

Awareness of the Elected Representatives of Panchayat Raj of Uttarakhand About the Panchayat Raj System: An Analysis with Reference to Right to Know

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Abstract— Governance, administration and law in any nation serve the purpose of well being and development of the people. The objective behind the establishment of almost every institution is to serve the people in the best possible manner. Development is the true goal of perhaps every democratic nation. However, lack of awareness about the welfare programs, policies and legislations become a major drawback for any nation. Failures of legislations in a nation owe a lot to the lack of awareness among the subjects. Welfare policies related to Good Governance can exist only when people are aware of their existence. Keeping this fact in mind, the following work is an effort to inquire about the awareness of the elected representatives of The Panchayat Raj in the State of Uttarakhand about the provisions related to the system in The Constitution of India and The Uttarakhand Panchayat Raj Act, 2016. The researcher has collected valuable opinions of the target population through a well designed questionnaire and analyzed the same.

Keywords— Panchayat, Right to Know, Democracy, Grassroots Democracy, Welfare State.

I. RIGHT TO KNOW

The Constitution of India very proudly announces the right to freedom of speech and expression within its wide ambit of Article 19(1)(a). The Supreme law of the land consists of a long list of fundamental rights enshrined under part III of the same. Part III is often termed as the “Magna Carta” of the Constitution of India. Freedom of speech and expression has to be interpreted in “the widest possible manner”.¹ It is pertinent to mention at this very point that freedom of speech and expression comprises of right to know as well in India.

“Knowledge is power” and “education is directly proportional to the social and economic development”, are perhaps no new terms. There is no denial of the fact that a person can, or rather will be able to speak and express only if she/he has sufficient knowledge. Knowledge, hence, is an inevitable condition for the freedom of speech and expression. Having said so, a question yet to be answered is: is knowledge reaching the grass roots of the nation? It should also be noted that democracy imbibes free speech and knowledge to everyone in this nation.

¹ Maneka Gandhi v. UOI.

II. IDEA OF GRASSROOTS DEMOCRACY

The nation we talk of (India) still comprises of at least more than fifty percent of the population living in rural areas. At the very mention of rural areas a common prudent man pictures villages. It has often been remarked “India lives in its villages” and “there is still truth in the saying that India lives in its villages”. Mahatma Gandhi went to the extent of advocating Gram Swaraj in India. The “Father of the nation” contended for autonomy to the Panchayat Raj institutions in India. He was of the view that true development lies in the development of the rural India. The idea is often talked of as “Grassroots Democracy”. Dr. B.R. Ambedkar, however, was of the view of providing nothing to the villages.²

After a battle fought for recognition, the Panchayat Raj System was finally witnessed with The Constitution (Seventy Third Amendment) Act, 1992. The idea of providing democracy to every citizen of this nation was thus realized. Panchayat Raj works at three levels i.e. District, block and villages and is termed as a three- tier system. Citizens of rural areas can hence participate in democracy through their right of voting and participation in elections at the grassroots level. The system so set up has the main objective of providing welfare to the people belonging to rural areas. Governance of rural areas has always been a challenge in such a diverse nation. However, the establishment of the Panchayat Raj has kept the hopes alive. Governance of rural areas aimed towards welfare seems achievable.

III. GOVERNANCE IN A WELFARE STATE

The concept of a welfare State owes its popularity to the British government. After World War- II the British implemented many welfare measures (social, economic and political). The National Health Service and The Vast Social Insurance Scheme being the most celebrated ones. The concept further moved on to Sweden, Norway, Denmark and other countries around the world. The concept, however, was introduced by Archbishop William Temple in Citizen and Churchman (1941). It was then mentioned in the ‘Beveridge

² CAD vol. VII p. 39; vol. VIII p. 45.

report’ of 1942 and promised protection against want, unemployment, illness and old age to every Briton.³

According to G.D.H. Cole “the welfare State is a society in which an assured minimum standard of living and opportunity becomes the possession of every citizen”.

Arthur Schesinger states “the welfare State is a system wherein the government agrees to underwrite certain levels of unemployment, income, education, medical aid, social security and housing for all its citizens.”

T.W. Kent defines welfare State as “A welfare state is a state that provides for its citizens a wide range of social services”.

Governance of a welfare state can therefore be understood as administration with the objective of providing the best possible measures for development. Administration of the entire nation from the centre, however, seems almost impossible. This responsibility is shouldered by the Panchayat Raj institutions. The researcher, at this instance is forced to ponder over a forgotten but momentous question. Are the governing bodies aware about the provisions related to Panchayat Raj even? Implementation without having any knowledge of the subject is an impossible condition in obvious.

