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**Dinesh Rajpurohit**

M.Sc., Ag., Sr. Auditor in Indian,  
Department of Audit and  
Accounts, Rajasthan, India

**SK Sharma**

Director Extension, SKRAU  
Bikaner, Rajasthan, India

**Ramakant Sharma**

Assoc. Prof. Krishi Vigyan  
Kendra, Ajmer, Rajasthan, India

## Awareness and importance of the salient features of the constitution (73<sup>rd</sup> Amendment) Act. 1992

**Dinesh Rajpurohit, SK Sharma and Ramakant Sharma**

### Abstract

The Constitution (73<sup>rd</sup> Amendment) Act. 1992 which came into effect on April, 1993 is a major landmark in the transition of political power to the grass roots level in India. By enactment of this amendment act India has given constitutional sanction to Panchayati Raj Institutions (PRIs) by providing some mandatory provisions such as direct elections, reservations to SCs, STs & women and many other non-obligatory provisions like reservation to OBCs and powers to prepare plans and implement the schemes etc. Present investigation was undertaken in Jaipur district of Rajasthan to assess awareness about the twenty salient features of the Constitution (73<sup>rd</sup> Amendment) Act. 1992 along with their relative importance as perceived by randomly selected 200 respondents including elected members, Govt. officials and local leader of the Gram Panchayats. Analysis of data collected showed that about 3/4<sup>th</sup> of the respondents (72.75%) were found aware about the salient features of this Act in which Govt. officials were found more aware in comparison to elected and local leaders. Further two features, namely 'Method of election of the Chairperson at the village level Panchayat decidable by the State (Direct in Rajasthan)' and 'Provision of Gram Sabha in a village or group of villages with power & function allotted to it' were perceived as the most important features of this act by the respondents. However, Govt. officials presented a slight different view from the elected members and local leaders in assigning the order of importance of the features. The study recommended mandatory secondary education for PRI members along with regular trainings to them which have been implemented by Govt. of Rajasthan resulting in improved awareness among them.

**Keywords:** panchayat raj institutions (PRIs), constitution (73<sup>rd</sup> Amendment) Act. 1992

### Introduction

The 73<sup>rd</sup> Amendment to the Indian Constitution is a unique event in the political history of modern India. This 73<sup>rd</sup> Amendment to Indian Constitution incorporated the recommendation of L.M. Singhvi Committee and it came into effect on 24 April 1993.

The constitution (73<sup>rd</sup> Amendment) Act, 1992 contains only the minimum possible mandatory provisions to restrict the freedom of the States in their dealing with Panchayati Raj. Such mandatory provisions of the 73<sup>rd</sup> Amendment Act include mainly the direct election rules, reservation for SC, ST and women and many other important features. Some non-obligatory provision leaving the discretion to enact to the State Legislatures were also added including reservation to OBCs, representation of MLAs and MPs in Panchayats, powers to prepare plans and implement the schemes etc.

Rajasthan has amended its Panchayati Raj Act to get it in conformity with the provisions of the Constitution (73<sup>rd</sup> Amendment) Act, 1992. Rajasthan has completed elections of PRIs as per the provisions of 73<sup>rd</sup> Amendment Act with incorporation of some new provisions like reservation to OBCs and disqualification of members on begetting more than two children after a specified date and making secondary as mandatory qualification for contesting PRI election. With the changed composition of PRIs due to new reservation provisions of the 73<sup>rd</sup> amendment act, a large number of women (about 32000) and other representatives from SCs & STs have been given opportunity to participate in grass root level democracy through nearly 10000 PRIs. These newly elected representatives need knowledge about the provisions of the Constitution (73<sup>rd</sup> Amendment) Act, 1992.

Even after the implementation of the constitution (73<sup>rd</sup> Amendment) Act, it was felt that the village development remained a distant goal to be achieved. It was not easy to achieve the objective of village development through participatory democracy by mere legal involvement of grass root leaders.

