

Decentralization and rural governance: evaluating the 73rd constitutional Amendment

Sheik Shiny Haneefa

Student of DSNLU, Vishakhapatnam

Abstract

The article examines the impact of the decentralization of powers in shaping rural governance by giving the local bodies (panchayats and municipalities) the authority to independently manage their affairs, which is also referred to as local self-governance. Local self-governance is important for maintaining democracy, which brings the people and government closer together, ensures effective governance at the local level, and addresses the specific needs of the community. In order to strengthen local self-governance, the 73rd Constitutional Amendment Act, 1992, was passed, giving Panchayati Raj organizations constitutional standing. Prior to that, during British rule, Lord Ripon's 1882 Resolution on Local Self-Government laid the foundation for local self-government. Following independence, attempts to improve decentralization resulted in a number of committee recommendations, including those made by the L.M. Singhvi, Ashok Mehta, and Balwant Rai Mehta Committees. These suggestions ultimately led to the 73rd Constitutional Amendment Act of 1992. The amendment had provided a three-tiered governance structure, reservations marginalised groups, financial empowerment. Although it has enhanced rural governance, more reforms are required to address longstanding problems, including financial dependence and bureaucratic control. This paper highlights how decentralization has changed over time, how the 72nd Amendment has changed things, and how different commissions and committees have influenced rural governance. Additionally, it emphasized important policy suggestions for promoting sustainable rural development and promoting local self-governance.

Keywords: Decentralization, local self-governance, democracy, 73rd Constitutional Amendment Act of 1992, three-tiered governance structure.

Introduction

The process of decentralization involves granting more power to locally elected governments. Giving local governments more financial resources (via transfers or more tax authority, for example), more political power (by using participatory processes or holding local elections), and more administrative responsibilities is what is meant by authority in this sense.¹ People can better understand their requirements and preferences when they are directly involved in the development and implementation of the plan. In certain ways, it undermines the power of the elite and increases the influence of weaker groups. Panchayat raj is an integral tool for decentralization that increases democracy's responsiveness and representativeness. It

¹ Younis Ahmad Sheikh, Democratic Decentralisation in India: an overview (IJSSIR, July 2014) 3 (7).

recognized panchayats as institutions of self-governance that provide a proper division of authority, involvement in decision-making, periodic elections, and operational duties at the local level. It provides the panchayats control over local governance, allowing for improved infrastructure, water supply, health care, and education management. The 73rd amendment makes it easier for local governments to receive powers from the states and strengthens India's decentralization trend. The 73rd Amendment establishes a three-tiered government system at various levels in an effort to achieve decentralized government. The state and the center dominated decision-making prior to decentralization, which left the villagers with little say in government and led to policies that didn't specifically address their needs. This lack of decision-making led to the slow implementation of rural development projects and fundamental services like healthcare, education, and water supply. Thus, by establishing panchayat raj institutions and allowing for local participation, the 73rd constitutional amendment's implementation of decentralization overcomes this limitation.

Objective of the study

The objectives of this study are:

- To examine the impact of the 73rd Constitutional Amendment on rural governance in India.
- To analyse the effectiveness of PRIs in enhancing political participation and representation.
- To find out the shortcomings of 73rd Constitutional Amendment

Research Questions

1. How has the 73rd Constitutional Amendment impacted political participation and representation in rural India?
2. What are the major administrative and bureaucratic constraints hindering the effectiveness of PRIs under the 73rd Amendment?
3. How effective has the reservation policy for marginalized groups been in empowering local governance structures?
4. What reforms are necessary to enhance the effectiveness of decentralization in rural governance in India?

Research Methodology

This study employs a qualitative research methodology. The methodology consists of the following components such as policy Review, case study approach, comparative analysis.

Literature Review

Decentralization is a key principle in governance, aiming to transfer authority from central to local governments to enhance democracy, efficiency, and accountability (Rondinelli et al., 1983). The 73rd Constitutional Amendment (1992) in India institutionalized Panchayati Raj Institutions (PRIs), providing a legal framework for participatory local governance (Mathew, 1994).

Studies by Singh (2003) and Palanithurai (2005) highlight how the amendment empowered local bodies, particularly through reservations for marginalized groups (SCs, STs, and women). However, challenges such as bureaucratic dominance, financial dependency, and lack of administrative capacity hinder effective decentralization (Jha, 2013).

