.

Originality/Value: The study offers a focused analysis of Karnataka's panchayat system within a specific theoretical framework. Its findings on the limitations of non-partisan elections could be valuable for other regions considering similar approaches.

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SISTEMA PANCHAYAT EM KARNATAKA: DEMOCRACIA, REPRESENTAÇÃO E PARTIDOS POLÍTICOS

Resumo: No que diz respeito ao subcontinente indiano, a governança local/panchayat tem uma história elaborada. Há muito tempo, a população rural pratica esse sistema de governar a si mesma por meio de seus representantes. O modo de trabalho e os poderes conferidos aos órgãos locais não foram uniformes em toda parte. A federação conferiu status constitucional aos órgãos de governança local em 1993 e esse sistema progrediu de forma interessante. Karnataka, um estado do sul da Índia, está à frente do tempo na promulgação de legislações que tratam da governança local. Mesmo antes da aprovação da emenda que inseriu disposições na Constituição da Índia, Karnataka tinha e estava implementando leis extravagantes relativas aos panchayats. Como a democracia e a descentralização estão intimamente associadas aos panchayats, a ideia de representação tem um papel fundamental a desempenhar. As preocupações com relação ao envolvimento e à influência dos partidos políticos nas eleições locais também são um aspecto importante. Este artigo se aventura a entender o sistema panchayat em Karnataka, antes e depois da emenda constitucional. O artigo pretende esclarecer a essência das legislações relacionadas aos panchayats em Karnataka e compreender a ideia de democracia, o fator de representação e o conceito de eleições sem base partidária. Os pesquisadores refletiram profundamente sobre a implementação de eleições apolíticas em Karnataka e as falhas do fenômeno proposto. Os pesquisadores refletiram profundamente sobre a implementação de eleições apolíticas em Karnataka e as falhas do fenômeno proposto.


Referência teórica: Metodologia de pesquisa principalmente doutrinária. Baseia-se em fontes primárias, como a Constituição indiana, estatutos relevantes relacionados a panchayaths e dados relevantes. Baseia-se em fontes secundárias, como artigos e trabalhos de pesquisa.

Método: Analisa documentos legais e trabalhos acadêmicos relevantes. Método analítico de estudo: estudos comparativos em relação a vários fatores pertinentes à pesquisa entre os três níveis de Panchayat (Gram Panchayat, Taluk Panchayat e Zilla Panchayat).

Resultados e conclusões: As eleições não partidárias em Karnataka são em grande parte teóricas; os partidos políticos influenciam as eleições locais. A interferência política impede o funcionamento eficaz do panchayat. O documento provavelmente propõe recomendações para fortalecer os panchayats e minimizar a influência política.

Implicações da pesquisa: Fornece percepções sobre os desafios e o potencial da governança descentralizada na Índia. Informa os formuladores de políticas e as partes interessadas sobre a melhoria da eficácia do panchayat. Pode contribuir para debates sobre eleições não partidárias e democracia local.

Originalidade/valor: O estudo oferece uma análise focada do sistema panchayat de Karnataka dentro de uma estrutura teórica específica. Suas conclusões sobre as limitações das eleições não partidárias podem ser valiosas para outras regiões que estejam considerando abordagens semelhantes.


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INTRODUCTION

Man is a social animal and prefers to concentrate with fellow human beings in a society. Since the idea of civilisation has crept in, the need to designate a person from amongst themselves or a family to discharge administrative functions has been in practice. This instant system was followed for a long time until the notion of involvement of common man in the field of administration set in. The evolution of the inking of ‘right’ further resulted in men desiring to have rights of participating in the process of governance. With this progressed the concept of democracy, the same advanced as a successful mode of governance and nations embraced the same. Democracy is practiced within a legal system at different levels. However, it is fascinating to trace the path of local governance or grass root level governance, the history and implementation of the same.

