

Study on

‘The Present Status of Rural Local
Governance Systems in Non-Part IX areas
of the Country’

Final Report



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Glossary

Akhings	Refers to a village or a group of villages
Chars	Chief of a clan of Garo's
Dobashis	Interpreters
Dong or Kyntoit	A subdivision or locality of a village
Dorbar Shnong	Traditional village governance institution
Durbar Syiem	The committee consisting of the Syiem, Deputy Syiem, Lyngdoh, Myntris and Elders/ Representative of the Hima, which runs the administration of the Hima.
Elaka	A Hima which is an administrative unit within the Autonomous District
Gaon Burah	Village Elder
Hima	The areas under the administrative jurisdiction of Syiemship
Hnatlang	A common service for the common good of the villagers which the residents of the village are to render
Jhum	Shifting cultivation
Ka Burom Ka Akor	Khasi Social rules of respect, honour and dignity and the guiding rules of social conduct
Khawper	A sub-village or hamlet
Khel	A traditional Naga institution that brings together several clans within a village
Khulakpa	Chief in a village, he shall be the ex officio chairman of the village authority
Khutlang	Mutual Exchange labour organization of men.
Leipui	Shifting 'jhum' cultivation
Lhangsam	A person in charge of information
Lyngdoh	The authorized adult male representative of a clan
Maharis	Members of the clan of Garo, who are maternal relatives of the Nokma
Manchillis	An official appointed by the chief in some villages
Mizo	A member of any Lushai (Mizo) tribe
Mizoram Buhchhun	The surtax imposed under the Lushai Hills District (Revenue Assessment) Regulation, 1953
Morung	A communal dormitory of the village

Myntri	Official/elder nominated by the Syiem and his Durbar from among the natives
Nokmas	Legislative and jurisdiction head of the Akhing
Onger Menden	The seat of the Priest in Putu Menden
Pachong	A person in charge of defence, social organization and relief
Putu Menden	Traditional Village Councils in Ao areas of Nagaland
Rangbah Shnong	The traditional head of a Village which shall also include a Sordar Shnong, a Matabor, and a Myntri Shnong, falling within the jurisdiction of each of the existing Elaka
Run	A customary fine imposed by a Village council for refusal to contribute in the Village Hnatlang
Salam	A pig, often paid as a fine to the chief
Saliang	The right leg of an animal given to the chief as a privilege
Semang	A Village Administrator
Sialpi	A Mithun, often paid as a fine to the chief
Siampu	An official appointed by the chief in some villages
Sikkheng	An official appointed by the chief in some villages
Singlup	A traditional form of Panchayats existed in the valley area
Sordar	A traditional elected head of a village
Syiem	The traditional Chief and the customary administrative Head of Hima
Tangsam	An official appointed by the chief in some villages
Tangseu	Paddy given to the chief as a privilege
Tazüing Menden	The seat of the elders in Putu Menden
Thlawhbawk	A temporary sub-village, created for the sole purpose of jhumming in a particular area for a specified period.
Thuching	The secretary and record keeper
Tlangau	A village crier
Tuikhur	Any place wherein water supply is obtained
Upas	Council members of the chief

Definitions

ADC	Autonomous District Council
AMC	Aizawl Municipal Council
BAC	Block Advisory Committee
BDO	Block Development Officer
BLCC	Block Level Coordination Committees
BTAD	Bodoland Territorial Administrative District
BTC	Bodoland Territorial Council
CADC	Chakma Autonomous District Council
CEM	Chief Executive Member
DC	Deputy Commissioner
DCA	District Council Affairs
DHAC	Dima Hasao Autonomous Council
DPC	District Planning Committee
DRDA	District Rural Development Agency
DWSC	District Water & Sanitation Committee
EFC	Eleventh Finance Commission
ETC	Extension Training Centre
FC	Finance Commission
FFC	Fourteenth Finance Commission
GHADC	Garo Hills Autonomous District Council
GP	Gram Panchayat
GPDP	Gram Panchayat Development Plan
HAD	Hill Areas Department
ILP	Inner Line Permit
IVP	Inter Village Path
JHADC	Jaintia Hills Autonomous District Council
KADC	Karbi Anglong District Council
KHADC	Khasi Hills Autonomous District Council
LAD	Local Administration Department
LADC	Lai Autonomous District Council
LC	Local Councils
MAC	Members of Autonomous Council

MADC	Mara Autonomous District Council
MCLA	Member of Council Legislative Assembly
MDC	Member of District Council
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MHIP	Mizo Hmeichhe Insuihkhawm Pawl
MUP	Mizoram Upa Pawl
NGO	Non-Governmental Organisation
NIRD	National Institute of Rural Development
ODF	Open Defecation Free
OSR	Own Source Revenue
PRI	Panchayat Raj Institution
RDB	Rural Development Block
SFC	State Finance Commission
SHG	Self Help Groups
SIRD	State Institute of Rural Development
TCLCC	Territorial Constituency Level Coordination Committee
TLB	Traditional Local Body
TSP	Tribal Sub-plan
T'AAADC	Tripura Tribal Areas Autonomous District Council
ULB	Urban Local Body
VC	Village Council
VCDP	Village Council Development Plan
VCP	Village Council President
VDB	Village Development Board
VDC	Village Development Council
VEC	Village Employment Council
VEC	Village Education Committee
VEC	Village Employment Committee
VEMB	Village Electricity Management Board
VHC	Village Health Committee
VWSC	Village Water and Sanitation Committee
YMA	Young Mizo Association

1. Background

Provisions for rural local participatory governance were constitutionalised in India through the 73rd amendment to the Constitution in 1993. Part IX was added to the Constitution, and the 'Panchayat Raj System' came into existence. Part IX mandates setting up three tiers of Panchayats (two tiers in the case of states and union territories with fewer than 20 lakhs) at the village level, sub-district (block level), and the district level. It also envisages a platform for direct participation of the people general through Gram Sabha. Members of the Panchayats are to be directly elected for five years, and there are provisions for the reservation of seats for women and marginalised sections of the society. However, the provisions of Part IX of the Constitution do not apply to some parts of the country. Scheduled Areas and Tribal Areas referred to in Article 244, the States of Nagaland, Meghalaya and Mizoram, the hill areas in the State of Manipur for which District Councils exist, panchayats at the district level to the hill areas of the District of Darjeeling in the State of West Bengal. Also, Article 243D concerning the reservation of seats for Scheduled Castes does not apply to the State of Arunachal Pradesh.

This particular study focuses on the non-part IX areas in six North-Eastern states, namely, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura.

The current local governance system in these North-Eastern states needs to be understood within the larger historical context of the region. The villages of North East India were disconnected from other cultures till the time of British Rule. Different tribes in the region governed themselves through the traditional chieftainship system and elders' councils. The British Administration, too, for the most part, strategically followed a policy of isolation towards the tribes not to disturb the regional pride and sentiment (Doungel J, 2014). As per the Government of India Act of 1935, the hill areas of North-East India were under the Governor of Assam and were demarcated as 'Excluded Areas' and 'Partially Excluded Areas'. It consisted of the province of Assam and the two Princely States of Manipur and Tripura.

The Bordoloi Sub-Committee was constituted in May 1946 by the Constituent Assembly of India as an advisory committee on Fundamental Rights of Minorities in Tribal Areas. The Sub-Committee drafted a report recommending a separate administration model for the region. It also observed that the British administrative system made the region isolated and disconnected from other parts of the country. The effort was to accommodate the aspirations and interests of the tribal communities within the democratic political system.

A separate state of Nagaland was formed in 1963 from the Naga Hill District of undivided Assam. The Autonomous State of Meghalaya became a full-fledged state after the North-Eastern Council Act, 1971, while Mizoram and Arunachal Pradesh remained as union territories until 1987 before becoming states. The princely states of Manipur and Tripura integrated into independent India in 1949 and were under the special administrative region under the central Government's control. In 1972, Manipur and Tripura officially became states of India.

The 'Scheduled Areas' are termed 'Fifth and Sixth Scheduled Areas' under Article 244 (1) and (2) of Part X of the Indian Constitution. The provisions of the Sixth Schedule were conceptualised to enable a process of decentralisation that enables the tribal population to have separate laws for the governance and administration of their areas to preserve their distinct identity, history, customary practices, and traditional practices and beliefs.

These areas are exempted from applying Parts IX and IX-A of the Indian Constitution that deals with the provision of the Panchayati Raj Institutions (PRIs). The Sixth Schedule provides wide-ranging powers to the traditional local bodies to make laws in harmony with the traditional and customary laws. It provides for the creation of Autonomous Councils for their self-administration. In addition to the Autonomous Councils in the Sixth Schedule areas, some tribe specific special autonomous councils have also been created through the state enactments in Assam and Manipur. Since the 'Scheduled Areas' have the provision for Autonomous districts/territorial/regional

councils, funds are directly allocated from the Centre to these areas for governance and developmental activities.

The non-part IX areas, Sixth Schedule areas under Articles 244 (2) and 275 (1) of the Indian Constitution in North-East India, where the Panchayat Raj system is not applicable, are as follows;

1. The three autonomous councils named North Cachar Hills District Council (Dima Hasao), Karbi Anglong District Council (KADC), and Bodoland Territorial Council (BTC) in Assam.
2. The three autonomous councils named Khasi Hills Autonomous District Council (KHADC), Garo Hills Autonomous District Council (GHADC) and Jaintia Hills Autonomous District Council (JHADC) which, cover the entire seven districts of Meghalaya.
3. Tripura Tribal Areas Autonomous District Council (TTAADC) that covers four districts that consist of almost 70 per cent of the State's geographical area.
4. The State of Mizoram. Including the three Autonomous District Councils in Mizoram, namely Chakma Autonomous District Council (CADC), Lai Autonomous District Council (LADC), and Mara Autonomous District Council (MADC).
5. The Hill Districts of Manipur, namely Senapati, Sadar Hills, Churachandpur, Ukhrul, Tamenglong and Chandel.
6. The village councils of Nagaland.

In Assam, the state government created six more autonomous councils which do not fall under the purview of the sixth scheduled area. However, their pattern of administration is similar. Three Autonomous Councils, namely, Rabha Hasong Autonomous Council (RHAC), Lalung (Tiwa) Autonomous Council (LAC) and Mising Autonomous Council (MAC), were created in 1995. In 2005, three more were formed, namely Thengal Kachari Hill Council, Sonowal Kachari Council and Deori Council. These regions have limited administrative powers, and they continue to function under the Panchayati Raj system. TTADC in Tripura covers four districts and comprises 19 different ethnic groups. It is divided into four zones, and the zonal areas are further divided into 32- subzones. Together they cover almost two-thirds of the total geographical area of the State.

2. Introduction

During the long span of three decades since the 73rd amendment, many attempts have been made to deepen democracy at the grassroots level, improve participation, and evaluate and strengthen rural local governments. However, there is limited information on the present status of rural local governments in Non-Part IX areas of the country. It is in this context that the present study is conceived. The state report on Assam is prepared as part of the more extensive study titled ‘Study on The Present Status of the Rural Local Governance System in non-part IX areas of the country’ with broad study objectives as listed below.

2.1 Research Objectives

(i) To study and prepare a status report on the existing set-up of local self-governance (such as Traditional bodies/village councils) in the non-part IX States of the Country, viz, Nagaland, Mizoram, Meghalaya, Assam, Tripura and Assam.

(ii) To find out the status and scope of the Constitution of State Election Commission, as provided in the Constitution of India, and to conduct regular elections to the local bodies at all levels every five years.

(iii) To find out the status and scope of the constitution of the State Finance Commission in the non-part IX States, as provided in the Constitution of India.

(iv) To find out the status and scope of extending the provision of reservation for not less than one-third of seats for women at all levels of TLBs, as per a similar provision for Panchayats in the Constitution of India.

(v) To find out the status and scope of devolution of powers to the Traditional Local Bodies of Non-Part IX States.

(vi) To find out the status and scope of own source of revenue of the Traditional Local Bodies of Non-Part IX States.

(vii) To suggest measures to strengthen the Traditional Local Bodies in the Non-Part IX States.

3. Methodology

A mixed research methodology was adopted for the study, including primary qualitative data collection, secondary quantitative data collection, policy mapping and analysis. Qualitative methods were used to meet the research objectives partially. In-Depth interviews and Key informant interviews (KIIs) guided by a semi-structured questionnaire consisting of themes that emerged from existing literature were carried out. Themes such as the existing set-up of local governments, status and scope of the election commission, status and scope of the state finance commission, reservation for women, devolution of powers, own source of revenue, and strengthening of local bodies were included.

In-depth interview participants included community members, activists, subject experts, department officials, SIRD faculty members, elected representatives, and other stakeholders. Focus Group discussions were conducted among Young Fellows of the NIRD-Cluster development program and Kudumbashree-NRO Field Coordinators.

Secondary data collection was carried out to understand the financial status of local governments, devolution of funds, functions, and functionaries. Policy documents were gathered and analysed to understand local governments' legal backings and status under study. GPDP Documents for the year 2021-22 from selected Local Governments were collected and thoroughly analysed to extract relevant information for the study.

3.1 Data Analysis

Interviews were recorded, translated and transcribed to English. A directed content analysis was carried out on the transcripts. The researchers read the transcripts and highlighted relevant text. Themes from the semi-structured questionnaire identified key concepts as initial coding categories. A priori codes based on the semi-structured questionnaire included history, evolution, milestones, organisational structure, members, legitimacy, government support, functions, powers, coordination, representation, resources, public participation, perception, political context, election

commission, finance commission, and strengthening. The highlighted text was coded using these a priori codes.

New codes were given to any text that could not be categorized under the initial coding scheme. Such codes that emerged from the data were used for the second round of analysis. Codes were sorted into categories based on their relationships, and these categories were then clustered under the research objectives to arrive at the findings. Policy documents were collected and analysed using a policy mapping matrix. Data collected through different methods were corroborated to minimise errors while arriving at findings and observations of the study.

3.2 Duration of the Study

The study took place between the period of September 2021 and April 2022. A review of literature and policy documents were carried out from September to December, and an inception report was submitted. Tools for data collection were finalised in January, and Most of the qualitative data collection took place in March and April. The study was concluded in April, and the Study report was submitted in May 2022.

3.3 Chapterisation

The report findings are presented in parts 4 to 9. These parts are organised as individual State Reports within the compiled report of the larger study. The State reports trace the historical background of rural local governments in Sixth Schedule areas under study in subpart 1, discuss the existing local governance system in the State, devolution of powers, election and representation, and the financial resources available to the local governments in subpart 2, and discusses strengthening rural local governments based on findings from the study in subpart 3. Part 10 summarises status of rural local governments in non-part IX areas of the States under study. It discusses common strengthening mechanisms that can be adopted for strengthening of te local governments. The last part summarises the study and presents the conclusions.

3.4 Limitations

There were several limitations to this study. The availability of information and data on Village Councils and Committees in non-part IX areas in the North-East is limited. Collecting information hence took more time than anticipated. The collection of updated information was also a challenge due to the limited availability of recent studies. Even the policy documents do not always reflect recent changes, causing information triangulation issues. The study tried to take stock of an extensive topic quickly and suffered shortcomings arising from the same. These limitations make this report far from perfect and in need of follow up research.

4. The Present Status of Rural Local Governance Systems in Non-Part IX areas of Assam

Assam is the gateway to all other north-eastern states. Nagaland, Manipur and Myanmar bound it in the east, west by West Bengal, north by Bhutan and Arunachal Pradesh and south by Meghalaya, Bangladesh, Tripura and Mizoram. 63% of the state's workforce is engaged in agriculture and allied activities. More than 79% of the total cropped area is utilized for food crop production. Along with Rice, Jute, tea, cotton, oilseeds, sugarcane, potato and fruits are cultivated in the state. Forest account for 22.41% of the total area of the state. Assam's tea gardens produce just over half of the country's tea and contribute about one-sixth of the world's entire tea production. Assam has natural resources of Coal, limestone, refractory clay, dolomite and natural gas. Extensive oil reserves were found in the 19th century in the State, and Digboi became the site of Asia's first oil refinery. At present, Assam has three oil refineries at Digboi, Noonmati and Bongaigaon and a petrochemical complex at Numaligarh. Table 1 provides basic details on Assam.

Table 1 Assam Basic Information

Area	78438 km²
Latitude	26.2006 N
Longitude	92.9376 E
Population	31,169,272
Literacy Rate	72.19%
Capital	Dispur
No. of Districts	33
No. of Autonomous Districts (Sixth Schedule)	3
No. of Autonomous Districts (Non-Sixth Schedule)	6
No. of Assembly Constituency	126
No. of Seat in Parliament	14
Total number of Villages	27927
Total number of Panchayat	2197

Total number of Non-PRI Local Bodies	469
Number of District Panchayats	26
Number of Blocks	229
Number of Intermediate Panchayats	191
Total Allocation of FFC to non-part-IX areas Grants (in crores)	43.61

4.1 History and Evolution of Rural Local Governments in Sixth Schedule areas of Assam

Historically Assam had both tribal and non-tribal institutions of local governance. The system prevailed under the Ahoms and provided the background to the evolution of Panchayati Raj Institutions in the state. The Assam Local Self-Government Act provided for the establishment of Village Panchayats on a formal and legal basis. It also provided for the election of non-Officials as Chairpersons and Vice-chairpersons in the panchayats. The act mainly delegated powers and functions to the Village authorities relating to Village. In 1926 another act was passed, and the functions of the Village authority were extended to water supply, medical relief and sanitation. However, these acts did not empower the local bodies in a true sense and remained as gestures.

After independence, Assam was one of the states that pioneered the introduction of Panchayati Raj in the country by enacting the Assam Panchayati Raj Act, 1948. It provided for the division of rural Assam into Panchayat areas, with each area consisting of several villages and each village having a primary Panchayat. The act had provisions for executive bodies and followed adult suffrage in elections. A new Panchayati Raj Act was enacted in 1959. A three-tier Panchayati system consisting of the Gram Panchayat at the Village level, Anchalic Panchayat at the intermediate level Mahkuma Parishad at the Taluka or Sub-divisional level were constituted.

The Assam Panchayati Raj Act only covered the plain districts of the state, and the Hill Autonomous Districts and villages located in the tea garden areas were excluded from the purview of the Act. However, the Assam Panchayati Raj Act, 1972 brought under its coverage the villages located in the Tea-garden areas. Through this Act, the PR system in Assam was reverted to the

two-tier system, the Goan Panchayat (GP) at the village level and Mahkum Parishad (MP) at the apex level. Once again, the state government introduced a new Act in 1986, replacing the 1972 Act. The new Act became operative with effect in 1990 only, and the state again reverted to a three-tier set-up.

The Assam Panchayati Raj Act only covered the plain districts of the state, and the Hill Autonomous Districts and villages located in the tea garden areas were excluded from the purview of the Act. As per the North-Eastern Areas (Reorganisation) Act, 1971, the Schedule VI areas of Assam were confined to the two hill districts of Karbi-Anglong and North Cachar. The latter is renamed as Dima Hasao district. The jurisdiction of Schedule VI areas in Assam remained in this format until February 2003, until the Bodoland Territorial Council (BTC) formation. The Bodoland Territorial Council (BTC) was created, consisting of four administrative districts named Kokrajhar, Udalguri, Chirang, and Baksa, carving out Kokrajhar, Dhubri, Bongaigaon, Barpeta, Nalbari, Kamrup, Darrang and Sonitpur districts of Assam. Only Kokrajhar had the pre-existing infrastructure to function as a district Head-quarter among these eight districts. The remaining districts required huge initial expenditures to function as district headquarters. With the creation of BTC, the total area under Sixth Schedule in Assam increased to more than 30 per cent of the State's total geographical area. The population under the Schedule VI area is 13.90 per cent of the State's total population.

PRI system existed in BTC areas before the creation of the Council. However, following the creation of the Council, the PRIs ceased to exist, and an administrative void was created at the village level. The powers of the Panchayati Raj Institutions were transferred to the Council. One of the main objectives of the sixth schedule is to give statutory provisions for traditional local institutions to govern themselves according to customary laws and practices, and the BTC is formed under the sixth schedule. However, by the time of the creation of BTC, customary laws and traditional village-level institutions were no longer practised by the Bodo community in most

villages. Also, the region under the control of the Council was now more diverse than a traditional Bodo village or in comparison with other scheduled areas of northeastern states. In this context, resorting to only the customary laws was not feasible for the region's local governance.

To fill the void created by the absence of both PRIs and traditional local governments in the region, two local bodies were created in BTC areas similar to the PRIs. They are called the Territorial Constituency Level Coordination Committee (TCLCC) and the Village Councils Development Committee (VCDC). The TCLCC was to function at the Anchalik Panchayat (AP) level, and the VCDC was to function at the village level, similar to a Gram Panchayat (GP). A total of 428 Village Council Development Committee (VCDC) were created in BTC. Together they cover 3066 villages in the BTAD. However, the powers and responsibilities of the village bodies are not clearly stated, and they continue to function in an ad-hoc manner. The BTC Legislative Assembly passed the 'Bodoland Village Council Bill' to create statutory local governance institutions at the village level in 2012. However, this bill is pending approval from the governor.

A similar need for village-level administrative units was felt by Karbi-Anglong autonomous district council, and accordingly, 26 Village Development Councils (VDC) in the Karbi-Anglong district were constituted. In Dima Hasao, the constitution of village governments is yet to materialise. It was reported that all the Autonomous Councils are contemplating the extension of the 73rd Amendment to the excluded areas. Table 2 describes the basic details of the existing autonomous districts under the sixth schedule in the state.

Table 2 Basic Information on Autonomous Councils of Sixth Schedule Areas in Assam

		KAAC	DHAC	BTC	TOTAL
1	Date of creation	23-06-1952	29-04-1952	10-02-2003	
2	Area (sq.km)	10,434	4,890	8,970	24,294
3	Population (2011) census				
	i) Rural	8,38,638	1,52,302	30,15,429	40,06,369
	ii) Urban	1,36,642	61,227	1,39,930	3,37,799
4	Density (per sq. Km)	93	44	374	178
5	No. Of villages	2928	822	3082	6832
6	No. Of VDC	26		428	454
7	No. Of Sub-Division	3	2	10	15
8	No. Of Revenue Circle	4	1	37	42
9	No. Of Development Block	11	5	18	34
10	No. Of Executive Member	30	28	46	104
11	No. Of ULBs				
	i) M. B			1	1
	ii) T.C.	8	4	7	19

4.2 Current Status of Rural Local Governments in the Sixth Schedule Areas of Assam

Assam has three Autonomous District Councils formed under the Sixth Schedule of the Constitution of India. They are the Karbi Anglong Autonomous Council (KAAC), the North Cachar Hills Autonomous Council (NCHAC), and the Bodoland Territorial Council (BTC). While KAAC and NCHAC were established in 1952, the BTC was set up in 2002.

4.2.1 Existing System of Rural Local Governments in Assam

The BTC is the largest Council in Assam, with four districts under its purview and a total population of 26,38,062. Forty-four departments have been transferred to the BTC. One of the evident concerns with the BTC is its synergy with the DRDAs. The funds for rural development programmes are credited to and managed by DRDA. There exists a two-tier local governance system in the Bodoland areas. At the BTC legislative constituency level exists the Territorial Constituency Level Coordination Committee (TCLCC), comprising a Chairman and Members. Village Council Development Committee (VCDC) is there at the village level. All the Chairmen of the VCDCs which fall within the constituency are members of the TCLCC.

A VCDC's jurisdiction covers 7 to 10 villages on an average and has a population of 4000 to 7000. A VCDC comprises a Chairman and at least one representative member from each revenue village under it. An officer of the rank of accredited engineer at the Block Development Office is given the position of Member Secretary at the VCDC. However, the post of member secretary is not filled in most cases.

It is observed that the VCDCs are functioning on an ad-hoc basis and are not provided with any permanent staff to carry out the day-to-day functions. The Gram Rozgar Sahayak (GRS), a village-level staff under the MGNREGA, has been attached to the VCDC to function as the secretary of the VCDC. They undertake all administrative tasks of the VCDC and act as a link between the VCDC and the Block Development Office.

The Members and the Chairman of the VCDC are not elected through a democratic process by the public, and instead, they are selected and appointed by the BTC authority. This has resulted in the selection of VCDC members solely from the ruling party cadre, and their term of office is co-terminus with the BTC. The TCLCC, on the other hand, plays a monitoring role to the VCDC and works in tandem with the Block Development Office. The TCLCC coordinates directly with the autonomous district council for the different departments of the BTC concerning the implementation of development schemes in their respective constituencies.

In KAAC, both traditional and government institutions at the village level. The district's three-tier traditional institutions comprise the King and the parliament or council of ministers at the top, followed by the heads of the regions and village councils at the grassroots. Parallely the district has three-tier statutory development institutions in the form of the Karbi Anglong Autonomous Council (KAAC) at the apex level, followed by block-level coordination committees (BLCCs) in the next tier and the village development councils (VDCs) at the local level. Hill Areas Department (HAD) is the administrative department of the two autonomous Councils, i.e. Karbi Anglong Autonomous Council (KAAC) and North Cachar Hills Autonomous Council (NCHAC). BLCC is formed with a chairman appointed by the KAAC, the BDO as the member secretary and a maximum of 40 members though there is no strict limitation on the number of members. The members are generally selected by the Members of Autonomous Council (MAC) areas under the block. Village Development Councils (VDCs) work under the BLCCs in each MAC area. The VDC consists of a chairman selected among the members, a KAAC appointed secretary, two office assistants and ten members selected by the member of the respective autonomous council area in consultation with the chairman.

Planning in KAAC is being coordinated by the Development Commissioner for Hills Areas. The Development Commissioner comes up with the Hill Area Development Programme by collating the plan made by the head of departments and consultation with Customary Heads of the villages.

While NCHAC follows the structure and process of planning like the KAAC, the former is unique in that it has the smallest area under its purview compared to the other two. However, the highly dispersed settlements and community ownership of land cause hurdle as far as the administration of villages in this region are concerned. Local governance at the village level in all three autonomous councils is mainly through the Councils' Panchayat & Rural Development Department. The District Rural Development Agency (DRDA) plays a key role in administering local governance and implementing development schemes at the district level. These activities are coordinated and implemented through the Block Development Offices.

4.2.2 Functions of Rural Local Governments

The roles and responsibilities of the VCDC or the VDCs are not defined or documented. It is mentioned in some of the policy documents that the Village Councils are to assist the district councils in rural administration and upgrading of vital statistics, preparation of job cards and keeping safe custody of MGNREGA records, preparation and updating of BPL list and other works assigned by the district authority. Other functions of the village councils at present are limited to data collection for various government schemes and the identification of beneficiaries.

The village councils in the autonomous districts assume the role of last-mile service delivery institutions than that of a local government. They function as an extended arm of the P&RD department and execute development schemes at the village level in coordination with the DRDA. Other line departments of the district and state governments have also been utilising the village level bodies to implement different schemes.

The village governments are also supposed to plan different schemes in a participatory manner, especially for MGNREGA activities and recently for GPDP preparations. However, respondents of this study and various other studies have observed that these planning exercises are carried out for namesake and are seldom participatory. The discussions at the village level, even with limited

participation, are strictly limited to matters related to specific projects and not on the overall development or governance of the village.

It was also observed that different projects for which planning activities took place were either not implemented or rejected by the district councils citing fund shortages or other hurdles. The village-level bodies have no power to approve or reject MGNREGA or other development plans. The plans are vetted only at the block level and forwarded to the DRDA. DRDAs prepare consolidated plans and submit them to District Program Committee (DPC). The DPC is chaired by the principal secretary of the district council. However, studies have observed that no funds had been released to carry out MGNREGA in many BTAD Blocks in 2016-17 and 2017-18. This has impacted both the planning process and the subsequent implementation of MGNREGA work as the workers shared that they had lost trust that they would be paid for their work under MGNREGA.

4.2.3 Elections and Representation in Rural Local Government

The district council appoints the Chairmen and Members of the TCLCCs as well as the VCDCs. Elections do not take place for constituting these rural local governments. The BDO of the concerned Development Block is a Member Secretary of the TCLCC. The current practice is that the party that enjoys a majority in the Council and forms the government appoints the VCDC Chairmen and Members from among the active party cadres at the village level. Usually, the Chairman is selected first, and then in consultation with the Chairman, the other Members of the VCDC are selected.

Since the BTC nominates the Members of these bodies, their term is co-terminus with the BTC. However, the Chairman or any member of these bodies can be removed by a simple 1/3 majority of the members or by the district council according to their discretion.

