



"CONCEPTUAL STRUCTURE, COMPOSITION AND WORKINGS OF PANCHAYATI RAJ SAMITI'S IN INDIA"

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ABSTRACT

Panchayati Raj plays an important role in Indian democracy. The term Panchayati Raj is a system in which gram panchayats are basic units of administration. It has been established in all the states of India by the acts of the state legislature to build **democracy** at grass-root level. The government of India appointed a Balwant Rai Mehta Committee in January 1957 to study the Community Development and National Extension Service programs, especially from the point of view of assessing the extent of popular participation, and to recommend the creation of institutions through which such participation could be achieved. The Committee recommended the constitution of statutory elected local bodies with the necessary resources, power and authority devolved to them and a decentralized administrative system working under their control. Rajasthan was the first state to establish Panchayati Raj. The 11th schedule in the constitution lists 29 functional areas to be brought within the purview of the decentralized planning level, including agriculture and allied activities, irrigation, social forestry, village and small-scale industries, including food processing industries, drinking water, housing, roads, culverts, education, women and child development programs etc. Resources and funds flowing from various departments of the state governments and from centrally-sponsored schemes to the district and sub-district levels can be dovetailed within a local area plan. This would ensure better utilization of resources under umbrella with priorities assigned to activities on the basis of the felt needs of the people.

KEY WORDS: Panchayati Raj System, Democratic Decentralization

INTRODUCTION

The Panchayati Raj institutions became a state subject under the Constitution of India. The panchayat rules were framed in 1996. Every five years, about 3.4 million representatives are elected by the people through the democratic process, out of whom one million are women who head about 175 district Panchayats, more than 2,000 block Panchayats and about 85,000 gram panchayats. Panchayat consists of two words 'Panch' and 'Yat', Panch means five and Yat means assembly. 'Raj' literally means governance or government. Thus Panchayati Raj means an assembly or government of five peoples.

The Union Cabinet of the Government of India, on 27 August 2009, approved 50% reservation for women in Panchayati Raj Institutions. The Indian states which have already implemented 50% reservation for women in Panchayati Raj Institutions are Madhya Pradesh, Bihar, Uttarkhand and Himachal Pradesh. As of 25 November 2011, the states of Andhra Pradesh, Chhattisgarh, Jharkhand, Kerala, Maharashtra, Orissa, Rajasthan and Tripura also reserve 50% of their seats for women.

Gandhiji, the father of Indian nation realized the importance of village Panchayat as an important instrument of ruler development, promoting democracy at grass-root. His term for such a vision was "Gram Swaraj" (village self-governance).

It was our first Prime Minister Pandit Jawaharlal Nehru who favored the idea of village republic. He said, "India will progress only, when the people living in villages become politically conscious. The progress of our country is bound up with the progress in our village. If our villages make progress, India will become a strong nation and nobody will be able to stop its onward march, if you flinch from your determination and get involved in mutual quarrels and petty factions, you will not be able to succeed in your mission."

DEMOCRATIC DECENTRALIZATION

The word “democracy” is derived from the greek roots – ‘crazy’ meaning ‘rule of’ and ‘demos’ meaning ‘the people. It is governance of the people , by the people , for the people The emphasis is on the ‘people ‘as distinct from ‘offer’ .Rule by majority is , no doubt , an important feature of this system of governance ;but the more important ingredient is rule by consultation ...consultation between the people’s representatives on one hand , and consultation with hey officers on the other. It is, in essence, a pooling of the intelligence and the experience of all concerned administration. As corollary it also implies and even enjoins on them an implicit acceptance of the decisions taken by the body of members, and a resolve to implement them.

‘Decentralization’ means devolution of central authority among local units close to the areas served .Where authority devolves by this process on people’s institutions, it is democratic decentralization. The team headed by Balwantrai Mehta (1956) recommended ‘democratic decentralization’. According to this committee to delegate the powers, responsibility and resources for planning and execution of the development programme to people’s institutions. As per the recommendations of the committee it was aimed to secure the maximum participation of the rural people in their own development programmes. The committee was of the opinion that one of the major reasons for the failure of the community development programme which are implemented after India’s independence was the apathy and the non-participation of the people in the developmental programme.