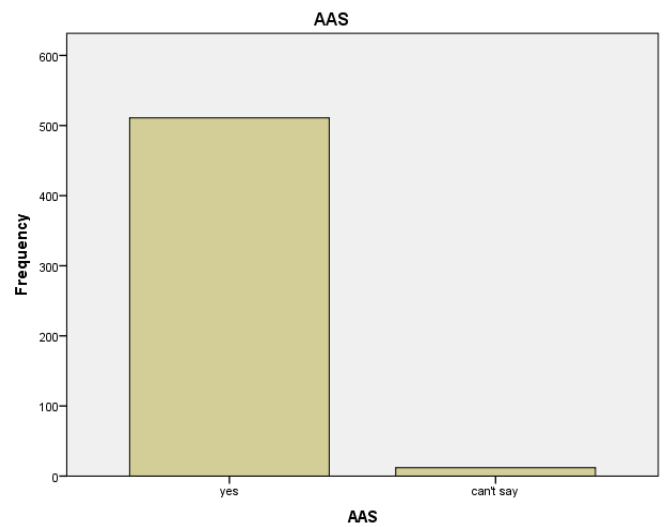
IV. AWARENESS IN THE STATE OF UTTARAKHAND ABOUT THE PANCHAYAT RAJ SYSTEM IN INDIA

To get the answer, the researcher went through the State of Uttarakhand. Uttarakhand is a state in India which comprises of thirteen districts. The researcher devised questionnaires and got the responses out of the sample derived from the above population. The method undertaken was that of random sampling and a total of five hundred and twenty three responses were obtained and analyzed. The sample comprised of academicians, advocates, gram pradhans and other constituents of the Panchayat Raj. The question posed to the sample population being: “Do you know about the Panchayat Raj system in India? The record and analysis of the responses is as stated hereinafter.

TABLE 1.

		Value	Count	Percent
Standard Attributes	Position	4		
	Label	<none>		
	Type	Numeric		
	Format	F8.2		
	Measurement	Nominal		
Valid Values	Role	Input		
	1.00	yes	511	97.7%
	2.00	no	0	0.0%
	3.00	can't say	12	2.3%

The table (table 1) mentioned above is the codebook analyzed out of the responses collected. It is clear from the above table that out of five hundred and twenty three respondents, none is unaware about the Panchayat Raj system in India. Ninety seven percent of the respondents are well aware of the system whereas only two percent are not sure.



V. AWARENESS ABOUT THE CONSTITUTIONAL PROVISIONS RELATED TO PANCHAYAT RAJ SYSTEM IN THE STATE OF UTTARAKHAND

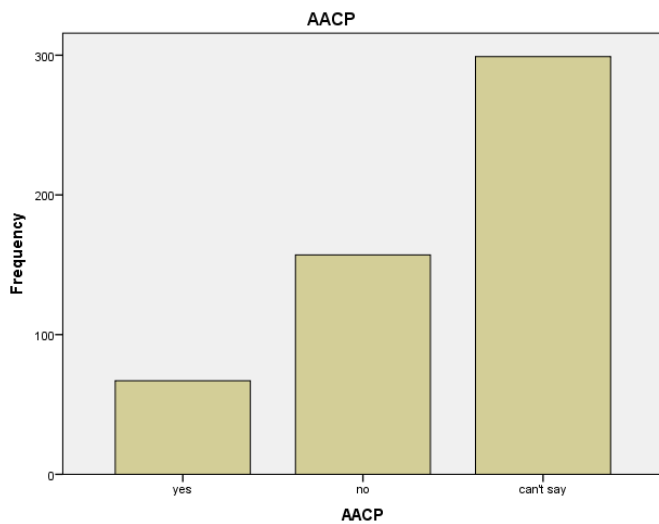
The journey of Panchayat Raj in India has been a coarse one. The ancient system almost died with the advent of the British. British India did not pay much attention to the governance of rural areas. In fact it was more devoted towards the nation as a whole. The efforts and vision of Mahatma Gandhi, though, brought back the system on track. One of the celebrated works of “the father of the nation” (Gram Swaraj) pulled the system back to discussion. After some debates, and noble efforts of the eminent, the nation finally witnessed The Constitution (seventy third amendment) Act, 1992. Panchayat Raj was strengthened by this addition. Although Article forty of The Constitution of India recognized the system yet strength was provided only by the amendment. The supreme law of the land comprises of an entire chapter (part IX) exclusively for the Panchayat Raj.

On the basis of this not to be ignored significance, the respondents encountered the question “Do you know about The Constitution (seventy third amendment) Act, 1992?” The responses and the analysis of the same are as follows.