4.2.4 Representation of women

Assam has reserved 50% of the seats in PRIs for women. In the village bodies under the autonomous district council, a claimed 30% reservation norm for women exists. However, this

reservation does not have any statutory backing, nor is it implemented at the ground level. A recent study found that even among the selected women members who are limited in number, most of them resign from their posts due to various reasons, and these vacancies are not filled until the next term.

4.2.5 State Election Commission

Direct, transparent, and timely elections are essential for the effective functioning of local governments. In the case of PRIs, Article 243E of the Constitution of India provides for elections in this manner. Article 243K of the Constitution provides for the setting up of a state election commission to be vested with the “superintendence, direction and control of the preparation, revision and correction of electoral rolls and conduct of all elections to the panchayats”. The state election commission in Assam was constituted in May 1994. In addition to conducting the election to the PRIs and Municipalities in the state, the election commission has been entrusted to conduct elections to the nine local bodies in the state, namely,

1. Bodoland Territorial Council
2. NC Hills Autonomous Council
3. Karbi Anglong Autonomous Council
4. Mising Autonomous Council
5. Sonowal Kachari Autonomous Council
6. Rabha Hasong Autonomous Council
7. Deori Autonomous Council
8. Thengal Kachari Autonomous Council
9. Tiwa Autonomous Council

However, the state election commission does not conduct elections to the rural local governments at the village or block level in the sixth schedule areas. Election procedures for these local bodies are not uniform or mandated to be in a democratic manner. The previous chapters described the details of elections to these local governments. There exists an immediate need to vest the responsibility of conducting elections to these local bodies with the state election commission.

Table 3 depicts the status of different dimensions of democratic elections in the sixth schedule areas of the state.

Table 3 Status of elections to Village Authorities in Sixth Schedule areas of Assam

No	Dimension	Status
1	Direct elections to Local Governments	No
2	Indirect elections for seats at all three tiers of panchayats and indirect elections to offices	No
3	Elections to Local Governments every five years	No
4	Constitution of State Election Commission and vesting the superintendence, directions, and control of the preparation of electoral rolls for all elections to the panchayats	Not for areas under Sixth Schedule
5	Reservation in seats for Scheduled Castes and Scheduled Tribes	No
6	Reservation of not less than one-third of seats for women	No
7	Rotation of reserved seats and office	No
8	Direct elections of President of Village Panchayat	No

4.2.6 Finance and Resources of Rural Local Governments

The village governments depend solely on different central and state governments for developmental activities and have no financial resources under their discretion. The 3 Central Government schemes- a) MGNREGA, b) PMAY-G, and c) National Social Assistance Programme (NSAP) constituted the inflow of financial resources to the villages. The VCDCs do not receive the 14th Finance Commission fund or any direct transfer of state funds. The local governments at the village level do not collect any taxes or have any other source of own revenue. Funds from the central and state finance commissions are transferred to the district councils. These funds are not devolved to the bottom tiers following any particular criteria or terms of devolution. There is a lack of data regarding the devolution of funds to the village bodies in the autonomous district councils. The expenditure on the rural development programmes is not reflected in the councils' accounts, which results in a skewed account-keeping format.

VCDCs and the TCLCCs are infrastructure strapped and severely short of human resources. Most of the VCDCs do not have office buildings. The ones with office buildings lack basic infrastructures such as tables, chairs, toilet facilities, and electricity connections.

4.2.7 State Finance Commission

Article 243-I of the Constitution provides for the constitution of the State Finance Commission (SFC) every five years to review the financial position of the panchayats and make recommendations to improve the financial position of the panchayats. The objectives of the SFC are to recommend the principles of distribution between the State and the panchayats of the taxes, tolls, fees, and duties levied by the State. Also, to determine the assignment of taxes, duties, tolls, and fees to the panchayats. The SFC also makes recommendations regarding the grants-in-aid to the panchayats from the State's consolidated Fund. Nagaland, Meghalaya, and Mizoram are exempted under article 243M from these provisions.

In Assam, five state finance commissions have been constituted so far. The fifth SFC was appointed in 2013 to recommend principles of distribution of funds between the state and the local governments. The SFC submitted their report in 2016. The SFC recommended a devolution of net own tax revenue of to the tune of 15.5% in 2015-16, 15% in 2016-17, 14.50% in 2017-18, 14% in 2018-19, and 13.5% in 2019-2020. Table 4 shows details of the devolution of funds recommended by different ASFCs.

Table 4 Devolution of Funds Recommended by ASFCs

Period	Per capita Devolution recommended by SFCs (Rs)	Recommended devolution as % of the State's own tax revenue	Recommended devolution as % of State's own revenue receipts	
1	2010-11	323.86	16.61	11.86
2	2011-12	99.57	4.01	2.92
3	2012-13	107.32	4.05	3.12
4	2013-14	139.93	4.9	3.77
5	2014-15	170.33	5.82	4.64
6	2015-16	201.25	6.59	5.18
7	2016-17	487.28	13.52	9.94
8	2017-18	494.01	16.86	10.18

The distribution of funds was to be carried out based on population (80%) and population density (20%).

Additionally, the state finance commission made the following key observations regarding village level bodies under the autonomous district councils;

1. The Commission pointed out that given the large revenue gap of the three Autonomous Councils, they cannot be expected to make any positive contribution towards improving the finances of local bodies within their jurisdiction.
2. Village Development Councils in the three Autonomous Councils are short of physical infrastructures. The total financial involvement for the purpose would be Rs.118.50 crores, at Rs.25 lakh per village Council. The amount may be equally spread over the period from 2016 to 2020.
3. To make the village council functional, the deployment of minimum staff is required. Per village Council, at least one Secretary, one Junior Accountant Assistant, and one Peon cum Chowkidar is recommended.

4. In order to ensure the normal functioning of village Councils and provide them with the required wherewithal for extending minimum services to the people, a modest sum of Rs. 5 lakhs per village council per year may be considered.
5. The Commission recommended Rs. 489 crore for construction and maintenance of rural roads in the Sixth Schedule Area for 2016-20.
6. The Commission observed that the office Buildings of the Development Blocks are very old and need major renovation. Commission recommends Rs. 51.00 crores for construction/development of Block office, within the Sixth Schedule Area at Rs.1.50 crores per Block.
7. The Commission also recommended the transfer of funds for constructing tourist lodges, market complexes, burial grounds, and provisions for drinking water in autonomous districts and described the terms of transfer and required amounts for these purposes.
8. The Commission also recommended transferring funds for infrastructure development of primary schools and developing handloom and sericulture in the autonomous councils in the sixth schedule area.
9. The Commission noted that the Annual Plan outlay 2013-14 for Sixth Schedule areas of Assam is Rs.2,222 compared to Rs.10,000 for Nagaland, Rs.14,000 for Meghalaya, and about Rs.23,000 for Mizoram. It recommended further analysis of this aspect and a suitable compensation package from the central government.

Details of SFC recommended grants in aid for different purposes are given in Table 5. According to the ATR report of the Assam government, all the recommendations by the fifth AFSC regarding the divisible pool and all forms of grants to PRIs and ULBs in all areas of the state were accepted.

Table 5 Recommendation of Fund for Rural Local Bodies in Sixth Schedule Area of Assam for the period 2016-to 2020

SN	Name of the Scheme	(Rs. In crore)			
		KAAC (26RLB)	DHAC (20RLB)	BTC (428RLB)	Total (474RLB)
1	Construction of office Building of 474 RLBs @Rs.25 lakh per RLB	6.5	5	107	118.5
2	Salary and allowance of staff (One Secretary, one Jr. Accountant Assistant and one Peon and Chowkidar	10.6	8.16	174.8	193.56
3	The amount for normal functioning of Village Councils @Rs. 5 lakh per year	5.2	4	85.6	94.8
4	Construction & Maintenance of Rural Roads	36	24	429	489
5	Construction/Development of Block office Building @ 1.50 crore per Block KAAC-11, DHAC-5, BTC-18	16.5	7.5	27	51
6	Tourist lodge @ 1.00 crore KAAC-1, DHAC-1, BTC-4	1	1	4	6
7	Market complex in each Dev. Block @ Rs. 1.00 crore	11	5	18	34
8	Development of burial & cremation ground @ Rs. 10.00 lakh for each RLB	2.6	2	42.8	47.4
9	Rural water supply	26	20	208	254
10	Assistance for Infrastructure of L.P School	26	15	100	141
11	Assistance for handloom/Sericulture Development	15	10	50	75
Total		156.4	101.66	1246.2	1504.26

4.3 Strengthening of Rural Local Government in Assam

In its 2006 report, the V Ramachandran Committee reviewed the state of decentralised planning in sixth schedule areas in Assam. It noted that the councils were not representative at the village level in these districts. This observation stands valid even today, and there is a gap in coordination and planning between the villages and the councils. The expert Committee had also recorded that the representatives who were respondents of the study were of the opinion that formulating plans at the district level would lead to the extension of Part IX and IX-A of the Constitution of India to the councils hampering the powers of the Autonomous Councils and customary beliefs and practices. This apprehension seems to have weakened over the years. The councils show a positive attitude towards different participatory planning initiatives as part of various government schemes and in the backdrop of FFC recommendations. Some other important observations made by the V Ramachandran committee which are still valid and endorsed by this study are;

1. A complete and total transfer of powers to the District Councils to ensure that the Councils can take all the decisions and conduct all activities related to all the departments under the Autonomous Councils.
2. Village Development Bodies are to be established according to legislations of the Autonomous Councils, which will facilitate planning that considers the concerns of the village.
3. Until village-level bodies are fully functional, the Block Level Coordination Committee could be strengthened.
4. The Committee at the Block-level could be constituted by the territorial Constituency members of the Council, traditional village chiefs, and representatives of village-level development bodies.
5. Financial decentralisation, entailing greater financial powers to the Councils, is imperative for a strong decentralised governance structure.

6. The State Government of Assam is to ensure that the transfer of funds to the Councils and its utilisation by the Councils is regular and takes place without any impediments.
7. The Councils, in turn, would be required to oversee the regular disbursement of funds to the Village Councils. The monitoring of smooth transfer, withdrawal, and utilisation of funds can be ensured through a Single Window System, which the Bodoland Territorial Council is already following.

The strengthening process of rural local governments in Assam needs to be built on the existing system within each district council inclusively and sensitively. An activity-centric or a program implementation linked empowerment program appears more suitable for the State. The local government empowerment program, therefore, at the same time, should be a local development program too. Such a program for strengthening local governments can be designed within the framework of implementing different state and central rural development schemes. A strengthening and capacity building initiative involving SHGs, students, and different CBOs will bring these stakeholders to the mainstream local development planning and local governance, increasing the community's voice in local action. The observations made by this study are based on deficits in activities, finance, functionaries, powers, participation, and capacity building. The following specific suggestions are made from the study findings;

- i) There is a need for legal reforms and restructuring without drastically changing any existing Acts. Through analysis and comparison of traditional roles played by the village councils, functions of PRIs, and existing rules and regulations in the State, a new set of detailed and uniform documents may be prepared for better institutionalisation and legal backing of the functioning of rural local bodies in Assam.
- ii) An updated activity map with a clear definition of the powers and responsibilities of local governments needs to be prepared.

- iii) Election rules and procedures for village governments need to be made uniform across different administrative areas. Detailed rules and guidelines need to be prepared and circulated.
- iv) Detailed guidelines and manuals for implementing different central and State government schemes need to be prepared, clearly demarcating the roles and responsibilities of village councils. This would help create a proactive space for village councils to implement developmental interventions.
- v) Legislation for reforms to make changes required for (iii), (iv), and (v) needs to be carried out; in the meantime, required changes can be brought in through executive orders. An extensive intervention can be planned by assigning village councils as the implementation agency for government schemes. The state government may provide additional support for implementing the schemes effectively.
- vi) Establishing a uniform legal framework for implementing government schemes would also enable the practical usage of different financial resources available to the village councils. By making the local Government the implementing agency of different State and central government schemes, the State can empower the local governments and utilise the resources more efficiently and locally relevantly.
- vii) An online helpdesk for village council representatives may be set up at the state level to provide knowledge support, guidance and assistance.
- viii) A protocol for managing offices and institutions needs to be prepared within the existing system.
- ix) Proceeding of fund transfers to the local governments needs further clarity and uniformity. Templates for own revenue generation can be prepared at the state level and distributed to village councils. Rules and regulations regarding taxes, fees, and auctions must be

codified uniformly. Legal backing for receiving CSR funds and its regulations and guidelines must also be drafted uniformly.

- x) At the village level, a robust yet straightforward accounting system needs to be prepared—awareness about the procedures and provisions to be widely publicised. A poster campaign using notice boards of the village councils can be planned in this regard. In addition, the need for further study in this regard is visible, and the State may appoint a committee to examine the existing accounting and auditing practices of village councils to identify gaps and provide a recommendation to bring more transparency.
- xi) Learnings from other states indicate that community participation, especially that of women in developmental activities, improves in the presence of SHGs. Assam can adopt this as a strategy for improving community participation in the State. In most of the villages studied, there are SHGs and SHG federations. This could be further extended and strengthened. Constituting a Women Development Council at different levels could further increase participation in governance activities.
- xii) Frontline workers such as ASHAs, AWWs, and other department functionaries working at the village level may be transferred to the village councils. They can function as double reporting officials also. This would aid in more efficient local coordination and empower the local governments.
- xiii) Practising experts of local governments such as experienced and pro-active village council members, stewards of innovative and best practices, and other resource persons shall be added to the state's resource pool of training institutes. Such a resource pool consisting of professional and practising experts will enrich the capacity building process. Additional capacity building to be given to village committees on participation, SHG and VC convergence, CBO-VC convergence, and plan implementation.

- xiv) The feedback from the community and the output of the Model Gram Panchayat Clusters project by NIRD-PR shows positive trends. It also reflects that village councils can prepare and strategize development activities with handholding support and technical assistance. The model can be extended to other villages by providing additional human resources to the village councils.
- xv) The planning process can be devised as an empowerment tool. Guidelines for the planning process with step by step instructions can be prepared based on the learnings from the Model GP Cluster development programme. Resource persons and guidelines can be provided to every village council. The guidelines shall ideally prepare in a simple, local language. Media other than print may also be used to popularise and circulate the planning process campaign. The planning manual may be prepared in the audio-visual format to increase reach and understanding. Success stories and innovative practices may also be included in the materials.
- xvi) In the context of observation (x) and (xi), a Post Graduate Student Internship program can be envisaged, where trained students in the lines of NIRD&PR Young Fellows can work as student interns in village councils. Incentives can be provided to the students in an honorarium/grace mark or other weightage in employment opportunities.
- xvii) Village councils performing better can be converted into knowledge hubs that provide mentoring and handholding assistance to other village councils. These knowledge hubs can be further developed into community learning centres with experts from SIRD, trained village council members and members of the community. This approach will help faster dissemination of local experience-based knowledge and create a sense of ownership by the community of such knowledge.

- xviii) Exposure visits for the village council members can be organised within the State and outside to better perform villages and model grama panchayats. Exchange programmes and community internship programs can also be organised.
- xix) Performance-based incentives may be provided for village councils. This can include themes like transparency, innovation, participation, and agriculture.
- xx) SIRD capacity-building infrastructure may be used to conduct action research on the functioning of local governments in the State. This process may ensure student participation in the regional educational institutions, especially in social sciences. Research on the existing system, program implementation, contextual factors, and social, political, and cultural factors can be carried out. Research support from national institutes can also be obtained.
- xxi) In the context of the above-discussed observations and suggestions, a separate Project Implementation Unit can be set up at the state level to study and modify the existing system of rural local governance in the State. Village Council Empowerment may be implemented as a separate mission mode project that is inclusive and sensitive to the existing system.

5. The Present Status of Rural Local Governance Systems in Non-Part IX areas of Manipur

Manipur is geographically divided into hills and valleys, and this separation is visible in the state's culture, administration, and governance. The state is inhabited by three main ethnic groups- the Meiteis, the Kukis and the Nagas. The hill areas of the State cover most of its total area and are mainly inhabited by Kukis and Nagas- who have their unique traditional system of village governance and administration. The valley is inhabited by Meiteis, Pangals, the Nepalese, and many other communities. The valley is covered under Part IX of the Constitution. The hill areas are not part IX area and are also not covered under the Sixth Schedule of the Constitution. The Manipur (Hill Areas) District Council Act, 1971, a state legislation, provides autonomy to the hill districts similar to that in the Sixth Schedule but on a lesser scale of autonomy. District councils in Manipur are not entrusted with any judicial or legislative powers. However, some executive and financial powers are devolved. The financial resources for the ADCs are also limited, making the scope of ADCs in administration, governance, and developmental interventions extremely narrow. Table 6 provides basic details on Manipur.

Table 6 Manipur Basic Information

Area	22327 km ²
Latitude	24.6637° N
Longitude	93.9063° E
Population	2,855,794
Literacy Rate	79.85%
Capital	Imphal
No. of Districts	16
No. of Autonomous District	6
Block	66
No. of Assembly Constituency	60
No. of Seat in Parliament	2

5.1 History and Evolution of Rural Local Governments in Manipur

The traditional form of Panchayats existed both in the valley and hill areas of Manipur even before colonisation. In the villages of the valley, there were institutions named Singlup, resembling the Panchayats of Bengal under a 'Sardar' who was the head of the village. These Singlups looked after the general administration of the villages and resolved petty disputes. In most cases, the post of the chief was hereditary and passed on to the eldest legitimate son.

The chief acted as the proprietor of the entire village land. It was his duty to make allotment of lands for house building and cultivation among the villagers in consultation with his council members known as Upas. The chief and his council had the power to welcome outsiders to the village to settle and banish his subject from the village if they did not follow his regulations. In such a case, the chief will take all the confiscated properties. There were village officials known as Manchillis, Tangsam, Sikkheng, and Siampu appointed by the chief in some villages. The chief collected tax from the villagers. If the villager failed to pay tax, he had to pay a fine in the kind of Sialpi (a Mithun) and Salam (a pig) as compensation to the chief. The nomenclature varied from tribe to tribe. The court of the chief functioned as the highest legal authority in the village and, most of the time, acted as a platform to make compromises between the parties involved.

The chief had certain privileges for looking after the village administration. The privileges included 'Saliang', the right leg of an animal killed or caught in a trap by the villagers' and 'Tangseu', paddy given by the villagers to the chief every year. The amount and kind of these privileges differed from village to village. Free manual labour was another important right of the chief. Chief got his house built by the villagers without payment of any cost either for labour or collection of building materials. It was, however, customary for the chiefs to give a feast to the villagers when the house was completed. In return for the service rendered by the villagers and tax paid, the chief was expected to protect the village socially, politically and economically. It is also recorded that the

chief was responsible for taking care of the poor, orphans, widows, sick, and other people in the village in need of additional support.

The chief's powers were not without limitations. The chief had to act strictly according to the customary laws. It was common for the villagers to migrate to other villages under different chiefs if one chief became exploitative or incompetent. It was also customary that the chief took decisions in consultation with his councillors.

Manipur came under British rule as a princely state in 1891. By 1896, the Singlups were replaced by a different form of Panchayats constituted of five members. The Panchayats had the power to impose fines and solve civil suits. In 1935 under the Government of India Act, the hill areas of the then Assam were divided into two categories-Excluded and Partially Excluded Areas. It did not provide for any local self-government mechanism or political autonomy to the hill tribes of the excluded and partially excluded areas. Further, no political activities of any kind in these areas were permitted. There was no political entity to voice the people's aspirations and grievances.

The Manipur Constitution Act in 1947 established a democratic form of government with the 'Maharajah' as the executive head and an elected legislative assembly. The apex Panchayat at Imphal, known as Sadar Panchayat, adjudicated civil cases of appeals from the village Panchayats and resolved the civil cases of the Imphal area. The Manipur State Courts Act, 1947 vested powers with village Panchayats to constitute a form of local village court for the administration of justice in both criminal and civil cases. In 1949, Manipur became a part 'C' state under the Indian constitution. Manipur achieved full statehood on January 21, 1972. The state government enacted the Manipur Panchayati Raj Act in 1975, which provided a three-tier system of Panchayat in the state comprising Gram Panchayats at the Gram Sabha level, Panchayat Samities at the block level and Zilla Parishads at the district levels and Nyaya Panchayats for judicial purposes.

After the 73rd constitution Amendment Act of 1992 was passed, the Manipur Panchayati Raj Act 1994 was passed by the state legislature on April 23 1994. The new Act repealed the Act of 1975.

The new Act has provided for the constitution of a two-tier Panchayati Raj in the valley areas, the Gram Sabha at the village level and Zilla Parishad at the district level. The Act of 1994 was amended substantially in 1996 to accommodate gram sabha at the village level, having a population of not less than 3,000 and not more than 6,000.

5.2 Current Status of Rural Local Governments in Manipur

The Panchayati Raj institutions function only in the valley districts and Jiribam sub-division. In the hill districts, village authorities are similar to village Panchayats functioning under the provisions of the 1956 Manipur (Village Authorities in Hill Areas) Act. Table 7 contains the details of rural local governments in Manipur.

Table 7 Rural Local Governments in Manipur

Mizoram	Details
Total number of Villages	3932
Total number of Panchayat	161
Total number of Non-PRI Local Bodies	3657
Number of Districts	16
Number of District Panchayats	6
Number of Blocks	70
Number of Intermediate Panchayats	NA
Total Allocation of FFC Grants (in crores)	143.77

At the State level, there is Hill Area Committee constituted under the Manipur Legislative Assembly (Hill Areas Committee) order, 1972. The Hill areas Committee comprises all M. L. As elected from the hill areas of the State as its members. The members then elect the chairman, vice-chairman, and other functionaries through nomination/consensus. This is the highest body in the State at the legislative level to oversee the planning, implementation and monitoring of all development activities in the hill areas of the State. At the District level, there are Autonomous Districts Councils (ADCs). There are two (2) ADCs in the Senapati District and one ADC in each of the remaining hill districts constituted under the Manipur (Hill Areas) Districts Councils Act, 1971. The administrations of the Tribal areas are carried out by the Deputy Commissioners concerned, who, on the other hand, act as District Magistrates with the support of the District level officer and Block Development officers. Details of the ADCs in the state are given in Table 8.

Table 8 Autonomous District Councils in Manipur

No	Name of Hill District	No	Name of Autonomous District Council
1	Senapati (Manipur North)	1	Senapati ADC
2	Churachandpur (Manipur South)	2	Sadar Hills ADC
3	Ukhrul (Manipur East)	3	Churachandpur ADC
4	Tamenglong (Manipur West)	4	Ukhrul ADC
5	Chandel (Manipur South)	5	Tamenglong ADC
		6	Chandel ADC

Autonomous Hill District Councils (AHDC) of Manipur are empowered to maintain and manage the property: movable and immovable, and institutions under their jurisdiction (e.g. in the field of agriculture, animal husbandry, community development, social and tribal welfare, village planning, management of any forest except RF, regulation of the Jhum / shifting cultivation or any other matter.

5.2.1 Existing System of Rural Local Governments in Manipur

Both Kukis and Nagas have their unique traditional village governance and administration system. The Naga traditional system is headed by the traditional chiefs known as Khulakpa, assisted by village authority. The community owns land among the Nagas, and decisions on its use are taken by the authority at large. The traditional form of governance among the Kukis is also focused on the chief. The chief of the village, whose position is hereditary, is the owner of all land in the village and traditionally is the repository of all powers of administration. The chief is assisted by his council of selected and sometimes elected ministers. The village is the highest unit of political organisation among the tribals. The Manipur (Village Authorities in Hill Areas) Act, 1956, provides for the constitution of Village authorities.

The Naga traditional system of governance similar to that is seen in Nagaland prevails in Naga villages in the state. The village authority known as the Khulakpa is headed by a traditional chief.

Only men can be part of the village council, and the post of the chief is hereditary and often for a term of life. The community owns the village land, and decisions regarding land use are made as a collective. While some of these lands have been assigned individual titles, the majority of the land is still community-owned. The traditional chiefs have a council of selected elders from the council to assist them.

Another prominent system of traditional local governance is observed in Kuki villages. Kuki villages are typically smaller than Naga villages and could comprise as few as 20 families. The Chief of the village is considered the owner of the village land as the post of the chief is hereditary. The chief assumes more powers than a Naga chief in the village's administration. Apart from the chief, there is the Semang (The Village Administrator), the Pachong (In charge of defence, social organization and relief), the Lhangsam (in charge of information) and Thuching (the secretary and record keeper) as part of the village government. In consultation with the council, the Chief allots land to the village people for cultivation and establishing homesteads.

5.2.1.1 Village Authorities in Hill Areas of Manipur

According to the Manipur (Village Authorities in Hill Areas) Act, 1956, Village authorities must be constituted for every village having twenty or more tax-paying houses according to the following criteria.

- a. five members, where the number of tax-paying houses in the village is not less than twenty but is not more than sixty;
- b. seven members, where the number of tax-paying houses in the village is more than sixty but is not more than one hundred;
- c. ten members, where the number of tax-paying houses in the village is more than one hundred but is not more than one hundred and fifty;
- d. twelve members, where the number of tax-paying houses in the village is more than one hundred and fifty.

The power to decide whether a village should have an elected Village Authority resides with the ADC. In some cases, the members of the Village Authority are nominated by the ADC. When there is a traditional Chief in a village, he shall be the ex officio chairman of the Village Authority. When there is no such Chief or Khulakpa in the village, the chairman of the village Authority is elected by the members of the Village Authority from among themselves. The ADC also has the power to dissolve the village authority and remove any particular member from the authority.

5.2.1.2 Qualifications for membership of Village Authorities in the Hill Areas

A person is eligible to be chosen as a member of a Village Authority if he;

- 1) is a citizen of India
- 2) is not less than twenty-five years of age
- 3) in the case of membership of an elected Village Authority, is registered in the electoral roll as a voter for the election of a member of the Village Authority.
- 4) is not a member of any other Village Authority

According to the Act, the election of members of the Village Authority is based on adult suffrage among the residents of the village. However, no specific procedure is followed for the constitution of the village authorities in most of the villages. There is no specific number also for the size of the authority. The size varies from 10 to 20.

5.2.1.3 Duration of the Village Authority in the Hill Areas

According to the act, the village authorities are to be constituted for three years. However, in practice, the duration varies from 1 year to 3 years.

5.2.2 Devolution of Powers to Rural Local Governments

Devolution of powers and responsibilities along with resources are essential for effective decentralisation. For Panchayat Raj Institutions, Article 243G of the Constitution provides for the devolution of powers by the state legislatures to endow them with authority necessary for

functioning as institutions of self-government. Article 243G recommends the State consider 29 subjects listed in Eleventh Schedule for devolution to the Panchayats.

According to the Manipur (Village Authorities in Hill Areas) Act 1956, the Village Authority is expected to maintain law and order within its jurisdiction. Two or more of the members of the Village Authority constitute a village court during their term of office as members of the Village Authority. These village courts have jurisdiction concurrent with that of the criminal court within the local limits of the village. The Act gives detailed guidelines for the functioning of these courts and vests vast powers for the administration of justice at the village level. The powers vested in these village courts are extraordinary compared to other local governing bodies. In addition to the village courts, there are clan-based courts for most tribes. Constitution of village courts and administering justice remains the major function of traditional village authorities in the hill areas of Manipur.

As far as developmental activities are concerned, the village council's responsibility almost always ends with giving approval for carrying out the intervention in the village by the rural development department functionaries. The activities are coordinated at the block level by the block level officials. In most villages, implementation of the schemes is carried out by the officials alone, and the village authorities play a minimal role.

Table 9 presents basic details of the six villages in which GPDP documents were analysed. The analysis of the GPDP documents substantiates the need for devolution of powers to local governments. The locally identified needs and strategies planned require powers vested in local governments for effective implementation. These GPDP documents also certify the potential of local governments to prepare development plants if adequate handholding and technical support are provided. The village councils were able to identify local needs, prioritise, and strategize actions to address them. The organising of gram sabhas, maintenance of records, and issue of public notices seem to be irregular or absent.

Participation of women in VCs is nominal, strictly limited to as members of the village government in some cases and seldom at the level of President of the VCs. SHGs, NGOs, and CBOs are present in almost all villages despite the limited population and number of households. This reflects the practice of organising and working together in the villages and provides an excellent opportunity to utilise the same for strengthening the VCs.

The number of registers maintained by the VCs varies from 2 to 4. Though it can be the VCs' discretion on how many additional records to maintain, there should be a standard protocol for the minimum number of documents maintained by the VCs. There is also a need for a standard operating manual regarding the functioning of VCs and maintenance of records. The analysis shows a lack of an effective foundational structure for local governance.