Recent research (Sharma, 2019) emphasizes the role of PRIs in rural development and policy implementation but notes persistent issues like political interference and weak fiscal autonomy. Despite these challenges, the amendment remains a milestone in strengthening grassroots democracy and participatory governance.

Key Findings:

- The 73rd Constitutional Amendment has significantly enhanced political participation among marginalized groups, particularly Scheduled Castes, Scheduled Tribes, and women. Traditional power structures still exert influence, limiting genuine empowerment despite reservations.
- The mandated reservations have improved political representation, but in many cases, elected representatives lack decision-making power due to socio-political pressures. Women representatives often face challenges in exercising authority due to patriarchal norms
- Bureaucratic interference and political control at the state level restrict PRI autonomy and decision-making capacity. Weak capacity-building initiatives result in undertrained local representatives, affecting governance efficiency.
- The legislature should attempt to use the principle of subsidiarity³⁷ to drastically reorganize and redesign the political and administrative system at the state level to accommodate strong district and lower-level PRIs to assign functions to levels where it works best. Additionally, the functional efficacy of the PR system along with its democratization must be kept in mind and should not be overlooked. I would like to suggest that simply placing a bunch of functions doesn't make sense because state governments have been observed to view it as a threat to their authority.

Historical Background

In India, decentralized administration has existed since ancient times, where village communities served as administrative entities. Samitis, or village councils, and Sabhas, or village assemblies, played a role in decision-making, conflict resolution, and resource management.² Later the introduction of modern administrative authority by the British colonial government severely curtailed the independence of local institutions. Nonetheless, the British attempted to implement decentralized governance in a number of ways after realizing the necessity of local administration:

Lord Ripon's Resolution (1882):

In 1882, Lord Ripon, the viceroy of India, introduced a resolution on local self-government, marking the beginning of decentralization during British rule. As part of his reforms, he established local bodies and increased village participation in administration; the British government should have less direct control over these local affairs.³ However, the extent of these reforms was limited, and local bodies were not granted complete autonomy.

Royal Commission on decentralisation (1907):

Following Lord Ripon's Resolution on Local Self-Government (1882), municipal governance was established; nevertheless, because of the overabundance of British bureaucratic supervision, it remained weak and ineffectual. Although the Government of India Act of 1892 attempted more reforms, communities were not financially or administratively independent. In 1907, the British government established the Royal Commission on Decentralization after realizing that a more organized strategy was required to improve local governance.⁴ This Commission was tasked with appraising the success of local self-government in both urban and rural regions by analysing the level of financial and administrative autonomy provided to local entities, making recommendations on how to increase the effectiveness of rural self-government and municipalities and examining how local governance is impacted by district and provincial administration.

Dyarchy System

Dyarchy describes as a dual-government system where two sets of authorities share authority over a single administrative unit. It was established by the governance of India Act, 1919, and gave elected Indian ministers provincial power over issues including local governance, sanitation, and health. Although this was the first attempt at political decentralization, British officials still held a great amount of power.

Post Independence Era

² Mookerji, Radhakumud, *Local Government in Ancient India*, 1958.

³ Jha,S, *Decentralization and Local Governance: A Study of Panchayati Raj Institutions in India* (Indian Journal of Public Administration, 2013).

⁴ Palanithurai, G., *Dynamics of New Panchayati Raj System in India*. Concept Publishing Company, 2005.

India made a number of attempts to improve decentralization and local self-governance following its independence in 1947. Leaders like Mahatma Gandhi actively promoted Grama Swaraj and village self-rule throughout constitution formation as the basis for the Indian democracy. However, the 1950 Constitution made Panchayati Raj a non-mandatory direction for states by placing it within the direction Principles of State Policy (DPSP) (Article 40) due to concerns about administrative efficiency and national unity.⁵ In 1957 a three-tiered Panchayati Raj structure was recommended by the Balwant Rai Mehta Committee because it believed that "only grassroots-level agencies can establish a link between local leaders who enjoy the confidence of local people and transform the policies of the government into action",⁶ consisting of Gram Panchayat at village level, Panchayat Samiti at block level, and Zila Parishad at district level. When the Panchayati Raj expanded to nearly every part of the entire country by the middle of the 1960s, people realized that there was a structure in place that could deal with the local problems of daily living. It failed to continue to strengthen within two years of its achievements because of a variety of challenges, including the war with China and the food crisis. The government established numerous agricultural programs primarily depending on bureaucracy in order to address the policymakers' major concern about achieving adequate food grain production. Without the consent and clarity of the constitution, the majority of panchayats operated more like representatives of the government than independent organizations. According to Mathur, these organizations were viewed as instruments that help carry out governmental directives rather than as places where the general public might participate in enhancing democracy.