The study team recommended a basic pattern of democratic decentralization with the Gram panchayat (Village Council) at the village level, the Panchayat Samit at the block level and the Zilla Parishad (district council) at the district level. The Gram panchayat is at the bottom of the Panchayat Raj System and the Zilla Parishad is at the apex. The Panchayat Samit constitutes the middle tier of this three-tier new set up of rural administration.

The study team’s recommendations as approved by the National Development Council were communicated by the Center to the State for implementation. In the middle of 1958 the State of Madras had started as an experimental measure a pilot block of democratic decentralization in her own way as early as 1957. The experiences of this block were there Andhra State started in July 1958, twenty pilot blocks more or less on the same lines as recommended by the study team, one in every district of Andhra. Inspired by these experiences the State of Rajasthan become the pioneer to bring the whole of Rajasthan under democratic decentralization on October 2, 1959 On Nov, 1, 1959, Andhra Pradesh state introduced this scheme of democratic decentralization. In the entire state, then it was adopted by Mysore, Tamil Nadu, Orissa, Assam, Punjab, Uttar Pradesh and other states. Now all the state of India has introduced the system with minor variations so as to make it suitable to their own conditions and requirements.

PANCHAYAT RAJ

There is something anomalous and contradictory in the term “Democratic Decentralization”. It was also not easily understood by our people in India. At the instance of the Prime Minister it was seceded to give this process of the three-tier administration a strictly Indian name “Panchayat Raj’ evolved as the natural expression that fitted admirable to the situation. Panchayat Raj means a system of Government horizontally it is a network of village panchayat. Vertically, it is an organic growth of the Panchayat rising up to the national level. Panchayat Raj was accepted as the new concept because it meant administration by mutual consultation, Consent and consensus.

A three tier system of democratic decentralization recommended the system operates at the district, block and village level, as follow

District level	-	Zilla Parishad
Block level	-	Panchayat Samiti
Village level	-	Village panchayat (Gram Panchayat)

Though the basic structure of the PRIs is identical across the states of India, it is described via different nomenclatures in different states. Panchayats in every state has its own characteristics and even election procedures to these institutions are at variance.

A District Panchayat or Zilla Parishad is co terminus with the district. Each district has one Zilla Parishad. Similarly Block Panchayats or Panchayat Samitis are co terminus with blocks of the said district.

A Block may have several villages within it, but Gram Panchayats are not necessarily co terminus with each village. Depending on the size of population (as a matter of fact, number of voters) a Gram is defined under the law with a specific geographical area, which may consist of a single village or a cluster of adjoining villages.

Members of Panchayats:

A. Zilla Panchayat:

Each block Panchayat under a ZP elects one/two/three members directly (depending on number of voters within it). Presidents of all the Block Panchayats are also ex-officio members of the ZP. In some states the Member of Legislative Assembly (MLA) and Member of Parliament (MP) of the district/constituency are also ex-officio members.

B. Block Panchayat or Panchayat Samiti:

Each GP under a Block Panchayat elects one/two/three members directly to the Block Panchayat. GP pradhans are ex-officio members of the Block Panchayats.

C. Gram Panchayat:

A Gram as defined under the Act (meaning a village or a cluster of villages) is divided into a minimum of five constituencies (again depending on the number of voters the Gram is having). From each of these constituencies one member is elected. Body of these elected members is called the Gram Panchayat. Size of the GPs varies widely from state to state. In states like Uttar Pradesh, Kerala etc. a GP has about 20000 people on an average, while in many other states it is around 3000 only.

D. Gram Sabha:

In most of the states, each constituency of the members of the Gram Panchayat is called the Gram Sabha and all the voters of the same constituency are members of this body. However, in some states this is called Ward Sabha/Palli Sabha etc. In Uttar Pradesh it is called Gram Sansad (village parliament). Gram Sabha in Uttar Pradesh has a different meaning. Here all the voters of the Gram Panchayat as a whole constitute the Gram Sabha.

