

## Chapter – XVIII

### DECENTRALISATION, GOVERNANCE AND THE INSTITUTIONAL FRAMEWORK OF DEVELOPMENT IN DIFFERENT REGIONS OF MANIPUR

Decentralisation is increasingly being seen as a prerequisite for the successful functioning of democracies. It is based on the principal that decisions should be taken by people, thereby ensuring participatory democracy. It also ensures political stability, public service, equity and macro-economic stability.

#### *The Manipur Panchayati Raj Acts of 1975 and 1994*

In Manipur, the Panchayati Raj institutions are functioning in accordance with two Acts namely, the Manipur Panchayati Raj Act, 1975, and the Manipur Panchayati Raj Act, 1994. The later was passed under the general guidelines provided in the 73<sup>rd</sup> Constitutional Amendment Act, 1992. Although the Act of 1975 had provided for a three-tier system i.e. the Gram Panchayat at the village level, the Panchayati Samiti at the Block level and the Zilla Parishad at the district level, only a two-tier system was actually functioning. The Zilla Parishad at the district level had not been established. Under the Manipur Panchayati Raj Act, 1975, the size of the Gram Sabha was larger and the number of members was between 3,000 and 6,000. The division into wards gave better representation to weaker sections and minority groups. The Act, being the first to be passed by the Manipur Legislative Assembly, consisted of several relevant laws relating to the working of the Panchayati Raj institutions. A unique feature of the Act was that one seat was reserved for women in every Gram Panchayat and seats were reserved for the SC and ST populations also.

At the Block level, Panchayat Samitis were formed. The pradhans of the Gram Sabha, two women members, one representative each from co-operative societies, SC/ST members, and those MLAs and MPs whose constituencies wholly or partly fell within the Block were the members of the Panchayati Samitis. Nyaya Panchayats as courts of justice at the village level were established under the Manipur Panchayati Raj Act, 1975. The cases tried in these courts included civil cases, where the value did not exceed Rs 500/-, and criminal cases where the value did not exceed Rs 250/-. The government in consultation with the district judge appointed two Panch as Sarpanch and Upsarpanch from among the elected Panch. Thus, under the Manipur Panchayati Raj Act, 1975, governance in the valley districts of Manipur i.e., Imphal, Thoubal and Bishnupur was conducted by the Gram Panchayats, Panchayati Samitis and Nyaya Panchayats.

The Manipur Panchayati Raj Act, 1994, replaced the Act of 1975 in the districts of Imphal West, Imphal East, Thoubal and Bishnupur. The main objective of the Act was to ensure the participation of the people in the effective implementation of rural development programmes. The Manipur Panchayati Raj Act, 1994, provides for the establishment of the Gram Panchayat at the village level and the Zilla Parishad at the district level. It also provides for the reservation of seats for Scheduled Caste and Scheduled Tribe population and women. In addition, the offices of the Pradhans, Up-Pradhans of the Gram Panchayats and Adhyakshas and Up-Adhyakshas of the Zilla Parishads are reserved for SCs, STs and women. The functions granted to Gram Panchayats and Zilla Parishads cover various subjects listed in the XI<sup>th</sup> Schedule of the Constitution of India. There is a provision for the constitution of District Planning Committees to co-ordinate the functioning of Gram Panchayats, Nagar Panchayats and Municipal Councils in the districts. Provision for the constitution of a State Finance Commission and a State Election Commission is also present in the Act, 1994, for the

supervision, direction and control of elections to the Panchayat bodies. In the event of abuse of power, the Zilla Parishad can be dissolved by the state government and a Gram Panchayat by the Zilla Parishad.

The Manipur Panchayati Raj Act, 1994, was amended in 1996. Changes were brought about in a few provisions, such as in the formation of Gram Sabhas. In addition, in villages having a population of not less than 3,000 and not more than 6,000, a Pradhan could be removed only by a two-thirds majority of the members present and voting in the Gram Sabha. The amendment also related to specification of the powers and functions of the Gram Panchayats and Zilla Parishads in respect of the items enumerated in the XI Schedule by the government. Minor amendments were made in 1997 and 1998 also.

Panchayats were functioning in the valley districts of Manipur since 1978 under the Manipur Panchayati Raj Act, 1975, and the Manipur Panchayati Raj Act, 1994, with members being elected from time to time. However, the Panchayats were unable to fulfill the expectations of the local people. The problems are mostly related to inadequate funds. Even the schemes funded by the Central Government fail to take off as the funds do not reach in time. The bureaucrats in the concerned departments of the state government need to be sensitised about the importance of effective Panchayati Raj institutions for the successful working of democracy.