### Correspondence

**Dinesh Rajpurohit**

M.Sc., Ag., Sr. Auditor in Indian  
Audit and Accounts  
Department, Rajasthan, India

In order to translate the mandate of the 73<sup>rd</sup> Amendment Act, it was felt to conduct this study comprising two objectives to assess the awareness level of PRI functionaries with respect to 20 important provisions of this amendment act and to measure relative importance of these provisions as perceived by three categories of respondents namely elected members, Govt. officials and local leaders.

### Methodology

The study was conducted in randomly selected two Panchayat Samitis of Jaipur district (Rajasthan). All the elected members, govt. officials of 10 Gram Panchayats of Dudu and Sambhar Lake Panchayat Samitis and 50 local leaders (five from each Gram Panchayat selected by sociometry technique) were included in sample. Thus total two hundred respondents comprising of 140 elected members, 50 local leaders and 10 Govt. officials were selected. A structured questionnaire incorporating 20 important features of the Constitution (73<sup>rd</sup> Amendment) Act with measuring devices was developed for investigation purpose and the same was filled by interviewing the respondents. In the first part of the questionnaire, responses of the respondents were recorded in yes (score 1) or no (score 0) reply to assess awareness to each feature of the act where as in second part responses in four categories namely Most Important (score 3), Important (score 2), Less Important (score 1) and Unknown (score 0) with respect to each feature of the act were collected to measure relative importance of them. The total score to each feature with percentage was calculated to show awareness level towards it. Similarly, frequencies in each scale classification were found out and the respective frequencies were multiplied by score allotted for it and then they were added together and divided by number of respondents which gave the mean scores for each feature of the act. Mean scores for all features were arranged in descending order to rank the importance of the feature. The data so collected were classified, tabulated and statistically analyzed.

### Results and Discussions

#### Awareness about the salient features of the Constitution (73<sup>rd</sup> Amendment) Act, 1992 among the elected members, Govt. officials and local leader of the Gram Panchayats

The data in Table 1 depicted that About 3/4<sup>th</sup> of the respondents (72.75 percent) were found aware about the salient features of the Constitution (73<sup>rd</sup> Amendment) Act, 1992. More specifically 73 percent elected members, 99 percent govt officials and 67 percent local leaders were found aware of these features. The probable reason might be due to that Rajasthan has implemented these features in elections soon after enactment of this act so respondents were found more aware about them. Govt. officials were found more aware about the features of the 73<sup>rd</sup> Amendment Act, 1992 as compared to elected and local leaders due to their sound educational background and trainings. Local leaders were found comparatively less aware about the features of the Constitution (73<sup>rd</sup> Amendment) Act of Panchayati Raj System in comparison to elected members as elected members have direct bearing with the enacted features of the act.

The data presented in Table1 also revealed that cent percent respondents were found aware about few of the features namely, 'A three tier structure of Panchayati Raj with a few exceptions. 'Fixing a term of five years for all Panchayats', 'Reservation seats to members of SCs and STs in proportion to their population for membership and office of Chairperson', 'Reservation of not less than one third of the

seats for women for membership and office of Chairperson. Likewise Rama Devi (2000) <sup>[1]</sup> former Governor of Karnataka State who was involved in the drafting of the 73rd Constitutional Amendment is a strong supporter of reservations for women in Panchayats. She says that the great social engineering of the century, providing 33 percent reservation for women in panchayats is a positive aspect. She expresses that the husbands or brothers or father-in-laws accompanying the women Panches are temporary phenomenon and men themselves will withdraw when women start working independently. Rama Devi feels that when women realises power and taste it, they control decision-making. She stresses on training women representatives to articulate their thoughts in a systematic manner. She feels that this is a golden era for representative democratic local governance at the grassroots level to eradicate poverty. She concludes by saying that democracy should reach up to the family i.e., equal participation and equal partnership of men and women in every sphere of life. The findings were in conformity with the findings reported by in Jain Devaki (2003) <sup>[2]</sup> that one-third representation is an act of positive discrimination and exposed the political parties' perception of women's limited capacity for public office. Women in Panchayati Raj Institutions gained a sense of empowerment by asserting control over resources, officials and more importantly by challenging men. The Panchayati Raj Institutions have helped to change women's perceptions of themselves and greater understanding of the working of politics in particular and importance of the political parties.