FUNCTIONING OF PANCHAYATS

As per the Constitution, Panchayats in their respective areas would prepare plans for economic development and social justice and also execute them. To facilitate this, states are supposed to devolve functions to Panchayats (29 subjects as mandated) and also make funds available for doing these (as per State Finance Commission's recommendations). The functions of Panchayats are divided among different Committees (as ministries are formed in state and union governments), which are called Standing Committees/Sthayee Samitis/Upa Samitis etc. One of the members remains in charge of each of such committees while the overall charge rests with the chairperson of the Panchayat. Panchayats are supported by a host of other officials, the number of which varies from state to state. Apart from grants received from the government under the recommendation of the Finance Commission, Panchayats receive schematic funds for implementation of schemes (MGNREGS, BRGF, IAY etc.). They can also raise revenue by imposing taxes, fees, penalties etc. as per rule of the state.

There are different types of members in the Panchayat Samiti. All the Pradhans of the Gram Panchayat within the block area are the members of Panchayat Samiti. The elected members of the Lok-Sabha and the State Legislature belonging to the block or any part of it or the members of the Rajya Sabha residing in that block-all are ex-officio members of the Panchayat Samiti. Three members are elected from each Gram Panchayats in the Panchayat Samiti and this member is very much rigid. These representatives are elected

through the secret ballot system on the basis of universal adult suffrage. The voters of the State Legislative Assembly of the region elect them. As per the new Panchayat Act, like the Village Panchayat, in Panchayat Samiti also one-third of the total numbers of membership are reserved for the women candidates. Women reservation ensures participation of women at the local governance level. There are the reservation of the seats for the Scheduled Caste and Scheduled Tribes also. The elected members of the Zilla Parishad, from within the constituency of the block will also become the ex-officio member of the Panchayat Samiti. But the Sabhadhipati or Saha-Sabhadhipati of the Zilla Parishad, even if a resident of the Block, will not become a member of Panchayat Samiti. Likewise, no minister residing in that region (block) shall be a member of the Panchayat Samiti. The elected members of the Panchayat Samiti are elected for a period of five years.

FUNCTIONS OF PANCHAYAT SAMITI

- The Panchayat Samiti is placed between the Gram Panchayat and the Zilla Parishad (District Council). It acts primarily as a coordinating agency between the two extremes.
- It co-ordinates the welfare and development activities of the Gram Panchayat of the block relating to agriculture, cottage industries, co-operatives and rural credit, water supply, irrigation, sanitation, public health and primary education.
- Maintenance of public utilities, co-ordination and integration of development plans, adoption of relief measures in times of natural calamities are some important functions of the Panchayat Samities.
- Panchayat Samiti also approves the budget proposals of the Gram Panchayat under it.
- It also has to perform those activities which the government may confer upon it.
- The new Panchayat Act has also conferred some other responsibilities on it. These are to make planning for comprehensive urbanization and water supply, to send representatives in the management of the Central Co-operative Banks and other organizations, to supervise the schools and health centers within the block under its jurisdiction, etc.

FUNCTIONS OF PANCHAYAT SAMITI

The Panchayat Samiti meets at regular intervals to take stock of the activities and discuss developmental matters of local interest. Broadly, the functions of the Panchayat Samiti can be classified as:

1. Delegated function,
2. Community development function, and
3. Supervisory functions.

1. Delegated functions: The delegated functions include implementation and co-ordination of policies of development as determined by the state government. It is through the samitis that the state government implements the developmental projects in the grass-root level and associates the people with such activities.

2. Community development function: The function of community development include the planning and implementation of social welfare programs especially in the field of agriculture, irrigation, cottage and small scale industries, co-operatives, and education, etc. Through this program the Samiti gets a chance to tackle the peculiar problems of the area and provides an opportunity to experiment developmental projects for the area.

3. Supervisory functions: The Panchayat Samiti has another very important function of supervising the work of the Gram Panchayats within the block. It may also examine and modify the budget of the Gram Panchayats. This mid level unit of Panchayati Raj system works as a better agent of democratic decentralization of power. The seeds of developmental projects in the rural sectors are actually shown through these bodies which work as a link between the other two tiers of the system.

ORGANIZATION, POWER AND FUNCTIONS OF PANCHAYAT SAMITI IN UTTAR PRADESH

According to the Uttar Pradesh Panchayat Act of 1973 the Panchayat Samiti is the second layer of the three-tier Panchayat system. In fact, the Panchayat Samiti is the successor of the former Anchalik Parishad at the

block level as per 1963 Panchayat Act. However, according to the new Act of 1973 each district is divided into a number of blocks and each block will consist of a number of adjoining villages. For each block again there is a Panchayat Samiti.