As far as the Indian sub-continent is concerned local governance/panchayat has an elaborate history. The rural population have for long practiced this system of governing themselves through their representatives. The mode of working and the powers vested in the local bodies, have not been uniform throughout. The federation conferred constitutional status to the local governance bodies in 1993 and this system has developed in an interesting way. Karnataka, a southern State in India has been ahead of time in enacting legislations dealing with local governance. Even before the amendment inserting provisions to the Constitution of India was passed, Karnataka had and was implementing extravagant laws pertaining to panchayats. Through a casual glance at the working of these local governance bodies, democracy is seen to be working at its best. Though being a land of diversity, the nation is spiralling through the democracy and the decentralisation process that it has accommodated within its legal system. The concept of involving people in planning and decision making process is suggestive of the inclusive approach India incorporates. Apart from facilitating administration process, devolution of power ensures a sense of belongingness amongst the population. Since democracy and decentralisation are closely associated with the panchayats, the idea of representation has a key role to play. The concerns with respect to involvement and influence of political parties in the local body elections is an important aspect to be understood.

This paper ventures out to comprehend the local governance system in Karnataka, pre and post the Constitutional amendment. The paper intends to throw light on the essence of the legislations relating to panchayats in Karnataka, understand the idea of democracy, representational factor and the concept of elections on a non-party basis. The paper also aims to look into the hurdles in the way of these local bodies and propose suggestions to get over the same. This paper is broadly divided into six heads. While the first provides an introduction on the subject matter, the second ventures out to understand the panchayat system in India and the consequent chapter deals with panchayat system in Karnataka specifically dealing with the legislative framework of local governance. The fourth chapter deals with the idea of democracy, representation and political parties and the issues underlying the same. The fifth deals with conclusion and suggestions.

PANCHAYAT SYSTEM IN INDIA

Local governance in India is achieved through the panchayats at the village level. Panchayats are predominantly the bodies responsible for governance in the rural part of the country. There also exists a local governance system at the towns and cities, similar to that of the panchayat system. However, the same finds its basis in the panchayats. Panchayat system in India can be traced through two broader categories, one being the historical aspect of panchayats including the pre-historic times and the colonial rule and two being the post-independence era. If on the lines of comparison one traces the contribution of these eras towards
structuration of panchayat system in India, both seem to be equally important. Panchayats have always been a resort to smooth governance as it helps in decentralising the administrative process thereby facilitating governance.

2.1 Pre-Independence era

Though the panchayat system in India at present has an influence of the English regime, the system of panchayats in India has an elaborate history. The Indian city of Vaishali, capital city of Vrijji Mahajanapada, one of the oldest known civilisations, has evidences of having a local governance system in the form of panchayats. The word ‘panchayat’ is derived from the Sanskrit word ‘panchas’ referring to ‘five’ which is suggestive that five headmen of the village or community would supervise over the local administration process. It is also interesting to note that these panchayat bodies were also vested with adjudicatory powers and acted as the authorities at the foundational level. The King was the supreme authority and under him came other levels of administrators dispensing administrative functions as well as acting as a line of connection between the King and the local administration bodies. In Indika by Megasthenes the structure of village administration with specific reference to the Mauryan Empire is clearly depicted. Arthashastra by Kautilya reflects the village administration through a well-established system. The Gupta period also had an engrained structure of local governance. Considering the magnanimity of these empires, a decentralised approach towards governance was probably preferred to be the key to smooth and efficient administration.

The idea of decentralisation however was not uniformly followed by the foreign rulers in India. The same is evident through understanding the Mughal rule after invasion. While a few rulers like Akbar did vest their confidence in decentralisation, most of the others had a greatly centralised structure of governance. The same continued with the advent of British at the initial point. There existed an extremely centralised structure of governance. As time passed by and as the British government got successful in taking control over a major part of the Indian Territory, there was a felt need to decentralise the administration process especially in the presidency towns. This was when the legislative enactments establishing the Municipalities in the presidency towns were put in place. The resolutions of Lord Mayo in developing the self-government and decentralisation of financial powers formally kick-started the devolution of powers to the locals. Another notable resolution was that of Lord Ripon who proposed to vest the power of electing representatives to the people. The Montagu-Chelmsford reforms introduced a formal structure of local governance within the legal system of India. This was achieved through incorporation of the instant reforms into the Government of India Act, 1919. Later, the Simon Commission which was appointed for constitutional reforms furthered the idea of local self-governance in the country and the report of the Commission was incorporated in the Government of India Act, 1935. It is however widely criticised that though the British introduced a formal structure of local governance in India, it was in no way venturing out to render actual ruling powers to the inhabitants but to ease their own issues of governing the vast terrain.