In 1977, the Janata Party took over the national government and expressed interest in bringing back the Panchayati Raj system. They also requested that block and district-level government strategies be continuously implemented so that people may participate in local planning and execution. In 1978, the Janata administration constituted the Ashok Mehta Committee to look into and recommend appropriate actions to improve Panchayati Raj. A two-level Panchayati Raj system was recommended by the committee, with the Mandal Panchayat serving as the base and the district-level Zilla Parishad as the administrative and planning body. It also recommended that the PRI be given taxing authority so that it could generate its own revenue. All development staff should be under the direction and control of the Zilla Parishad, and they ought to be assigned to perform development-related tasks.⁷ Another significant recommendation from this committee was the inclusion of political parties and regular elections for these organizations. Two more committees, the G.V.K. Rao Committee and the L.M. Singhvi Committee, were

⁵ The concept of Village Panchayats was inserted in the Constitution in Article 40 under the chapter of Directive Principles of State Policy.

⁶ Hoshiar Singh, Constitutional Base for Panchayati Raj in India: The 73rd Amendment Act, (Asian Survey, Sep., 1994) 34(9).

⁷ T. Brahmanandam, Review of the 73rd Constitutional Amendment: Issues and Challenges (Indian Journal of Public Administration, 2018) 64(1).

established under Rajiv Gandhi's leadership to look into the present local administration structure and to revitalize the PRI system. The G.V.K. Rao Committee proposed that the "Panchayati Raj bodies" be activated and the block development office (BDO) be given broad powers to organize or implement the plans for rural development, while the L.M. Singhvi Committee proposed that the "Gram Sabha" serve as the basis of decentralized democracy and that the PRIs be included in the Constitution.⁸ Additionally, it recommended that the Constitution's Schedule VII should also be amended to establish an Election Commission to conduct elections for local bodies and a Finance Commission to regulate the PR organizations' rural development projects. This was the foundation for 73rd constitutional which established Panchayati Raj as a permanent and mandatory element of Indian governance. To provide sufficient funding for Panchayati Raj entities, it was suggested to establish State Finance Commissions (SFCs). Later, this concept was put into effect by the 73rd Amendment, which requires the establishment of an SFC every five years.

Decentralisation and 73rd Amendment Act 1992

In the year 1993 constitutional amendment Act was passed where it requires the state government to enact panchayat Raj Act according to the amended provisions of constitution. There are primarily three types of decentralization: political, where decision-making is transferred; administrative, where administrative tasks are assigned to local authorities; and fiscal, where local bodies are given financial power. The 73rd Amendment Act encourages administrative and political decentralization. As part of IX of the constitution, the amended provisions Articles 243, 243A to 243-O were inserted.⁹ The amendment established a three-tiered PRI system at the village panchayat, block, and district levels. Gram Panchayat electorates are known as the Gram Sabha, which chooses the directly elected representatives to the Gram Panchayat. In addition, Scheduled Castes (SCs), Scheduled Tribes (STs), and women are guaranteed seats at all levels under Article 243D. As long as at least one-third of the seats in each tier are set aside for women, the reservation for SCs and STs is based on their actual population share in the area in question. At each of the three levels, the States have the authority to reserve the Chairperson positions. The percentage of the reserve for women is being gradually raised to 50%.

According to Article 243G, 243H of the Constitution, panchayats have the power to function as institutions of self-government and develop and implement plans and programs for social justice and economic development in their communities on a variety of topics, including those listed in the 11th Schedule, which is simply illustrative and informative.¹⁰ Unlike in the Union List and State List, where authority and responsibilities are allocated, there is no clear

⁸ Pal, M, Panchayati Raj and rural governance: Experiences of a decade. (Economic & Political Weekly, January, 2004) 9(2), 139.

⁹The Constitution of India, 1950.