Table 18.1: Panchayat In Manipur 1997

Name of District	No. of Gram Panchayat	No. of Constituencies	No. of Members	No. of elected women	No. of Pradhans	No. of women Pradhans
<b>IMPHAL EAST DISTRICT</b>						
1. Imphal East Block - I	25	266	266	85	25	9
2. Imphal East Block - II	25	207	207	79	25	9
3. Jiribam Block	6	57	57	21	6	2
TOTAL	56	490	490	185	56	20
<b>IMPHAL WEST DISTRICT</b>						
1. Imphal West Block - I	29	235	235	89	29	9
2. Imphal West Block - II	15	130	130	48	15	5
TOTAL	44	365	365	137	44	14
<b>THOUBAL DISTRICT</b>						
1. Thoubal Block	27	310	310	114	27	9
2. Kakching Block,	15	171	171	60	15	5
TOTAL	42	481	481	174	42	14
<b>BISHNUPUR DISTRICT</b>						
1. Bishnupur Block	12	109	109	40	12	3
2. Moirang Block	12	110	110	40	12	4
TOTAL	24	219	219	80	24	7
GRAND TOTAL	166	1555	1555	576	166	55

Source: DRDPR 1997.

Table 18.2: Gram Panchayat In Manipur - 2002

Name of District	No. of G P	No. of Constituencies	No. of Members	No. of elected women	No. of Women Pradhans	No. of Pradhans
<b>IMPHAL EAST</b>						
1. Imphal East Block - I (Porompat)	25	226	226	85	0	25
2. Imphal East Block - II (Sawombung)	25	207	207	80	7	25
3. Jiribam Block	6	57	57	21	3	6
Total	56	490	490	186	10	56
<b>IMPHAL WEST</b>						
1. Imphal West Block - I (Lamphei & Lamsand)	28	223	223	0	0	28
2. Imphal West Block - II (Wangoi)	15	130	130	0	0	15
Total	43	353	353	0	0	43
<b>THOUBAL DISTRICT</b>						
1. Thoubal Block	26	302	302	0	0	26
2. Kakching Block,	15	171	171	0	0	15
3. Sawombung	1	8	8	0	0	1
Total	42	481	481	0	0	42
<b>BISHNUPUR DISTRICT</b>						
1. Bishnupur Block	12	109	109	0	0	12
2. Moirang Block	12	110	110	0	0	12
Total	24	219	219	0	0	24
Grand Total	165	1543	1543	186	10	165

Source: SEC 2002.

Table 18.3: Zilla Parishads In Manipur - 1997

Name of District	Zilla Parishad	No. of Z. P. Constituencies	No. of Members	No. of Elected Women	No. of Adhyaksha	No. of Up Adhyaksha
IMPHAL EAST DISTRICT	Imphal East Zilla Parishad	19	19	6	1	1
IMPHAL WEST DISTRICT	Imphal West Zilla Parishad	15	15	6	1	1
THOUBAL DISTRICT	Thoubal Zilla Parishad	16	16	6	1	1
BISHNUPUR DISTRICT	Bishnupur Zilla Parishad	11	11	4	1	1
Grand Total		61	61	22	4	4

Source: DRDPR 1997

Table 18.4: Zilla Parishads In Manipur - 2002

Name of District	Zilla Parishad	No. of Constituencies	No. of ST Members	No. of SC Members	No. of Elected Women	No. of Adhyaksha	No. of Up-Adhyaksha
IMPHAL EAST DISTRICT	19	19	1	1	7	1	1
IMPHAL WEST DISTRICT	15	15		1	5	1	1
THOUBAL DISTRICT	16	16	1	0	5	1	1
BISHNUPUR DISTRICT	11	11	0	0	4	1	1
Grand Total	61	61	2	2	21	4	4

Source :SEC 2002.

**URBAN LOCAL BODIES**

The urban local bodies in the districts of Imphal East, Imphal West, Thoubal and Bishnupur are Municipal Councils, Small Town Committees and Nagar Panchayats.