Results also indicated that all the respondents were found aware about few of the features, 'Method of election of the Chairperson at the village level Panchayat may be decided by the State (Direct in Rajasthan)' and 'Reservation of seats of members of OBCs for membership and office of chairpersons (Provided in proportion to their population in Rajasthan). Since the study was conducted in OBC dominated villages so features related to reservations were found popular and similarly some features being of basic nature attained higher awareness. Representation of women and SCs and STs has been ensured through reservation of a minimum of 1/3rd of the total seats at all the three levels. Similarly the other under privileged group of SCs and STs will get the opportunity to enter into the system through reservations in these bodies. This provision of reservation for the weaker sections and backward classes certainly help enhance the participation of these marginalized groups in the rural local governance system.

It was observed that only 20 percent and 30 percent respondents were found aware about the feature, 'Holding elections within a period of six months in the event of suppression of any Panchayat' and 'Constitution of an independent Finance Commission to review and recommend on financial matters between State and local bodies' respectively. Similar finding was reported by Rashid *et al.* (2007) <sup>[4]</sup> that 80 percent of the literate and 48 percent of the illiterate were aware of one or other programs while 59 percent of literate and 45 percent of illiterate participated in the panchayat meetings.

#### Relative importance of the salient feature of the Constitution (73<sup>rd</sup> Amendment) Act, 1992 as perceived by elected members Govt. officials and local leaders

The data presented in Table 2 indicated that two features namely, 'Method of election of the Chairperson at the village level Panchayat may be decided by the State (Direct in

Rajasthan)' and 'Provision of Gram Sabha in a village or group of villages with powers and functions allotted to it' were perceived to be the most important feature of the 73<sup>rd</sup> Amendment Act, 1992 among the 20 features studied. The provision of direct election, which provides for electing all members of Panchayats at every level directly by the people, will also contribute to accelerate democratic processes at the grass root levels. Thus this will boost local people's initiative and enhance their involvement and participation in the system of rural local governance through the electoral process. The finding is supported by Morale Suhas R. (2012) [3] in his published article on "73<sup>rd</sup> Constitutional Amendment Act & Gram Sabha" and he rightly explain that Panchayats have been backbone of the Indian village since beginning of recorded history. Mahatma Gandhi the father of nation, in 1946 had aptly remarked that the Indian independence must begin at the bottom and every village ought to be a republic or Panchayat having powers. Mahatma Gandhiji's dream has

been translated into reality with threetier Panchayat Raj system to ensure peoples participation in rural reconstruction. The passage of 73<sup>rd</sup> constitutional Amendment Act. 1992 marks a new era in the federal democratic set up of the country and provides constitutional status to Panchayat Raj institutions. The Gram Sabha must act as a rural parliament. Likewise Soni Santosh Balarajji (2012) [6] done a research on "Gram Sabha – Symbol Rural Democracy" and he strongly recommended that the working of Gram Sabha must be realistic and more powers should be given to the Gram Sabha and only with this situation the aim of rural development will be obtain.

The 'Holding elections within a period of six months in the event of supersession of any Panchayat' was perceived as least important features of the Act by the respondents. Govt. officials showing different view assigned top rank of importance to the feature 'Powers to Panchayat to prepare plans for economic development and social justice'.

**Table 1:** Awareness of elected members, govt. officials and local leaders about the salient features of the Constitution (73<sup>rd</sup> Amendment) Act, 1992

