

SOS POLITICAL SCIENCE AND PUBLIC ADMINISTRATION
M.A.PUB.ADMN.401
SUBJECT NAME:LOCAL ADMINISTRATION
UNIT-III
TOPIC NAME:STRUCTURE, FUNCTION, POWER AND ROLE
OF GRAM SABHA

WHAT IS GRAM SABHA

- ▶ The Gram Sabha is the fulcrum of the Panchayati Raj and village development. People use the forum of the Gram Sabha to discuss local governance and development, and make need-based plans for the village.
 - ▶ The Panchayat implements development programs under the overarching mandate, supervision and monitoring of the Gram Sabha. All decisions of the Panchayat are taken through the Gram Sabha and no decision is official and valid without the consent of the Gram Sabha.
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- ▶ The term Gram Sabha is defined in the Constitution of India under Article 243(b).
 - ▶ Gram Sabha is the primary body of the Panchayati Raj system and by far the largest.
 - ▶ It is a permanent body.
 - ▶ Gram Sabha is the Sabha of the electorate. All other institutions of the Panchayati Raj like the Gram Panchayat, Block Panchayat and Zillah Parishad are constituted by elected representatives.
 - ▶ The decisions taken by the Gram Sabha cannot be annulled by any other body. The power to annul a decision of the Gram Sabha rests with the Gram Sabha only.
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DEFINITIONS

(1) Gram Sabha:- Gram Sabha means a village assembly, comprising all adult members of village.

(2) Minor Water body:- Minor water body means water body used for fetching drinking water, construction of check dams any and irrigating land up to 40 hectares.

(3) Scheduled Areas:- Scheduled Areas means the Schedule Areas referred to in clause (1) of article 244 of the Constitution.

(4) Village:- Village means a habitation or group of habitations or a hamlet or group of hamlets comprising a community and managing its affairs in accordance with tradition and customs.

(5) Minor Forest Produce:- Minor Forest Produce includes all non-timber forest produce of plant origin including bamboo, brush wood, stumps, cane, tussah, cocoons, honey, wax, lac, tendu, or kendu leaves, medicinal plants and herbs, roots, tubers and the like.

- ▶ 243A. Gram Sabha.– A Gram Sabha may exercise such powers and perform such functions at the village level as the Legislature of a State may, by law, provide.

SPECIFIC FUNCTIONS OF GRAM SABHA:

- ▶ To help implementation of the development programmes and schemes of the Panchayat.
- ▶ To identify beneficiaries for different programmes and schemes. However, if the Gram Sabha fails to identify such beneficiaries within a reasonable time, the Gram Panchayat shall identify the beneficiaries.
- ▶ To solicit support — in cash or kind or both and voluntary labour — from the public for community welfare programmes.
- ▶ To support the programmes of mass education and family welfare.
- ▶ To promote unity and harmony among all sections of the society in the village.
- ▶ To seek clarification from the Mukhiya, Up-Mukhiya and other members of the Gram Panchayat about any particular activity, scheme, income and expenditure.
- ▶ To discuss and recommend appropriate action with regard to reports of the Vigilance Committee.
- ▶ Other related matters brought to the notice of the Gram Sabha.
- ▶ To consider levy of taxes, rates, rents & fees & enhancement of rates thereof.
- ▶ To consider all such matters as may be referred by the Gram Panchayat for its decision.

POWERS GIVEN TO GRAM SABHA

LEGAL POWERS HAVE BEEN GIVEN TO GRAM SABHA/PANCHAYAT UNDER PESA ACT:

- i. Safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution.
- ii. Approve plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level.
- iii. Identification or selection of persons as beneficiaries under the poverty alleviation and other programmes.
- iv. Certification of utilization of funds by the Panchayat for the plans, programmes and projects for identification or selection of persons as beneficiaries under the poverty alleviation and other programmes.
- v. Right to be consulted before making acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas.

- vi. Right to plan and manage minor water bodies in the Scheduled Areas.
 - vii. Recommendations prior to grant of prospecting license or mining lease for minor minerals and for grant of concession for the exploitation of minor minerals by auction in the Scheduled Areas.
 - viii. Power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant.
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- ix. Ownership of minor forest produce.
 - x. Power to prevent alienation of land in the Scheduled Areas and to restore any unlawfully alienated land of a Scheduled Tribe.
 - xi. Power to manage village markets.
 - xii. Power to exercise control over money lending to the Scheduled Tribes.
 - xiii. Power to exercise control over institutions and functionaries in all social sectors.
 - xiv. Power to control over local plans and resources for such plans including tribal sub plans.
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- ▶ The Gram Sabha is the most important body of the Panchayati Raj System. It is responsible for the planning out the strategies for the development of village, implementation of the ruling provisions. It also looks after the basic amenities of village people.

COMPOSITION:

- ▶ Persons, those who are above 18 years of age.
 - ▶ Living in the village.
 - ▶ Whose names are included in the electoral rolls for the Panchayat at the village level.
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THE ROLE OF THE GRAM SABHA

Gram Sabha: What & Why

The constitutional mandate to create participatory democracy, through creating ‘institutions of self government’ and preparing and implementing plans for “economic development and social justice” need an altogether different paradigm of politics, development and culture. One of the key features of the 73rd Constitutional Amendment Act (CAA) has been the role assigned to the Gram Sabha, ‘the assembly of the citizen voters’ as a deliberative and deciding body. In this manner an element of direct democracy is introduced at the lowest level. That is one way to broaden downward accountability as well

As far as the constitutional obligation of creating Panchayat throughout the country is concerned, except a few hick-ups here and there, this task has been more or less achieved within a reasonable time-frame. However, the real test of meaningful rural self-government is to ensure the active participation of the entire village community, to take democracy to every house or hut in every village. It is here that our rural decentralization and local self-government falters. The reason for this is that we did not pay attention to strengthening the Gram Sabha

Beginning with the Constitution, we find that the Gram Sabha has been defined as a collective of people in a village within the area of a Panchayat who are registered in the electoral rolls. In the Panchayati Raj set up, the Gram Sabha, the general assembly of villagers has a key role for effective functioning of Panchayat. In the Gram Sabha meeting, the rural poor, the women and the marginalized people gets an opportunity to be a part of the decision making on matters affecting their lives. Active functioning of the Gram Sabha would ensure a participatory democracy with transparency

accountability and achievement. Gram Sabha has been given 'watchdog' powers and responsibilities by the Panchayati Raj Acts in most States to supervise and monitor the functioning of Panchayat elected representatives and government functionaries, and examine the annual statement of accounts and audit reports. These are implied powers indirectly empowering Gram Sabhas to carry out social audits in addition to other functions. Members of the Gram Sabha and the village Panchayat, intermediate Panchayat and district Panchayat through their representatives, can raise issues of social concern and public interest and demand an explanation

STATUS OF GRAM SABHA

Let us take a look at the factual situation of the Gram Sabha in a few states across the country. A study in this regard was conducted by Vision Foundation, New Delhi and the results (mentioned in a report to the Planning Commission in October 2005) have been categorized under the following heads :

- ▶ I Quality of Gram Sabha functioning.
- ▶ I Role played by Gram Sabha in Programme Planning and Implementation
- ▶ I Attendance in Gram Sabha meetings
- ▶ I Number of Gram Sabha meetings conducted
- ▶ I Level of Need based dev. planning involving Gram Sabha
- ▶ I Level of awareness about Development Programmes & Social Audit
- ▶ I Awareness about duty of Gram Panchayat