*Municipal Councils*

There are nine municipal councils in the urban areas of Imphal West, Imphal East, Thoubal and Bishnupur districts. The names of the districts along with their wards and population are given below (table 18.5):

Sl. No.	District	Name of the Municipal Council	No. of wards	Population (2001 Census)
1	Imphal West & Imphal East	Imphal Municipal Council	27	217275
2	Imphal East	Jiribam Municipal Council	10	6426
3	Imphal West & Imphal East	Mayang Imphal Municipal Council	13	20536
4	Thoubal District	Thoubal Municipal Council	18	41149
5	Thoubal District	Kakching Municipal Council	12	28746
6	Bishnupur District & Imphal West	Nampol Municipal Council	18	18117
7	Bishnupur District	Moirang Municipal Council	12	16684
8	Bishnupur District	Ningthoukhong Municipal Council	14	10446
9	Bishnupur District	Bishnupur Municipal Council	12	9704

*Small Town Committee*

There is only one Small Town Committee, which is at Moreh in Chandel district. There are 9 wards in this town.

*Nagar Panchayats*

There are a total of 18 Nagar Panchayats in the Valley district of the state. The names of the Nagar Panchayat along with the numbers of wards and population are given below (table 18.6):

S. No.	District	Nagar Panchayat	No. of Wards	Population (2001 Census)
1	Imphal West	Samuroo Nagar Panchayat	12	14232
2	Imphal West	Thongkhong Laxmi Bazar Nagar Panchayat	11	12779
3	Imphal West	Lilong Nagar Panchayat	9	10417
4	Imphal West	Wanggoi Nagar Panchayat	12	7872
5	Imphal West	Lamshang Nagar Panchayat	9	6530
6	Imphal West	Sekmai Nagar Panchayat	9	4325
7	Imphal West	Andro Nagar Panchayat	12	8313
8	Imphal West	Lamlai Nagar Panchayat	9	4077
9	Thoubal District	Lilong Thoubal Nagar Panchayat	9	20267
10	Thoubal District	Kakching Khunou Nagar Panchayat	9	9314
11	Thoubal District	Yairipok Nagar Panchayat	9	8263
12	Thoubal District	Wangjing Nagar Panchayat	9	6970
13	Thoubal District	Shikhong Sekmai Nagar Panchayat	9	6117
14	Thoubal District	Sugnu Nagar Panchayat	9	4507
15	Thoubal District	Heirok Nagar Panchayat	9	2445
16	Bishnupur District	Kwakta Nagar Panchayat	9	7958
17	Bishnupur District	Kumbi Nagar Panchayat	9	7947
18	Bishnupur District	Oinam Nagar Panchayat	9	6275

The 18 Nagar Panchayats mentioned in the table above fall in the semi-urban and semi-rural areas of the valley districts of Manipur.

The Panchayats and Zilla Parishads in the rural areas of Imphal West, Imphal East, Thoubal and Churachandpur districts have been functioning since 1997 under the Manipur Panchayat Raj Act, 1994.

### GOVERNANCE

The process of decentralisation started with the formation of Panchayati Raj institutions in the rural areas of the valley districts of Imphal East, Imphal West, Thoubal and Bishnupur. The Panchayat bodies are empowered to work for the socio-economic development of their respective areas with regard to the subjects specified by the state government listed in the Eleventh Schedule of the Constitution. In reality, the Panchayats are unable to work effectively for the development of the villages due to lack of funds from the Government and conflict between elected members of the Panchayat and the bureaucrat of the concerned department. Proper coordination between the elected members of the Panchayat and the bureaucrats is necessary for the success of the decentralisation process. Training programmes must be held for the elected members of Panchayats, Zilla Parishads, Municipal Councils, Small Town Committees and Nagar Panchayats.

Relations between the Gram Sabha and the Gram Panchayat is an important area of study. The Gram Sabha is the only forum that ensures direct democracy. The Manipur Panchayati Raj Amemdment Act, 1996, provides for the formation of a Gram Sabha for a village or a group of adjoining villages having a population between 3000 and 6000, subject to such variation not being larger than 2000. There is no transparency in the implementation of development schemes and in the identification of beneficiaries by the Gram Panchayat although they are within the jurisdiction of the Gram Sabha. The most important problem for the effective functioning of all local bodies in the valley – rural and urban – is the inadequacy of funds.

### LOCAL BODIES IN THE HILL AREAS

The local bodies in the hill areas of the state are the village authority and the district council. The village authority was established by the Manipur Village Authority (Hill Areas) Act, 1956, as a local body of self governance. The Act was implemented in 1957.

#### The Manipur Village Authorities (Hill Areas) Act, 1956

The Parliament passed the Manipur Village Authority (Hill Areas) Act, 1956, for the administration of the hill areas in the State. The Act, which was implemented in 1957, determined the number of members of a village authority on the basis of the number of tax-paying households.