¹⁰ Ibid.

separation between the state and panchayats. Legislation governing the delegation of power and responsibility to panchayats must be created by the state legislature. PRIs can organize and implement out local projects in 29 areas included in the Constitution's 11th Schedule, such as poverty alleviation, water management, education, health, and agriculture. Villages are now involved in the planning of local economic, educational, and infrastructure initiatives. Development initiatives now require approval from the Gram Sabha, or local assemblies. MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act), PM Awas Yojana (housing for rural poor), and Swachh Bharat Abhiyan (sanitation mission) are just a some of the programs that PRIs have helped to implement.¹¹In sectors like health, education, sanitation, and rural employment, decentralization has improved service delivery.¹² Gram Panchayats initiated sanitation programs, which contributed to the Swachh Bharat Mission's significant achievement. PRIs manage adult literacy campaigns, midday meal programs, and rural schools. Tamil Nadu and Kerala have successfully raised rural literacy rates through the usage of PRIs. PRIs make it easier to build markets, roads, irrigation systems, and drinking water supplies.

Every PRI is now required by the Constitution to last for five years.¹³ In the case *Kishan Singh Tomar v. Municipal Corporation of the City of Ahmedabad*,¹⁴ the Court ruled that holding regular elections to local bodies is a constitutional mandate, and the State Election Commission must ensure timely elections without undue delays. In their own legislative acts, the States have also been given the authority to allow the PRIs to impose, collect, and appropriate a number of taxes and tolls. This will enable PRIs at all levels to produce funds locally and make investment in the targeted field in accordance with perceived local needs. The process to be followed and the upper limit of such taxes or levies may be specified by state legislation. Various taxes and levies that the panchayats collect may also be delegated to them by the state governments. The State governments must establish a State Finance Commission to assess the financial condition of the PRIs and make recommendations for grants-in-aid, the allocation of certain taxes to the PRIs exclusively, and the distribution of net tax receipts between the States and the PRIs. Another significant set of constitutional amendments concerns the PRI elections. The 73rd Amendment recommends the establishment of a State Election Commission in each state, with the Governor of the state in issue appointing the State Election Commissioner in order to ensure free and fair elections for these institutions. To ensure the State Election Commission's independence, it is stipulated that the State Election Commissioner may only be dismissed in the same way and for the same reasons as a High Court judge. In the case *Rajendra Shankar Shukla v. State of Chhattisgarh*,¹⁵ the Supreme Court reiterated that State governments cannot

¹¹ Banerjee, Rahul. 2013. 'What Ails Panchayati Raj?' (Economic and Political Weekly (Jul. 27, 2013) 48 (30).

¹² P. Heller, *Making citizens from below and above: The prospects and challenges of decentralization in India* (api.taylorfrancis.com, 2011) 1.

¹³ The Constitution of India, 1950 A 243E.

¹⁴ *Kishan Singh Tomar v. Municipal Corporation of the City of Ahmedabad*, 2006 (8) SCC 352.

¹⁵ *Rajendra Shankar Shukla v. State of Chhattisgarh*, (2015) 10 SCC 400.

dissolve duly elected Panchayats arbitrarily and must follow due process as per Article 243E, which mandates a five-year tenure for PRIs.

In order for PRIs to operate as local self-government organizations, they must meet a few essential requirements: (a) a demarcated boundary should be established between the three levels of local government, the state, and Panchayati Raj bodies; (b) sufficient financial and administrative power in compliance with the development requirement; and (c) functional autonomy within the federal framework. It was thought essential to define the boundaries of the PRI bodies so that they could operate without conflicting responsibilities.¹⁶ The new PRIs must be regarded as the third level of governance, as the Constitutional Amendment allows for the achievement of these requirements.

Role of Ministry of Panchayati Raj

The Ministry of Panchayati Raj (MoPR) was established on May 4, 2004, following the separation of the Panchayati Raj from the Ministry of Rural Development, with the goal of concentrating on the decentralization of authority and empowering the Panchayats as institutions of local self-government. The primary duties of the Ministry include supervising the enforcement of the terms of the Panchayats (Extension to the Scheduled Areas) Act (PESA), 1996 Part IX of the Constitution, which was added by the Constitution (Seventy Third Amendment) Act, 1992, and Article 243 ZD of Part IX-A of the Constitution, which deals with the District Planning Committees, read with the Eleventh Schedule, which lists 29 topics that the State Legislative Authorities may consider delegating to the Panchayats in order to guarantee that they operate as "units of Self-Government."¹⁷ Additional duties include supporting the National Development Council's (NDC) Empowered Subcommittee on Administrative and Financial.