Table 9 Detailed Status of Selected Village Councils

No	Name of the village	Anal Khunou	Chakpikarong	Charoiching	Rungchang	Thampi	Y Kutha
1	Total Population	447	72	526	585	951	463
2	Total No. of Households	167	24	109	115	170	84
3	Total geographical area	200 Hecters	NA	230 Hecters	200 Hecters	2.7 Square Km	45 Sq Km
4	Total No. of Registered voters	328	39	312	318	691	296
5	Total No. of Elected Women Representatives in the VC	0	0	0	0	0	0
6	No. of Gram Sabhas held during 2021-22	1	1	1	1	1	1
7	Whether the President of the GP is a male or a female	Male	Male	Male	Male	Male	Male
8	Whether the VC has its own building	No	No	No	No	No	No
11	Whether the VC maintain computerized accounts	No	No	No	No	No	No
12	Who signs cheques for the VC	Village Council Chairman and VDB Secretary	Village Council Chairman and VDB Secretary	Village Council Chairman and VDB Secretary Village Council Chairman and VDB Secretary	-	Village Council Chairman and VDB Secretary	Village Council Chairman and VDB Secretary
14	Taxes collected by the VC	None	No	No	No	No	No
15	Registers maintained by the VC	1. Meeting Register 2. MGNRES Attendance Register 3. Church Book 4. SHG Book	1. Church Register 2. MGNRES Attendance Register	1. Church Register. 2.MGNRES Attendance Register	1. Church Register. 2.MGNRES Attendance Register	1. Meeting Register 2. MGNRES Attendance Register 3. Cash Book 4. Audit Book 5. Household Data Book	1. Assembly Meeting 2. Income and Expenditure 3. Complaint Register
16	Whether the GP has been declared ODF	No	No	No	No	No	No
17	No. of SHGs	4	2	2	2	8	2
18	Whether there is a Federation of SHGs	Yes	Yes	Yes	Yes	Yes	Yes
19	No. of NGOs/Youth Clubs/Voluntary organizations	1	3	3	3	1	5

20	Sources of funds for GPDP for 2020-21	1.MGNREGA	1.MGNREGA	1. MGNREGA	1. MGNREGA	1. MGNREGA	1.MGNREGA
21	MGNREGS Grant received during 2021-2022	76,44,000	21,00,010	73,50,010	47,88,010	7644000	46,20,010
22	15th Finance Commission Grant received during 2021-22 (Rs)	-	-	-	-	-	-
23	State Finance Commission Grant received during 2021-22 (Rs)	-	-	-	-	-	-
24	Own Source Revenue mobilized during 2020-21 (Rs)	-	-	-	-	-	-
25	Funds devolved by Intermediate Panchayat/District Panchayat/Department	-	-	-	-	-	-
26	Fund for GPDP from any other source	-	-	-	-	-	-
27	Is there any Complaint Box in the GP Office?	-	-	-	-	-	-
28	Does the GP have its information board in the GP Building?	-	-	-	-	-	-

5.2.3 Elections and Representation in Rural Local Government

According to the Manipur (Village Authorities in Hill Areas) Act 1956, elections to the village authorities are to be conducted based on adult suffrage, and the local body is constituted for three years. The traditional chief is the ex-officio chair of the local government, and in his absence, the chair is either elected by the elected members or nominated. However, in practice, no uniform process is followed for elections, and the duration of village governments also varies. The villagers often select educated candidates or those who seem suitable for the job based on consensus or by limited election. The size of the village government is also not uniform and varies from village to village and term to term. In some cases, a scheme facilitator is selected from the community to coordinate the implantation of different development schemes in the village with the rural development department.

5.2.4 Representation of women

Representation of women in the village government is near absent. According to the respondents, a mere 10% of the village governments have women members, and the head of the village is seldom a woman.

5.2.5 Scope of a state election commission

Direct, transparent, and timely elections are essential for the effective functioning of local governments. In the case of PRIs, Article 243E of the Constitution of India provides for elections in this manner. Article 243K of the Constitution provides for the setting up of a state election commission to be vested with the “superintendence, direction and control of the preparation, revision and correction of electoral rolls and conduct of all elections to the panchayats”. In Manipur, there is a need for a state election commission to bring uniformity in the elections to the village government and implement the provisions of the Manipur (Village Authorities in Hill Areas) Act 1956. The act needs amendments to sensitively incorporate customary election practices. For this purpose, documentation of such practices is required as a first step. Table 10

depicts the current status of elections to village authorities of Manipur Hill areas in different dimensions related to the democratic election process.

Table 10 Status of elections to Village Authorities in Hill Areas of Manipur

No	Dimension	Status
1	Direct elections to Local Governments	No
2	Indirect elections for seats at all three tiers of panchayats and indirect elections to offices	No
3	Elections to Local Governments every five years	No
4	Constitution of State Election Commission and vesting the superintendence, directions, and control of the preparation of electoral rolls for all elections to the panchayats	No
5	Reservation in seats for Scheduled Castes and Scheduled Tribes	Not Applicable
6	Reservation of not less than one-third of seats for women	No
7	Rotation of reserved seats and office	No
8	Direct elections of President of Village Panchayat	No

5.2.6 Finance and Resources of Rural Local Governments

Development activities in the villages depend entirely on the funds of rural development schemes such as MGNREGA. There is no transfer of State finance commission funds or the central finance commission to the village level. Though the ADCs receive some transfers and generate nominal income, no transfer of funds directly to the village authority occurs. Traditionally the village authorities were allowed to collect some taxes in kind and rarely in cash; however, at present most of the villages in the hills district collect any taxes or charges. Table 9 shows the resource envelope available to the villages for which GPDP documents were analysed. It is observed that none of the villages received any funds from any other source other than for MGNREGA implementation. This shows the crippling financial status of rural local governments in the state.

There is a lack of data on the expenditure of the village councils. Activities are planned solely based on funds available every year and through the department of rural development. The department officials often organise social auditing of MGNREGA activities at the village level.

5.2.7 State Finance Commission

Article 243-I of the Constitution provides for the constitution of the State Finance Commission (SFC) every five years to review the financial position of the panchayats and make recommendations to improve the financial position of the panchayats. The objectives of the SFC are to recommend the principles of distribution between the State and the panchayats of the taxes, tolls, fees, and duties levied by the State. Also, to determine the assignment of taxes, duties, tolls, and fees to the panchayats. The SFC also makes recommendations regarding the grants-in-aid to the panchayats from the State's consolidated Fund. Nagaland, Meghalaya, and Mizoram are exempted under article 243M from these provisions.

In Manipur, three State Finance Commissions have been constituted so far. The third State finance commission was constituted in 2013, and the SFC submitted the report in 2014. The SFC pointed out that it was given only three months to submit the report, which was inadequate. The report stated

“No purpose is served by creating the SFC for a period of only three months in Manipur, where no ready database exists, and collection of data and information is a time-consuming exercise. Fixing a time frame of three months as done in the case of the 3rd SFC and then granting short extensions creates a wrong impression that a work which in the assessment of the State government can be done in a period of three months has been unreasonably delayed by the 3rd SFC. And so, the 3rd SFC and while endorsing the recommendation of the 2nd SFC, stated that the State Finance Commission should be appointed at least two years ahead of the commencement of the award period to be covered by the Commission for the timely availability of the report.”

The major recommendation of the SFC included a 10% devolution of the State's own tax revenue, non-tax revenue, and share in the central taxes. However, the SFC did not clearly mention the terms of devolution of funds to the local bodies in the hill areas. In the context of the FFC, there exists a need for clear terms by which the funds can be transferred to the traditional local institutions. An SFC with an adequate timeframe to assess the present scenario and recommend a

mechanism of devolution of financial resources is needed. Table 11 illustrates the per capita devolution of funds recommended by SFCs in Manipur over the years.

Table 11 Devolution of funds recommended by Manipur SFCs

	Period	Per capita Devolution recommended by SFCs (Rs)	Recommended devolution as % of the State's own tax revenue	Recommended devolution as % of State's own revenue receipts
1	2010-11	536.22	61.12	29.86
2	2011-12	633.81	49.82	26.98
3	2012-13	636.81	56.56	33.34
4	2013-14	790.6	50.52	32.57
5	2014-15	887.66	53.02	39.11
6	2015-16	893.12	51.19	40.26
7	2016-17	998.73	54.88	42.85
8	2017-18	1116.24	57.78	41.7

Additionally, the SFCs recommended grants to create capital assets and office buildings. However, the recommendations were mostly towards strengthening the PRI institutions existing in the state and not the traditional rural local governments. Of the total devolved funds, 35.28 % were devolved to PRIs, and 22.49 % were devolved to the ULBs. The remaining 42.33% was to be shared by the Autonomous District Councils based on population. The SFC also noted the non-availability and reliability of data from different departments and recommended that personnel from within the existing resources of the Finance Department should be assigned to collection and storage of data on local bodies on a regular basis. This remains a major need in the case of Manipur hill districts. According to the ATR report, the recommendations of the SFC were accepted with modifications. The state government accepted only a 10% devolution of states' gross tax revenue to the local bodies, which is shared following the terms recommended by the SFC. The SFC had also recommended a grant in aid for meeting the salary expenditure of teachers in schools run by the ADCs, and this was accepted.

5.3 Strengthening of Rural Local Government in Manipur

In its 2006 report, the V Ramachandran Committee reviewed the state of decentralised planning in Manipur and pointed out the sudden decline of elected District Councils as one of the major problems of the local government structure of Manipur. This observation stays valid even at present, and the status of local governments in the hill areas has not improved significantly.

In the absence of elected councils, powers and responsibilities to the local bodies have not been fully devolved. There is now a pressing need for District Councils to be revived in the region. District Councils are imperative to implement development interventions and go beyond the scope of primary education.

Village Development bodies, if strengthened, could give shape to development at the village level. These bodies could either be formed by operationalising the Hill Village Authority Act of 1956 or by adopting village-level planning for implementing MGNREGA. In order to maintain continuity between the Village Development Bodies and the Village Councils, the leadership of the former could be handled by traditional leaders of the village. Annual Plan Allocations and the Centrally Sponsored Schemes (CSS) are to be implemented through the local governments, and this needs to be done in a campaign mode. The need for improving participation, especially that of women, needs to be emphasised.

The strengthening process of rural local governments in Manipur needs to be built on the existing system of the village council inclusively and sensitively. An activity-centric or a program implementation linked empowerment program appears more suitable for the State. The local government empowerment program, therefore, at the same time, should be a local development program too. Such a program for strengthening local governments can be designed within the framework of implementing different state and central rural development schemes. A strengthening and capacity building initiative involving SHGs, students, and different CBOs will bring these stakeholders to the mainstream local development planning and local governance,

increasing the community's voice in local action. The observations made by this study are based on deficits in activities, finance, functionaries, powers, participation, and capacity building. The following specific suggestions are made from the study findings;

- i) There is a need for legal reforms and restructuring without drastically changing the existing Act. Through analysis and comparison of traditional roles played by the village councils, functions of PRIs, and existing rules and regulations in the State, a new set of detailed and uniform documents may be prepared for better institutionalisation and legal backing of the functioning of rural local bodies in Manipur.
- ii) The Village Councils are actively involved in the day to day lives of Mizo villages but with limited powers and responsibilities. An updated activity map with a clear definition of the powers and responsibilities of local governments needs to be prepared.
- iii) Election rules and procedures for village councils need to be made uniform across different administrative areas. Detailed rules and guidelines need to be prepared and circulated.
- iv) Detailed guidelines and manuals for implementing different central and State government schemes need to be prepared, clearly demarcating the roles and responsibilities of village councils. This would help create a proactive space for village councils in the implementation of developmental interventions.
- v) Legislation for reforms to make changes required for (iii), (iv), and (v) needs to be carried out; in the meantime, required changes can be brought in through executive orders. An extensive intervention can be planned by assigning village councils as the implementation agency for government schemes. The state government may provide additional support for implementing the schemes effectively.
- vi) Establishing a uniform legal framework for implementing government schemes would also enable the practical usage of different financial resources available to the village councils.

By making the local Government the implementing agency of different State and central government schemes, the State can empower the local governments and utilise the resources more efficiently and locally relevantly.

- vii) An online helpdesk for village council representatives may be set up at the state level to provide knowledge support, guidance and assistance.
- viii) A protocol for managing offices and institutions needs to be prepared within the existing system.
- ix) Proceeding of fund transfers to the local governments needs further clarity and uniformity. Templates for own revenue generation can be prepared at the state level and distributed to village councils. Rules and regulations regarding taxes, fees, and auctions must be codified uniformly. Legal backing for receiving CSR funds and its regulations and guidelines must also be drafted uniformly.
- x) At the village level, a robust yet straightforward accounting system needs to be prepared—awareness about the procedures and provisions to be widely publicised. A poster campaign using notice boards of the village councils can be planned in this regard. In addition, the need for further study in this regard is visible, and the State may appoint a committee to examine the existing accounting and auditing practices of village councils to identify gaps and provide a recommendation to bring more transparency.
- xi) Learnings from other states indicate that community participation, especially that of women in developmental activities, improves in the presence of SHGs. Manipur can adopt this as a strategy for improving community participation in the State. In most of the villages studied, there are SHGs and SHG federations. This could be further extended and strengthened. Constituting a Women Development Council at different levels could further increase participation in governance activities.

- xii) Frontline workers such as ASHAs, AWWs, and other department functionaries working at the village level may be transferred to the village councils. They can function as double reporting officials also. This would aid in more efficient local coordination and empower the local governments.
- xiii) Practising experts of local governments such as experienced and pro-active village council members, stewards of innovative and best practices, and other resource persons shall be added to the state's resource pool of training institutes. Such a resource pool consisting of professional and practising experts will enrich the capacity building process. Additional capacity building to be given to village committees on participation, SHG and VC convergence, CBO-VC convergence, and plan implementation.
- xiv) The feedback from the community and the output of the Model Gram Panchayat Clusters project by NIRD-PR shows positive trends. It also reflects that with handholding support and technical assistance, village councils can prepare and strategize development activities. The model can be extended to other villages by providing additional human resources to the village councils.
- xv) The planning process can be devised as an empowerment tool. Guidelines for the planning process with step by step instructions can be prepared based on the learnings from the Model GP Cluster development programme. Resource persons and guidelines can be provided to every village council. The guidelines shall ideally prepare in a simple, local language. Media other than print may also be used to popularise and circulate the planning process campaign. The planning manual may be prepared in the audio-visual format to increase reach and understanding. Success stories and innovative practices may also be included in the materials.
- xvi) In the context of observation (x) and (xi), a Post Graduate Student Internship program can be envisaged, where trained students in the lines of NIRD&PR Young Fellows can

work as student interns in village councils. Incentives can be provided to the students in an honorarium/grace mark or other weightage in employment opportunities.

xvii) Village councils performing better can be converted into knowledge hubs that provide mentoring and handholding assistance to other village councils. These knowledge hubs can be further developed into community learning centres with experts from SIRD, trained village council members and members of the community. This approach will help faster dissemination of local experience-based knowledge and create a sense of ownership by the community of such knowledge.

xviii) Exposure visits for the village council members can be organised within the State and outside to better perform villages and model grama panchayats. Exchange programmes and community internship programs can also be organised.

xix) Performance-based incentives may be provided for village councils. This can include themes like transparency, innovation, participation, and agriculture.

xx) SIRD capacity-building infrastructure may be used to conduct action research on the functioning of local governments in the State. This process may ensure student participation in the regional educational institutions, especially in social sciences. Research on the existing system, program implementation, contextual factors, and social, political, and cultural factors can be carried out. Research support from national institutes can also be obtained.

xxi) In the context of the above-discussed observations and suggestions, a separate Project Implementation Unit can be set up at the state level to study and modify the existing system of rural local governance in the State. Village Council Empowerment may be implemented as a separate mission mode project that is inclusive and sensitive to the existing system.

6. The Present Status of Rural Local Governance Systems in Meghalaya

Meghalaya became an autonomous state in 1970 and a full-fledged state in 1972. It extends for about 300 kilometres in length and about 100 kilometres in breadth. It is bounded on the north by Goalpara, Kamrup and Nowgong districts, east by Karbi Anglong and North Cachar Hills districts, all of Assam, and south and west by Bangladesh. Shillong, the capital of Meghalaya, is located at an altitude of 1496 metres above sea level. Shillong, which was made Assam's capital in 1874, remained so till January 1972 till the formation of Meghalaya. The rural population accounts for 80 per cent of the total population of the state. Meghalaya is administratively divided into 12 districts which are further divided into 46 blocks. There are over 6000 villages in the state. Meghalaya's economy is agricultural, with about two-thirds of its rural population depending entirely on this sector for their livelihood. However, the share of this sector in the state net domestic product is only 18 per cent. The state is predominantly inhabited by three major indigenous tribal groups: the Khasis, Jaintias and the Garos. The Khasis and Jaintias (collectively known as the Hynniewtrep people) occupy the districts of eastern Meghalaya. The Garos or Achiks mainly inhabit the western part of Meghalaya, comprising Garo Hills districts. All the three major tribes of the state are matrilineal societies where inheritance and clan membership follow the female lineage through the youngest daughter. The three ADCs in the state viz, the Khasi Hills Autonomous District Council (KHADC), Jaintia Hills Autonomous District Council (JHADC) and Garo Hills Autonomous District Council (GHADC) cover all the districts of the state. Table 12 provides basic details on Meghalaya.

Table 12 Meghalaya Basic Information

Area	22429 Sq. Km
Latitude	25.4670° N
Longitude	91.3662° E
Population	29,66,889
Literacy Rate	74.43%
Capital	Shillong
No. of Districts	12

No. of Autonomous District	3
Block	46
No. of Assembly Constituency	60
No. of Seat in Parliament	2

6.1 History and Evolution of Rural Local Governments in Meghalaya

Khasi, Jaintia and Garo are the three major tribes in Meghalaya. Other smaller tribes are Hajong, Rabha, Delu, Babai and Mann. Historically, the Khasis, Jaintias and Garos have had well developed political systems of their own, with a vast extent of power and authority. The Jaintias were relatively more advanced in this regard.

In Garo Hills, the hills were divided into several 'akhings', roughly corresponding to a village or a group of villages under 'nokmas', who regulated the political, social and economic life of the Akhings and functioned as its religious head. The clan land controlled by the Nokma is called A'king Nokma. The Nokma discharged his functions with the common consent of the aching elders, organised into his Council or 'dorbar'. Some of the villages had 'Gaon Buras' or headmen, while the Laskar headed a number of villages. In due time, 'Lasker' was recognised as the traditional local governing body by the District Council.

In the Jaintia hills, the traditional authority called 'Doloi' functioned more or less in the same way as 'Syiems'. It was a fairly organised system, and the Syiem controlled a large hill tract and a sizeable portion of the plains of Sylhet. The Jaintia Raj was divided into Elakas or Raids under a Doloi; each Elaka consisted of villages under a headman named the 'Wahehchnong'. Each of these three levels had a council or Dorbar, the raj Dorbar or Hima Dorbar of the Raja or Syiem, the Dorbar Elaka of the Doloi and the Dorbar Chnong at the Wahehchnong level (of which all adult males of the village were members). Each village was usually organised along clan lines, with a headman or Wahehchnong concerned with basic administration and justice, while a Langdoh attended to religious and ceremonial functions. The Jaintia Syiemship emerged out of a confederation of

Elakas with Sutnga, the ruling dynasty, bringing all the Elakas under its rule. The traditions, rules, and regulations were as legislated by the Dorbar Shnong. Both the Village Durbar and the village headman played the role of development agency as all the items of collective interests, e.g. village sanitation, water supply, health, roads, education etc., were under the jurisdiction of the Durbar.

The traditional system of the Khasis, like the Jaintias, functioned at three different levels: The Khasi hills were divided roughly into twenty-five states, each under an elected ruler, the Syiem. The Syiem is elected in accordance with the customary law and practice by the traditional executive known as Myntris and held office for life. Some of the States had, Whahadars and Lyngdoh as heads instead of Syiems. Although the administrative, military, judicial and religious functions were vested in the Syiem, this responsibility was discharged by him in consultation with the Dorbar. Two Dorbars- the Dorbar Myntri, or the Syiem's Dorbar, consisting of the members of the principal clans, and the Hima or state Dorbar, which elected the Syiem, existed. A group of adjacent villages constituted the raid, with its own Dorbar, the raid Dorbar. At the lowest level was the village with its own assembly or 'Dorbar Shnong', presided over by a 'Rangbah Shnong', or headman of the village or Shnong. The adult male population elected this functionary. The Rangbah Shnong ran the village administration as per the local customs.

The British followed a policy of allowing tribes to inhabit the hill area of the then Assam Province to govern themselves according to their customs and traditions. The tribal areas were kept isolated from the rest of the country and outside the purview of laws enacted by the provincial legislature. The areas were placed under the Governor's direct administration, who wielded vast powers to make necessary regulations to maintain peace and good governance in these areas. In 1835, the British established the District Councils and made the traditional institutions and their heads the Syiems. Dolois and Nokma were subordinate to it. This practice led to Syiems becoming an official part of the District Council and, the latter, their appointing authority. Under the Government of India Act, 1919, two hill tribal districts, namely, the Jaintia Hills district and the Garo Hills district,

were declared as "backward tracts", along with Assam's other hill districts and frontier tracts. Their administration was placed exclusively in the hands of the provincial Governor and his handpicked officers. These districts were "partially excluded" from Provisional Autonomy introduced by the Act of 1935 on the grounds that provincial legislatures were dominated by politicians from the plains who would not address the concerns of hill tribals. The Khasi - Jaintia and the Garo Hills were classified as partially excluded areas, and therefore they were represented in the Legislative Assembly. The Garo Hills were allotted two seats, and the Khasi and Jaintia Hills had three seats in the Assam Legislative Assembly. Under the Constitution of India, the representation of the Garo Hills increased to four and that of the Khasi Hills to five. Laskers were under the control of the Deputy Commissioner. The Nokmas and Sardars were also brought under the administrative control of the District Council, and the clan members inherited Nokmanship.

After Independence, the Autonomous District Councils of Meghalaya stand on a different footing than those of other States. A district council for the then Khasi and Jaintia Hills unified District was established in 1952. The United Khasi Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headman) Act, 1959 made provision not only for its authority to appoint the chiefs and headmen but also for the removal and suspension of the same by the executive committee of the District Council, if the District Council found that the chiefs violated the terms and conditions of their appointment. This act brought radical changes in the pattern and procedure of the election and appointment of chiefs and reduced their unchecked power. Syiem were also brought under the administrative control of the District Councils when they came into existence. The Constitution Review Commission noted that the Dolois of Jaintia Hills and the Garo Nokmas were not as influential and organised as the Khasi Syiems, though they were all clan-based. Of great significance is the centrality of the Dorbars in the Khasi political system: decisions taken therein were not that of the presiding officer, whether Rangbah Shnong or Syiem. This has made the democratic process in the Khasi Hills unique. There were no written laws about the functions, composition and working of the Dorbars - they merely acted according to *ka riti*, i.e. conventions

grew out of past practices and usages. However, at no level were women members in any of the Dorbars.

The Nokmas were reduced to mere custodians and supervisors of their A'kings by the mid-20th century. However, the Garo Hills District (Jhum) Regulation Act, 1954 conferred the right to allot land for 'jhumming' to each family within their A'king to Nokamas in consultation with the residents of the clan land. When disputes arose, the matter was referred to the village council. In 1958, The Garo Hills Autonomous District Council passed the Constitution of Village Council Act to establish and develop local self-government in the rural areas. A village council was constituted for each village and, in some cases group of villages. The duties and functions assigned to the Village Council included: cleaning and lighting of village roads and paths; sanitation, construction, maintenance and improvement of public wells and tanks; preventive measures in case of an epidemic, opening and regulation of burial and cremation ground and places for disposal of dead animals, construction and maintenance of places for the storage of cow-dung and other manures, maintenance of record of population census, primary school education and registration of births and deaths.

Bordoloi Committee constituted by the Constituent Assembly suggested certain safeguards, and they were incorporated into the Constitution as the Sixth Schedule. Under the Schedule, Khasi and Jaintia Hills and the Garo Hills Autonomous District Councils were created in the early 1950s. The Jaintia Hills district was subsequently carved out, and a separate District Council was created in 1964. The ADCs established under the Constitution's Sixth Schedule differ significantly from the three-tier panchayat system that has been in place in other regions of the country since the implementation of the 73rd Amendment Act in 1992.

In 1970, the autonomous state of Meghalaya consisting of the Garo, the Khasi and Jaintia Hills was formed. The Provisional Legislative Assembly of the autonomous state of Meghalaya consists of 38 elected and three nominated members. In 1972, the autonomous state of Meghalaya was

converted into a State. The Meghalaya Legislative Assembly consists of 60 members elected by single members constituencies. The State Legislative Assembly has the power to make laws on any subject included in the state and concurrent lists of the Seventh Schedule.

6.2 Current Status of Rural Local Governments in Meghalaya

6.2.1 Existing System of Rural Local Governments in Meghalaya

The entire state of Meghalaya is covered under the provisions of the sixth schedule of the constitution. The autonomous district councils that predate the state exercise a near-absolute authority over the rural governments. The rural local governing system in Meghalaya varies significantly across districts and is governed by customs and practices. The Organisational arrangements of ADCs are largely similar. The Sixth Schedule lays down the details of their power and functions. Each District Council consists of elected (and nominated) members, which form the Legislature, which has powers to enact and frame Laws, Rules and Regulations on the subjects listed in the Sixth Schedule. Chief Executive Member (CEM) is elected from the members of the council, and two other Members appointed by the Governor. Each Executive Member is assigned a functional portfolio, much in the manner of a Minister of the State Government. The Executive is responsible for the administration of the Council, realization of revenue, taxation on certain subjects, development works etc. The Judiciary consists of the village courts that try petty cases; the Subordinate and Districts Courts, which have original and appellate jurisdiction. The appeal lies with the High Court. These Councils appear to be miniature governments replicating all their paraphernalia.

Table 13 Status Rural Local Governments in Meghalaya

Meghalaya	Details
Total number of Villages	6983
Total number of Panchayat	NA
Total number of Non-PRI Local Bodies	8998
Total number of Local Governments with GPDP Preparation	936
Total number of Local Governments without own building or office	1570
Total number of Local Governments without computers	1812
Total service ready Local Governments	327
Total Allocation of FFC Grants (in crores)	71.66

6.2.1.1 Khasi Hills

In Khasi Hills, the traditional governance structure consists of the Syiemship at the top and the Dorbar Shnong/Dorbad Raid at the grassroots. At the village level, Dorbar Shnong or village council, is headed by Rangbah Shnong (village headman), elected by adult male residents of the Village and heads the village administration. Every adult male member of every household in the Village is a member of the village council and is required to participate in the Council's deliberations. Another tier above the village council, known as the Dorbar Raid (Council of a cluster of villages), exists in some areas. These bodies are presided over by Basans or Lyngdohs. At the top of this structure is the Hima (comprising villages/Raids) governed and ruled by Dorbar Hima (Council of adult male members from every constituent village and Raid). The Syiem (chieftain) is the head of the Hima and is generally elected by a small electoral college from a particular clan (Syiem clan). His assistants (Myntri) are elected from a particular clan. The traditional institution of the Khasi tribe is more elaborate than that of the Garo and Jaintia tribes in terms of structure and composition. The head of the village council is responsible for the governance of forests and other common property resources of the Village. The clan chief has his own authority and functions within clan affairs regarding matters concerning the Village. All affairs pertaining to the forests owned by the Clan are looked after and controlled by the head of the Clan and the elders. The family comes under the Clan, where the father plays a significant role in decision-making though the lineage is through the mother.

The Syiem presides over the meetings of the Executive Committee and Syiem Durbar. He has the responsibility of the upkeep of all the resources of the Hima. The Syiem Hima is appointed from the preordained royal Clan called the Syiem clan, and the heirship to the Office of Syiem is in all cases traced through the female offspring. Syiem Raid has all the powers and functions delegated to him by the Syiem Hima within the territory of the Raid. The rules and regulations regarding their appointment and removal are also similar. The Raid Forests and lands are under the direct control of Syiem Raid.

In most cases, the Syiem is elected directly from the Syiem clan. The actual Electoral College of various Syiemships varies a great deal. For example, in a province like Lingarin, all adult males of the state have the right to vote in the election of Syiem. However, in the states like Khyrim, Myllem and Sohra, the Syiem is elected by an Electoral College comprising the representatives of the founding clans of the state concerned. All adult males of their respective clans, in turn, elect the latter. There is no uniformity in modes of selection/election of the heads of different states. As a result, the traditional Khasi polity has been variously characterised as a 'limited monarchy' 'democracy', 'oligarchy', or 'principalities'.