2.2 Post-Independence era

Villages played an important role in the freedom struggle. Though the idea of self-government to an extent was officially implemented in the presidency towns, villages still did not have a formal local government structure. There was an absence of specific enactment to provide a formal backdrop. After independence, the Constituent Assembly largely debated around the question of basing the whole Constitution on village. In the proposed structure, village would be the fundamental unit of governance and the same was in the verge of
inculcating the idea of *Gram Swaraj* by Mahatma Gandhi. The Assembly was rather divided about the above proposal and somehow settled down to have only one provision under the broader heading of Directive Principles of State Policy suggesting the state governments to organise village panchayats. Based on the instant directive a few States like Bihar, Rajasthan and Karnataka enacted legislations to specifically structure panchayats in the respective States. It has time and again been reiterated by the Apex Court that these directives are fundamental in governance and introduce the concept of welfare state in the country.

However, the felt need to have a constitutionally recognised structure of local governance uniformly seeped into the thought of the administrators and hence a plethora of Committees one after the other were appointed to test the viability of introducing a constitutionally recognised panchayat system in the country. The most glorious of all was the Balwantrai Mehta Committee which recommended for a three tier structure of local governance. Further for over a period of four decades many other Committees such as the Ashok Mehta Committee, G.V.K Rao Committee, L.M.Singhvi Committee, P.K.Thungon Committee were appointed for the same purpose. The recommendations of the Committees were diverse pertaining to the structure of local governance but a line of consensus existed among the recommendations. All the Committees unanimously recommended for a constitutional status to the panchayats. This epoch of four decades also witnessed two failed attempts to confer a constitutional status to panchayat institutions in the country. For various reasons, the Bills encapsulating insertions to the Constitution specifically dealing with panchayat system failed in the Parliament.

Following this, another Bill was introduced in the Parliament, the said Bill elaborately dealt with local governance set up through village panchayats. The same was passed in the year 1993 and was a clear unification of the features of the earlier attempts. The Act inserted Chapter IX, Article 243 and the Eleventh schedule into the Constitution. Attempts to incorporate a miniature government structure within the proximity of a village was made through the said amendment. The amendment till date remains a magnanimous step in the history of local governance in India. Though the said provision does not mandate the States to incorporate panchayat system with immediate effect after the commencement of the amendment Act; the provision is elaborate enough to incorporate a formal structure of panchayat system, reservations for the vulnerable sections of society and democratic representation. The article prescribes for a three-tier structure of governance and specifically mentions for exceptions to the same. Though in a few States, through the amendment that came into effect had formally drawn up a local governance system, there were major concerns such as irregularity in elections, lack of financial resources, inadequate representation which deprived them of their desired success. From the standpoint of the people, this amendment was supposed to have a comprehensive effect in terms of democratic representation, decentralisation, equality and social justice.