Table 18.7: Number Of Members Of A Village Authority On The Basis Of The Number Of Tax-Paying Households

S. No.	Number of Tax-paying Households	Number of Members in a Village Authority
1	20 to 60 tax-paying households	5
2	61 to 100 tax-paying households	7
3	101 to 150 tax-paying households	10

This Act introduced the controversial provision for elections to the village authority. The members of the village authority were elected on the basis of adult franchise. Earlier, the Chief of the village used to nominate members to the village authorities. This is therefore opposed, most strongly in the Kuki areas where the hold of the Chiefs is strongest.

A total of 725 village authorities were constituted under the Manipur Village Authority (in the Hill Areas) Act, 1956, in several areas of the hills.

Table 18.8: Number of Village Authorities Under The Manipur Village Authority Act, 1956 (Sub-Divisionwise)

S. No.	Name Of The Sub-Division/Circle	No. Of Village Authorities	No. Of Elected Members
1	Sardar Hills	68	263
2	Tengnoupal Sub-Division	105	568
3	Tengnoupal Circle	82	371
4	Ukhrul	121	76
5	Mao	121	76
6	Jiribam	16	89
7	Churachandpur	112	571
Total		725	2640

The Act also placed limitations on the powers of the Chief. Before the Act was introduced, the Chief along with the village authority functioned as the village court. However, under the Act, the head of state was authorised to appoint two or more members of the village authority to function as the court. If the Chiefs were not members of the court, he/she could not preside over it. The court selected one of its members as the chairperson of the court.

This Act may be regarded as one of the first steps towards the democratisation of hill administration in Manipur. By placing certain restrictions on the powers of the Chief and by introducing adult franchise at the lowest level of administration, i.e. the village authority, the common villagers became aware of democratic values and practices.

The Manipur Hill Areas Acquisition of Chief's Rights Act, 1967.

Through this Act, an attempt was made to abolish chieftainship in the hill areas of the state by paying compensation. There was a difference of opinion between the Hill Areas Committee and the Legislative Assembly regarding the passing of the Bill leading to the Act. The former did not agree with several provisions of the Bill. The Act, however, has not been implemented fully. Chieftainship prevails with all its rights and privileges in the hill areas. Thus democratization of village councils through elections as well as statutory representation for women remains one of the most contentions issues in decentralization governance in the hills. Dilution of the Chief's powers is conflated with undermining of autonomy of the tribes (See Chapter -XVIII).

The Manipur (Hill Areas) District Council Act, 1971

On the eve of the attainment of statehood, Parliament passed the Manipur (Hill Areas) District Act to establish autonomous district councils in the hill areas of the state. According to the Act, all the hill areas were to be divided into six autonomous districts, each with a district council. Each district council was to consist of 18 elected members and 2 nominated members. The following table 18.9 provides data related to these autonomous districts:

Table 18.9: Autonomous District Councils In The Hill Districts

S. No.	Name of District	Headquarters	Population
1	Manipur South	Churachandpur	98114
2	Manipur North	Senapati	38424
3	Manipur East	Ukhrul	62229
4	Manipur West	Tamenglong	44775
5	Manipur Sardar Hills	Kangpokpi	68751
6	Tengnoupal	Chandel	38723

The Act was implemented in August 1973. The members of the district councils are elected on the basis of adult franchise. The chairperson and deputy chairperson are elected by

members of the district council. The council has the power to remove a chairperson by a two-thirds majority of the total strength of the council. However, if a resolution is passed by less than a two-thirds majority, it is left to the discretion of the Government to remove the chairperson. This type of resolution cannot be brought before the district council within one year from the date of the chairperson's election. The chairperson may nominate from amongst the members of the council a panel consisting of not more than two deputy chairpersons.

Each district council has a fund called the council fund. The funds received by or on behalf of the council under the provisions of the Act is credited to this fund. The council fund is mainly utilised for the construction and maintenance of public buildings, public roads, land and other property transferred to the district council by the administrator by way of gifts or otherwise for public purposes.

#### *Functions of the District Council*

The district council has to execute a number of functions as prescribed by the Manipur (Hill Areas) District Council Act. These are as follows:

#### *Executive Powers*

These are the maintenance and management of such property, movable and immovable and institutions as may be transferred to the council by the administrator; the construction, repair and maintenance of such roads, bridges, channels and buildings, as may be assigned to them; the establishment, maintenance and management of primary schools, dispensaries, cattle, ponds, markets and fairs; the construction, repair and maintenance of all buildings and embankments; the supply, storage and prevention of pollution of water for drinking, cooking and bathing purposes; the supply, storage and control of water for agricultural purpose; the preservation and reclamation of soil; the preservation, protection and improvement of livestock and prevention of animal disease; public health and sanitation; the management of such ferries as may be entrusted to the charge of the council by the administrator; the initiation, inspection and control of relief works the allotment, occupation or use or the setting apart of land, other than land acquired for any public purpose or land which is a reserved forest for the purpose of agriculture or grazing or for residential or non-agricultural purposes or for any other purposes likely to promote the interest of the inhabitants of any village or town situated within the autonomous district the management of any forest not being a reserved forest; the regulation of the practice of jhum or other forms of shifting cultivation, and any other matter which the administrator may, in consultation with the hill areas committee, entrust to the district council in the field of agriculture, animal husbandry, community development, social and tribal welfare village planning etc.