The decisions regarding policy and sharing of benefits and implementation of government schemes and programmes are taken in the respective Durbars. The Durbar has all the powers, including promulgating new regulations and reviewing and revision of existing rules. The Executive Committee can make day-to-day decisions, mainly related to the implementation of the decisions of the Durbar. All decisions are taken through consensus. Voting is always avoided in meetings. If the decision could not be taken on a day due to the absence of consensus, the meeting is adjourned, and the matter is reopened in the next meeting. Any decision taken is binding on all people living in the jurisdiction of the Village, Raid or Hima. There is no scope of appeal or prayer for review except in matters related to justice related to criminal and civil matters.

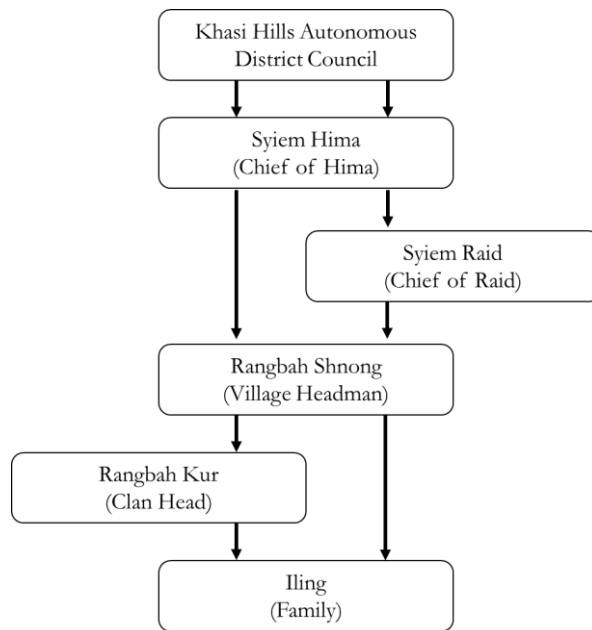


Figure 1 Core Organisational Structure of Local Governance in Khasi Hills

6.2.1.2 Jaintia Hills

In the Jaintia Hills, the traditional governance structure is similar to Khasi Hills, except that Syiemship is known as Dalloiship. The Jaintia system is divided into Elakas (consisting of villages) under a Doloi elected for life (second level). At the lowest level is a village represented by a Wahehchnong selected from amongst the male adults. Each of these three levels has councils or Dorbars. Each Village was usually organised along clan lines, with a Wahehchnong concerned with basic administration and justice. The Doloi can be removed from his Office by his people in the case of misrule or corruption. Doloi is assisted by the U Basan (elder), who is also elected for a life term. The number of Basan depends on the size of the Elaka. The institution of Doloi is the custodian of all the natural resources, including the forests of the Elaka. The powers and functions of Doloi and Waheh Chrong have been provided in the Establishment of Elaka Act 2015. In general, the power and functions of Doloi are similar to Syiem Hima, and that of Waheh Chrong is similar to Rangbah Shnong of Khasi Hills.

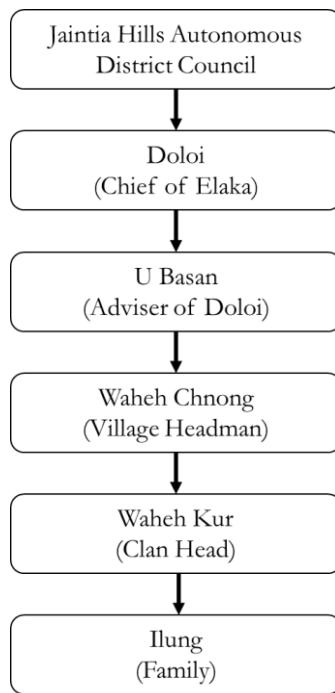


Figure 2 Core Organisational Structure of Local Governance in Jaintia Hills

6.2.1.3 Garo Hills

The Garos have a much simpler institutional set-up: a clan-based village community. The system of governance consists of Akhing land, which is equivalent to a Village or a group of villages. All the land within the Akhing belongs to a particular clan or lineage, and the Akhing functions under the supervision of the Nokma, the head of the Clan. The Nokma regulates the people's political, social, and economic life under an Akhing with the common consent of the Akhing elders, who function as his Council of advisers. Akhing land is often under the custody of a female head; however, the husband of the head acts on her behalf in all clan decision-making. Decisions on the land and its use are made collectively by the clan representatives (Chra). The Chra consists of the maternal uncle and brothers of the Nokma. The Nokma can not sell any part of the territory to another village or person without the permission of the Maharis in the Village. Mahari consists of members closely related through common motherhood that are collectively responsible for the conduct and security of the members and the protection of family property.

According to Garo customary laws and traditional practices, A'king Nokma is appointed by the Chras (Chief of the Clan) and maharis (clan members), and the same is to be registered in the Garo Hills Autonomous District Council (GHADC). However, in most cases, the incumbent Nokma's daughter has the right to become the next Nokma. The parents can at any time decide which of their daughters shall be Nokma, which means who shall inherit the village land and resources. Thus, it is the Clan, and the incumbent Nokma who decides about the appointment of the next Nokma and the village council only recognises them. Invariably the husband of Nokma (the son in law of incumbent Nokma) acts as Nokma on her wife's behalf. There are no written rules and regulations for the power and functions of the Nokma. The customary laws prevail, and the same is to some extent regulated by the Garo Hills Autonomous District Council.

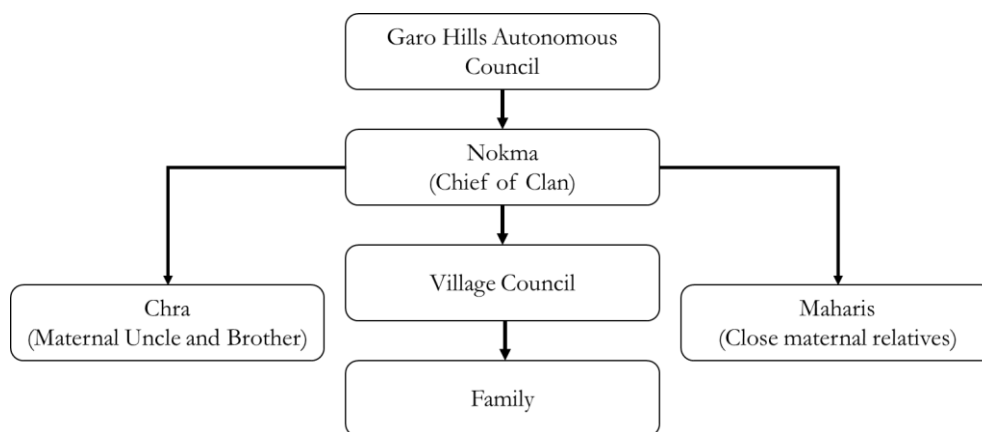


Figure 3 Core Organisational Structure of Local Governance in Garo Hills

6.2.1.4 Some Common structures and Provisions

The Syiems, Daloi and Nokmas perform both executive and judicial functions. They manage markets and forests under their jurisdiction and also administer justice. They also perform functions associated with the indigenous religious practices of the state's tribals. The village headman and the village council play an essential role in local dispute resolution and the Village's welfare at the village level. Different acts passed through the autonomous district councils empower the traditional bodies in Meghalaya to have some common provisions, responsibilities, and powers. The councils are empowered to appoint and remove Syiems and headmen of the

traditional institutions in the state. Rural local institutions' structure, appointments, and functions vary significantly across tribes. However, some of the characteristics are shared and are described as follows with exceptions. Most of these provisions are documented and codified in the Khasi hills autonomous region and, to a lesser extent, in other ADCs.

6.2.1.4.1 Nomination/Election of Syiem

1. When a vacancy occurs in the Office of the Syiem, the Durbar shall nominate a nominee/candidate for the Office of Syiem, which shall accordingly be intimated to the Returning Officer in writing.
2. On receipt of the nominee/candidate Syiem from the Durbar, the Returning Officer shall summon a meeting of all the approved Electors in such a place within the Hima to confirm and affirm/elect the Syiem. It is to be determined by a simple majority of the Electors present in such meeting, which shall be presided over by the Presiding Officer deputed by the Returning Officer.
3. If the Durbar recommends or nominates only one eligible candidate, there will be no election, and the electors of the Syiemship shall have to affirm the candidate recommended by the Clan as per the prevailing customary practices.
4. In case of disparities, the Executive Committee of the ADC makes the final decision.
5. If the Clan are not unanimous in their nomination of a nominee/candidate for the post of the Syiem as required, the election shall be determined by a simple majority of the electors present under the supervision of Executive Durbar and the Executive committee of the ADC.
6. In cases of no unanimous recommendation, the Returning Officer shall call for filling Nomination Paper from eligible persons whose names have been recommended by Durbars. The Returning Officer shall prepare the Electoral Roll, scrutinise candidates, hold the election, and declare the result. In case of doubt or uncertainty, the Returning Officer

refers the matter to the Executive Committee, which shall decide and direct the Returning Officer accordingly.

6.2.1.4.2 Qualifications for the Office of Syiem

Only an adult male is qualified to be elected as a Syiem if he is a natural descendant of the Clan and of good moral character, both of whose parents are indigenous to the tribe by birth. Additionally, he should be

- a) A native and resident and is not less than 25 years of age
- b) A follower of and is governed by the traditional system of lineage, the laws of inheritance, succession, consanguinity and kinship
- c) Not an employee of any Government Department or District Council
- d) Not a member of another Hima or Elaka
- e) Obtained prior recommendation from the Durbar of the Clan.

6.2.1.4.3 Term of Office

Only one Syiem is to be elected from the whole one Syiemship, and his term of Office shall be for life from the date of his appointment provided that he may be removed from office or suspended by the Executive Committee under any of the following conditions;

- a) He violates any of the terms and conditions of his appointment
- b) He violates any of the laws, regulations, rules and the resolution passed by the Council
- c) He refuses to carry out the orders and instructions issued by the executive committee
- d) He is found to be mentally unfit to carry out his functions
- e) He is found incapable of carrying on the administration to the satisfaction of the executive committee due to ill health, old age or habitual drunkenness
- f) He violates any customary rights and practices prevailing in the Hima and duly recognised by the executive committee
- g) He has been convicted of an offence involving moral turpitude;

- h) He is found to have oppressed the people of the Hima, and they have just cause for dissatisfaction with his misrule
- i) He has lost the confidence of the majority of his electors or the people of the Hima
- j) He is an undischarged insolvent
- k) He is found to have been conducting himself in a manner derogatory to his Office or prejudicial to the interest of the Hima or part thereof
- l) He has been conducting himself in a manner which may undermine the authority of the executive committee or the district council;
- m) he fails to convene the annual Durbar Hima or Durbar

Provided that the Syiem shall not be removed from Office or punished with suspension unless he is given an opportunity of being heard.

6.2.1.4.4 Nomination of the Deputy Syiem

When a vacancy occurs in the Office of the Deputy Syiem, it is the duty of the Clan to nominate an eligible person belonging to the Clan through the Durbar, which shall forward the name to the Syiem for placing it before the Executive Durbar. The Executive Durbar is to be convened and presided by the Syiem before submission to the Executive Committee for approval. After approval of the Executive Committee, the Syiem and his Durbar issue an appointment order to the Deputy Syiem, who shall exercise such powers and functions as may be delegated to him by the Syiem and his Durbar with a report to the Executive Committee. If any dispute arises regarding the nomination of the Deputy Syiem, it shall be referred by the party or parties concerned through a petition to the Executive Committee within 30 days from the date of nomination. The decision of the Executive Committee shall be final.

6.2.1.4.5 Appointment of Acting Syiem

If at any time the Office of a Syiem becomes vacant as a result of death, resignation, retirement due to old age, removal or suspension, the Executive Committee may appoint any adult male

belonging to the Clan duly recommended by the Clan through the Durbar to function as an Acting Syiem. He shall exercise all powers and functions of the Syiem.

6.2.1.4.6 Election and Confirmation of Lyngdoh and Sordars

An adult male person who bears a good moral character shall be eligible to be elected as a Lyngdoh or Sordar if he has completed 25 years of age and both of whose parents are indigenous to the tribe by birth.

1. Vacancy in the post of a Lyngdoh is reported to the Syiem and his Executive Durbar, who direct the Clan concerned to elect/nominate the Lyngdoh under the prevailing customs.
2. The meeting for nomination/election of the Lyngdoh shall be presided over by an officer deputed by the Syiem. Based on the result of such nomination/ election, the Lyngdoh shall be appointed by the Syiem/Acting Syiem under the terms and conditions the Executive Durbar may provide with immediate intimation to the Executive Committee.

A Lyngdoh is usually elected for life; however, the Durbar Hima may, on the advice of the Executive Durbar, remove from Office or suspend any of the Lyngdoh if:

- a) He violates or intentionally ignores to follow any laws, rules and regulations of the Syiemship and the resolutions/orders passed by the Durbar Hima and the District Council under the provision of this Act
- b) He is incapable to carry out his function due to ill health, old age or habitual drunkenness
- c) He has been convicted of any offence by any Court of Law
- d) He has lost the confidence of the majority of the members of the Clan concerned.

There are three Myntri in Rambrai Syiemship nominated by the Syiem and his Durbar from among the native male adult population of the Hima, both of whose parents are indigenous by birth. The appointed Myntri of the Syiemship shall remain in the office during the pleasure of the Syiem and his Dorbar.

Any vacancy in the post of Sordar is reported to the Syiem and his Executive Durbar. They summon a meeting of all the recognised male adults of that Village to be fixed by the Executive Dorbar for the election of a new Sordar. Such meetings are presided over by the Syiem or by any person authorised by him. Based on the result of such election, a Sordar is appointed by the Syiem under terms and conditions the Executive Dorbar provides. A Sordar Shnong shall hold Office as long as he enjoys the confidence of the majority of residents of the village concerned. However, he may be removed from the Office or suspended by the Executive Dorbar under the same circumstances as the removal of Syiem.

6.2.1.4.7 Power to make Rules

The Executive Dorbars have the power to make rules for the day-to-day administration of the Syiemship, including administration of land and revenue administration according to the prevailing customary practices. Provisions of these rules are placed before the Dorbar Hima before submission to the Executive Committee for approval. Any provision of this Act or the Rules framed thereunder shall be amended on a decision and a written resolution of the Dorbar Hima.

The Durbar Hima is the supreme and final authority of Syiemship where the Deputy Syiem, the Lyngdoh, the Sordar Shnong, the Myntri and some Elders are invited by the Executive Dorbar. The Syiem is the Chairman and the one who convenes and presides a Dorbar

6.2.1.4.8 Conditions regarding taking part in Politics and Election

The Syiem or Acting Syiem or Deputy Syiem shall not be a member of or be associated with any political party or organisation that takes part in politics, nor shall they participate in aid of or assist in any other manner, any political movement or activity. In such a case, If any question arises, the decision of the Executive Committee is final. The Syiem or Deputy Syiem shall not canvas or otherwise interfere or use his influence in connection with or take part in an election to any Legislature, District Council or Local authority. Also, the Syiem or Acting Syiem or Deputy Syiem

shall not participate in any demonstration or resort to any form of strike in connection with any matter pertaining to his condition of service.

6.2.1.4.9 Other restrictions imposed on traditional institutions

- 1) The Syiem or Deputy Syiem shall not, except with the previous sanction of the Executive Committee, participate in the editing or managing of any newspaper or other media.
- 2) The Syiem or Deputy Syiem shall not, except in accordance with any general or special orders of the Executive Committee, communicate directly or indirectly any official documents or information to any other person or to the press to whom they are not authorised to communicate such document or information.
- 3) The Syiem or Deputy Syiem shall not in any manner make radio or television broadcast, publish any document or make any statement or public utterances, or any communication to the press-
 - (i) which has the effect of an adverse criticism of the Central or the State Government or the Executive Committee or
 - (ii) which is likely to embarrass the relationship between the Central Government and the District Council, the State Government and the District Council or the Central Government and any State Government.

6.2.1.4.10 Establishment of Dorbar Shnong (Village Government)

A Dorbar Shnong for each Village is constituted for the socio-economic development of the Village. Its deliberations, decisions and actions are guided by the traditional values. The Dorbar Shnong constitute the Village Development Council and may also constitute different committees to assist in discharging different functions and assignments. The Village Development Council is answerable to the administrative control of the Dorbar Shnong. Dorbar Shnong constitutes conciliatory committees for amicable settlement of disputes pertaining to the villagers within its territorial jurisdiction.

The Dorbar Shnong for each Village consists of inhabitants above 18 years, and new members shall be inducted annually. The constitution of Dorbar Shnong is reported annually to the Executive Committee through the Chief and his Dorbar. The following shall be the powers and functions of the Dorbar Shnong within its territorial jurisdiction.

- a) To ensure general discipline, social order, and tranquillity in the Village in intra and inter-village affairs cases.
- b) To provide protection and care for the village population, and in particular for the children, women, youth and persons with disabilities and any other person or family in difficult circumstances.
- c) To protect and conserve all community lands and forestlands or any other village resources against land alienation and privatisation for the interest of the village community.
- d) To conserve and protect forest lands and to promote the establishment of new forestlands
- e) To protect and ensure the rights of access to land for sustainable livelihoods practices for the economically poor and landless households within the territorial jurisdiction
- f) To organise and give a legitimate entity to the Village Development Council to ensure that women and youth are active participants and members of the Village Development Council.
- g) To maintain a population register in the Village where the name of each household and its residents is recorded. No certificate can be issued to any individual unless his/her name has been recorded in the register.
- h) To issue residential certificates to non-Khasis of India who has been residing within the village/locality for a period of not less than 14 subjects to prior approval from the Chief and his Dorbar and the District Council
- i) To prevent arbitrary usage of natural water sources and groundwater for exclusively personal purposes and to ensure preservation and usage of all-natural water sources and groundwater for the Village's and its residents' common sustainable use.

- j) To restrict the manufacturing, sale and use of non-biodegradable materials such as low-density plastic bags and ensure proper and scientific waste disposal.
- k) To maintain a general and special fund for executing developmental projects in the Village and receive grants-in-aid from the District Council, State and Central Government or any other Institution/Agency.
- l) Issue No-objection Certificates with prior approval of the Chief and his Dorbar for Trade License and Mortgage of land based on charges and fees fixed and determined by the Executive Committee from time to time.
- m) To ensure strict implementation and report violations of the provisions of The United Khasi-Jaintia Hills District Fishery Act, 1954 and The United Khasi-Jaintia Hills District (Trading by Non-Tribals) Regulation, 1954 and Rules framed thereunder to the Executive Committee.
- n) To ensure non-induction and employment of any migrant labourers/workforce in violation of the prevailing Acts/Rules or Regulations framed by the District Council or the State/Central Government and also to report violations thereof to the Executive Committee.
- o) To issue birth and death certificates.
- p) In recognition of the customary practices prevailing within the Village, the Executive Committee may prescribe the restrictions, terms and conditions of entry of a person other than a tribal native resident.
- q) To ensure that all inhabitants of the Village be given equal treatment and fair share in all respects, including welfare and socio-economic development.
- r) To protect the life and property of inhabitants and households of the Village.
- s) To remove encroachment on roads, footpaths, public places and property vested in the Dorbar Shnong.

- t) To ensure that all welfare and socio-economic development programmes implemented by the Village Development Council reach and benefit the target beneficiaries.
- u) To protect the integrity of the Village and uphold its dignity at all times.
- v) To ensure financial accountability of the Executive Dorbar, Village Development Council and village-based voluntary organisations and to organise social auditing through active participation of all inhabitants of the Village.
- w) To coordinate with neighbouring villages to protect rivers and streams from pollution and any destructive practices like poisoning, etc.
- x) To ensure the result-oriented performance of the Village Development Council as the socio-economic development and welfare body of the Village and ensure its smooth and efficacious functioning through the active participation of all inhabitants of the Village.
- y) To ensure that the Executive Dorbar, Village Development Council, and village-based voluntary organisations prepare and present the annual and periodical report and statement of audited account to the Dorbar Shnong as per the rules and submit the same to the Executive Committee through the Chief and his Dorbar for approval.
- z) To bring any matters concerning acts of violence against any inhabitants or households of the Village to the Deputy Commissioner of the district and the Police.

There are some checks and balances in place for the Dorbar Shnong from exercising arbitrary power. It is mentioned in the concerned acts that the Village Government shall not decide or act or impose or incite any of the followings.

- a) Barring any Khasi inhabitants from settling and residing in the Village.
- b) Expel any inhabitants or households from the Village.
- c) Encourage, initiate, comply or condone any kinds of injustice or destruction of property or acts of violence against inhabitants or households on the basis of rumours or allegations.
- d) Condone allegations or rumours of witchcraft, sorcery, and/or any black magic practice against any person, individual, inhabitants or households of the Village.

- e) Expel or cause injustice against any inhabitants or households of the Village solely on the basis of differences in political affiliations or differences of faiths, or differences of opinions and practices.
- f) Allow any kinds of allegations to spiral out of control among inhabitants or households of the Village.
- g) Condone or comply with any kinds of violent acts that may cause harm or loss of life to any inhabitants or households of the Village.

6.2.1.5 Emergency Powers of The Executive Committee

In the event of any instance of gross violation or subversion of the provisions of traditional local bodies, the Executive Committee of ADC have the power to suspend and or supersede the Rangbah Shnong or the Executive Dorbar or any committee(s) or any/all Office Bearer(s) of the Village Development Council and take over the administration of the Village or may appoint an Administrative Officer to administer the Village until a new Rangbah Shnong or Executive Dorbar or any other committee(s) or any such Office Bearer(s) has been elected; provided that no Executive Dorbar or Rangbah Shnong or Office Bearer or any other committee(s) shall be suspended or superseded without the opportunity of being heard.

6.2.1.6 The Village Development Council

Every Chief of the Village is expected to constitute a Village Development Council to enable and ensure the participation of men, women and youth in the welfare and socio-economic development of the Village. The duration of the village council usually is for three years. The Village Development Council is under the general control and supervision of the Dorbar and is accountable to the Dorbar. The Chairperson and the Secretary shall organise the general body of the Village Development Council four times a year or as and when required or demanded by the villagers. A member of the Village Development Council shall be removed from Office by the Village Development Council if he/she acts arbitrarily or if he/she misuses developmental funds,

or if he/she takes any decision without the prior consent and approval from the body of the Village Development Council. Some of the characteristics of these Village Development Councils are as follows.

- 1) It consists of all residents of the Village above the age of eighteen years, and they form the general body of the Village Development Council.
- 2) It acts as a permanent non-hierarchical body, and its decision-making is based on consensus. Any person holding office in the Village Development Council shall be accountable to its general Council, the Executive Dorbar, the Dorbar Shnong and the Executive Committee.
- 3) In its first meeting, the members of the Village Development Council elect a Chairperson from amongst themselves in a general body meeting chaired by the Chief by way of a simple majority. The Chairperson elected shall preside over the meetings of the Village Development Council without any power to decide independently or unilaterally. In the absence of the Chairperson, the Village Development Council can select any of its members to chair the meeting.
- 4) The members of the Village Development Council, in its first meeting, shall elect a Chairperson from amongst themselves in a general body meeting chaired by the Rangbah Shnong specially convened for the said purpose by way of a simple majority. The 10 Chairperson so elected shall preside over the meetings of the Village Development Council without any power to decide independently or unilaterally. In the absence of the Chairperson, the Village Development Council can select any of its members to chair the meeting.
- 5) The Treasurer of the Dorbar Shnong shall be the ex-officio treasurer of the Village Development Council, who shall be responsible for maintaining the correct and true account of all the receipt and expenditure of all funds executed through the Village Development Council.

- 6) The Treasurer shall prepare and submit a quarterly account of all receipts and expenditures to the Executive Dorbar for its verification. The Executive Dorbar shall prepare an annual statement of accounts from there and present the same at the annual meeting of the Dorbar Shnong for its approval.
- 7) The annual account of the Village Development Council shall be audited by the Auditor appointed by the Executive Dorbar with prior approval of the Dorbar Shnong.
- 8) The audited account so maintained by the treasurer shall be placed before the Executive Dorbar and the Village Development Council in each of its meetings.
- 9) The Village Development Council shall have the power to formulate rules and regulations for dealing with matters such as meetings, absence, reporting, local contributions, planning, implementation and monitoring of schemes, etc., in the discharge of its function and responsibility.

6.2.1.6.1 Function and Responsibility of The Village Development Council

The Village Development Council have the powers and responsibilities as follows;

- 1) It shall be the participatory developmental planning and implementing body of the Village.
- 2) It shall collect village data, prepare reports on the Village, and prepare a resource map of the Village.
- 3) It shall formulate Village Annual Plans, perspective plans, and strategies for implementation.
- 4) It shall implement all developmental schemes and programmes;
- 5) It shall train inhabitants of the Village in various aspects concerning health and hygiene, waste disposal, domestic management, skills, etc., and it shall train its members /office bearers in accounting and financial management matters.
- 6) It shall promote and improve the livelihoods and food security of the inhabitants by taking up various kinds of developmental activities.

- 7) It shall promote, protect and conserve indigenous seeds, plants or species; and indigenous knowledge systems and practices.
- 8) It shall be responsible for advocating land-related issues affecting the landless and the poor in the Village.
- 9) It shall conduct an assessment and initiate sustainable management of Natural Resources.
- 10) In consultation with the Dorbar Shnong, it shall identify and select individual beneficiaries, whether Below Poverty Line (BPL) or Above Poverty Line (APL), for various development schemes/projects/programmes of the government and the District Council.
- 11) It shall raise local resources for its own development.
- 12) It shall identify, prepare and implement village-based projects/schemes of the government and the District Council.
- 13) It shall train itself to monitor and evaluate projects/schemes of individuals, groups or villages and send its report to the concerned authorities.
- 14) It shall interact with credible Non-Governmental Organisations, Government/Institutions, including research institutions.
- 15) It shall facilitate Self-Help Groups, potential entrepreneurs and micro-enterprise, and village associations for the youth and women.
- 16) It shall prepare annual reports and audited statements of accounts.

6.2.1.7 Village Employment Councils (VECs) and Area Employment Councils (AEC)

For the implementation of MGNREGA, village employment councils (VECs) and area employment councils (AECs) have been set up according to the provisions of the scheme. These institutions have been further supported and supplemented by the different departments under the state government and officials. The VECs and AECs, along with the government officials, carry out planning and implementation of the scheme at the village level. According to the

respondents, VECs have been carrying out the village level development plan of the GPDP planning process, making the whole GPDP process based solely on MGNREGA funds.

6.2.2 Devolution of Powers to Rural Local Governments

Devolution of powers and responsibilities along with resources are essential for effective decentralisation. For Panchayat Raj Institutions, Article 243G of the Constitution provides for the devolution of powers by the state legislatures to endow them with the authority necessary for functioning as institutions of self-governments. Article 243G recommends the State consider 29 subjects listed in Eleventh Schedule for devolution to the Panchayats.

Meghalaya's governance structure appears highly complex to an outsider. The responsibility of governance and service delivery falls under the ambit of three centres of authority, the state government, the autonomous district councils, and the traditional local bodies. These bodies function parallelly in their day to day functions though platforms for coordination and mechanisms of supervision exist. The autonomous district councils act as the link between the state government and the traditional local bodies. The lack of statutory recognition of traditional local bodies appears to be the key challenge in the devolution of powers and resources.

The acts passed by the State government and ADCs provide VCs with powers related to different matters, including agriculture, social security, public health, education, water and sanitation, and essential infrastructure development. This includes powers to plan and prepare for the overall development of the Village, as discussed in the previous section and table 3. The table also considers the responsibilities carried out by VDCs also as the distinction between them in practical terms is often blurred. The provisions of Article 243G do not apply to non-part IX areas; however, understanding the functions carried out by local governments in this context provides a measure of comparison. A matrix of the listed activities in Schedule XI, provisions in the state/ADC acts, and their performing functions are used to understand the devolution of functions. Table 14 analyses activities and functions carried out by the village councils in non-part IX areas of

Meghalaya based on the above mentioned 29 subjects. It is observed that the Village Councils play a key role in the day to day activities of the villages in Meghalaya. They are the ultimate decision-making body related to almost all aspects of village development. Hence, they carry out numerous activities and responsibilities, even though there is no legal backing or documented guidelines for the same.