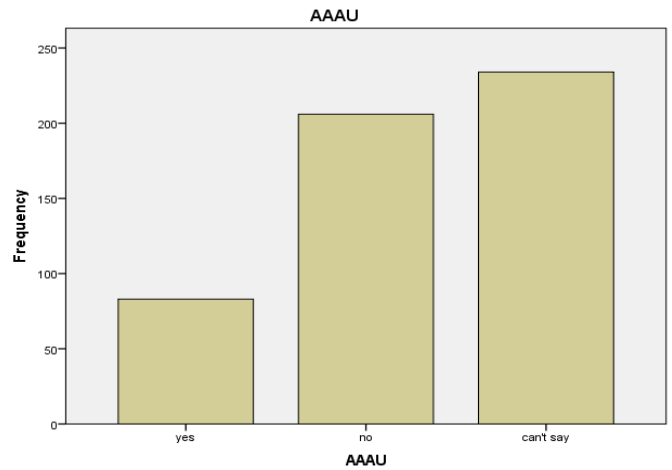
TABLE 2.

		Value	Count	Percent
Standard Attributes	Position	5		
	Label	<none>		
	Type	Numeric		
	Format	F8.2		
	Measurement	Nominal		
Valid Values	Role	Input		
	1.00	yes	67	12.8%
	2.00	no	157	30.0%
	3.00	can't say	299	57.2%

³ Dr. S.R. Myneni, *Political Science for Law students*. Allahabad Law Agency.



about welfare and development of the rural areas in the State of Uttarakhand such a pitiable condition is perhaps completely unacceptable.



It is clear from the above analysis that fifty seven percent of the respondents chose to be diplomatic in their approach and are not sure. Thirty per cent do not know about the Constitutional provisions and twelve per cent only answered in affirmative. The matter is of a serious concern and makes eyes rise to the issue. It is very difficult to accept that the responsible ones are not aware about the provisions of the “Grund Norm”.

VI. AWARENESS IN THE STATE OF UTTARAKHAND ABOUT THE UTTARAKHAND PANCHAYAT RAJ ACT, 2016

The Uttarakhand Panchayat Raj Act, 2016 consolidates the laws related to the Panchayat Raj in the State of Uttarakhand. Uttarakhand is comparatively a new state formed by separation from the state of Uttar Pradesh. Most of the laws in Uttarakhand (specially related to tenure and land holdings) were applied from the laws of Uttar Pradesh. The difference in geography and diversity made the government enact a whole new statute in 2016. The State of Uttarakhand now runs on the basis of the provisions mentioned in The Uttarakhand Panchayat Raj Act, 2016. The Act becomes pertinent for the state.

The question presented by the researcher regarding this was “Do you know about The Uttarakhand Panchayat Raj Act, 2016?” The analysis of the responses obtained is:

TABLE 3.

	Position	Value	Count	Percent
Standard Attributes	Label	<none>		
	Type	Numeric		
	Format	F8.2		
	Measurement	Nominal		
	Role	Input		
	Valid Values	1.00	yes	83
2.00		no	206	39.4%
3.00		can't say	234	44.7%

The data analysis presented makes it clear that forty four per cent of the respondents are seemingly unsure about The Uttarakhand Panchayat Raj Act, 2016. Merely fifteen percent have knowledge about the Act and thirty nine per cent are unaware. This again is a seriously non- ignorable state. Talking

VII. CONCLUSION

The data collected for this study is completely free of misinterpretation. This can be claimed by the fact that questionnaires were filled in the presence of the researcher. The process can hence be termed as a schedule. The questions presented were in the simplest possible language. Moreover, questions were in dual language.

Having said so, when we come towards the conclusion of the study, there is no doubt that the awareness about the Panchayat Raj system in the state of Uttarakhand is not satisfactory. It should be noted here, that the respondents are not the common people but the ones who play a major role in the society. The expectations that the intellectual class ought to be fully aware about the system are hence defeated.

Building something without the general awareness about the resources available at hand can be accounted of as a miserable state. With the primary data at hand and a result of this sort, the situation bothers to perhaps every individual.

VIII. SUGGESTIONS

The problem at hand points towards the gravity of the social evil called unawareness. People responsible to make the masses aware when not aware themselves is a poor condition. However, talking only about the problem and not working on a solution is not good (especially in context of a researcher). The suggestions put forward are:

- 1) Awareness camps for the representatives of the people should be held at regular intervals at every gram Sabha.
- 2) Presence of every member at such awareness camps should be ensured with the help of biometric machines.
- 3) Panchayat ghars in villages should be a centre of productive gains (dissemination of knowledge regarding new policies and resources etc.) rather than merely a centre of general discussions.
- 4) Right to know should be given serious attention when it comes to its implementation. A committee can be set up to impart knowledge to anyone who approaches for it.