

**REMARKS ON THE RAMESH KUMAR KARNATAKA PANCHAYAT RAJ ACT AMENDMENT  
COMMITTEE REPORT  
PRESS CONFERENCE, BENGALURU, 7 NOVEMBER 2014**

I fully endorse the recommendations of the committee on amendments to the Karnataka Panchayat Raj Act, chaired by former Speaker, K. R. Ramesh Kumar, titled *The Path to Gram Swaraj in Karnataka*. The report contains radical proposals for course corrections based on the accumulated ground-level experience of the last twenty years, indeed, the last thirty years if one takes into account, as one should, the pioneering innovations in the Eighties of Chief Minister Ramakrishna Hegde and his unforgettable Panchayat Minister, Abdul Nazeer Sahib.

Under the leadership of Shri Ramakrishna Hegde and Shri Abdul Nazeer Sahib, Karnataka in the Eighties zoomed to the highest position in Panchayat Raj in the country. The Karnataka initiative significantly inspired Prime Minister Rajiv Gandhi to undertake the required Constitutional amendments to give Constitutional sanction, status and sanctity to Panchayat Raj all over the country.

While the earlier Karnataka initiative was based on the Asoka Mehta committee report, after the Constitution was amended in 1993 to introduce Part IX – ‘The Panchayats’ – into the Constitution, Shri M. Y. Ghorpade produced a conformity Act for Karnataka which has held its own as an exemplar for the last two decades.

However, the revamping of Panchayat Raj in Kerala by Thomas Isaac and the Left Front government in the late 1990s resulted in Kerala pole-vaulting over Karnataka to first position. Recently, Maharashtra has overtaken both Karnataka and Kerala, pushing Karnataka to third position. This clearly indicates the need for a thorough re-look at the extant Karnataka Panchayat Raj Act so that, in the light of the vast experience gained over two decades, course corrections are made to restore Karnataka to its front-rank position in the vanguard of Panchayat Raj in the country.

We have together examined the draft Report page by page, indeed, line by line, and I am happy that total consensus prevails on the road forward. I thank Shri Ramesh Kumar and his team for giving us from Delhi the opportunity of sharing our thoughts with them and the constructive manner in which they have responded to our few suggestions. I commend the Report to the Government of Karnataka for *in toto* adoption and hope the Karnataka Legislature will cooperate in carrying Panchayat Raj in the state to yet higher heights.

The Congress government in Karnataka under Chief Minister Siddaramaiah has taken a giant step to restore Karnataka to the prime position in the country in Panchayat Raj to take the lead over Kerala and Maharashtra who have in the past decade and a half stolen a march over Karnataka.

The proposals include giving statutory powers of supervision and control over the Panchayats to Gram Sabhas defined radically as representative assemblies of each habitation, in addition to ward-level consultations and panchayat –level consolidation. In one stroke, the biggest conundrum of effective Panchayat Raj has been solved – namely, the need to reconcile the imperative of effective staff support, possible only for larger basic units, with the needs of people’s participation which is necessarily more effective the smaller and more homogenous the basic unit. This legal empowerment of the panchayats with a careful spelling out of their duties and responsibilities is significantly reinforced by

vesting in the Gram Sabhas the authorization of the issue of “utilization certificates”, which means that no payment to contractors is validated till the Gram Sabha by consensus, agrees that the work has been undertaken economically and completed satisfactorily. Thus, not only is the community satisfied but the scope for corruption and malfeasance is sharply reduced.

Besides, the proposals tend in the direction of establishing a Karnataka Panchayat Raj Administrative Service (KPRAS); to ensure adequate staffing at the bureaucratic, accounting and technical level for each level of Panchayat, thus compensating for the want of experience and training of *panches* and presidents of panchayat units. If Karnataka takes up the offer of the Institute of Public Accountants of India for the provision of a trained chartered accountant for every ten panchayats at a highly affordable fee, the demands of modern, computerized, on-line administration can be easily married to the indispensability of representative local government to ensure responsible local governance and, therefore, responsiveness to local demand.

The menace of Sarpanch Raj is countered by ensuring the collegiate functioning of the panchayats by statutorily ensuring that all panchayat work is done through subjects committees and decisions are taken with all panchayat members present. To mitigate money-and-muscle power in panchayat elections, the Committee has recommended State funding of elections, to the exclusion of any private or party funding, combined with statutory autonomy for the State Election Commission to decide everything election-related, from delimitation to disqualifying candidates who break the code or the law, without any interference from the political authority.

But by far the most exciting recommendation of the Report relates to the process and ambit of endowing powers and authority to the Panchayats. Resting on a detailed parsing of Article 243G of the Constitution, the Report delineates the procedure and content of the kind of devolution required for rendering the panchayats as “institutions of local self-government”. Annexed to the report are detailed Activity Maps (Responsibility Maps) for each of the 29 subjects listed in the Eleventh Schedule regarding the methodology for the simultaneous devolution of the 3Fs – Functions, Finances and Functionaries – which would ensure the effective empowerment of the panchayats in their legally designated spheres to have control and supervision over the planning and implementation of plans, programmes and projects of economic development and social justice.

This is reinforced by the recommendation that State Finance Commission recommendations should have the same atomicity of acceptance and implementation as has been the practice for the recommendations of the (central) Finance Commission.

Karnataka does not need Central permission to go ahead with these revolutionary proposals. They can decide all the issues in Bengaluru, of course with legislative support before the panchayat polls due in May 2015.

(Mani Shankar Aiyar)  
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Bengaluru  
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