The analysis of the GPDP documents substantiates the need for further devolution of powers to local governments and also the need for statutory recognition of the Village Councils. The locally identified needs and strategies planned require powers vested in local governments for effective implementation. These GPDP documents also certify the potential of local governments to prepare development plans if adequate handholding and technical support are provided to the Village Development Council. The village councils were able to identify local needs, prioritise, and strategize actions to address them through different subcommittees and the VDC. Village councils appear to have a large number of members and numerous subcommittees, and specific objective committees. It is observed that most of these committees have the same members and do not function as standalone committees. The organising of gram sabhas, maintenance of records, and issue of public notices seem to be irregular.

Participation of women in VCs is not allowed according to customary laws. Women's participation is there in VDCs and other subcommittees. Despite the matrilineal heritage, rural local governments in Meghalaya continue to be predominantly male-driven bodies. SHGs, NGOs, and CBOs are present in almost all villages despite the limited population and number of households. The number varies between 3-25. This reflects the practice of organising and working together in the villages and provides an excellent opportunity to utilise the same for strengthening the VCs or VDCs.

The number of registers maintained by the VCs and VDCs varies from 6 to 25. Though it can be the VCs' discretion on how many additional records to maintain, there should be a standard

protocol for the minimum number of documents maintained by the VCs. There is also a need for a standard operating manual regarding the functioning of VCs and maintenance of records. Most of the VCs are declared ODF, and many are computerised. Achievements in these basic infrastructures are a positive trend observed in the State. The analysis shows a foundational structure for effective local governance, and it could be strengthened.

Table 14 Functions of Village Councils and VDCs

No	Matters as listed in Eleventh Schedule	Functions mentioned in the State/ADC Acts
1	Agriculture, including agricultural extension.	<ul style="list-style-type: none"> Promote, protect and conserve indigenous seeds, plants or species; and indigenous knowledge systems and practices.
2	Land improvement, implementation of land reforms, land consolidation and soil conservation.	<ul style="list-style-type: none"> To protect and conserve all community lands and forestlands or any other village resources against land alienation and privatization for the interest of the village community.
3	Minor irrigation, water management and watershed development.	<ul style="list-style-type: none"> To prevent arbitrary usage of natural water sources and ground water for exclusive personal purposes To ensure preservation and usage of all natural water sources and ground water for common sustainable use of the village and its residents To coordinate with neighbouring villages in the protection of rivers and streams from pollution and any destructive practices like poisoning
4	Animal husbandry, dairying and poultry.	
5	Fisheries.	<ul style="list-style-type: none"> To ensure strict implementation and also report violations of the provisions of The United Khasi-Jaintia Hills District Fishery Act, 1954
6	Social forestry and farm forestry.	<ul style="list-style-type: none"> To conserve and protect sacred forests and to promote the establishment of new forest lands, advocating on land related issues affecting the landless and the poor in the village.
7	The minor forest produces.	<ul style="list-style-type: none"> Supervision and regulation of the use of forest resources
8	Small scale industries, including food processing industries.	
9	Khadi, Village and cottage industries.	
10	Rural housing.	
11	Drinking water.	<ul style="list-style-type: none"> To make provisions for drinking water pipeline
12	Fuel and fodder.	
13	Roads, culverts, bridges, ferries, waterways and other means of communication.	<ul style="list-style-type: none"> Village infrastructure To remove encroachment on roads, footpaths, public places and property
14	Rural electrification, including distribution of electricity.	
15	Non-conventional energy sources.	

16	Poverty alleviation programme.	<ul style="list-style-type: none"> • To protect and ensure the rights of access to land for sustainable livelihoods practices for the economically poor and landless households. • Identify and select individual beneficiaries, whether Below Poverty Line (BPL) or Above Poverty Line (APL), for various development schemes/projects/programmes of the government and the District Council.
17	Education, including primary and secondary schools.	
18	Technical training and vocational education.	
19	Adult and non-formal education.	
20	Libraries.	
21	Cultural activities.	<ul style="list-style-type: none"> • Organising customary festivals
22	Markets and fairs.	
23	Health and sanitation, including hospitals, primary health centres and dispensaries.	<ul style="list-style-type: none"> • Health and sanitation of the village • Waste management and disposal of waste • Cremation and burial grounds
24	Family welfare.	
25	Women and child development.	
26	Social welfare, including the welfare of the disabled and mentally retarded.	<ul style="list-style-type: none"> • To provide protection and care for the village population, particularly for persons with disabilities and any other person or family in difficult circumstances. • To ensure that all inhabitants of the village be given equal treatment and fair share in all respects, including welfare and socio-economic development
27	The welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.	
28	Public distribution system.	
29	Maintenance of community assets.	

6.2.3 Elections and Representation in Rural Local Government

Direct, transparent, and timely elections are essential for the effective functioning of local governments. In the case of PRIs, Article 243E of the Constitution of India provides for elections in this manner. Article 243K of the Constitution provides for the setting up of a state election commission to be vested with the “superintendence, direction and control of the preparation, revision and correction of electoral rolls and conduct of all elections to the panchayats”.

In Meghalaya, elections to the local governments take place according to customary practices and often through blood lineages. The process is often a voice vote or a rise of hands. The nominations are often on the basis of consensus and family or clan lineages. The ADCs play a crucial role in the conduct and recognition of elected members and have extra ordinary powers for appointing and removing the elected heads. The village council constitutes the Village Development Council, and the election of the chairperson to the village development council follows a simple procedure based on consensus or a simple majority. The process of elections and selections to different posts in traditional local bodies are discussed in detail in section 5. Table 15 depicts the status of elections to VCs in some key dimensions of modern democratic elections.

6.2.4 Representation of women

According to the customary laws of most tribes, women are not allowed to be part of the village councils. Despite all the tribes being matrilineal in their social structure, men continue to be the decision-makers in most matters related to governance and other aspects of social life. The husband of the matrilineal head and her brothers and relatives assume important positions in local institutions. The organisational structure of local governance varies from village to village, but the absence of women is a common characteristic. VDCs constituted by the village council to ensure inclusive participation for the socio-economic development of the village have spaces for women. However, even in VDCs, the participation of women appears inadequate and seldom at the level of the chairperson of VDCs or other key posts.

Table 15 Status of elections to Village Councils

No	Dimension	Status
1	Direct elections to Local Governments	No
2	Indirect elections for seats at all three tiers of panchayats and indirect elections to offices	No
3	Elections to Local Governments every five years	No
4	Constitution of State Election Commission and vesting the superintendence, directions, and control of the preparation of electoral rolls for all elections to the panchayats	No
5	Reservation in seats for Scheduled Castes and Scheduled Tribes	Only Indigenous tribes can become members of the local body
6	Reservation of not less than one-third of seats for women	No
7	Rotation of reserved seats and office	NA
8	Direct elections of President of Village Panchayat	No

6.2.5 Finance and Resources of Rural Local Governments

The village councils are entirely dependent on centrally sponsored schemes for financial resources. Funds are transferred on the basis of population and through the ADCs. Among the villages considered for the study, no village has received any additional financial resources through its own or other sources. The amount received through central schemes varies. In addition to this, participants reported political biases in fund allocation, with villages supporting the ruling party receiving the funds and those who support the opposition receiving no funds at all. Own-source revenue is nominal. However, a potential to converge different funds effectively exists at the village level. There is a lack of clarity regarding different functions related to tax collection and fund transfer. As per the account of respondents, there is a need for clear rules and provisions for proceedings related to different taxes and duties and the transfer of funds.

6.2.6 Own source revenue of rural local governments

The villages have nominal or no own source of revenue at present. There are provisions for the collection of some small taxes, such as animal tax or water tax, in the customary practices, but

these are not documented or have legal backing. As reported by the participants, most villages collect no taxes.

6.2.7 State Finance Commission

Article 243-I of the Constitution provides for the constitution of the State Finance Commission (SFC) every five years to review the financial position of the panchayats and make recommendations to improve the financial position of the panchayats. The objectives of the SFC are to recommend the principles of distribution between the State and the panchayats of the taxes, tolls, fees, and duties levied by the State. Also, to determine the assignment of taxes, duties, tolls, and fees to the panchayats. The SFC also makes recommendations regarding the grants-in-aid to the panchayats from the State's consolidated Fund. Along with Nagaland and Mizoram, Meghalaya is exempted under article 243M from these provisions. In Meghalaya, the State Finance Commission act of 2012 provides for the constitution of a State Finance Commission to study and recommend terms of financial resource sharing between the state and the local governments. However, a functional state finance commission was not constituted to study fund transfers within the state.

6.3 Strengthening of Rural Local Government in Meghalaya

The strengthening process of rural local governments in Meghalaya needs to be built on the existing system of the village council inclusively and sensitively. The first step towards this direction should be to document the existing system of governance, documentation of customary laws and practices, and bring uniformity within the same administrative areas.

An activity-centric or a program implementation linked empowerment program appears more suitable for the State. The local government empowerment program, therefore, at the same time, should be a local development program too. Such a program for strengthening local governments can be designed within the framework of implementing different state and central rural development schemes. A strengthening and capacity building initiative involving SHGs, students, and different CBOs will bring these stakeholders to the mainstream local development planning and local governance, increasing the community's voice in local action. The observations made by this study are based on deficits in activities, finance, functionaries, powers, participation, and capacity building. The following specific suggestions are made from the study findings;

- i) There is a need for legal reforms and restructuring without drastically changing the existing system. Statutory recognition of VCs is the need of the hour. Through analysis and comparison of traditional roles played by the village councils, functions of PRIs, and existing rules and regulations in the State, a new set of detailed and uniform documents may be prepared for better institutionalisation and legal backing of the functioning of rural local bodies in Meghalaya.
- ii) The Village Councils and VDCs are actively involved in the day to day lives of Meghalaya villages but with limited legal backing for their powers and responsibilities. An updated activity map with a clear definition of the powers and responsibilities of local governments needs to be prepared.

- iii) Election rules and procedures for village councils need to be documented across different administrative areas. Detailed rules and guidelines need to be prepared and circulated. This can be done while retaining the existing guidelines. This should be considered as the first step in democratising the elections to the traditional local governments.
- iv) Detailed guidelines and manuals for implementing different central and State government schemes need to be prepared, clearly demarcating the roles and responsibilities of village councils. This would help create a proactive space for village councils and VDCs in the implementation of developmental interventions.
- v) Legislation for reforms to make changes required for (iii), (iv), and (v) needs to be carried out; in the meantime, required changes can be brought in through executive orders. An extensive intervention can be planned by assigning village councils as the implementation agency for government schemes. The state government may provide additional support for implementing the schemes effectively.
- vi) Establishing a uniform legal framework for implementing government schemes would also enable the practical usage of different financial resources available to the village councils. By making the local Government the implementing agency of different State and central government schemes, the State can empower the local governments and utilise the resources more efficiently and locally relevantly.
- vii) An online helpdesk for village council representatives may be set up at the state level to provide knowledge support, guidance and assistance.
- viii) A protocol for managing offices and institutions needs to be prepared within the existing system.
- ix) Proceeding of fund transfers to the local governments needs further clarity and uniformity. Templates for own revenue generation can be prepared at the state level and distributed

to village councils. Rules and regulations regarding taxes, fees, and auctions must be codified uniformly. Legal backing for receiving CSR funds and its regulations and guidelines must also be drafted uniformly.

- x) At the village level, accounting and auditing practices lack clarity in procedure and updates. A robust yet straightforward accounting system needs to be prepared—awareness about the procedures and provisions to be widely publicised. A poster campaign using notice boards of the village councils can be planned in this regard. In addition, the need for further study in this regard is visible, and the State may appoint a committee to examine the existing accounting and auditing practices of village councils to identify gaps and provide a recommendation to bring more transparency.
- xi) Learnings from other states indicate that community participation, especially that of women in developmental activities, improves in the presence of SHGs. Meghalaya can adopt this as a strategy for improving community participation in the State. In most of the villages studied, there are SHGs and SHG federations. This could be further extended and strengthened. Constituting a Women Development Council at different levels could further increase participation in governance activities.
- xii) The frontline workers such as ASHAs, AWWs, and other department functionaries working at the village level may be transferred to the village councils. They can function as double reporting officials also. This would aid in more efficient local coordination and empower the local governments.
- xiii) Practising experts of local governments such as experienced and pro-active village council members, stewards of innovative and best practices, and other resource persons shall be added to the state's resource pool of training institutes. Such a resource pool consisting of professional and practising experts will enrich the capacity building process. Additional

capacity building to be given to village committees on participation, SHG and VC convergence, CBO-VC convergence, and plan implementation.

- xiv) The feedback from the community and the output of the Model Gram Panchayat Clusters project by NIRD-PR shows positive trends. It also reflects that with handholding support and technical assistance, village councils can prepare and strategize development activities. The model can be extended to other villages by providing additional human resources to the village councils.
- xv) The planning process can be devised as an empowerment tool. Guidelines for the planning process with step by step instructions can be prepared based on the learnings from the Model GP Cluster development programme. Resource persons and guidelines can be provided to every village council. The guidelines shall ideally prepare in a simple, local language. Media other than print may also be used to popularise and circulate the planning process campaign. The planning manual may be prepared in the audio-visual format to increase reach and understanding. Success stories and innovative practices may also be included in the materials.
- xvi) In the context of observation (x) and (xi), a Post Graduate Student Internship program can be envisaged, where trained students in the lines of NIRD&PR Young Fellows can work as student interns in village councils. Incentives can be provided to the students in an honorarium/grace mark or other weightage in employment opportunities.
- xvii) Village councils performing better can be converted into knowledge hubs that provide mentoring and handholding assistance to other village councils. These knowledge hubs can be further developed into community learning centres with experts from SIRD, trained village council members and members of the community. This approach will help faster dissemination of local experience-based knowledge and create a sense of ownership by the community of such knowledge.

- xviii) Exposure visits for the village council members can be organised within the State and outside to better perform villages and model grama panchayats. Exchange programmes and community internship programs can also be organised.
- xix) Performance-based incentives may be provided for village councils. This can include themes like transparency, innovation, participation, and agriculture.
- xx) SIRD capacity-building infrastructure may be used to conduct action research on the functioning of local governments in the State. This process may ensure student participation in the regional educational institutions, especially in social sciences. Research on the existing system, program implementation, contextual factors, and social, political, and cultural factors can be carried out. Research support from national institutes can also be obtained.
- xxi) In the context of the above-discussed observations and suggestions, a separate Project Implementation Unit can be set up at the state level to study and modify the existing system of rural local governance in the State. Village Council Empowerment may be implemented as a separate mission mode project that is inclusive and sensitive to the existing system.

7. The Present Status of Rural Local Governance Systems in Mizoram

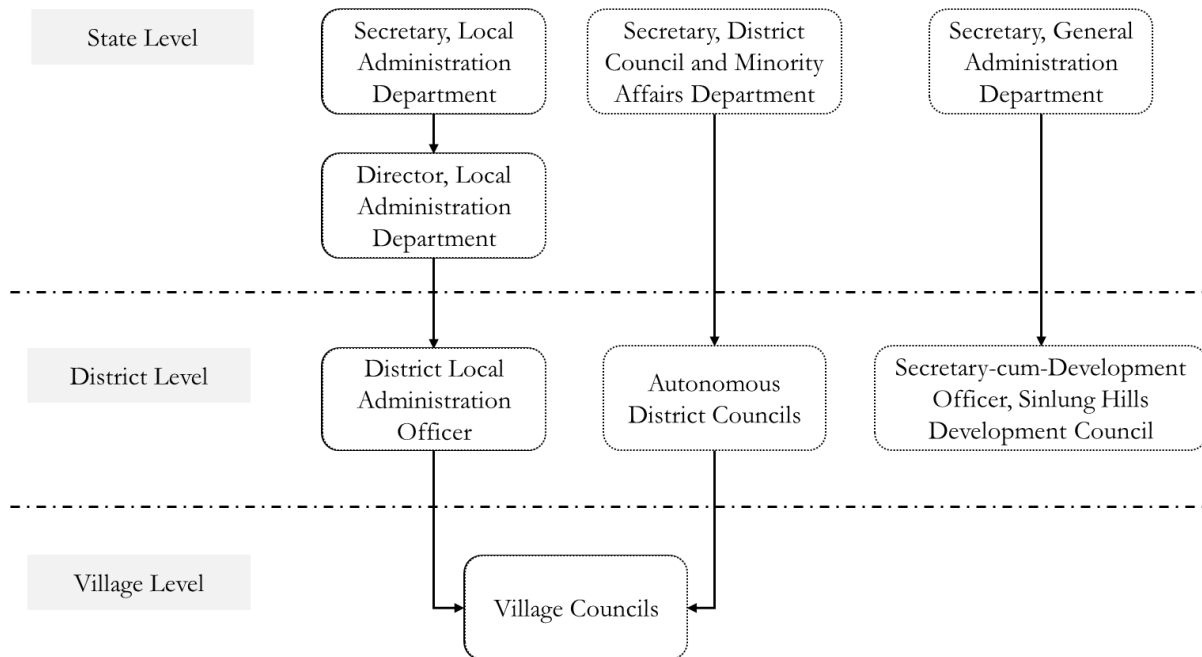
Mizoram is the second least populated state in the country. Mizoram's population was 1,091,014, according to the 2011 census. About 91% of the state is forest land. Like several other north-eastern states of India, Mizoram was previously part of Assam until 1972, when it was carved out as a Union Territory. It became the 23rd state of India, a step above Union Territory, on 20 February 1987. About 95% of the current Mizoram population is of diverse tribal origins. Mizoram has the highest concentration of tribal people among all the states of India. The tribes of Mizoram converted from Animist religions to Christianity over the first half of the 20th century, making it one of the three states in India with a Christian majority (87%). Mizoram has a highly literate population and an agrarian economy. The primary agricultural practice is slash-and-burn shifting cultivation known as 'Jhum'. In recent years, the jhum farming practices are steadily replacing the horticulture and bamboo products industry. The State's gross state domestic product for 2012 was estimated at ₹6,991 crores. Table 16 provides basic details on Mizoram.

Table 16 Mizoram Basic Information

Area	21087 sq km (8142 sq miles)
Latitude	23.1645° N
Longitude	92.9376° E
Population	1,091,014 (2011)
Literacy Rate	91.58% (2011)
Capital	Aizawl
No. of Districts	11
No. of Autonomous District	3
No. of Sub Division	23
Block	26
No. of Assembly Constituency	40
No. of Seat in Parliament	1

The rural local governments in Mizoram are called Village Councils (VCs); other local governments in the State include Aizawl Municipal Corporation (AMC) and Sinlung Hills Development Council (SHDC), and three Autonomous District Councils (ADCs) (Lai, Chakma and Mara). Figure 1 shows the organisational structure of rural local bodies in Mizoram.

Figure 4 Organisational structure of the RLBs in Mizoram



7.1 History and Evolution of Rural Local Governments in Mizoram

7.1.1 Local Governments in Mizoram Before Independence

Mizo villages emerged as independent entities claiming an area of land for its use and cultivation under the authority of its traditional hereditary Chief, called Lal. In the absence of a central authority to manage relations and coordinate activities among different village chiefs, villages were naturally a self-governing institution of chieftainship in which the Chief was bound only by customs and traditions to ensure the welfare of his village community. The Chief had immense local standing and territorial jurisdiction of one or more villages. At the same time, the Chief was the supreme administrator, the judge, the protector and the guardian of his Village. He was assisted by a council of village elders called 'Upas'. The elders were generally men of the Chief's choice,

often selected without consulting the villagers. However, the 'Upas' served to create a notion of people's rule in the Village.

The Mizo tradition has provision for a group trial of the Chief in the case of breaking the rules and norms, but it is observed that the political system was such that this process seldom took place. However, it is noted that the villagers could always migrate to another village under another Chief's jurisdiction, which put some checks on the Chief from exercising unrestricted power. Other than the powers vested, the Chief was also entitled to certain privileges from the villagers, such as a flesh tax (Sachhiah), a paddy tax (Fathang), and a salt tax (Chi-Chiah). He could also seize any villager's property who failed to carry out his judicial orders. He also had the privilege of keeping slaves (bawis) and the privilege of getting his house constructed with the free labour of the villagers. Historians observe that the Chief and his counsellors formed the royal or upper classes among the Mizos and sometimes abused their rights and privileges by treating the villagers as their servants and reducing them to enslaved people.

Besides the Upas, several village officials, such as village Courier (Tlangau), blacksmith (Thirdeng), priest (Puithiam), village writer (Khawchhiar) and expert jhum cultivators (Ramhuals), were also appointed by the Chief. They received remuneration for their services, mainly in kind-directly from the villagers. The rate of payment differed from Village to Village.

During British rule, too, the Chief was safeguarded by the Superintendents. Even when misuse of power and privileges by the Chief occurred, the British superintendents never interfered in the administration of villages. Instead, they always upheld the chiefs' authority, decisions, and steps.

The British saw continuing chieftainship as a cheaper alternative to control the villages in the region and the Chief himself. The Chief often acted as a link between the people and the British Superintendent and never defied the orders of the Superintendent. Though the powers of the Chief in comparison to the British masters declined, his powers over the people increased further due to the policy of non-interference adopted by the British rulers in the internal affairs of the

tribes. This position, however, changed later on, and the Superintendent curtailed such traditional powers of the Chief as inflicting capital punishment, seizing food stores and property of villagers, owning their lands, taxing traders in his jurisdiction, and appointing his youngest son as Chief in his area.

7.1.2 Local Governments in Mizoram after Independence

The institution of the chieftainship continued even in the post-independent India for some years. A new scheme of inexpensive and straightforward administration of the tribespeople of certain hill districts of the then State of Assam, based on the recommendations of the North-East Frontier Tribal and Excluded Areas Sub-Committee of the Constituent Assembly known as the Bardoloi Sub-Committee was incorporated into the Sixth Schedule to the Constitution of India. This provided for the Constitution of the Autonomous District Councils (ADCs) for major tribespeople and Autonomous Regional Councils for minor tribespeople other than the major tribal people within a district. In 1952 when Mizoram was under the control of Assam state, Mizoram was given the status of 'District Council'. The District Council was inaugurated on 25th April 1952 with 24 members (18 elected and six nominated).

The Autonomous Mizo Hills Districts Council for the Mizos and the Pawi-Lakher Regional Council (PLRC) for the Pawi, Lakher and Chakma tribes were set up in 1952 and 1953, respectively. Both these councils, which were democratic institutions, threatened the position and privileges of the chiefs. The educated and politically conscious Mizo youths never desired the handing over of powers to the chiefs by the British after India attained independence. (Prasad, R. N. 2001). Hence, under pressure created by the first political party, i.e. the Mizo Union, the Assam government in 1953 passed the Lushai Hills District (Administration of Justice Rules 1953), which prescribed the establishment of Village Councils, the creation of various law courts like the Village Courts, Subordinate District Council Courts and the District Council Court and "The Lushai Hills District (Village Councils) beginning the end of the long practise of chieftainship in Mizoram. In

place of the institution of chieftainship, the Village Council was to be established in every Village (Mahapatra, P., & Zote, L. (2008)).

The PLRC abolished chieftainships within its jurisdiction in 1956. Both the Autonomous District Councils democratised the village administration by enacting the Lushai Hills District (Village Councils) Act, 1953 and the Pawi-Lakher Autonomous Region (Village Councils) Act, 1954 under sub-clause (e) of clause (3) of the Sixth Schedule to the Constitution of India. Accordingly, the village administration was vested in the democratically elected Village Councils (VCs), which started functioning in August 1954 within the respective jurisdictions of the councils.

In the beginning, 366 Village Councils were established, divided into 18 Circles. The first elections of the Village Councils were conducted between 23rd April, 1954 and 7th July 1954. At this time, besides elected members, there were nominated members, and the councils were elected for three years. The village councils had limited functions under the Village Councils' Act of 1953 and 1954. When the Mizo Hills District was elevated to the status of the Union Territory of Mizoram following the North-Eastern Areas (Reorganisation) Act, 1971, the Autonomous Mizo Hills District Council was abolished. A significant administrative change occurred, and Mizoram was divided into three revenue districts. The North Mizo District became known as Aizawl District, the South Mizo District as Lunglei District, and the erstwhile PLRC area became known as Chhimituipui District. The Pawi-Lakher Regional Council (PLRC) was trifurcated into Pawi Regional Council (PRC), Lakher Regional Council (LRC) and Chakma Regional Council (CRC) on 2nd April 1972 and the three Regional councils were subsequently upgraded to the status of full-fledged Autonomous District Councils on 29th April 1972.

7.2 Current Status of Rural Local Governments in Mizoram

7.2.1 Existing System of Rural Local Governments in Mizoram

The Village Councils in Mizoram are constituted under the Lushai Hills District (Village Councils) Acts 1953. The Act has been amended from time to time, with the latest and most significant amendment in 2014. The amendment has adopted some essential features of Panchayats, such as provisions for Village Assembly (Gram Sabha), five years term and reservation of one-third of seats for women; the powers and functions of the Village Council have also been enlarged. Village Councils (VCs) have been constituted in all the eleven districts under this Act, which discharge the role of the Local Governments in Mizoram. The structure of Village Councils in Mizoram is different from that of PRIs and is a variant of Village Councils mentioned in the sixth schedule. Without the intermediary levels at the block or district level, they directly depend on the state government.

In the Autonomous District Council area, the local government is classified into three stages: District Council, Town Committee, and Village Council. However, the town Committee has not yet been established in any of the District Councils of Mizoram. Therefore, the Village Councils, established at the grassroots level in the Village, are the only visible Local Self Government other than the District Council government.

The Panchayati Raj institutions are considered local governments with an agency, especially in regulatory functions; village councils in Mizoram are observed to be limited to agents of the State Government in developmental functions and enjoy a lesser degree of regulatory powers in comparison to the PRIs. The powers and authority enjoyed by PRIs in social service activities are almost absent in village councils of Mizoram. However, the judicial powers of the village councils following traditional social norms and customs are absent in the case of the Panchayati Raj system. A combination of the village council's judicial power, the Sixth Schedule provisions, and the 73rd Constitutional Amendment, as far as development and social service functions are concerned, can

go a long way in fulfilling the people's aspirations. Table 17 depicts some basic details on the status of rural local governments in Mizoram.

Table 17 Status Rural Local Governments in Mizoram

Mizoram	Details
Total number of Villages	864
Total number of Panchayat	NA
Total number of Non-PRI Local Bodies	834
Total number of Local Governments with GPDP Preparation	10
Total number of Local Governments without own building or office	418
Total number of Local Governments without computers	501
Total service ready Local Governments	303
Total Allocation of FFC Grants (in crores)	93

(sources to be inserted here)

7.2.1.1 Constitution of the Village Councils

According to the Village Councils Act of 1953 and its amendments from time to time, a Village Council in Mizoram can have up to 9 members based on the following criteria.

- For Village not exceeding 200 households, there shall be 3 (three) elected members, of whom 1 (one) shall be a woman.
- For Village with more than 200 households but not exceeding 500 households, there shall be 5 (five) members, of whom 1 (one) shall be a woman.
- For Village with more than 500 households, but not exceeding 1000 households, there shall be 7 (seven) elected members, of whom 2 (two) shall be women.
- For Village with more than 1000 households and above, there shall be 9 (nine) elected members, of whom 3 (three) shall be women. (As amended in 2014)

The three autonomous District Councils in the southern part of Mizoram retain the authority to have their own criteria for determining the number of members in Village Councils. The executive of the Village council consists of a President, a Vice President, a Treasurer and a Secretary. The State Government appoints the Secretary on the recommendation of the executive body of the

Village Council. The Secretary shall not be a member of the Village Council, and neither the President nor the Vice-President of the Village Council is eligible to hold the office of the Secretary. If the Village Council does not have enough members in the council to hold these posts, then the Vice-president holds the post of treasurer. The Secretary holds office as long as the village council executive considers his work and conduct fit and satisfactory.

7.2.1.2 Election/Selection of Village Council Members

Initially, one-third of the members of the Village Council were nominated by the Executive Committee of the District Council, and the adults in the Village elected the remaining members. The provision for the nomination of members has been abolished for the Village Councils in other districts of the State. The three autonomous District Councils within Mizoram State retain this provision today.

7.2.1.3 Qualification of Members

A person is ineligible to contest in the Village Council election in case of the following;

- S/he is not a member of a Scheduled Tribe;
- S/he has not attained the age of 25 years;
- S/he is not a Voter where he seeks election;
- S/he is a member of any other Village Council;
- S/he is of unsound mind and stands so declared by a competent Court of Authority;
- Whether before or after the commencement of this Act, s/he has been convicted of an offence under the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953 or under other law for the time being in force in India, unless a period of three years has elapsed since his conviction, and if imprisoned since his release from prison.
- S/he holds any office of profit under the Central Government or the State Government.
Explanation: In this clause, “office of profit” means a regular payment made in salary or wages.