S. No	Feature of the Amendment	Elected Members			Govt. Officials			Local leaders			Overall respondents		
		N=140	%	Rank	N=10	%	Rank	N=50	%	Rank	N=200	%	Rank
1	A three tier structure of Panchayati Raj with a few exceptions.	140	100	I	10	100	I	50	100	I	200	100	I
2	Fixing a term of five years for all Panchayats.	140	100	I	10	100	I	50	100	I	200	100	I
3	Holding election within a period of six months in the event of supersession of any panchayat.	18	12.85	XV	10	100	I	12	24	XV	40	20	XIV
4	An adult citizen who has attained age of 21 years can contest the election for office bearers.	116	84.26	VII	10	100	I	32	64	VI	100	60	VII
5	Direct election of members of Panchayat at all level.	128	91.42	IV	10	100	I	46	92	II	184	92	III
6	Indirect election of chairperson of the intermediate and the district level Panchayats.	131	93.57	III	10	100	I	41	82	III	182	91	IV
7	Reservation of seats to members of SCs and STs in proportion to their population for membership and office of chairperson.	140	100	I	10	100	I	50	100	I	200	100	I
8	Reservation of not less than one third of the seats for women for membership and office of chairperson.	140	100	I	10	100	I	50	100	I	200	100	I
9	Constitution of an independent finance commission to review and recommend on financial matters between state and local bodies.	41	29.28	XIII	9	90	II	10	20	XI	60	30	XIII
10	Authorizing state level election commission to conduct Panchayat elections.	44	31.43	XII	9	90	II	9	18	XII	62	31	XII
11	Representation to members of the state Legislature and Parliament on Panchayats.	45	32.14	XI	10	100	I	10	20	XI	65	32.5	XI
12	Method of election of the chairperson at the village level panchayat may be decided by the state (Direct in Rajasthan).	140	100	I	10	100	I	50	100	I	200	100	I
13	Reservation of seats to members of OBCs for membership and office of chairperson (provided in proportion to their population)	140	100	I	10	100	I	50	100	I	200	100	I
14	Powers to Panchayat to prepare plans for economic development and social justice.	73	52.14	X	10	100	I	31	62	VII	114	57	X
15	Power for implementation of schemes for economic development and social justice on the matters	87	62.14	IX	10	100	I	20	40	IX	117	58.5	IX

	mentioned in the Amendment Act.												
16	Powers to impose taxes like octroi, building tax, etc.	34	24.28	XIV	10	100	I	21	42	VIII	65	32.5	XI
17	Maintenance and audit of Panchayat Accounts.	127	90.71	V	10	100	I	32	64	VI	169	84.5	V
18	Provision of a Gram Sabha in a village or a group of villages with powers and functions allotted to it.	137	97.85	II	10	100	I	39	78	IV	186	93	III
19	Provision of disqualification of members (on begetting more than two children after a specified date- in Rajasthan.	96	70	VIII	10	100	I	36	70	V	143	71.5	VIII
20	No disqualification of a member on the ground of being less than 25 years of age if he has attained the age of 21 years.	122	87.14	VI	10	100	I	31	62	VII	163	81.5	VI
	Overall Average Awareness	102.15	72.96		9.9	99	I	33.45	66.9		145.5	72.75	

S. No	Feature of the Amendment	Elected Members			Govt. Officials			Local leaders			Overall respondents		
		TS	MS	R	TS	MS	R	TS	MS	R	TS	MS	R
1	A three tier structure of Panchayati Raj with a few exceptions.	192	1.37	XII	26	2.6	IV	77	1.54	VII	295	1.48	VII I
2	Fixing a term of five years for all Panchayats.	213	1.52	X	22	2.2	VII	98	1.96	III	308	1.54	VII
3	Holding election within a period of six months in the event of supersession of any panchayat.	75	0.54	XX	13	1.3	XIV	35	0.7	XIV	123	0.62	XV I
4	An adult citizen who has attained age of 21 years can contest the election for office bearers.	235	1.68	IX	23	2.3	VII	67	1.34	IX	325	1.63	VI
5	Direct election of members of Panchayat at all level.	186	1.33	XIII	20	2	IX	70	1.4	VIII	276	1.38	X
6	Indirect election of chairperson of the intermediate and the district level Panchayats.	157	1.12	XV	16	1.6	XII	60	1.2	XI	233	1.17	XII
7	Reservation of seats to members of SCs and STs in proportion to their population for membership and office of chairperson.	199	1.42	XI	14	1.4	XIII	67	1.34	IX	280	1.4	IX
8	Reservation of not less than one third of the seats for women for membership and office of chairperson.	302	2.16	III	17	1.7	XI	78	1.56	VI	397	1.99	III
9	Constitution of an independent finance commission to review and recommend on financial matters between state and local bodies.	120	0.86	XVI I	26	2.6	IV	28	0.56	XVI	174	0.87	XV
10	Authorizing state level election commission to conduct Panchayat elections.	125	0.89	XVI I	26	2.6	IV	25	0.5	XVI I	176	0.88	XI V
11	Representation to members of the state Legislature and Parliament on Panchayats.	133	0.95	XVI	27	2.7	III	29	0.58	XV	189	0.95	XII I
12	Method of election of the chairperson at the village level panchayat may be decided by the state (Direct in Rajasthan).	348	2.49	I	25	2.5	V	109	2.18	I	482	2.41	I
13	Reservation of seats to members of OBCs for membership and office of chairperson (provided in proportion to their population)	288	2.06	IV	19	1.9	X	95	1.9	IV	402	2.01	II
14	Powers to Panchayat to prepare plans for economic development and social	239	1.71	VIII	29	2.9	I	90	1.8	V	358	1.79	IV