3 PANCHAYAT SYSTEM IN KARNATAKA

Karnataka is a southern State in India. Panchayats in Karnataka have an elaborate history. The history has continued in all its glory post the independence of India as well. The dynasties like the Kadambas, Rastrakutas, Vijayanagara dynasty and others that have ruled Karnataka since ages have had regard to the panchayat system working at the village level. A keen observation of the working of the administrative system at this time is suggestive that the panchayats were vested with the administrative powers like collection of taxes, planning and implementation as well as adjudicatory functions. The same to an extent was carried forward during the British rule in Karnataka. Though there was no formal enactment applicable to Karnataka, the developments in the area of local administration in the Presidency town of
Madras had an immense influence on the rulers in India during the English regime as well. Traces of a ‘local fund’ being allocated for infrastructure development project is evident. Also, an enactment called the Mysore Local Boards Act, 1902 was passed to revitalize the local bodies. The said legislation provided for nominated bodies at various levels. However, rather than dispensing off the functions these bodies ended up becoming mere consultative bodies. The Government again passed the Mysore Local Boards and Village Panchayats Act in 1918. It was for the first time through this Act that an elected representation was provided to the local bodies.

To review the working of these local bodies an Integration and Coordination Committee also called as the Venkatappa Committee headed by Sri Venkatappa was appointed by the Government of Mysore. Based on the recommendations of this Committee the Mysore Village Panchayats and Local Boards Act, 1952 was enacted and implemented. The interest to upgrade the working of the instant legislation made the Government of Mysore set up another Local Boards Enquiry Committee headed by D. Chandrashekaraiah, also called as the Chandrashekaraiah Committee. This Committee recommended for a three-tier structure of governance with district boards, taluk boards and village panchayats at the apex, intermediate and basic levels respectively. A blend of directly elected and indirectly elected bodies were prescribed by the Committee. A clear indication about the district boards being an indirectly elected body and taluk boards having the traces of directly elected representatives to an extent of 2/3rd and the remaining 1/3rd being indirectly elected body. The Committee also prescribed for the working of the district and taluk boards as executive bodies. It also envisaged the importance of setting up special agency to carry out public work for these bodies. An immediate consideration of this report did not happen owing to the reorganisation of States at the federal level. However, later, based on the report submitted by this Committee, a new enactment was passed in the year 1959.

The modern development pertaining to panchayats can be traced through three magnificent legislations specifically applicable to Karnataka. The Mysore Village Panchayats and Local Boards Act, 1959, the Karnataka Zilla Parishads, taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983 and the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

Fundamentally relying on the Directive Principle of State Policy specifically dealing with the responsibility on the State governments organising village panchayats, the Government of Karnataka as early as in 1959 enacted the Mysore Village Panchayats and Local Boards Act, 1959. The Mysore Village Panchayats and Local Boards Act, 1959 was largely based on the recommendations of the Venkatappa Committee and the Chandrashekaraiah Committee. Traces of the local governance legislations from the neighbouring States like Bombay, Madras as well as the Hyderabad-Karnataka area was evident in the Act. it was through this paradigm legislation that the whole State was brought under a uniform system of local governance for the first time. The structure of local governance comprised of village panchayats remained the fundamental level of local governance, the Taluk development boards at the intermediate level and the District development boards at the district level. The objective of devolution of power and responsibility to the institutions run by people themselves was to an extent achieved through the instant legislation.

With the Janata party coming into power in the State of Karnataka in 1983, the new government was keen on revitalising the panchayat institutions in Karnataka. The Government in the State headed by the then Chief Minister Ramakrishna Hegde along with Abdul Nazir Sab, the then Minister for Rural Development were instrumental in bringing about the Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983. The report submitted by the Ashok Mehta Committee to the Parliament at the Centre also was the driving force behind the enactment. As the nomenclature of the Act is suggestive,
the enactment ventured out to provide for a fully established system of local government in the State inclusive of Zilla parishads at the District level, taluk panchayat Samithis at the intermediate level and the Mandal panchayats at the village level specifically applying to a cluster of villages. The Act also attempted to establish Nyaya panchayats, wherein the local bodies would also be vested with adjudicatory powers similar to the primitive panchayats in India. However, this could not be brought into effect due to various concerns revolving around implementation. The very enactment, though was enacted in 1983 was brought into effect only in the year 1987. The Act provided for elected bodies at the village and district level and an ex-officio body at the taluk level. The said enactment is considered to be radical as it had sweeping powers devolved around the local bodies. However various reasons including hurdles in the implementation process and absence of a constitutional mandate rendered the enactment less fruitful.