7.2.1.4 Duration of the Village Council

Every village council is constituted for a term of five years from its first meeting. The state government can extend or shorten the term of the village council for a period not exceeding eighteen months. All members of the council hold office during the life of the council.

7.2.1.5 Roles played by the Executive of the Village Councils

The President

- The President presides over all the meetings of the village councils. He also summons the meetings whenever the necessity arises.
- The President preserves orders and exercises all powers necessary to enforce the decisions taken in the meetings.
- If a member fails to carry out the direction of the President, he reports in writing the conduct of the member to the administrator/executive committee. On receipt of such a report, the administrator/executive committee may, if it deems necessary, suspend the member for any period.
- The President is to issue notices/instructions to prevent dangers, such as an outbreak of fire, epidemic, etc., in the Village.
- He carries out all orders/notifications issued by the deputy commissioner or the district councils.

The Vice-President

- In the absence of the President, the vice president performs all official duties of the President.

The Secretary

- The Secretary is the village writer and records all village council and village council court proceedings, which the President signs. If necessary, he publishes all orders and proceedings duly signed by the President.

- He also maintains all the books and records of the council and the village court, which can be examined by the officers of the district councils or any village council members.
- The Secretary maintains the list of collections to the village council fund, and any subscriber can check the accounts.

Unlike the PRIs, the Secretary to the Village councils is selected from the elected members of the village council. However, a proposal to assign permanent secretaries to the village council is under consideration.

“ . . . But it will be difficult to implement something permanently in the village council. As of now, we have no permanent secretary in village councils. Every newly elected village body selects its Secretary from its team. A new draft bill is being considered appointing regular employees for the village council; of course, the administrative cost will be high. We need 8 crore for the salary of village council secretaries. In states like Mizoram, it is hard to implement that, at least from the government side” _KI

7.2.1.6 Functions of the Village Councils

Village Councils in Mizoram are actively involved in the day to day functioning of village activities. However, it was observed that the Village Council is entrusted with numerous functions and responsibilities without proper devolution of powers and authority to get the villagers involved in the developmental works for their Village (Lalrintluanga, 2011). Nevertheless, the activities of the Village Councils can be broadly categorized into developmental, judicial, administrative, and executive functions. The primary functions carried out by the village councils are as follows;

- The Village Council allot a particular region within the boundaries of each Village for ‘jhums’ (shifting cultivation) every year.
- The Village Council has powers to enforce ‘Hnatlang’ (common service for the common good) in the interest of the public whenever occasion so demanded without discrimination. Any person who does not comply with the order of ‘Hnatlang’ can be charged a fine or payment in kind by the village council.
- Every Village Council is expected to prepare a report regarding its administration and submit it to the State Government twice a year. If the report is not submitted, the State

Government may withhold the payment of grants and remunerations to the Village Councils.

In addition to the functions mentioned above, the Village Council also has the following powers and duties;

- To formulate village development schemes to supervise development works received from the State Government through various agencies.
- To help various Government agencies in carrying out development works in the Village.
- To take up development works on its initiative or request by the Government.
- To convene regular social audits to implement development works in the village successfully.
- To collect property tax as prescribed by the State Government.
- To realize registration fees for each litigation within its jurisdiction.
- To raise funds for public utility within its jurisdiction by passing a resolution subject to the approval of the State Government.
- To administer relief and rehabilitation to the people during calamities.
- To assist the State Government in the public distribution system.
- To initiate or assist the State Government in all preventive measures on an epidemic or infectious disease outbreak.
- To co-operate with Government officials in charge of any of the above functions within its jurisdiction.
- Construction of approach road to jhum field and demarcation of boundary lines between one or more jhum fields.
- Repairing/clearing of roads between villages.
- Management of public water points/tanks and public burial grounds/cemeteries.
- Registration of births and deaths.

- Organizing search party for lost persons and overall development of the Village.
- Convene regular social audit for successful implementation of development works in the Village.
- Street lights are fixed at the points selected by a Village Council
- Issue of different certificates such as the proof of residence certificate.
- Prohibition of 'Zu' (local drink).
- Construction of small minor bridges,
- Construction of fish dyke for community fishing,
- Looking after the poor and disabled members

Of the functions carried out by the Village Committees, some have clear provisions and guidelines mentioned in the acts, rules, and regulations. In contrast, others are based on the Mizo people's convention, usage, practice, and custom. The committee can also pass orders under 'Mizo Hnam dam' (customary law) to run the village administration smoothly. For example, the council appoints 'Tlangau', the village courier, in each Village to bring all the orders and notifications of the council and Government to the public, carry summons of the village council Court, and also the President's notice to all members to the council to attend meetings.

Section 23(2) of the Lushai Hills District (Village Councils) Act of 1953 gives certain legislative powers to the Village Councils. Village councils can make rules pertaining to the following subjects in their respective villages;

- Control, preservation and use of timbers and other forest products except for the reserved forests, ordinarily utilised for building purposes such as canes, sungrass, siallu, thilthek, and laisawral (Leaves used for roofing of Mizohouses).
- Maintenance, preservation and improvement of good water supply.
- Control of stray animals within its jurisdiction and at night within the village Ram. (Land).
- Prevention and control of fire within the Village and the village Ram.

- Ngawidawh (Construction of a trap in the river for trapping and collecting fish by villagers).
- Sanitation and cleanliness of the Village.

7.2.1.7 Village Education Committees and Village Employment Councils

There are provisions for setting up the Village Education Committee to look after, monitor, and coordinate activities of the educational institutions in the Village, particularly the lower level educational institutions. However, it is observed that these committees are not functional in village councils in the autonomous district areas in the State. In other parts, some village councils have taken the initiative of supervising and monitoring the functioning of the educational institutions. In most cases, the role of these committees is limited to the appointment of cooks for the midday meals and have no control over the routine activities and annual maintenance fund sanctioned by the Government.

The Guidelines for the Mahatma Gandhi National Rural Employment Guarantee Act state that “where Part IX of the Constitution of India does not apply, Local Councils/Authorities as mandated by the State concerned will be invested with the corresponding responsibilities”. Since Part IX of the Constitution of India does not apply to Mizoram, Local Councils/Authorities are invested with corresponding responsibilities for the MGNREGA Schemes. Village Employment Councils were constituted through Notification No.B.110118/23/2005-RD(NREGP) dated 28 April 2009, creating the Mizoram Rural Employment Guarantee Scheme,2009, Section 7A of which contains Village Employment Council (amended Notification No. F23012/7/09-RD (NREGS) dated 20.8.2010). The Government of Mizoram again issued an official letter 5th No.F.13013/1/12-RD(NREGS) dated November 2012 on the subject ‘Establishment/Introduction of VEC under MGNREGS’ to all District Programme Coordinators (MGNREGS), stating that the Village Employment Council (VEC) has been invested with the responsibility in references to the Gram Panchayats mentioned in MGNREGS Act/operational

Guidelines. This is reported to have created much displeasure among Village Councils. The discontentment is reflected in the decision taken by Serchhip Town Joint Village Council in 2013, which expressed that VEC is the source of discord and tension in the localities and, therefore, decided to do away with them.

In the villages under the autonomous district council studied for the report, VECs are absent, and the Village Councils coordinate MGNREGA activities under the instructions of block-level officials. This is observed to be the trend across village councils under all autonomous district councils. However, the implementation of development schemes is mainly done through VCs, though their role is of a community contact point rather than that of a proactive local government.

“ . . when we see the transfer funds, there is direct benefit transfer to individual beneficiaries like PMAY, MGNREGA. For MGNREGA, the planning system under the village employment council is very good. Every October, they conduct gram sabha at the village level. Rural Development Department is implementing the MGNREGA. The BDOs and project directors are also invited by the village council for the implementation process. However, it is not similar to the PRI system. PRI system has block and district panchayats also. The government employees lead the block and district levels in Mizoram. The block officer or the district officer can implement any development project work. They consult the village council president whenever they want during the process ”_KI

7.2.1.8 Judicial Powers of the Village Council

A village council court has been provided for each Village. The Court comprises three members, elected by the council from among its elected members. The Village Council Court has the power to administer justice in both Civil and Criminal cases in which both parties belong to a Scheduled Tribes resident within its jurisdiction. Civil cases include cases of civil and miscellaneous nature falling within the purview of the Village or tribal laws and customs. Criminal cases relating to cases falling within the purview of tribal laws and customs and offences of petty nature, such as petty theft and pilfering, mischief and trespass of petty nature, simple assault and hurt, affront and affray of whatever kind, drunken or disorderly brawling, public nuisance and uncomplicated cases of wrongful restraint. It also has the power to fine up to Rs.500 (Rupees five hundred) to the loser

of the case, whereas it has no power to try offences in respect of which the punishment of imprisonment is obligatory under the Indian Penal Code. An appeal against any order, sentence, or decision of the village council court lies with the subordinate district council court or additional subordinate district council court, which may be preferred within 60 days of the conviction or sentence or decision. No legal practitioner is allowed to appear before a village council court bench.

Policy documents have reported that in the majority of the villages, minor conflict, discords, friction and dissension are often informally settled by the village council members. In some villages, the decision reached by the VC Court is appreciated by the villagers, and in some, the decisions of the Court have been scorned and ridiculed. The fines imposed are often looked upon with contempt and disapproval, and people often refuse to comply. In such a situation of non-compliance, the VC members are helpless as they have no authority or power to police or enforce the fine.

7.2.1.9 Protection of Forests

The Mizo District (Forest) Act, 1955 assigns additional responsibilities related to the protection of forests to the Village Councils. There are three classes of village forest envisaged in the Act, the protection of which lies on the Village Council.

- a. **Village Safety Reserve:** Reserve forest for protection against fire, and reserve constituted in the interest of health and water supply. The Village Council may dispose of any dead trees from these forests in a manner it finds most beneficial for the Village. No trees shall be cut in this reserve for any other purpose except with the permission of the Executive Committee of the District Council
- b. **Village Supply Reserve:** Reserve forest for the supply of the needs of the Village. Any person resident in the Village may cut trees and bamboo from this reserve for his household needs. The Village Council shall have the power to distribute land within this reserve for jhum cultivation.

- c. **Protected Forest Reserve:** The protection of valuable forests from destruction for the interest of the village communities.

7.2.2 Devolution of Powers to Rural Local Governments

Devolution of powers and responsibilities along with resources are essential for effective decentralisation. For Panchayat Raj Institutions, Article 243G of the Constitution provides for the devolution of powers by the state legislatures to endow them with the authority necessary for functioning as institutions of self-governments. Article 243G recommends the State consider 29 subjects listed in Eleventh Schedule for devolution to the Panchayats. The acts passed by the State government and ADCs provide VCs with powers related to different matters, including agriculture, social security, public health, education, water and sanitation, and essential infrastructure development. This includes powers to plan and prepare for the overall development of the Village, as discussed in section 5.1.2 and table 18.

The provisions of Article 243G do not apply to non-part IX areas; however, understanding the functions carried out by local governments in this context provides a measure of comparison. A matrix of the listed activities in Schedule XI, provisions in the state/ADC acts, and their performing functions are used to understand the devolution of functions. Table 18 analyses activities and functions carried out by the village councils in non-part IX areas of Mizoram based on the above mentioned 29 subjects.

Table 19 presents details of the six villages in which GPDP documents were analysed. The analysis of the GPDP documents substantiates the need for devolution of powers to local governments. The locally identified needs and strategies planned require powers vested in local governments for effective implementation. These GPDP documents also certify the potential of local governments to prepare development plans if adequate handholding and technical support are provided. The village councils were able to identify local needs, prioritise, and strategize actions to address them. Village councils appear to have a working core group consisting of 3-9 members, including the

President, Vice-president, Secretary and Members. It is observed that the governance is often strictly narrowed to be done exclusively by this core group without much participation. The organising of gram sabhas, maintenance of records, and issue of public notices seem to be irregular, reflecting aiding circumstances for the narrowing of governance structure.

Participation of women in VCs is nominal, strictly limited to the reserved seats and seldom at the level of President of the VCs. SHGs, NGOs, and CBOs are present in almost all villages despite the limited population and number of households. The number varies between 3-25. This reflects the practice of organising and working together in the villages and provides an excellent opportunity to utilise the same for strengthening the VCs.

The number of registers maintained by the VCs varies from 6 to 14. Though it can be the VCs' discretion on how many additional records to maintain, there should be a standard protocol for the minimum number of documents maintained by the VCs. There is also a need for a standard operation manual regarding the functioning of VCs and maintenance of records. Most of the VCs are declared ODF, and many are computerised. Achievements in these basic infrastructures are a positive trend observed in the State. The analysis shows a foundational structure in place for effective local governance, and it could be strengthened.

Table 18 Functions of Village Councils

No	Matters as listed in Eleventh Schedule	Observed functions carried out by the panchayats	Functions mentioned in the State/ADC Acts
1	Agriculture, including agricultural extension.	Awareness camp with farmers on crop rotation, improvement in soil quality, and Interactive session with line departments to create awareness on alternative cultivation practices. Construction of approach road to jhum field and demarcation of boundary lines between one or more jhum fields, control of stray animals within its jurisdiction and at night within the village Ram	Construction of approach road to jhum field and demarcation of boundary lines between one or more jhum fields, control of stray animals within its jurisdiction and at night within the village Ram.
2	Land improvement, implementation of land reforms, land consolidation and soil conservation.	-	-
3	Minor irrigation, water management and watershed development.	-	-
4	Animal husbandry, dairying and poultry.	Creating awareness camp about the insurance policy of animals, Arrangement of Fencing on grazing ground	-
5	Fisheries.	-	Construction of fish dyke for community fishing, Ngawidawh (Construction of a trap in the river for trapping and collecting fish by villagers).
6	Social forestry and farm forestry.	Regulation on the use of forest products	Control, preservation and use of timbers and other forest products except for the reserved forests, ordinarily utilised for building purposes such as canes, sungrass, siallu, thilthek, laisawral etc.
7	The minor forest produces.	-	-
8	Small scale industries, including food processing industries.	-	-
9	Khadi, Village and cottage industries.	-	-
10	Rural housing.	-	-
11	Drinking water.	Construction of well, Arrangement of Gravity water Pipelines to households, management of public water points/tanks, maintenance, preservation and improvement of good water supply	Management of public water points/tanks, Maintenance, preservation and improvement of good water supply
12	Fuel and fodder.	-	-

13	Roads, culverts, bridges, ferries, waterways and other means of communication.	Construction of minor bridges	Repairing/clearing of roads between Village and villages, Construction of small minor bridges
14	Rural electrification, including distribution of electricity.	Installing street lights	-
15	Non-conventional energy sources.	-	-
16	Poverty alleviation programme.	-	-
17	Education, including primary and secondary schools.	Maintenance of school building, Scholarships, conducting quiz competitions, Prizes or gifts for regular attendance, providing books and stationary for poor students, Constructing of Kitchen shed in school, Fencing for High School Compound, the appointment of cook for mid-day meal	-
18	Technical training and vocational education.	-	-
19	Adult and non-formal education.	-	-
20	Libraries.	-	-
21	Cultural activities.	The organisation of cultural activities	-
22	Markets and fairs.	Keeping a record of markets and fairs	-
23	Health and sanitation, including hospitals, primary health centres and dispensaries.	Construction of Dumping Ground, Awareness Camps, Cleanliness Drive by youth volunteers, Construction of Public Toilet	Sanitation and cleanliness of the Village, Management of public burial grounds/cemetery.
24	Family welfare.	-	-
25	Women and child development.	Awareness Camp on Immunization, registration of births	Registration of births
26	Social welfare, including the welfare of the handicapped and mentally retarded.	-	Looking after the poor and disabled members
27	The welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.	-	-
28	Public distribution system.	-	-
29	Maintenance of community assets.	-	-

Table 19 Detailed Status of Selected Village Councils

No	Name of the village	Chekawn	Leng	Khawlailung	Mualcheng	Pukpui	Sailulak
1	Total Population	300	942	3396	1735	1983	1047
2	Total No. of Households	57	196	586	312	478	214
3	Total geographical area	5500 sq meters	40000 sq meters	3137 hectares	7725 hectares	30000 square meters	NA
4	Total No. of Registered voters	197	555	1684	996	1350	507
5	Total No. of Elected Women Representatives in the VC	1	1	2	1	1	1
6	No. of Gram Sabhas held during 2021-22	2	2	2	1	2	1
7	Whether the President of the GP is a male or a female	Male	Male	Male	Male	Male	Male
8	Whether the VC has its own building	No	No	No	Yes	Yes	No
9	Composition and No. of employees in the VC and their designations	5 1. President 2. Vice-President 3. Treasurer 4. Secretary 5. Village Crier	5 1. President 2. Vice-President 3. Treasurer 4. Secretary 5. Village Crier	9 1. President 2. Vice President 3. Treasurer 4. Four VC members 5. Secretary 6. Village Crier	8 1. President 2. Vice President 3. Treasurer 4. Secretary 5. Two VC Members 6. Water Duty Person 7. Village Crier	NA	7 1. President 2. Vice President 3. Treasurer 4. 2 VC members 5. Secretary 6. Village Crier
11	Whether the VC maintain computerized accounts	Yes	Yes	Yes	Yes	No	Yes
12	Who signs cheques for the VC	VCP and Treasurer	VCP, Secretary and Treasurer	VCP and Treasurer	VCP and Treasurer	VCP and Treasurer	VCP and Treasurer
14	Taxes collected by the VC	None	None	1. Water Tax 2. Animal Tax	None	None	
15	Registers maintained by the VC	1. GB meeting Minutes 2. VC Accounts 3. MGNREGA 4. VHSNC 5. WATSAN 6. Gram Sabha minutes 7. GPDP meeting minute 8. Miscellaneous	1. GB meeting Minutes 2. VC Accounts 3. MGNREGA 4. PMAY 5. Visitors 6. GPDP meeting minute 7. Miscellaneous	1. GB Minutes 2. Accounts 3. MGNREGA 4. PMAY 5. Visitors 6. Miscellaneous 7. GPDP Meetings 8. Gravitational water line record 9. Sanitary truck record 10. Rest house record 11. Roadside bazaar register	1. GB Minutes 2. Accounts 3. MGNREGA 4. Gram Sabha minutes 5. Village Employment Council meetings 6. Miscellaneous	NA	1. GB Minutes 2. VC Accounts 3. MGNREGA 4. VHSNC 5. WATSAN 6. Visitors 7. Gram Sabha minutes 8. GPDP minutes 9. VEC Meetings 10. PDS Register 11. Sanitary Truck 12. Cultural Activities 13. OSR Register 14. Miscellaneous
16	Whether the GP has been declared ODF	Yes	Yes	Yes	Yes	Yes	Yes
17	No. of SHGs	5	14	32	23	5	21

18	Whether there is a Federation of SHGs	Yes	Yes	Yes	Yes	Yes	Yes
19	No. of NGOs/Youth Clubs/Voluntary organizations	3	3	3	3	3	3
20	Sources of funds for GPDP for 2020-21	1. 15th Finance Commission 2. SFC(State Finance Commission) 3. MLALAD 4. MPLAD	1. MGNREGA 2. 15th Finance Commission 3. SPMRM 4. NABARD 5. SFC(State Finance Commission) 6. MLALAD 7. OSR	1. MGNREGA 2. 15th Finance Commission 3. State Finance Commission 4. SBM(G) 5. SFC(State Finance Commission) 6. MLALAD 7. OSR 8. IWMP	1. MGNREGA 2. 15th Finance Commission 3. SFC(State Finance Commission) 4. MLALAD 5. OSR	1. 15 Finance Commission 2. MGNREGA	1. MGNREGA 2. 15th Finance Commission 3. SBM(G) 4. NOAPS 5. SFC(State Finance Commission) 6. MLALAD 7. OSR 8. NWPS
21	MGNREGS Grant received during 2021-2022	0	43,20,000	1,15,06,705	44,63,900	7251892	47,86,752
22	15th Finance Commission Grant received during 2021-22 (Rs)	1,33,000	400000	13,47,500	7,28,000	500000	4,90,000
23	State Finance Commission Grant received during 2021-22 (Rs)	60,000	200000	7,01,218	3,73,923	0	90,000
24	Own Source Revenue mobilized during 2020-21 (Rs)	0	82000	35,000	1,70,000	0	2,40,000
25	Funds devolved by Intermediate Panchayat/District Panchayat/Department	0	0	1. RURBAN- 22,90,000 2. Soak Pit - 5,00,000	0	0	NA
26	Fund for GPDP from any other source	MPLAD- 5,00,000 MLALAD-4,00,000	1. MLALAD 2. SPMRM 3. NABARD	1. MLALAD 2. SBM (G) 3. IWMP	MLALAD	0	1. MLALAD- 3,25,000/- 2. SBM9G0 - 2,00,000/- 3. NOAPS - 8750 4. NWPS - 4550/-
27	Is there any Complaint Box in the GP Office?	Yes	Yes, but not in the VC office.	Yes	Yes	No	Yes
28	Does the GP have its information board in the GP Building?	Yes	No	No	No	No	Yes

7.2.3 Elections and Representation in Rural Local Government

Direct, transparent, and timely elections are essential for the effective functioning of local governments. In the case of PRIs, Article 243E of the Constitution of India provides for elections in this manner. Article 243K of the Constitution provides for the setting up of a state election commission to be vested with the “superintendence, direction and control of the preparation, revision and correction of electoral rolls and conduct of all elections to the panchayats”.

In Mizoram, The State Election Commission was constituted by the State Government, consisting of a State Election Commissioner appointed by the Governor under clause (1) of Article 243K of the Constitution in October 2008. Additionally, legislation by Autonomous District Councils was required for enforcement of the State Election Commission in the Sixth Schedule areas. The three autonomous district councils, Mara Autonomous District Council, Lai Autonomous District Council, and Chakma Autonomous District councils (2014, 2011, and 2007 respectively), have passed legislation entrusting the State Election Commission with the responsibility of conducting elections to their Village Councils.

Chakma Autonomous District Council (election to village councils) rules, 2007 was published by the Executive Committee of the Mara Autonomous District Council, exercising power conferred to them by section 29 of the Chakma Autonomous District (Village Councils) Act, 2003. Lai Autonomous District Council (election to village councils) rules, 2011 was published by the Executive Committee of the Lai Autonomous District Council, exercising power conferred to them by section 26 of the LAi Autonomous District (Village Councils) Act, 2010. Mara Autonomous District Council (election to village councils) rules, 2014 was published by the Executive Committee of the Mara Autonomous District Council, exercising power conferred to them by section 29 of the Mara Autonomous District (Village Councils) Act, 1974. These rules recognize the State Election Commission as the authority to conduct elections to the Village Councils.

The State Election Commission appoints a Roll Observer who is an officer of the Central or State Government or Public Undertakings to review, supervise and monitor the preparation or revision of the electoral roll. The Commission also appoints an Election Observer following the same criteria to watch the conduct of elections. A Deputy Commissioner is appointed as District Election Officer, and Assistant District Election Officer is also appointed.

The Returning Officer and the Assistant Returning Officer appointed by the Commission have to be either State Government employees or the Autonomous District Council employees. There are separate Returning Officers for each of the Village Council constituencies. The Presiding Officer for each polling station is appointed by the district election commission in consultation with the state election commission. These Presiding officers are either state government employees or the Autonomous District Council employees. The polling officers and other staff function under the presiding officer. All functions, powers, and responsibilities related to the conduct of elections, starting from preparing the electoral roll to the declaration of results of elections, are vested in the State Election Commission and its subsidiaries. The State Election Commission, since its inception, has introduced several electoral reforms in the election system of local bodies in the State. Some of these are the Model Code of Conduct, standard Ballot Paper, the single ballot box, and the appointment of Election Observers. Table 20 analyses the status of different dimensions regarding the election to village councils in Mizoram.

Table 20 Status of elections to Village Councils

No	Dimension	Status
1	Direct elections to Local Governments	Yes
2	Indirect elections for seats at all three tiers of panchayats and indirect elections to offices	Not applicable
3	Elections to Local Governments every five years	Yes
4	Constitution of State Election Commission and vesting the superintendence, directions, and control of the preparation of electoral rolls for all elections to the panchayats	Yes
5	Reservation in seats for Scheduled Castes and Scheduled Tribes	Yes

6	Reservation of not less than one-third of seats for women	Yes
7	Rotation of reserved seats and office	Yes
8	Direct elections of President of Village Panchayat	No

7.2.4 Finance and Resources of Rural Local Governments

Village Councils are entirely dependent on the funds of rural development schemes, the transfer of State finance commission funds, and that of the central finance commission. The Village Councils are allowed to collect animal tax and some minor charges, which amount to a few hundred at the most in a year for most villages. While the people's demand and expectation placed upon the Village Councils is high, it has no adequate financial power to execute the mandate assigned. The situation has improved with the transfer of funds starting from the 13th FC, which extended the transfer of funds to traditional local bodies in non-Part IX areas. The existing legislation was also amended to enable the village councils to collect property tax, but most village councils do not collect any tax.

“ . . the local Government has the power to collect the property tax according to the written rules. But it is still not being implemented. This amendment happened in 2014. We have no property tax otherwise. How much property tax is to be collected is up to the village council. Another thing is the ‘outside revenue’, which is very important. The village council collects only a small portion of the tax. The Mizo men think that the collection of taxes is a burden. The people do not want to collect more tax. If you collected more taxes, you need transparency. Do we need to bring more transparency to the village council? A social audit is conducted, but it is not written in any rules. So, as of now, I think the collection of more taxes is challenging from the village council side and the public in general. It needs restructuring, I think.” _KI

Table 21 shows the aggregate own revenue of all the Village Councils for three selected years for which data was readily available. The own revenue of the village councils for the observed years is negligible. Table 22 shows the distribution of own revenue receipts, aggregate state grants, and aggregate FC grants in the total revenue receipts of village councils.

Table 21 Aggregate Own Revenue of Village Councils

Taxes & fees	2009-10 (Rs)	2009-10 (%)	2010-11 (Rs)	2010-11 (%)	2011-12 (Rs)	2011-12 (%)
Animal tax	5,77,461.50	29.32	6,68,515.50	30.16	7,38,100.00	26.51
Fees for the Village Crier	11,25,099.00	57.13	12,19,305.00	55.01	14,09,464.00	50.62
Fines for absence from social work	1,02,217.00	5.19	95,485.00	4.31	1,48,550.00	5.33
Contribution against absence from Social work	94,325.00	4.79	1,11,960.00	5.05	2,15,310.00	7.73
Fees for issuing of Documents (ILP etc.)	35,205.00	1.79	35,795.00	1.61	41,200.00	1.48
Other source	34,950.00	1.77	85,570.00	3.86	2,32,076.00	8.33
Total	19,69,257.50	100	22,16,630.50	100	27,84,700.00	100

Table 22 Total Revenue of Village Councils

Item	2009-10 (Rs)	2009-10 (%)	2010-11 (Rs)	2010-11 (%)	2011-12 (Rs)	2011-12 (%)
Own revenue receipts	19,69,257	3.61	22,16,631	1.12	27,84,700	1.20
State grants	1,93,27,990	35.45	1,93,27,990	9.75	1,93,27,990	8.31
FC grants	3,32,25,190	60.94	17,67,81,010	89.14	21,03,80,010	90.49
Total revenue receipts	5,45,22,437	100.00	19,83,25,631	100.00	23,24,92,700	100.00

There is a lack of data on the expenditure of the village councils. Activities are planned solely based on funds available every year. This needs further data collection and analysis. The Finance Department of the State Government, headed by the Commissioner-cum-Secretary is responsible for overall monitoring of the funds to Village Councils. The Secretaries of the Local Administration Department (LAD), District Council and Minority Affairs Department (DCMAD) and General Administrative Department (GAD) function as the Nodal Departments regarding

funds released to the RLBs. The Director, LAD (Nodal Officer), is responsible for allocating funds and supervising the works to be executed by the VCs under Mizoram Finance Commission Grants. The Director is assisted by the six District Local Administrative Officers (DLAOs) in supervising and monitoring the activities of the 536 VCs under six districts in the State. The Secretary, DCMAD, functions as the Nodal Officer regarding various grants and funds released to the three ADCs. The development works in the village councils (276) of the ADC areas are implemented through Local Administrative Officers (LAOs).