Panchayats (extension to the scheduled areas) Act, 1996 (PESA)

In 1992, the 73rd Amendment to the Constitution made village level democracy a reality in India by requiring that authority, decision-making, and resources be transferred from the central government to the Gram Sabha, also known as the Village Assembly. With this amendment, a three-tiered system of local self-government was intended. the Panchayats (Extension to Scheduled Areas) Act, 1996, or PESA is an extension to 73rd Constitutional amendment Act. The Government of India adopted the Panchayats (Extension to Scheduled Areas) Act, 1996, or PESA, to cover the "scheduled areas" that are not covered by the 73rd Amendment or the Panchayati Raj Act of the Indian Constitution because the laws do not automatically include them.¹⁸ It was passed on December 24, 1996, to provide Gram Sabhas the authority to manage their own natural resources. The Act expanded the reach of Panchayats to include tribal territories in nine states that are Fifth Schedule territories.

¹⁶ Bardhan, P., Decentralization of Governance and Development (*Journal of Economic Perspectives*, 2002).

¹⁷ Constitution of India, 1950.

¹⁸ Government of India, Ministry of Panchayati Raj, *The Panchayats (Extension to the Scheduled Areas) Act (PESA)* (1996).

Panchayati Raj Institutions key Implementations

The following are the implementation of the Panchayati Raj institutions¹⁹:

- The Indira Awas Yojana (IAY) program was launched during the ninth plan in 1985–86. It constructed 13 lakh dwelling units in rural areas with the goal of sheltering everyone. Under the IAY, panchayat raj institutions play a crucial role in choosing and identifying the appropriate recipients. Gram Sabha makes the final decision about beneficiary selection, which is based on the BPL list and is carried out according to seniority on the list.
- One of the biggest employment-generating programs, MGNREGA, provides rural residents with alternative employment options by guaranteeing each rural household 100 days of work. In light of PRI's important role in organizing, carrying out, and implementing a number of MGNREGA activities, the decentralization process is raised.
- The Jal Jeevan Mission was established by Prime Minister Shri Narendra Modi in 2019, and panchayats gave it top priority to implement. It is believed that the Jal Jeevan Mission cannot be carried out successfully without the role of PRI. The Jal Jeevan Mission's (JJM) goals include making ensuring that, by 2024, every rural family has access to a sufficient supply of tap water of the recommended quality. It aims to provide every rural home in the country with a working household tap connection by 2024.

Case Studies on Effective Decentralisation

Kerala is among the states that have had the greatest success with decentralized planning; PRIs receive 40% of the state budget for planning and execution at the local level. In order to improve local administration, the People's Plan Campaign (PPC) was started in 1996. It gave PRIs the authority to independently plan and implement development projects. Karnataka launched the Gram Swaraj Project to give Gram Panchayats (GPs) more authority by transferring funding directly for local development. GPs were assigned with managing rural roads, water supply, health services, and elementary education. Community-led programs and Self-Help Groups (SHGs) promoted women's involvement.²⁰ In West Bengal, the Gram Panchayats, Panchayat Samitis, and Zila Parishads have clearly defined powers within the robust three-tier PRI structure. In order to ensure accountability, Gram Panchayats create yearly plans and budgets. Reservations have provided leadership opportunities for women and underdeveloped groups.²¹ The "Pani Panchayat" program in Maharashtra gave village-level water user groups the freedom to democratically manage water supplies; villages made decisions about crop placement, irrigation strategies, and water use without interference from the state. The program was later expanded to improve water efficiency and conservation in drought-prone areas. Rajasthan

¹⁹ Singh, S., Strengthening Decentralization in India: Role of Panchayati Raj Institutions. (*Indian Journal of Public Administration* (2016).

²⁰ Biraj Das, Role of Panchayati Raj System in Transforming Rural India (*Webology.org*, 2021) 18(6).

²¹ Sharma, A., *Panchayati Raj Institutions and Rural Development in India: A Critical Analysis* (*Journal of Rural Development Studies* 2019)

reserved 50% of PRI seats for women, above the 73rd Amendment's 33% requirement. Many women sarpanches, or village chiefs, played a crucial role in carrying out the MNREGA and the Swachh Bharat Mission. PRIs led by women were successful in implementing rural employment programs, education campaigns, and sanitation projects.²² The Panchayati Raj has made a substantial contribution to education, which is the main reason why Himachal Pradesh has one of the highest rates of rural literacy. PRIs have direct control over local medical facilities, Anganwadi's (childcare centres), and rural schools. Its main focus was on digital monitoring of rural development projects and e-government.