A change in the state government, followed by the federal government conferring constitutional status to panchayats in 1993, Karnataka witnessed another paradigm legislation specifically dealing with panchayats known as the **Karnataka Gram Swaraj and Panchayat Raj Act, 1993.** Though critics opined that the Karnataka government could have amended the legislation of 1983 to suit the constitutional amendment, the government found it viable to enact a legislation afresh for various reasons. Karnataka was amongst the pioneer States in India to enact specific legislation in lines with the constitutional amendment. Provisions pertaining to powers of the local government authorities were upgraded to suit the constitutional amendment. A three tier structure of local government inclusive of the Gram panchayat at the village level, the taluk panchayat at the intermediate level and the Zilla panchayat at the district level was reintroduced. The gram panchayat, the taluk panchayat and the Zilla panchayat are directly elected bodies, an indirect representation is provided for election of Chairperson and Vice-Chairperson. Karnataka has 30 Zilla panchayats, 176 taluk panchayats and 5659 village panchayats.

The local governance system in Karnataka is a blend of elected representatives and executive members. The legislation provides for free and fair elections to the local government bodies. The Act provides for reservation of seats in the elections to ensure equitable representation to the backward sections of the society. The elections are conducted by the State Election Commission. The Act provides for democratic decentralisation at the grass root level. The Act vests the obligation of planning on the panchayat bodies. The panchayats are also assigned with financial functions. Matters listed in the Eleventh schedule of the Constitution of India come under the purview of the panchayats at all the three levels. Sanitation, public health, taxes, fees, basic infrastructure, libraries are a few to name.

### 4 DEMOCRACY, REPRESENTATION AND POLITICAL PARTIES

Democracy is a form of government in which power is held by the people, either directly or through elected representatives. It is characterized by free and fair elections, the rule of law, and the protection of individual rights and freedoms. In a democratic system, citizens have the right to participate in the decision-making process, either by voting for their chosen representatives or by participating in public debates and discussions. Democratic societies are also characterized by a strong sense of accountability, transparency, and openness, with the government being held responsible for its actions and decisions. Hailing from two Greek words, ‘demos’ meaning ‘people’ and ‘kratos’ meaning ‘to rule’; democracy can be understood as a system of governance where people rule themselves. In a democratic State, people are an integral part of the decision making process. Democracy can be broadly divided into direct and representative.
Right of an individual to be a part of the governance mechanism was ushered specifically as a part of the improvised version of the Social Contract theory by John Locke. Social contract theory is a political theory that posits that individuals willingly give up some of their natural rights and freedoms to the government in exchange for protection and security. According to this theory, the government derives its authority from the consent of the governed and is obligated to act in the best interests of its citizens. The notion of involving people in the governance has been incorporated into various legal systems across the globe. Realisation of the goals of democracy is the immediate aim of any legal system so incorporating the same. Apart from creating an accountable administration, democracy ensures a sense of belongingness towards the government among people.

The idea of democracy is rooted in the belief that every person has the right to participate in the political process and to have a say in how they are governed. It is based on the principles of equality, freedom, and justice, and is seen as a means of promoting peace, prosperity, and human dignity. Despite its many strengths, democracy is not without its challenges and limitations. Some of the key challenges include the potential for corruption, the risk of political polarization, and the danger of mob rule. Nonetheless, democracy remains a powerful and enduring idea, one that has inspired people around the world to fight for their rights and freedoms. Local governments are also seen as playing an important role in upholding the social contract between citizens and the government. This includes things like ensuring that public services are provided efficiently and effectively, promoting transparency and accountability in government decision-making, and protecting the rights and freedoms of all citizens within their jurisdiction. In this way, local government is seen as a critical component of the social contract between citizens and the government.