7.2.5 State Finance Commission

Article 243-I of the Constitution provides for the constitution of the State Finance Commission (SFC) every five years to review the financial position of the panchayats and make recommendations to improve the financial position of the panchayats. The objectives of the SFC are to recommend the principles of distribution between the State and the panchayats of the taxes, tolls, fees, and duties levied by the State. Also, to determine the assignment of taxes, duties, tolls, and fees to the panchayats. The SFC also makes recommendations regarding the grants-in-aid to the panchayats from the State's consolidated Fund. Along with Nagaland and Meghalaya, Mizoram is exempted under article 243M from these provisions. However, the first State Finance Commission of Mizoram was set up in 2011 and published its report in 2015. The State Finance Commission had recommended the devolution of 15 per cent of state tax revenue and the grants in aid to the village councils. Devolution of state funds takes place based on this recommendation. Table 23 depicts the distribution of devolved funds across local bodies in Mizoram in three stages. The state finance commission had also noted that the Village Councils are often subject to inquiries that lack transparency for irregularities allegedly committed in financial matters. The village council would often get dissolved even for minor irregularities. In order to prevent this, the Commission recommended that all such alleged irregularities shall be enquired into by an ombudsman, whose report shall further be scrutinised by the Lokayukta before deciding on their dissolution. The

finance commission had also proposed the devolution of additional activities to the VCs (Annexure 11.4). However, the status of devolution of these activities is not clear and has not been reflected in ADCs.

Table 23 Distribution of Devolved Funds

No	Name of the local bodies	Percentage of funds shared
Stage-1: The 15 per cent of the State Own Tax Revenue shall be shared by		
1	Autonomous District Councils	58.33
2	Village Councils of the Eight Districts	24.17
3	Aizawl Municipal Corporation	17.5
Stage-2: The 58.33 per cent of the 15 per cent of the State Own Tax Revenue to be devolved to Autonomous District Councils shall be shared as follows:		
1	Lai Autonomous District Council	41.97
2	Mara Autonomous District Council	34.07
3	Chakma Autonomous District Council	23.96
Stage-3: The 24.17 per cent of the 15 per cent of the State Own Tax Revenue shall be shared by the Village Councils as follows:		
1	Aizawl District	12.32
2	Lunglei District	22.27
3	Champhai District	16.42
4	Serchhip District	7.66
5	Mamit District	9.8
6	Kolasib District	10.73
7	Siaha District	7.81
8	Lawngtlai District	12.99

Table 19 also discusses the details of the resource envelope available to the selected Village Councils in Mizoram analysed as part of the study. All the villages have received central, and State finance commission grants and the amounts vary. In addition to this, some village councils received CSR funds and mobilised additional resources. Though own-source revenue is nominal and department devolution of funds is inadequate, a potential to converge different funds effectively exists at the village level.

There is a lack of clarity regarding different functions related to tax collection and fund transfer. As per the account of respondents, there is a need for clear rules and provisions for proceedings related to different taxes and duties and the transfer of funds.

7.2.5.1 Accountability and Audit Mechanism of Village Councils

Preparation of budgets and maintenance of accounts and databases on finance in the format prescribed for PRIs was not applicable for VCs in Mizoram being in non-Part IX areas. Guidelines on utilisation of Thirteenth Finance Commission grants stipulated that if local bodies are non-Panchayats, they must maintain accounts consistent with the instructions in force, and accounts should be up-to-date and audited by the C&AG. The State Government formulated and issued instructions to the Village Councils on maintaining Cash Books and Cash Memos/ vouchers for keeping accounts.

As per provision under the Mizoram Grants-in-aid to Village Councils Rules, 2007, all accounts relating to the specific grants made by the Government are subject to audit by approved auditors or anyone appointed for the post by the Government of Mizoram or Accountant General concerned. Further, Section 8 (1) of the Rule provides that the accounts shall be audited by the auditor appointed by the State Government or the Accountant General. The Government of Mizoram entrusted (June 2011) the audit of accounts of local bodies under the Technical Guidance and Support (TGS) to the Comptroller and Auditor General of India (C&AG) under Section 20(1) of the C&AG's (Duties, Powers and Conditions of Service) Act, 1971. Accordingly, the audit of the accounts of the VCs was conducted under the TGS arrangement. The audit findings are featured in the Annual Technical Inspection Report (ATIR). The ATIR on Rural Local Bodies and Urban Local Body for 2015-16 was placed in the State Legislative Assembly on 16 November 2017. Details of audits after this is yet to be collected. From the primary data collected, it is observed that audits are carried out from time to time by the Local Administrative Department (LAD).

7.2.5.2 Ombudsman

In 2013, the Government of Mizoram established an institution of the Local Body Ombudsman with powers to receive complaints from citizens on grievances regarding administration, corruption, and complaints regarding deficiency in the services of local bodies. According to available data, during 2016-17, 18 cases (redressal: Nine and grievances relating to corruption: Nine) were received by the Ombudsman. The Ombudsman submitted reports on all the cases to the State Government for further action. However, the action taken by the State Government is not documented.

7.2.5.3 Social Audit

In 2012, under a notification, the State Government constituted the “Mizoram Society for Social Audit, Accountability and Transparency (MISSAAT)”. The governing body of the Social Audit Unit (SAU) is headed by the Secretary of Rural Development (RD) Department as Chairman, with six members from different departments, and the Accountant General of Mizoram, Head of the Department of Rural Development at Mizoram University, and two members from Non-Governmental Organisations (NGOs) as members. The Social Audit Unit publishes reports on different rural development schemes through the Block Development Officers (BDOs). The published reports are Pilot Social Audit (32 villages), Special Pilot Social Audit (five villages), Social Audit (28 Villages), Social Audit 2014-15 (47 villages), Social Audit 2015-16 (96 villages) and Social Audit 2015-16 (62 villages) as of August 2018.

7.3 Strengthening of Rural Local Government in Mizoram

The strengthening process of rural local governments in Mizoram needs to be built on the existing system of the village council inclusively and sensitively. An activity-centric or a program implementation linked empowerment program appears more suitable for the State. The local government empowerment program, therefore, at the same time, should be a local development program too. Such a program for strengthening local governments can be designed within the framework of implementing different state and central rural development schemes. A strengthening and capacity building initiative involving SHGs, students, and different CBOs will bring these stakeholders to the mainstream local development planning and local governance, increasing the community's voice in local action. The observations made by this study are based on deficits in activities, finance, functionaries, powers, participation, and capacity building. The following specific suggestions are made from the study findings;

- i) There is a need for legal reforms and restructuring without drastically changing the existing system. Through analysis and comparison of traditional roles played by the village councils, functions of PRIs, and existing rules and regulations in the State, a new set of detailed and uniform documents may be prepared for better institutionalisation and legal backing of the functioning of rural local bodies in Mizoram.
- ii) The Village Councils are actively involved in the day to day lives of Mizo villages but with limited powers and responsibilities. An updated activity map with a clear definition of the powers and responsibilities of local governments needs to be prepared.
- iii) Election rules and procedures for village councils need to be made uniform across different administrative areas. Detailed rules and guidelines need to be prepared and circulated. This can be done while retaining the existing guidelines.
- iv) Detailed guidelines and manuals for implementing different central and State government schemes need to be prepared, clearly demarcating the roles and responsibilities of village

councils. This would help create a proactive space for village councils in the implementation of developmental interventions.

- v) Legislation for reforms to make changes required for (iii), (iv), and (v) needs to be carried out; in the meantime, required changes can be brought in through executive orders. An extensive intervention can be planned by assigning village councils as the implementation agency for government schemes. The state government may provide additional support for implementing the schemes effectively.
- vi) Establishing a uniform legal framework for implementing government schemes would also enable the practical usage of different financial resources available to the village councils. By making the local Government the implementing agency of different State and central government schemes, the State can empower the local governments and utilise the resources in a more efficient and locally relevant manner.
- vii) An online helpdesk for village council representatives may be set up at the state level to provide knowledge support, guidance and assistance.
- viii) A protocol for managing offices and institutions needs to be prepared within the existing system.
- ix) Proceeding of fund transfers to the local governments needs further clarity and uniformity. Templates for own revenue generation can be prepared at the state level and distributed to village councils. Rules and regulations regarding taxes, fees, and auctions must be codified uniformly. Legal backing for receiving CSR funds and its regulations and guidelines must also be drafted uniformly.
- x) At the village level, accounting and auditing practices lack clarity in procedure and updates. A robust yet straightforward accounting system needs to be prepared—awareness about the procedures and provisions to be widely publicised. A poster campaign using notice

boards of the village councils can be planned in this regard. In addition, the need for further study in this regard is visible, and the State may appoint a committee to examine the existing accounting and auditing practices of village councils to identify gaps and provide a recommendation to bring more transparency.

- xi) Learnings from other states indicate that community participation, especially that of women in developmental activities, improves in the presence of SHGs. Mizoram can adopt this as a strategy for improving community participation in the State. In most of the villages studied, there are SHGs and SHG federations. This could be further extended and strengthened. Constituting a Women Development Council at different levels could further increase participation in governance activities.
- xii) As of now, there are no permanent secretaries to the village council, but the study team was informed that reform is under consideration by the present Government to appoint permanent secretaries to village councils. In addition, frontline workers such as ASHAs, AWWs, and other department functionaries working at the village level may be transferred to the village councils. They can function as double reporting officials also. This would aid in more efficient local coordination and empower the local governments.
- xiii) Practising experts of local governments such as experienced and pro-active village council members, stewards of innovative and best practices, and other resource persons shall be added to the state's resource pool of training institutes. Such a resource pool consisting of professional and practising experts will enrich the capacity building process. Additional capacity building to be given to village committees on participation, SHG and VC convergence, CBO-VC convergence, and plan implementation.
- xiv) The feedback from the community and the output of the Model Gram Panchayat Clusters project by NIRD-PR shows positive trends. It also reflects that with handholding support and technical assistance, village councils can prepare and strategize development activities.

The model can be extended to other villages by providing additional human resources to the village councils.

- xv) The planning process can be devised as an empowerment tool. Guidelines for the planning process with step by step instructions can be prepared based on the learnings from the Model GP Cluster development programme. Resource persons and guidelines can be provided to every village council. The guidelines shall ideally prepare in a simple, local language. Media other than print may also be used to popularise and circulate the planning process campaign. The planning manual may be prepared in the audio-visual format to increase reach and understanding. Success stories and innovative practices may also be included in the materials.
- xvi) In the context of observation (x) and (xi), a Post Graduate Student Internship program can be envisaged, where trained students in the lines of NIRD&PR Young Fellows can work as student interns in village councils. Incentives can be provided to the students in an honorarium/grace mark or other weightage in employment opportunities.
- xvii) Village councils performing better can be converted into knowledge hubs that provide mentoring and handholding assistance to other village councils. These knowledge hubs can be further developed into community learning centres with experts from SIRD, trained village council members and members of the community. This approach will help faster dissemination of local experience-based knowledge and create a sense of ownership by the community of such knowledge.
- xviii) Exposure visits for the village council members can be organised within the State and outside to better perform villages and model grama panchayats. Exchange programmes and community internship programs can also be organised.

- xix) Performance-based incentives may be provided for village councils. This can include themes like transparency, innovation, participation, and agriculture.
- xx) SIRD capacity-building infrastructure may be used to conduct action research on the functioning of local governments in the State. This process may ensure student participation in the regional educational institutions, especially in social sciences. Research on the existing system, program implementation, contextual factors, and social, political, and cultural factors can be carried out. Research support from national institutes can also be obtained.
- xxi) In the context of the above-discussed observations and suggestions, a separate Project Implementation Unit can be set up at the state level to study and modify the existing system of rural local governance in the State. Village Council Empowerment may be implemented as a separate mission mode project that is inclusive and sensitive to the existing system.

8. The Present Status of Rural Local Governance Systems in Nagaland

The state of Nagaland was established in 1963 following an agreement reached by the Government of India with the leaders of the Nagaland Peoples' Convention. Nagaland has a predominantly rural population with a strong sense of community. The State consists of 16 (Sixteen) Administrative Districts inhabited by 17 major tribes along with other sub-tribes. Major tribes in the state are Angamis, Aos, Lothas, Sumis, Konyaks, Rengmas, Chakesangs, Khiamniungan, Chang, Sangtam, Phom, Yimchungru, Pochury, and Zeliang. Each tribe is distinct in character in terms of customs, language and dress. Nagaland shares borders with Assam in the North and West, Arunachal Pradesh in the East and Manipur in the South. It shares an international border with Myanmar in the East. The state's topography is mountainous, and the altitude varies approximately between 194 meters and 3048 meters above sea level. According to Nagaland Economic Survey tertiary sector is the largest contributing sector to the economy, followed by the primary and Secondary sectors. Crop production continues to be a dominant activity in the State, contributing 20.44% to the state GDP during 2015-16. Table 24 contains the basic information on Nagaland.

Table 24 Nagaland Basic Information

Area	16,579 (sq. km)
Latitude	25°.6' N to 27°.4' N
Longitude	93°.20' E to 95°.15' E
Population	19,78,502
Literacy Rate	79.55
Capital	Dimapur
No. of Districts	11
No. of Sub Division	133
No. of Assembly Constituency	60
No. of Seat in Parliament	1

8.1 History and Evolution of Rural Local Governments in Nagaland

8.1.1 Local Governments in Nagaland Before Independence

The Nagas traditionally had strong village governments with regulatory and judicial powers. The structure, powers, and functioning of these village governments varied greatly. Historians observed that Naga village governments showed varied patterns between near-dictatorship and extreme democracy. However, the notion of electing leaders is alien to these village governments. Leaders are recognized and accepted for their qualities through an informal yet stringent process.

The village is administered through the Village Council headed by chiefs (hereditary heads) or village elders (Gaon Burah) chosen based on the consensus of their 'Khel' or clan membership. 'Khel' is a traditional Naga institution that brings together several clans within a village. Membership in these bodies is by birth/heredity. Though informally organized, the Khel was the most important and effective unit of governance in a village. All decisions related to the village would be taken with the inclusion and approval of all the Khels. Every Khel in a village would have its own 'Morung'— a communal dormitory of the village, separate for young men and women. 'Morungs' would be the hub of all activities of the young. Traditionally Morungs served as the primary educational institution that prepared the children of every clan for life.

Morungs also provided a meeting ground for youth, cultivated essential skills and served as a platform for intellectual and cultural discussions. Village history, folklores and legends, songs, traditional practices, and the laws of community living. The Morungs slowly lost relevance in the Naga community but continue to be revered by the people.

Village Councils played a pivotal role in the day to day lives of villagers owing to the Naga ways of life customs. An important such practice is community land ownership. Villages had village/clan land with common ownership and under the supervision of village elders or leaders of the village. Every villager would have access to such land and its resources. The nuances of access and sharing of resources vary from village to village. Also, the judicial actions among Nagas were the

responsibility of village elders/leaders. The laws were not codified, and judgements were made based on the consensus of the whole community in a way to uphold the honour of both the aggrieved and the offender. The judgement would vary according to the severity of the crime, context and social position of the parties involved. Punishment was mostly levying a penalty and in cases of severe crime like murder, exile from the village. For any Naga, this was considered most deleterious to his/her pride.

With the advent of British rule, tribal courts were set up, and judges were appointed from among reputed persons to carry out judicial functions. The British also created the posts of 'Gaonburas' (village elders) and 'Dobashis' (interpreters) to assist them in the administration.

Gaonburas had the responsibility of assuring good behaviour by their villagers. They later emerged as the spokesmen of the village community. The Dobashis, too, in the course of interpreting for British administrators, served as liaisons between the British Government and the local people. Owing to their knowledge of customary laws, the Dobashis advised the British officers in settlement of cases concerning the tribes, and Dobashi courts evolved to decide cases according to Naga customary laws. The British administrator remained the Sessions Judge in such courts. The customary law courts are thriving and functional even today, as provided in article 371A, as a mark of continuity and respect for traditional practices parallel to the adoption of the Indian Penal Code.

Sociologists and historians note that while colonial offices sought to establish 'the tribe' as the pillar of Naga society, they were aware that the village, not the tribe, was vested with the locus of everyday life. The basis of society was the village or part of a village, and the village acted as a unit in all things. Every village was an independent unit in the tribe. Leagues of villages were formed for the purposes of war, and in these cases, the advice of the most powerful village would naturally carry much weight, but except for war, no village acknowledged the authority of any other villages. Many parts of the Naga territory remained outside the British administration. Two main such

regions were the Mon and Tuensang districts of present-day Nagaland. The British preferred not to disturb them unless the tribes created trouble in the adjoining areas through head-hunting raids.

When the colonial rulers tried to integrate traditional village governments into the larger colonial political framework, the effective independence of the Naga village-states and traditional leadership began to disappear. As noted by Anungla Aier, “though the British spoke about a policy of non- interference and allowing village autonomy and traditional customs, in effect, they had a strong presence and were instrumental in breaking down the customary powers of the traditional elites such as the chiefs and village elders by introducing a higher authority over the village”.

8.1.2 Local Governments in Nagaland after Independence

The political restructuring initiated by the British continued after Indian independence and the formation of the Nagaland State. Verghese notes that the traditional systems of land ownership, barter and social and political organization gave way to modernization and Chiefs, traditional headman and Gaon Burahs or village elders were edged out by younger elites composed of bureaucrats, politicians and business contractors. However, the traditional village governance system was functional and given that such functional traditional systems existed in each Naga village, the government tried building upon them, and the traditional institution of the village council was given legal status in 1968. The Nagaland Village and Area Councils Act 1978 gave them legitimacy and recognition as a local self-governance institute by giving them powers to deal with development issues. This Act created Village Development Boards (VDB). Today, each village in Nagaland has a Village Council and a Village Development Board – corresponding to a regulating and executive body.

8.1.3 ‘Communitisation’ in Nagaland

Communitisation in Nagaland refers to an initiative by the state government to devolve powers to the village governments. Communitisation was introduced in 2002 under the “Nagaland Communitisation of Public Institution and Services Act of 2002”, under the stewardship of the

then Chief Secretary of the State Shri. R.S Pandey. The process of communitisation took place in three phases. The first being the preparation of an institutional framework for the Committees and Boards; the second delegation of powers to the Committees and Boards to manage public utilities and transfer of assets and funds, and the third by enacting specific Communitisation acts for the individual fields of Primary Education (2002), Community Health Services (2002), Electricity Management (2003), and Water Supply and Sanitation (2005). Considering the strength of traditional village councils, the communitisation process aimed at making them core partners and stakeholders in the management of public utilities and services, with strong accountability. The process began in 2001. Legislation to support the Communitisation process was passed in 2002. The term Communitisation was coined to describe the objective of actively engaging the local community members.

Communitisation involved the transfer of ownership of public resources and assets, control over service delivery, empowerment, decentralisation, delegation, and capacity building to improve the delivery of the public utility system. Hence, the transferred powers were focused on managing and supervising the day-to-day functioning of the assets and services. It also aimed at ensuring accountability of government employees posted at the service delivery level to local committees. Nagaland was selected for United Nations Public Service Awards in 2008 for the Communitisation programme in recognition of its innovative use of rich social capital.

New spaces for community engagement with governance have been established through the Communitisation process. Members of the committees created under this process are drawn from various actors, including stakeholders, professionals, actors from village governance structures, community members and the Church.

8.2 Current Status of Rural Local Governments in Nagaland

8.2.1 Existing System of Rural Local Governments in Nagaland

The traditional village councils, which were given legal status in 1968 and its subsidiary Village Development Board (VDB) are established as modes of decentralized governing institutions in every village of Nagaland. According to Nagaland Economic Survey, 2015-16, the State has 74 rural development blocks covering 1175 villages with 229684 rural households. The key difference between the Panchayati raj and traditional local bodies of these areas is that the Panchayati raj institutions owe their existence entirely to the state. They are constituted under the act of the state, and they do not have an independent existence. When we look at Nagaland, the local bodies here owe their existence to the community. They predate the state in some sense, totally and partly.

“Local bodies derive their existence from customary law, not on constitutional law. Constitutional law recognizes the local bodies, institutions as well as customary law, but these bodies derive their existence to old customary law. The customary law changes village to village. There is some broad similarity between a tribe and then to a lesser extent across tribes, but overall, there will be very limited inter village coordination” _KI

8.2.1.1 Village Councils

The Nagaland Village and Tribal Council Act, 1978 (amended in 1985, 1990, 2002, and 2009) requires every recognized village in Nagaland to have a Village Council (VC). The act also provides for traditionally established village institutions such as ‘Putu Menden’, which were recognized as Village Councils in Ao areas, to continue functioning as village councils according to respective customs and usage. The structure and functioning of these village councils differ significantly across tribes. However, some of the basic characteristics are shared between these councils. The Village Council meet once every three months, and the Chairman may also summon the meeting of the Council at any time if a request is made by one-third of the members. The Village Council, under the head of the Chairman, assisted by the Gaonburas and the Councillors, play the most

prominent role in running the administration of the village. Gaonburas are the Ex-officio members in the Council and can exercise franchise in the council election.

8.2.1.1.1 Members of the Village Council

The members are chosen by villagers in accordance with the prevailing customary practices and usages and as approved by the State Government. Hereditary village chiefs, 'Anghs' and 'Gaonburas' (GB), are to be ex-officio members with voting rights of the Village Councils. The Village Council selects a member as Chairman of the Council. In the absence of the Chairman, any sitting village council member nominated by the chairman acts as the chairman. The Village Council selects and appoints a Secretary who may or may not be a member of the Council. If the Secretary is not a member of the Council, he does not have voting rights. In cases where the Putu Menden system is followed, the Chairman is either the Head of the Putu Menden or is nominated from amongst the members by a unanimous decision of the Putu Menden. While the Putu Menden continues to be the supreme authority in the village, the designated Chairman of the 'Village Council' represents the community in all interactions with the government and other agencies.

8.2.1.1.2 Qualification of the members of the Village Council

A person is not qualified to be chosen as a member of the village council unless he is a citizen of India and has attained 25 years of age. In addition, a member is disqualified and removed by the state as a member of the village council in the following scenarios;

- a) Who is convicted of any offence involving moral turpitude by a court of law
- b) Who refuses to act or becomes incapable of acting
- c) Who is declared to be insolvent
- d) Who has been declared by notification in the Gazette to be disqualified for employment in the Public Service

- e) Who without an excuse or sufficient ground in the opinion of the State Government absents himself from the majority of meetings a year of Village Council
- f) Who has been guilty of misconduct in the discharge of his duties or any disgraceful conduct, and two-thirds of the total members of the Village Council at a meeting recommend his removal.
- g) If he is of unsound mind and stands so declared by the competent court or such authority recognised by the State Government
- h) If he is a salaried Government servant or employee
- i) If he is a member of any other Village Council

A member who has been removed from his office under these circumstances is not eligible for re-election except without the permission of the State Government.

8.2.1.1.3 Duration of the village council

Every village council continues for a term of five years unless dissolved by the state. The state government can also extend the duration of the council for up to one year at a time. All members hold office during the life of the council, and a member chosen to fill in a casual vacancy holds the office for the remainder of the term of office of the member he replaced.

The Administrative functions of the village at the local level are conducted by the Village Council members, while the Village Development Board management committee looks after the developmental activities in the village. The Village Council is the final authority on all matters relating to the welfare and security of the Village.

8.2.1.1.4 Powers and Duties of the Village Council

The village councils, in general, have the following powers and duties according to The Nagaland Village and Tribal Council Act, 1978

- Formulate Village Development Schemes to supervise proper maintenance of water supply, roads, forest, sanitation, education and other welfare activities.
- To help various Government agencies in carrying out development works in the Village,
- To take development works on its own initiative or on request by the Government.
- To borrow money from the Government, Banks or financial institutions for application in the development and welfare work of the Village and to repay the same with or without interest as the case may be
- To apply for and receive grant-in-aid, donations, subsidies from the Government or any agencies.
- To provide security for due repayment of loan received by any permanent resident of the Villages from the Government, Bank or financial institution.
- To lend money from its funds to deserving permanent residents of the Village and to obtain repayment thereof with or without interest
- To forfeit the security of the individual borrower on his default in repayment of a loan, advanced to him or on his commission of a breach of any of the terms of the loan agreement entered into by him with the Council and to dispose of such security by public auction or by private sale
- To enter into any loan agreement with the Government Bank and financial institutions or a permanent resident of the Village.
- To realise registration fees for each litigation within its jurisdiction.
- To raise funds for utility service within the Village by passing a resolution subject to the approval of the State Government, provided that all monetary transactions shall be conducted through a scheduled Bank or the Nagaland State Co-operative Bank
- To constitute Village Development Board
- On the outbreak of an epidemic or infectious disease Village Council shall initiate all preventive measures.

In addition to these powers, the Village Council has full powers to deal with the internal administration of the village.

8.2.1.1.5 Judicial Powers of the Village Council

The village council is vested with some judicial powers to administer justice within the village limits in accordance with the customary law. In case of disputes between villages falling in different areas or districts, two or more Village Councils may settle a dispute in a joint session or refer it to the appropriate authority. In issues related to law and order, the village council may arrest the offender and hand them over to the nearest administrative Officer or Police Station without undue delay. Village councils shall also report to the nearest Administrative Officer occurrence of any unnatural death or serious accidents. The councils are also expected to inform the presence of strangers, vagabonds or suspects to the nearest Administrative Officer or Police Station, to enforce orders passed by the competent authority on the village as a whole, and to report an outbreak of epidemics to the nearest Administrative Officer or Medical Officer. A written record of the transfer of immovable assets is to be maintained by the village councils, and no such transfer should take place without the consent of the village council.

8.2.1.2 Putu Menden

The Nagaland Village Council Act gives due recognition to other traditional village institutions such as the “Putu Menden” in Ao Areas - to function according to their custom and usage - as a village council. The Putu Menden - roughly translates as ‘seat/government’ (menden) of a generation (putu) - is the federal assembly of elders representing different founding clans of the village. Elders are also selected according to the mepus (sectors) of a village, and hence the size of Putu Mendens varies from village to village.

8.2.1.2.1 Structure and Functions of the Putu Menden:

The structure and ways of functioning Putu Mendens vary from village to village but with similar conventions, norms, and structural frameworks. Generally, each clan nominates elders from the

given Putu as representatives, and this assembly of elders form the Putu Menden. As mentioned earlier, there can be no one single description of how a Putu Menden functions, but the following is a rough illustration of the three tiers of the Putu Menden:

1. *Onger Menden* (Seat of the Priest) - The Onger is the head of the Putu Menden. His role is akin to that of the Governor, and while he advises, he cannot object to any decision of the house.
2. *Tazüing Menden* (Seat of the Elders) - They consist of the senior members (Tazüingpur) of each clan and are akin to being the cabinet in modern parliamentary systems. The senior-most member is called 'Tazüingtiba', and he presides at all meetings like the Speaker. This is the body that formulates policies, exercises executive and judicial powers, prepares the annual plans, fixes taxes (YimkongSaru) and collects revenues.
3. *Tekong Menden* consists of several subsidiary groups with well-defined roles and distinct functions. They perform tasks assigned by the Tazüingpurs and are responsible for the collection of taxes (Saru), fines and other revenues. They enforce the executive and administrative orders passed by the Tazüingpurs and assist in negotiating and settling inter-village disputes and other public issues.

Being the supreme authority, the members of the Putu Menden are the rulers, administrators and judges, and they exercise their power through consensus amongst all the clans. They must forge diplomatic relationships with other villages; decree penalties and punishments for wrongdoers; preside over the war council; select the area for annual cultivation and all related activities; finalize dates for marriages; organize and manage ceremonies; settle disputes; organize community hunting or fishing; proclaim community work, and facilitate public debates. The Putu Menden also nominates Village Council Chairman as well as proposes the names of village Gaon Buras be appointed by the government.

8.2.1.3 Gaon Buras and Dobashis

Gaon Buras (GBs) - meaning 'village elders' in the Assamese language of Assam - are village elders nominated by the Village Councils and authorized by the Government to act as assistants to the Deputy Commissioners in village administration. Gaon Buras are generally charged with the responsibility of good behaviour (read as ensuring law and order) in their villages/clan/locality and being the spokespeople of their community. The number of Gaon Buras in a village depends on the total population and number of localities or khels. Gaon Buras are now an integral part of the governance and administrative system of the villages. The clan or khel usually selects them, and the Village Councils forward the names to the government for approval and therefore are considered agents of the government. This is because Gaon Buras are appointed by the state government's law and not by the traditional institutions themselves. "Dobasha" or "Dobashi" means 'two languages'. The British created the post of dobashi to act as translators between them and the local populace. They were individuals knowledgeable about customary laws and appointed by the government to advise the officers in settlement cases.