The Shortcomings of the 73rd Amendment

The 73rd Amendment's Panchayati Raj System faced a number of significant difficulties in accomplishing its objective of decentralized, participatory governance. The participatory nature of the system has been compromised by prevailing societal injustices, including caste bias, gender inequality, and income disparities.²³ Poorer groups of people, such as wage workers or landless farmers, are often left out of the decision-making process because wealthier people and families typically control it.²⁴ Even with provisions for reservations for women and other marginalized groups, these groups continue to experience marginalization and discrimination in Panchayat elections and decision-making, which hinders their ability to participate fully in inclusive activities. Although devolution of authorities (funds, functions, and officials) to local entities was mandated by the 73rd Amendment, state governments have discretion over the degree of this devolution. As a result, the way Panchayati Raj is applied in different states is not consistent. While some governments have been slow or unwilling to completely empower Panchayats, others, like West Bengal, Karnataka, Madhya Pradesh, and Kerala, have made more advanced moves in this regard. In Karnataka, decentralization under the Janatha Party in the late 1980s did not genuinely empower the rural poor; rather, it gave political power to middle peasants and rural elites. The power to manage local bodies is held by local elites, like as middle-class peasants, wealthy farmers, or landowners, who may use the decentralized system to further their own agendas rather than promote genuine rural development.²⁵ The goal of decentralization, which is to empower communities, especially the poor, is undermined by this. Elected officials, particularly those from powerful castes or political elites, often feel threatened by the direct empowerment of people at the grassroots level. They fear that their newly gained power and influence would be weakened if the public is allowed to make decisions directly. Considering that elected officials usually hire local wage workers, many of whom are from

²² Singh, S. *Empowerment of Rural Local Governments in India: Impact of the 73rd Amendment* (Economic and Political Weekly 2003).

²³ Sundar Ram. D., *Decentralization and Rural Development in India: Empowerment, Strategies and Emerging Challenges* (The Grassroots Governance Journal, 2006) 4(1).

²⁴ T.M. Joseph, *Local Governance in India, ideas challenges and Strategies*, Concept Publishing company, (New Delhi, 2007).

²⁵ Shailesh Kumar, *the constitution (73rd amendment) act, 1993 and the status of rural local governance in india in last two-decades*, (Rostrum Law Review, 2014).

underprivileged areas, the idea of directly empowering the workers seems to be a threat to their status as the community's elite power. Because they fear losing their position of authority, these officials may purposefully attempt to obstruct true popular empowerment, undermining the goals of decentralization.

Therefore, since the beginning, the idea of PR has expanded to include economic planning and rural development, but it still has a lot of difficulties. First, the present idea does not view PR institutions as organizations that may contribute significantly to the general development of rural regions, i.e., as entities that organize and carry out different programs for rural development. Secondly, the link between development administration and PR entities is unclear because the former lacks an independent administrative cadre. The central government's dual accountability to state agencies and public relations organizations leads to misunderstandings and issues. Thirdly the weaker sections were not systematically included in the way PR bodies operate. People believe that PR leaders don't include the underprivileged in councils, and consequently, the government must step in to help the impoverished benefit from progress; yet, panchayat officeholders' participation and authority in rural development initiatives is steadily growing. Lastly, it doesn't seem that authority decentralization is on the rise. Decentralization to district and lower-level institutions is a hotly debated topic, but as central government programs grow in quantity and scope, it is unclear what kind of decentralization is anticipated.²⁶

Conclusion and Suggestions

One of the biggest failures of centrally sponsored rural development programs in India has been their inability to reach the lowest strata of society effectively. Due to bureaucratic inefficiencies, corruption, and lack of direct community involvement, many welfare schemes failed to benefit the actual intended recipients. To correct this top-down approach and promote grassroots democracy, the 73rd Amendment to the Indian Constitution (1992) was enacted, coming into force on April 24, 1993. This amendment introduced the Panchayati Raj System, which established a three-tier governance structure across the country. However, there are still issues with the act's implementation for the reasons described in the article. In order to address this the legislature should attempt to use the principle of subsidiarity to drastically reorganize and redesign the political and administrative system at the state level to accommodate strong district and lower-level PRIs to assign functions to levels where it works best. Additionally, the functional efficacy of the PR system along with its democratization must be kept in mind and should not be overlooked. I would like to suggest that simply placing a bunch of functions doesn't make sense because state governments have been observed to view it as a threat to their authority.

²⁶ Sumit Sonkar and Anurag Ojha, Empowering Rural Communities: The Impact of the 73rd Constitutional Amendment on Panchayats in India (Australian Journal of Asian Law, 2024) 25(1).

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