There are not more than three representatives directly elected from each of the Village Panchayat areas within the block in the Panchayat Samiti. The Uttar Pradesh Panchayat Amendment Act of 1992 has also reserved some seats for the schedule caste, schedule tribes and the women in the Panchayat Samiti. The number of the reserved seats for these people will be fixed on the basis of the ratio between the total number of people residing within the area of the Panchayat Samiti and the number of the schedule castes and the schedule tribes residing therein. The new Act has also made it clear at least one-third of the total seats including that of the Schedule Castes and Schedule Tribes should be kept reserved for the women.

The members of the Zilla Parishad from each block excepting the Sabhadipati and the Saha-Sabhadipati will automatically be members of the Panchayat Samiti. There are a good number of ex-officio members in the Panchayat Samiti. Excepting these members the tenure of office of all other members is 5 years. However under special circumstances the government may increase the tenure of the Panchayat Samiti for another six months. A member of the Panchayat Samiti can resign from his office or may be removed. Generally on some definite charges of characterlessness, involvement in any criminal offence, repeated absence in the meeting insanity or bankruptcy—a member of the Panchayat Samiti can be removed from his office. However it may be kept in mind that the anti-defection Act is also enforced in case of the membership of the Panchayat Samiti as well.

In the first meeting of the Panchayat Samiti the members of the samiti elects from among themselves a Sabhapati and a Saha-Sabhapati through secret ballot. For such election at least one-fourth of the total members of the Panchayat Samiti must be present in that meeting. According to the Panchayat Act of 1973 no member of the Lok Sabha, Rajya Sabha or the State Legislative Assembly can become the Sabhapati or Saha-Sabhapati of the Panchayat Samiti. It should also be mentioned in this regard that there are reserve seats for the Schedule Castes, Schedule Tribes and women in the Panchayat Samiti, some posts are also reserved for them. According to the amended Panchayat Act of 1983, the Sabhapati and Saha-Sabhapati of Panchayat Samiti are elected for a period of five years. However, they can be removed from their post before the expiry of their tenure. To take the action of such removal a special meeting of the Panchayat Samiti is to be convened wherein if the proposal for such removal is accepted by a majority vote, they can be removed from their offices. Since the posts of Sabhapati and Saha-Sabhapati are all salaried posts they cannot hold any other office of profit, be that service or profession, while remaining in their respective positions. The monthly salaries of both Sabhapati and Saha-Sabhapati are paid from the fund of the Panchayat Samiti itself.

FUNCTIONS OF PANCHAYAT SAMITI

As regards the function of the Panchayat Samiti, it is the Sabhapati who enshoulders all the administrative and financial responsibilities of the Panchayat Samiti. It is his duty to maintain and preserve all the important documents and necessary papers of the Samity. The Sabhapati supervises and controls the activities of the members of the Samiti appointed by the state government. He may have to shoulder any other special duty that the state government may entrust on him. During the absence of the Sabhapati the Saha-Sabhapati performs his duties. Of course the former can delegate some of his functions or can give some special duty in writing to the Saha-Sabhapati. Yet the Sabhapati is the Chief of the Panchayat Samiti and all activities of the Samiti are performed under his leadership. It is his duty to convene the meeting of the Samiti at least once in a month. However, after the Uttar Pradesh Panchayat Fourth Amendment Act of 1978. Such meeting may be convened once after three months. At least a seven days' notice is to be given before convening such meeting and an emergency meeting may be convened on three days' notice. In each meeting the date, time and place of the next meeting is fixed. The presence of at least one-fourth members will make the quorum. The Sabhapati enjoys the power of giving the casting vote in case of a tie in the meeting. Generally the Sabhapati presides over the meeting, though in his absence the responsibility is taken by the Saha-Sabhapati. If both the

Sabhapati and the Saha-Sabhapati are absent at the time of the meeting the members elect one from among themselves to chair the meeting.