India follows the system of representative democracy. People elect their representatives who in turn rule the nation. In India, Panchayats are the basic units of local government, responsible for providing basic services and infrastructure to rural communities. They are divided into three tiers: Gram Panchayats at the village level, Taluk Panchayats at the sub-district level, and Zilla Panchayats at the district level. Political parties play a significant role in the functioning of Panchayats, and their representation can vary across different levels. At the Gram Panchayat level, political parties often play a less prominent role than at higher levels of Panchayats. Elections for Gram Panchayats are typically conducted on a non-party basis, with candidates running as independents. At the Taluk and Zilla Panchayat levels, political parties are more likely to be involved in the electoral process, and their representation is often more significant. Elections for Taluk and Zilla Panchayats are conducted on a party basis, and political parties typically field candidates to contest these elections. The level of party representation can vary depending on the political climate, the number of political parties contesting the election, and the electoral system used in each state.

A comparative analysis of political party representation in Gram Panchayat, Taluk Panchayat, and Zilla Panchayat can reveal some interesting trends. For example, in some states, political parties may have a greater presence at the Taluk and Zilla Panchayat levels, but may be less active at the Gram Panchayat level. Elections for Gram Panchayats are typically conducted on a non-party basis, with candidates running as independents. At the Taluk and Zilla Panchayat levels, political parties are more likely to be involved in the electoral process, and their representation is often more significant. Elections for Taluk and Zilla Panchayats are conducted on a party basis, and political parties typically field candidates to contest these elections. The level of party representation can vary depending on the political climate, the number of political parties contesting the election, and the electoral system used in each state.

Overall, while political party representation in Panchayats can vary across different levels, their participation and representation are an essential aspect of local governance in India. Political parties can help to provide a platform for candidates to contest elections, mobilize voters, and advocate for local issues and priorities. At the same time, political parties'
representation and participation in Panchayats can also bring challenges, such as the potential for political polarization and the prioritization of party interests over local issues. This representation is closely affiliated with the existence of political parties which exert a great influence on the working of the country. There is a requirement that the political parties intending to contest in the elections register themselves with the Election Commission of India. Political parties, apart from the nomenclature also have symbols as an identity. This is in practice to aid the non-literate population in the voting process.

Social cleavage theory is a theory in sociology and political science that suggests that societies are divided along various lines or "cleavages," such as caste, religion, and gender. These cleavages create different social groups with competing interests and values, and they can have a significant impact on the political landscape of a society. In the context of local government, social cleavage theory can help to explain how different social groups within a community may have different needs and priorities, which can in turn influence how they engage with local government and how local government responds to their needs. Local government can play a role in addressing these social cleavages by working to ensure that all members of the community have equal access to government services and opportunities for political participation. This may involve providing services, actively reaching out to underrepresented communities, and creating policies that take into account the diverse needs and priorities of different social groups. Overall, social cleavage theory can help to shed light on the complex relationship between local government and the diverse communities it serves, and can provide a framework for understanding how local government can work to promote greater equity and inclusion within its jurisdiction.

The same idea of representative democracy holds good for the local government bodies as well. Two among three levels of panchayats work on elections represented by political parties. However, the Gram panchayat is an exception to the above. The Karnataka Gram Swaraj and Panchayat Raj Act, 1993 urges that the elections to Gram Panchayat shall be conducted on a non-party basis. This is clearly accommodating the social cleavage theory into practice. The idea that the people of the same village shall not be divided on the basis of the political parties they identify themselves with, is the core principle behind excluding political parties from the domain of gram panchayats. A stipulation that representation in elections through political parties will render a division in the community and inflict hatred is the drawing force behind the apolitical nature of elections to Gram panchayats. This notion is however is not present with the other two tiers of local government bodies namely the Taluk panchayat working at the intermediate level and the Zilla panchayat working at the District level. The political parties are in fact dominating in the elections concerned. The elections and dominance of political parties at this level is also a decisive element in the elections of the Legislative Assembly and the House of People.