	justice.												
15	Power for implementation of schemes for economic development and social justice on the matters mentioned in the Amendment Act.	255	1.82	V	28	2.8	II	58	1.16	XII	341	1.7	V
16	Powers to impose taxes like octroi, building tax, etc.	99	0.71	XIX	27	2.7	III	47	0.94	XIII	173	0.87	XV
17	Maintenance and audit of Panchayat Accounts.	248	1.77	VI	29	2.9	I	63	1.26	X	340	1.7	V
18	Provision of a Gram Sabha in a village or a group of villages with powers and functions allotted to it.	347	2.48	II	28	2.8	II	10 7	2.14	II	482	2.41	I
19	Provision of disqualification of members (on begetting more than two children after a specified date- in Rajasthan.	178	1.27	XIV	19	1.9	X	67	1.34	IX	254	1.27	XI
20	No disqualification of a member on the ground of being less than 25 years of age if he has attained the age of 21 years.	244	1.74	VII	21	2.1	VIII	60	1.2	XI	325	1.63	VI
	Abbreviation: TS=Total Score, MS=Mean Score, R=Rank												

### Conclusion

Though majority of PRI functionaries are aware of most of the features of this 73rd amendment act yet some features attained a very low awareness so such features need to be brought in the knowledge of leaders at grass root level to strengthen our democracy.

Rajasthan has amended its Panchayati Raj Act to get it in conformity with the provisions of the Constitution (73rd Amendment) Act, 1992 and this state has completed elections of PRIs as per the provisions of 73rd Amendment Act with incorporation of some new provisions like reservation to OBCs and disqualification of members on begetting more than two children after a specified date and making secondary as mandatory qualification for contesting PRI election.

With the changed composition of PRIs due to new reservation provisions of the 73rd amendment act, a large number of women (about 32000) and other representatives from SCs & STs have been given opportunity to participate in grass root level democracy through nearly 10000 PRIs. These newly elected representatives need knowledge about the provisions of the Constitution (73rd Amendment) Act, 1992. So importance of trainings about these features for awareness remained quite necessary even after passing of two decades of enactment of this Act.

### References

1. Devi Rama VS. Towards the 73rd and 74rd Amendments: Implications for women in Bidyut Mhanty, (ed.). Women and political empowerment, Institute of social sciences, New Delhi, 2000, 8-28.
2. Jain Devki. Panchayat Raj: Women changing governance, 2003.  
<http://www.sdn.org/gender/resources/mono5.html>. 14.07.2003.
3. Morale Suhas R. 73rd Constitutional Amendment Act. & Gram Sabha. Online International Interdisciplinary Research Journal. 2012; 2 (3):208.
4. Rashid Mohammad, Anjan Sen. Participatory Panchayati Raj Institutions and Awareness of Rural Development Programs in Bihar Md. Rashid and Dr. Anjan Sen

Institute of Town Planners. India Journal. 2010; 7-2:70-84.

5. Sarangi Aparajita, Mishra, Gitanjali. 73RD constitutional amendment and women's empowerment an empirical study in tribal and non-tribal districts, Odisha. Journal of Rural Development. 2013; 32(4):383-394. NIRD, Hyderabad.
6. Soni Santosh Balaramji. Gram Sabha-Symbol of Real Democracy, Shodh Samiksha Aur Mulyankan. 2012; III(36):32-33.