The functions of the district council are executive in nature. It is supposed to attend to the welfare of the villagers by exercising and implementing the various functions entrusted to it.

#### *Legislative Power*

The Manipur District Council Act, 1971, did not confer any legislative powers on the district councils. However, the council can recommend legislations on certain matters concerning Scheduled Tribes. These are the appointment or succession of Chiefs, inheritance of property, marriage and divorce and social custom.

The district council may frame rules and regulations or by-laws in relation to maintenance and management of schools, stipends and scholarship of students, construction, repair,

control and management of dispensaries including supplies of medicine and protection from pollution of water for tanks, springs, wells, parts of rivers, streams, channels and water sources for drinking purposes.

*Financial Powers*

The district council has been granted financial powers under the Act. These are to levy taxes on items such as taxes on profession, trades and employment, on animals, vehicles and boats, on the entry of goods into the market for sale therein and tools on passengers and goods carried in ferries, on the maintenance of schools, dispensaries or roads and any other tax falling under list II of the Seventh Schedule of the Constitution which the Manipur legislature may, by law, empower the district council to levy. The district council may fix and levy schools fees and fees for the use of or benefits derived from any of the works done or service rendered under this section of the Act with the prior approval of the administrator. The district council also has the power to remit or reduce any fee or exempt any person or class or persons from liability.

*Judicial Powers*

Unlike the district councils established under the Sixth Schedule of the Constitution of India, the district councils in Manipur do not hold any judicial powers. The judicial power for the administration of the district lies solely in the hands of the state government. All cases are decided by the district court. The council exercises only nominal powers in judicial matters.

**GOVERNANCE**

The district administration exercises supreme control over the district council in executive, legislative and judicial matters. The proposals for framing rules, regulations and by-laws, developmental works and executive and judicial matters are submitted to the district administration after these are passed in the district council. The district administration has to approve the proposals. Generally, the important executive, legislative and judicial activities are carried out by the district administration. As regards the annual budget, although the district council prepares it and passes it, the council has to submit the budget to the district administration for approval. The district administration generally approves the budget within the limit of funds granted by the hill commissioner. Therefore, the deputy commissioner has the power to change or modify the budget prepared by the district council. The resolutions passed by the district council with regard to legislative, executive, judicial and financial matters are usually sent to the deputy commissioner for approval. The amount of funds granted by the hill commissioner of the state government depends on the funds available in his/her department. On the other hand, the Legislative Assembly can allot funds for the development and administration of the hill districts. If the Legislative Assembly provides sufficient funds in the budget as proposed by the hill commissioner after discussion with the Hill Areas Committee, district councils usually receive the amount as proposed in the budget. It is also reported that the taxes collected by the district council from betel shops, octroi and others are passed on to the district administration. Even professional taxes collected from employees of the district council are submitted to the administration of the district council.

The main problem faced by the district councils is again the lack of funds from the state government. One of the complaints of the Ukhrul district council has been that teaching aids

and furniture have not been supplied for the past five years. No construction work could be taken up due to the non-availability of funds and no medicines have been distributed to the civil dispensaries.

In addition to the financial problems, the district council is facing difficulties on other fronts. First, it cannot work smoothly due to frequent political interference. The chairperson or vice-chairperson of the district council cannot remain in office without the support of the ruling political party. Second, the district council does not possess the financial, administrative and functional powers of an effective local self-government. Third, although Rule No. 98 of the Manipur (Hill Areas) District Councils Rules, 1962, envisages a relationship between the village authority and district council, it is more administrative rather than democratic.

Lastly, the basic requirements of autonomy and local self government is lacking in the functioning of these district councils. There is far too much interference by the district administration who assume a superior position despite the basic aim of the legislation. Thus, the autonomy granted to the district councils under the Act remains elusive. The survival and functioning of these district councils greatly depends on the state government and the district administration devolving powers and finances and not interfering in the function of the councils (See Chapter-XVIII).

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