STANDING COMMITTEES

In order to enable the Panchayat Samiti to do its works perfectly and speedily a number of standing committees have been introduced under the Panchayat Amendment Act of 1992. At present there are ten standing committees attached to each of the Panchayat Samiti. There are—

1. The economic development and planning standing committee,
2. The standing committee on public health environment,
3. The standing committee on public works and transportation,
4. The agriculture, irrigation and co-operative standing committee,
5. The standing committee of education, culture, information and sports,
6. A standing committee on cottage industry and relief and rehabilitation,
7. A standing committee on forest and land reforms,
8. A standing committee on fisheries and animal husbandry,
9. A standing committee on food and food supply, and
10. A standing committee on electricity and non- conventional power.

The Panchayat Samiti can also create a few other standing committees in other sectors as well. But to create such standing committees the prior permission of the government is necessary. Each of these Standing Committees consists of the following members. The Sabhapati of the Panchayat Samiti is an ex-officio member of each of these Standing Committees. For each of these Standing Committees the members of the Samiti elect from among themselves not more than three to five members and the state government nominates not more than three government employees to act as the members in each of these Standing Committees. The nominated members however, do not have the right to vote. The state government also nominates the extension officer of the Panchayat as a member of each of the Standing Committees. However, no other members excepting the Sabhapati and the Saha-Sabhapati can become member of more than two Standing Committees.

POWERS OF PANCHAYAT SAMITI

As regards the power and function of the Panchayat Samiti it is the duty of the Samiti to adopt projects and render financial supports or assistance to various welfare activities like agriculture, fisheries, cottage industry, co-operative movement, rural debts, water supply irrigation, public health, establishment of hospitals and medical stores, primary and secondary education, welfare of the women and children within the block area. The Samiti also conducts and controls different social welfare activities like students' welfare activities and provides financial assistances to the social welfare institutions, for founding the schools and other public institutions etc. within the block. It also has to enshoulder any other job that the Zilla Parishad or the state government may bestow upon it. The Panchayat Samiti also provides financial assistances to the projects taken by the municipalities within the block for water supply or to resist the spread of epidemic diseases. The Samity has to take steps to provide adequate reliefs to the victims of various natural calamities like cyclone, flood or earthquake, to co-ordinate the different developmental plans and projects adopted by the different Village Panchayats within the block, and to examine and approve the budgets submitted by the Village Panchayats within the block. Apart from these, the Panchayat Samiti has to enshoulder the responsibility of those projects that are spreaded in more than one village. It also creates a co-ordination committee to help Anchal Panchayats to perform their tasks smoothly and perfectly.

SOURCES OF REVENUE OF THE PANCHAYAT SAMITI

The main sources of revenue of the Panchayat Samiti are many. Each of the Panchayat Samities has a fund to their own. The sources of revenue are as follows. The main sources are the helps and grants received from the state government, the Zilla Parishad or any other local authority. The revenue received from the school, the hospital, the houses and building and from various other institutions, the taxes imposed on the

individuals, animals and transports and conveyances, the money received as fines, the money received as donation or helps, the loan sanctioned by the central or the state governments the money received from any trustee, the loans received from the banks or other funding agencies, the taxes imposed for lighting the streets and supply of purified drinking water etc. are the other main sources of revenue of the Panchayat Samiti. Each of the Panchayat Samities has to prepare its yearly budget and submit it to the Zilla Parishad for the latter's approval.

FEATURES OF THE ACT

The Act has five main features: (a) a 3-tier system of Panchayati Raj for all States having population of over 20 lakh; (b) Panchayat elections regularly every 5 years; (c) reservation of seats for Scheduled Castes, Scheduled Tribes and women (not less than one-third of seats); (d) appointment of State Finance Commission to make recommendations as regards the financial powers of the Panchayats, and (e) constitution of District Planning Committees to prepare development plans for the district as a whole. Thus, the Panchayats have been endowed with such powers and authority as may be necessary to function as institutions of self-government and social justice. Providing real functional autonomy at the village level is at the core of the amendment Act.

CONCLUSION

People's participation is very important for making good democracy not only at state or union level but also at grass-root level. Participation of all is necessary, whether directly or indirectly, to make the system more accountable and transparent. Participation helps to promote and enhance their **leadership qualities** and self-confidence. It will help them to perform better in the Panchayats to ensure their participation in the meetings. Unfortunately majority of the population in J&K do not participate in assembly or Panchayati elections because of conflict. Conflict created fear among the peoples of J&K. During Panchayati election 2011, there were reports that posters had pasted outside mosques and other important places in some districts of the Valley forbidding people not to participate in the polls. Hence, they wanted to get rid of participate in elections either parliament or assembly or Panchayati election.