However, in spite of the Legislation clearly prohibiting the political parties from contesting or involving in elections to gram panchayats, the political parties both regional and national are keen on the elections to gram panchayats. They consider the gram panchayats as ‘power houses’ as every scheme of the government is to be bought into implementation through these gram panchayats. Uninvited involvement of political parties in gram panchayat elections would also facilitate consolidation of support of people at the grass root level thereby having bigger reflections in the elections of taluk panchayat, zilla panchayat and state assemblies. The contestants to the instant elections also prefer being supported by political parties as it builds their repute in the premises thereby increasing the chances of winning the polls. Studies reveal that candidates’ affiliation towards a political party is evident and the voters are aware of the same as well.
5 CONCLUSION & SUGGESTIONS

In view of the above mentioned analysis the researchers draw the following conclusions. Firstly, informal identification of a candidate with a political party is against the legislative mandate of having elections on non-party basis. In India, elections to Gram Panchayats are supposed to be conducted on a non-party basis. This means that candidates should not identify themselves with any political party, and elections should be fought on the basis of local issues and concerns. However, in reality, candidates are often informally identified with political parties, and parties may provide support to certain candidates behind the scenes. This is against the legislative directive of having apolitical elections and it can lead to the prioritization of party interests over local issues. Idea of apolitical elections to Gram Panchayats were introduced presuming that having political parties within the premises of Gram panchayats would separate the otherwise united rural community but the separation is actually evident even in case of apolitical elections. The idea of having apolitical elections to Gram panchayats was nurtured to preserve the unity of the rural community. It was believed that if political parties were allowed to play a role in these elections, it would lead to the separation of the community along political lines. However, even in the formal absence of political parties, there is evidence of social cleavages and divisions in rural communities. Therefore, the argument for apolitical elections based on preserving the unity of the community may not hold up to scrutiny.

Secondly, Political parties are only exempted from Gram panchayat elections but not Taluk and Zilla panchayats which is not equitable and also the contestants are deprived of the right of formally representing themselves through political parties. This procedure and practice strikes at the spirit of equality enshrined in the Constitution. In India, political parties are not allowed to participate in elections to Gram Panchayats, but they are permitted to participate in elections to Taluk and Zilla Panchayats. This creates an unequal situation where candidates are deprived of the right to formally represent themselves through political parties at the Gram Panchayat level. An important aspect here is, only the contestants to Gram panchayat elections are deprived of representing themselves through political parties, while their counterparts from the Taluk panchayat and Zilla Panchayat are availed of the privilege. This is a violation of the spirit of equality enshrined in the Indian Constitution.

Thirdly, the aspect of social cleavage theory is considered as a justification for severing political parties from Gram Panchayat elections while the same is not applicable to Taluk and Zilla panchayats. The social cleavage theory suggests that allowing political parties to participate in Gram Panchayat elections would lead to social divisions and polarization. However, this argument is not applied to Taluk and Zilla Panchayat elections. It is imperative to note that even these institutions are seen as more closely relevant to the community. Therefore, political parties may be allowed to participate in elections to these institutions without concerns about social cleavages.

Fourthly, the Political parties and their participation though prohibited, continue to interfere through proxy candidates, involve in the canvassing, and confer monetary and non-monetary benefits to the candidates. Even though political parties are prohibited from participating in Gram Panchayat elections, they continue to interfere in the electoral process through various means. This includes supporting proxy candidates who are not formally affiliated with the party, engaging in canvassing, and providing monetary and non-monetary benefits to the candidates. This undermines the non-party based electoral system and can lead to the prioritization of party interests over local issues.

If the above concerns cannot be got over, they need to be regulated. To address the challenges of political interference in Gram Panchayat elections, it may be necessary to introduce adequate amendments to existing legislation. This could include measures to strengthen the enforcement of non-party based elections, introducing penalties for political
interference, and creating mechanisms for greater transparency in the electoral process. It can also be said that involving political parties to represent at the village level elections would enhance accountability, encourage representativeness and ensure smooth implementation of the third tier governance in letter and spirit.

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