Like Jorgen, education is not regarded as an important factor for political participation but still some others regard education as the most decisive factor for political participation. Education has significant positive effects on both voting behavior and contacts with politicians in both stable democracies and post-communist states. Panchayat election was held in year 2011 in which 33849 Panchs and Sarpanchs were elected. Large numbers of these elected representatives are illiterate and less educated. Illiterate or less educated leaders are one of the great issues before our Panchayat system. They lack understand the rules and regulations about Panchayat system. They could not properly work for the welfare of the people. They lack understanding of government procedures, finance and accounts, implementing works, judicial processes or the Constitutional provisions. Most of them are unable to sign or write their name and rely on thumb impression.

Majority of the population is disinterested in the system or unaware of the benefits of the said system if implemented properly. The bureaucratic delays, political interference, economic reasons and social pressures which made the Panchayati Raj dysfunctional can be controlled if common man comes to know about the system. The constructive and other social welfare works that are handed to the panchayats and the running body i.e. Panchs and Sarpanchs by the government can improve the level of the villages and increase the faith of the every native towards nation and national integration and may make their participation certain in the government works if people are aware of the system. Their awareness may help to elect the best possible persons of the society as their leaders. But it is only their lack of knowledge and disinterest that they don't participate and the persons who are interested to lead are no way worth but are selected and hence rule as per their choice which has made the system ineffective. In nutshell, if in J&K Panchayati Raj Act is implemented in letter and spirit, high handedness of Sarpanchs or Panchs won't work and participation of common man will be assured and this will help national harmony. Thus there is a need to provide support to both the

community members and also to the elected representatives to understand the importance of Panchayati Raj, its roles and their significance in the whole process of sustainable development.

Panchayat Raj in India has a long history going back into a millennial past but articulated during the Freedom Movement most conspicuously and perspicaciously by the Father of the Nation, Mahatma Gandhi, specifically in A Gandhian Constitution for Independent India, written by Shriman Narayan Agarwal, with a Foreword by Gandhiji in which he assures the reader that the ideas set out on the book are, indeed, his own. The discussion was carried forward in the debates in the Constituent Assembly which led to Article 40 of the

Directive Principles of State Policy laying down the injunction that:

The role of the Panchayat Samiti in creating resources by implementing various developmental projects to foster economic development through democratic decentralization of power of the rural poverty stricken people cannot be underrated in any way. It has indeed done great works. Of course, it has some of its weaknesses. It has no economic resource of its own and has failed to collect enough money by itself to make it self-sufficient. It has yet to depend much on the central and the state government's financial helps. Neither it has been able to eradicate corruption and partition ship and group-ism from its arena as yet. Still it cannot be denied that the Panchayat Samiti has played and is playing a very positive and significant role in making the whole Panchayat Samiti successful in every respect.

The Sabhapati may also have to perform some other important tasks conferred upon him. He convenes the meeting of the Samiti at least once a year though according to Uttar Pradesh Fourth Amendment Act 1978, such a meeting can be convened after three months. A notice of such meeting is to be served at least seven days before, though an emergency meeting may be called on three days' notice also. The presence of one-fourth members of the Panchayat Samiti will make the necessary quorum of the meeting. The Sabhapati has the casting vote to settle matter in case of a tie. He presides over the meeting. In his absence the meeting is conducted by the Saha-Sabhapati. If both of them are absent in the meeting, the members elect one from among themselves to preside over the meeting.

LIMITATIONS OF THE LOCAL SELF GOVERNMENT

The local self-government system has some obvious limitations. It has been alleged that the services rendered by the local self-government often becomes discriminatory. The local self-government often makes residential arrangements for the elderly people or hostel accommodation for the handicapped students which may be considered as discriminatory services. If the administration is run by the local self-governmental institutions, it may encourage not only regionalism but also narrow-mindedness and such a tendency will always go against the democratic system practiced in the national level. However, refuting these allegations the exponents of the local self- government institutions hold the view that such local self-governments are the basis of democracy and the best way to develop political consciousness among the people. Through the local self-government the regional and local interests convert into national interest.

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