"Gaon Bura was created during British period. One of the first villages that the colonial authorities encountered in the Indian Angami area is Kohima. Angami people didn't have a clear idea of chieftain. The power was very distributed. Britishers insisted on centralized power because they came from a monarchical society. They assumed that every normal functioning society has to have a singular head. They introduced the institution Gaon Bora"

8.2.1.4 Village Development Boards (VDBs)

As per the Nagaland Village and Area Council Act 1978, Village Councils are responsible for constituting the Village Development Board by nominating members according to the local custom. The Village Development Board is mandated to formulate village development plans within the annual budget allocation and other funds raised locally. Tenure of membership is for three years unless decided otherwise by a formal resolution of the Council. The members may

include village councillors or others eligible by virtue of age or local custom. There are no limits to numbers, which are decided by the council. At least one woman must be on the Board to represent the women of the village. Government servants may also be chosen with the permission of the Government, except for the subordinate officers of the Deputy Commissioner. The Council is empowered to replace members of the Board at any time.

The objective of setting up VDBs is mentioned in policy documents as follows,

- Proper implementation of various Centrally Sponsored Schemes
- To provide employment to educated unemployed rural youth through self-employment
- Building of social and physical infrastructure in rural areas.
- To bring about socio-economic change in the lives of the rural poor.
- To ensure grass-root level participation of the people in the governance

The primary responsibility for drawing up developmental projects and prioritizing their areas based on local knowledge falls on the village development board. VDBs are the grassroots level Development Institutions in the State, responsible for implementing all developmental programmes under Rural Development Department.

“Village development board is a body created by the village by the state. All the funding goes to them on the basis of per capita. There is a fixed amount and also there's a variable component also which changes with size. Now, villagers have made sure that they have two structures here. One is the traditional body and second the village development board. VDB is only a superstructure, traditional body continues to play the most important role.”

8.2.1.5 New Governance Spaces established through ‘Communitisation.’

The concept of Communitisation was introduced in 2002 under the Nagaland Communitisation of Public Institution and Services Act of 2002. Communitisation consists of the transfer of ownership of public resources and assets, control over service delivery empowerment, decentralization, delegation, and building capacities, all aiming to improve the delivery of public

utility systems. Committees are constituted under the Village Council to own and manage the communitised institutions. The members of the committees are from the users' community. The government is responsible for deploying workers and providing funds, grants, and technical support. In essence, communitisation empowers the community through the delegation of management and supervision of day-to-day functioning through village committees under the guidance of the village councils. Certain new Governance Spaces have been established through this process.

- **Village Educational Committee (VEC):** 14 members, including representatives of the village development board, teachers, parents (including at least one woman), members from the church and other community members (including at least one woman). The Village council nominates the chairman and secretary. The secretary of the village development board is a member. The VEC act on administrative, academic and financial matters relating to local education provision. They meet every three months, manage, direct, supervise, and control local schools to ensure administrative, academic and financial discipline as well as community partnership and ownership. The teacher in charge maintains a staff attendance register and reports unauthorised absences. They also maintain a student discipline register, informing parents of serious infractions and irregular attendance. They take the initiative to convene parent-teacher meetings and implement other VEC decisions.
- **Village Electricity Management Board (VEMB):** VEMB has between 5-9 members, including a council nominated chairman, the secretary of the village development board, and one women representative of each sub-village (khel). They function within the guidelines framed by the VDB and department of power. VEMB meets at least once a month and as often as required. It monitors and acts to ensure the availability of local power supply, including clearing trees and objects touching local electrical lines, preventing accidents, keeping custody of equipment, monitoring to prevent electricity theft and

recovering losses, monitoring and reporting field staff performance to the district electrical authority, maintaining a record of power failures, and registering consumer details. The village council appoints a separate audit committee to audit the accounts, transactions and records of the board annually.

- **Village Health Committee (VHC):** VHC has 12 members, including a chairperson, at least three council members, the secretary of the VDB, four health and nutrition workers, and members from the community and church. The village council selects the chairman of VHC. 2 members are selected by the women's health committee (Mahila Swasthya Sangh) from its members. Other members are either selected by the council or the community. VHC supervise and support the local health centre. It meets every three months, supports the maintenance of health statistics and supervises the staff. VHC also assess village health needs and prepares and communicates preventive healthcare activities. VHC also oversees the performance of the annual health plan. Other functions include providing transport in the case of medical emergencies, promoting community participation in public health activities, supporting antenatal registration and check-ups, and mobilising supplementary local funds and technical expertise.
- **Village Water and Sanitation Committee:** Consists of up to 8 members, including the Chairman, Secretary of the VDB, at least one woman and up to 5 other community members. The chairman is selected by the village council. The Board secretary is a member. Other members are selected by the council in consultation with the community. One member is selected as secretary. The committee manages and supervises water supply and sanitary systems. They are also responsible for the maintenance of assets and equipment. Responsible for appointment and control of staff required for the installation and maintenance of water supply and sanitary systems. The committee meet every three months in coordination with the public health engineering department. The village water

and sanitation committee also collect water fees for the cost of operation and maintenance of the water supply. Implements development projects, including watershed improvement.

Table 25 Status Rural Local Governments in Nagaland

Nagaland	Details
Total number of Villages	1626
Total number of Panchayat	NA
Total number of Non-PRI Local Bodies	1279
Total number of Local Governments with GPDP Preparation	806
Total number of Local Governments without own building or office	626
Total number of Local Governments without computers	1206
Total service ready Local Governments	169
Total Allocation of FFC Grants (in crores)	185

8.2.2 Devolution of Powers to Rural Local Governments

Devolution of powers and responsibilities along with resources are essential for effective decentralisation. For Panchayat Raj Institutions, Article 243G of the Constitution provides for the devolution of powers by the state legislatures to endow them with the authority necessary for functioning as institutions of self-governments. Article 243G recommends the State consider 29 subjects listed in Eleventh Schedule for devolution to the Panchayats. The acts passed by the State government provide VCs and VDBs with powers related to different matters, including agriculture, social security, public health, education, water and sanitation, and essential infrastructure development. This includes powers to plan and prepare for the overall development of the Village.

The provisions of Article 243G do not apply to non-part IX areas; however, understanding the functions carried out by local governments in this context provides a measure of comparison, A matrix of the listed activities in Schedule XI, provisions in the state act, and their performing functions is used to understand the devolution of functions. Table 26 analyses activities and functions carried out by the village councils and Village Development Boards in non-part IX areas of Nagaland based on the above mentioned 29 subjects.

Table 27 presents details of the ten villages in which GPDP documents were analysed. The analysis of the GPDP documents substantiates the need for devolution of powers to local governments. The locally identified needs and strategies planned require powers vested in local governments for effective implementation. These GPDP documents also certify the potential of local governments to prepare development plans if adequate handholding and technical support are provided. The village councils were able to identify local needs, prioritise, and strategize actions to address them.

Village councils appear to have a working core group of 3-9 members, including the Chairman, Secretary and Members. It is observed that the governance is often strictly narrowed to be done exclusively by this core group without much participation. The organising of gram sabhas, maintenance of records, and issue of public notices seem to be irregular, reflecting aiding circumstances for the narrowing of governance structure.

Participation of women in VCs is absent, strictly limited to the reserved seats in subcommittees under the communitisation scheme. SHGs, NGOs, and CBOs are present in almost all villages despite the limited population and number of households. The number varies between 3-25. This reflects the practice of organising and working together in the villages and provides an excellent opportunity to utilise the same for strengthening the VCs.

The number of registers maintained by the VCs varies from 6 to 14. Though it can be the VCs' discretion on how many additional records to maintain, there should be a standard protocol for the minimum number of documents maintained by the VCs. There is also a need for a standard operation manual regarding the functioning of VCs and maintenance of records. Most of the VCs are declared ODF, but not many are computerised. There is a positive trend in basic infrastructure development. The analysis shows a foundational structure in place for effective local governance, and it could be strengthened.

Table 26 Functions of Village Councils

No	Matters as listed in Eleventh Schedule	Observed functions carried out by the VCs/VDBs	Functions mentioned in the State/ADC Acts
1	Agriculture, including agricultural extension.	Tree plantation, Bamboo plantation	
2	Land improvement, implementation of land reforms, land consolidation and soil conservation.		
3	Minor irrigation, water management and watershed development.	Construction of culverts and drainages	The VWSC Implements watershed improvement projects.
4	Animal husbandry, dairying and poultry.	Insurance awareness creation for livestock, distribution of poultry.	
5	Fisheries.		
6	Social forestry and farm forestry.		
7	The minor forest produces.		
8	Small scale industries, including food processing industries.		
9	Khadi, Village and cottage industries.		
10	Rural housing.		
11	Drinking water.	Construction of drinking water pipeline	VWSC committee manages and supervises water supply systems. They are also responsible for the appointment and control of staff required for the installation and maintenance of water supply sanitary systems. The village water and sanitation committee also collect water fees for the cost of operation and maintenance of the water supply.
12	Fuel and fodder.		

13	Roads, culverts, bridges, ferries, waterways and other means of communication.	Construction of minor bridges and maintenance of village roads.	
14	Rural electrification, including distribution of electricity.	Installation of streetlights	VEMB monitors and acts to ensure the availability of local power supply, including clearing trees and objects touching local electrical lines, preventing accidents, keeping custody of equipment, monitoring to prevent electricity theft and recovering losses, monitoring and reporting field staff performance to the district electrical authority, maintaining a record of power failures, and registering consumer details
15	Non-conventional energy sources.		
16	Poverty alleviation programme.		
17	Education, including primary and secondary schools.	Minor maintenance activities	VEC manages, directs, supervises, and controls local schools to ensure administrative, academic and financial discipline. Initiative to convene parent-teacher meetings
18	Technical training and vocational education.		
19	Adult and non-formal education.		
20	Libraries.		
21	Cultural activities.		
22	Markets and fairs.		
23	Health and sanitation, including hospitals, primary health centres and dispensaries.		VHCs support the maintenance of health statistics and supervises the staff. VHC also assess village health needs and prepares and communicates preventive healthcare activities. VHC also oversees the performance of the annual health plan. Other function includes the provision of transport in the case of medical emergencies, promotion of community participation in public health activities, support for antenatal registration and check-ups, and mobilisation of supplementary local funds and technical expertise. VWSC committee manages and supervises sanitation in the village. They are also

			responsible for the appointment and control of staff required for the installation and maintenance of sanitary systems.
24	Family welfare.		
25	Women and child development.	Awareness camps organised	
26	Social welfare, including the welfare of the handicapped and mentally retarded.		
27	The welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.		
28	Public distribution system.	Distribution of PDS	
29	Maintenance of community assets.		Management of employees, maintenance of buildings and assets etc. are the responsibility of the committees as per the communitisation programme

Table 27 Detailed Status of Selected Village Councils

No	Name of the village	Longmatra	Chendang	Chingmelan	Chi	Lizu Naghuto	Longsa
1	Total Population	762	1242	3396	1588	631	1452
2	Total No. of Households	119	142	474	377	122	423
3	Total geographical area	10sq km	61 Hecters	64 Hecters			27.43 sq km
4	Total No. of Registered voters	442	562	1327	631	421	0
5	Total No. of Elected Women Representatives in the VC	2	*	*	NA	1	4
6	No. of Gram Sabhas held during 2021-22	1	5	5	5	1	1
7	Whether the President of the GP is a male or a female	Male	Male	*	Male	Male	Male
8	Whether the VC has its own building	Yes	Yes, has its own building but no separate toilet for women	Yes, has its own building but no separate toilet for women	No	Yes	Yes
9	Whether the VC maintain computerized accounts	No	No	No	No	No	No
10	Who signs cheques for the VC	Village council chairpersons and VDB secretary	Chairman and VDB Secretary	Chairman and VDB secretary	VDB secretary	Village Council Chairman and VDB Secretary	Village Council Chairman and VDB secretary
11	Taxes collected by the VC	*	*	*	None	None	
12	Registers maintained by the VC	17 registers 1. Demand of work, allocation work and payment of wage 2. Work register 3. Gram sabha 4. Income register 5. Expense register 6. Audit register 7. Register for job card, registration of job cards 8. Visitors register 9. Hand in taking the register 10. Chairman register 11. Council audit register 12. Council income register 13. Goods register 14. Cultural register 15. Donation register 16. Resolution register	Four, Finances, Health details of the village, Education and Agriculture		10 1. Visitors Register 2. Village council Meeting Register 3. Public General Meeting Register 4. Village council Court Case file register 5. Disparts Register 6. Received Register. 7. Information Register 8. Finance Cash Book Register 9. Village council appointment Register 10.Gaon Bura Appointment register	1. Demand for work. allocation of work and payment of wages 2 Work register 3. Gram Sabha (meeting) 4. Fixed asst register 5. Complaint register 6. Material register 7. Register for job card application, job card registration, job card issue and household Payment report.	1. Cash Book 2. GIA 3. MGNREGs
13	Whether the GP has been declared ODF	Yes	Yes	Yes	Yes	Yes	Yes
14	No. of SHGs	9	3	17	18	26	21
15	Whether there is a Federation of SHGs	No	*	*	Yes	No	No

16	No. of NGOs/Youth Clubs/Voluntary organizations	3	2	2	1 Christian Students Union	1. Student Union 2. Sports Organisation	1. Student Union
17	Sources of funds for GPDP for 2020-21	MGNREGA	1. MGNREGA	MGNREGA – 1090253	1. MGNREGA 2. 15th Finance Commission 3. PMAY	1. 15 Finance Commission 2. MGNREGA	1. MGNREGA
18	MGNREGS Grant received during 2021-2022	11,69,886	Pending	Pending	15,86,700	209920	1,31,82,078
19	15th Finance Commission Grant received during 2021-22 (Rs)	Nil	102805	2,34,679	4,28,000	150000	6,66,460
20	State Finance Commission Grant received during 2021-22 (Rs)	Nil	Nil	NA	No SFC	Nil	Nil
21	Own Source Revenue mobilized during 2020-21 (Rs)	Nil	Nil	Nil	Nil	Nil	Nil
22	Funds devolved by Intermediate Panchayat/District Panchayat/Department	0	Nil	Nil	Nil	Nil	Nil
23	Fund for GPDP from any other source	0	Nil	Nil	Nil	Nil	No
24	Is there any Complaint Box in the GP Office?	No	No	No	No	No	No
25	Does the GP have its information board in the GP Building?	Yes	No	No	No	Yes	Yes

Table 27 Detailed Status of Selected Village Councils (2)

No	Name of the village	Hongphoi	Yingshukiur	Khanimu	Chami
1	Total Population	3465	750	364	163
2	Total No. of Households	350	230	91	42
3	Total geographical area	2460 hecters		2500 acre	5000 hectares.
4	Total No. of Registered voters	1238	483	91	103
5	Total No. of Elected Women Representatives in the VC	nil	2	0	
6	No. of Gram Sabhas held during 2021-22	5	1	12	
7	Whether the President of the GP is a male or a female	Male	Male	Male	
8	Whether the VC has its own building	Yes	Yes	No	.
9	Whether the VC maintain computerized accounts	No	No	No	No
10	Who signs cheques for the VC	VDB Secretary	VDB Secretary	Village Council Chairman	The VDB secretary
11	Taxes collected by the VC	None	No	No	
12	Registers maintained by the VC	7 register 1. Dispart Register 2. Land record Register 3. General Resolution register 4. Meeting Minute Register 5. Village Council Members Register 6.Received Register 7.Committee Register	1.Income register 2. Record register 3. Attendance register		
13	Whether the GP has been declared ODF	Yes	Yes		Yes
14	No. of SHGs	10	11	7	7
15	Whether there is a Federation of SHGs	Yes	Yes	Yes	
16	No. of NGOs/Youth Clubs/Voluntary organizations	1. Hongphoi Students Union	3	1.Khanimu Citizen Club 2.Khanimu Youth Ministry	1. Youth Club

17	Sources of funds for GPDP for 2020-21	1.MGNREGA 2.15th FC,3.PMAY	MGNREGA	MGNREGA	MGNREGA
18	MGNREGS Grant received during 2021-2022	706635	Pending	3215333	592000
19	15th Finance Commission Grant received during 2021-22 (Rs)	350000		127620	Nil
20	State Finance Commission Grant received during 2021-22 (Rs)	Nil		Nil	Nil
21	Own Source Revenue mobilized during 2020-21 (Rs)	Nil	Nil	NA	Nil
22	Funds devolved by Intermediate Panchayat/District Panchayat/Department	Nil			Nil
23	Fund for GPDP from any other source	Nil	15 FC	Village council Rent house	
24	Is there any Complaint Box in the GP Office?	No	No		
25	Does the GP have its information board in the GP Building?	No	No		

8.2.3 Elections and Representation in Rural Local Governments of Nagaland

Direct, transparent, and timely elections are essential for the effective functioning of local governments. In the case of PRIs, Article 243E of the Constitution of India provides for elections in this manner. Article 243K of the Constitution provides for the setting up of a state election commission to be vested with the “superintendence, direction and control of the preparation, revision and correction of electoral rolls and conduct of all elections to the panchayats”.

In Nagaland’s case, an understanding of contextual factors, cultural and historical, is important while interpreting the status of elections to local governments. The relatively small, homogenous, and closely-knit Naga villages enabled a consensus-based decision-making mechanism at the village level. The modern democratic electoral process hence appeared as something that is not suitable for the Naga way of life. Traditional Naga politics, though with variation from village to village, show a common rejection towards voting or supporting one side and opposing the other. These practices are seen as divisive by the community. Academics and historians have broadly categorised different existing electoral processes within the Naga community into four: the Angh or Chieftainship model, Village Consensus Candidate Model, the clan model, and the household model.

The first model, prominent among the konyak naga and the sema naga, is the remapping of traditional chiefs into democratic practices. The traditional rulers now influence commoners' voting patterns, hence blurring modern democratic checks with traditional leverages. In the village consensus candidate model, a village tends to vote as one entity for a particular candidate. Making the unit of voting, not the individual but the village. The village's collective vote is deliberated at the level of the village council (putu menden). In the third model, referred to here as the clan model, the locus of electoral politics does not reside in the traditional aristocrats or village councillors but the clan leaders. In this model, a clan selects a political candidate amongst its members or alternatively declares its collective vote to a particular candidate belonging to another

clan. The household model suggests that traditional aristocrats are absent, and village councillors and clan leaders have little or no influence over the voting behaviour of the villagers. Instead, individual and household deliberation is more pronounced. This model among the Naga tribes appears to come closest to the elevated democratic principles of free, fair and autonomous individual deliberation. These models also shed light on the election processes of Naga village councils as well.

8.2.4 Representation of women

Representation of women in the Village Council is absent, and participation of women in local governance is strictly limited to the reserved seats in different committees under the communitisation programme.

“These traditional bodies are very limited in representation of females. As far as I know, at present, there are at most three women who are in local bodies in the whole state on Nagaland, which has 1400 villages. This imposes a serious constraint on the ability to plan properly.”

“If you want to give women presentation, it has to be through customary law, and the customary law has no room for that. Most customary laws of tribes don't have room for women inheriting even property. In Village Development Board, 25% seats are given to women. But still that has not impacted the traditional body. Traditional bodies continue to be male driven.”

Table 28 depicts the status of elections to the local governments by modern democratic standards. However, it should be taken with a pinch of salt of contextual factors discussed above.

Table 28 Status of elections to Village Councils

No	Dimension	Status
1	Direct elections to Local Governments	Not regular. Not Uniform
2	Indirect elections for seats at all three tiers of panchayats and indirect elections to offices	NA
3	Elections to Local Governments every five years	Not regular, Not Uniform
4	Constitution of State Election Commission and vesting the superintendence, directions, and control of the preparation of electoral rolls for all elections to the panchayats	Not Constituted for Local Bodies

5	Reservation in seats for Scheduled Castes and Scheduled Tribes	Yes
6	Reservation of not less than one-third of seats for women	No. Committees under the communitisation program has reservation for women
7	Rotation of reserved seats and office	NA
8	Direct elections of President of Village Panchayat	No

8.2.5 Finance and Resources of Rural Local Governments

Table 27 also discusses the details of the resource envelope available to the selected Village Councils in Nagaland analysed as part of the study. All the villages are dependent on MGNREGA funds, according to the GPDP documents. Most of them have received FFC grants, and for some, both the funds are pending. The amounts received significantly vary based on the village population. CSR funds and mobilisation of additional resources are not observed in these villages. Potential to converge different funds effectively exists at the village level.

There is a lack of clarity regarding different functions related to tax collection and fund transfer. As per the account of respondents, there is a need for clear rules and provisions for proceedings related to different taxes and duties and the transfer of funds.

The local bodies take up many flagship programmes in both urban and rural areas in the state. Various activities are targeted towards poverty alleviation through generation gainful employment opportunities through skill training & placement, capacity building, social mobilization and institution development. In the rural area, the VDBs, through Village Councils, implement the programmes. Table 29 illustrates the district wise fund allocation under grant in aid to VDBs during 2018-19.

Table 29 District Wise Fund Allocation Under Grant-in-Aid to VDBs During 2018-19

No	Name Of District	Total Blocks	Total VDBs	Provisional Fund Allocated	7% Service Charge	VDB Secretary's Honorarium	Total Fund Allocation (5+6+7)
1	Kohima	7	94	29146200	2193800	1128000	32468000
2	Mokokchung	9	85	29967390	2255610	1020000	33243000
3	Mon	8	114	33580440	2527560	1368000	37476000
4	Tuensang	9	117	28224570	2124430	1404000	31753000
5	Zunheboto	8	169	24879360	1872640	2028000	28780000
6	Wokha	7	133	22850100	1719900	1596000	26166000
7	Phek	8	95	25712640	1935360	1140000	28788000
8	Dimapur	6	213	36281160	2730840	2556000	41568000
9	Kiphire	5	93	16141080	1214920	1116000	18472000
10	Longleng	3	40	17746260	1335740	480000	19562000
11	Peren	4	85	19254720	1449280	1020000	21724000
	Total	74	1238	283783920	21360080	14856000	320000000

Village Councils are entirely dependent on the funds of rural development schemes. The Village Councils have no own source of revenue, and financial resources from any other source are also absent. While the people's demand and expectation placed upon the Village Councils is high, it has no adequate financial power to execute the mandate assigned. There is a lack of data on the aggregate expenditure of the village councils. Activities are planned solely based on funds available every year. This needs further data collection and analysis. There are instances of local fund mobilisation in the form of crowd funding for some specific activities and social welfare interventions; however, these are also negligible.

8.2.6 State Finance Commission

Article 243-I of the Constitution provides for the constitution of the State Finance Commission (SFC) every five years to review the financial position of the panchayats and make recommendations to improve the financial position of the panchayats. The objectives of the SFC are to recommend the principles of distribution between the State and the panchayats of the taxes, tolls, fees, and duties levied by the State. Also, to determine the assignment of taxes, duties, tolls, and fees to the panchayats. The SFC also makes recommendations regarding the grants-in-aid to the panchayats from the State's consolidated Fund. Along with Nagaland and Meghalaya, Mizoram

is exempted under article 243M from these provisions. In Nagaland, A State Finance Commission was constituted in 2008 with limited scope. The State Finance Commission Report submitted after fifteen months of constituting the commission discusses only the fund sharing between the State and Urban Local Bodies and does not deal with rural local bodies. The provisions of the State Finance Commission need to be extended to address Rural Local Bodies as well.

8.3 Strengthening of Rural Local Government in Nagaland

The strengthening process of rural local governments in Nagaland needs to be built on the existing system of the village council inclusively and sensitively. An activity-centric or a program implementation linked empowerment program appears more suitable for the State. The local government empowerment program, therefore, at the same time, should be a local development program too. Such a program for strengthening local governments can be designed within the framework of implementing different state and central rural development schemes. A strengthening and capacity building initiative involving SHGs, students, and different CBOs will bring these stakeholders to the mainstream local development planning and local governance, increasing the community's voice in local action. The observations made by this study are based on deficits in activities, finance, functionaries, powers, participation, and capacity building. The following specific suggestions are made from the study findings;

- i) There is a need for legal reforms and restructuring without drastically changing the existing system. Through analysis and comparison of traditional roles played by the village councils, functions of PRIs, and existing rules and regulations in the State, a new set of detailed and uniform documents may be prepared for better institutionalisation and legal backing of the functioning of rural local bodies in Nagaland.
- ii) The Village Councils are actively involved in the day to day lives of Naga villages but with limited powers and responsibilities. An updated activity map with a clear definition of the powers and responsibilities of local governments needs to be prepared.
- iii) Election rules and procedures for village councils need not be made uniform across different administrative areas, but detailed rules and guidelines need to be prepared and circulated for each unique administrative area. This can be done while retaining the existing guidelines.

- iv) Detailed guidelines and manuals for implementing different central and State government schemes need to be prepared, clearly demarcating the roles and responsibilities of village councils and VDBs. This would help create a proactive space for village councils in the implementation of developmental interventions.
- v) Legislation for reforms to make changes required for (iii), (iv), and (v) needs to be carried out; in the meantime, required changes can be brought in through executive orders. An extensive intervention can be planned by assigning village councils as the implementation agency for government schemes while retaining the VDBs and their responsibilities. The state government may provide additional support for implementing the schemes effectively.
- vi) Establishing a uniform legal framework for implementing government schemes would also enable the practical usage of different financial resources available to the village councils. By making the local Government the implementing agency of different State and central government schemes, the State can empower the local governments and utilise the resources in a more efficient and locally relevant manner.
- vii) An online helpdesk for village council representatives may be set up at the state level to provide knowledge support, guidance and assistance.
- viii) A protocol for managing offices and institutions needs to be prepared within the existing system.
- ix) Proceeding of fund transfers to the local governments needs further clarity and uniformity. Templates for own revenue generation can be prepared at the state level and distributed to village councils. Rules and regulations regarding taxes, fees, and auctions must be codified uniformly. Legal backing for receiving CSR funds and its regulations and guidelines must also be drafted uniformly.

x) At the village level, accounting and auditing practices lack clarity in procedure and updates.

A robust yet straightforward accounting system needs to be prepared—awareness about the procedures and provisions to be widely publicised. A poster campaign using notice boards of the village councils can be planned in this regard. In addition, the need for further study in this regard is visible, and the State may appoint a committee to examine the existing accounting and auditing practices of village councils to identify gaps and provide a recommendation to bring more transparency.

xi) Learnings from other states indicate that community participation, especially that of women in developmental activities, improves in the presence of SHGs. Nagaland can adopt this as a strategy for improving community participation in the State. In most of the villages studied, there are SHGs and SHG federations. This could be further extended and strengthened. Constituting a Women Development Council at different levels could further increase participation in governance activities.

xii) Frontline workers such as ASHAs, AWWs, and other department functionaries working at the village level may be transferred to the village councils or VDBs. They can function as double reporting officials also. This would aid in more efficient local coordination and empower the local governments.

xiii) Practising experts of local governments such as experienced and pro-active village council members, stewards of innovative and best practices, and other resource persons shall be added to the state's resource pool of training institutes. Such a resource pool consisting of professional and practising experts will enrich the capacity building process. Additional capacity building to be given to village committees on participation, SHG and VC convergence, CBO-VC convergence, and plan implementation.

xiv) The feedback from the community and the output of the Model Gram Panchayat Clusters project by NIRD-PR shows positive trends. It also reflects that with handholding support

and technical assistance, village councils can prepare and strategize development activities. The model can be extended to other villages by providing additional human resources to the village councils.

- xv) The planning process can be devised as an empowerment tool. Guidelines for the planning process with step by step instructions can be prepared based on the learnings from the Model GP Cluster development programme. Resource persons and guidelines can be provided to every village council. The guidelines shall ideally prepare in a simple, local language. Media other than print may also be used to popularise and circulate the planning process campaign. The planning manual may be prepared in the audio-visual format to increase reach and understanding. Success stories and innovative practices may also be included in the materials.
- xvi) In the context of observation (x) and (xi), a Post Graduate Student Internship program can be envisaged, where trained students in the lines of NIRD&PR Young Fellows can work as student interns in village councils. Incentives can be provided to the students in an honorarium/grace mark or other weightage in employment opportunities.
- xvii) Village councils performing better can be converted into knowledge hubs that provide mentoring and handholding assistance to other village councils. These knowledge hubs can be further developed into community learning centres with experts from SIRD, trained village council members and members of the community. This approach will help faster dissemination of local experience-based knowledge and create a sense of ownership by the community of such knowledge.
- xviii) Exposure visits for the village council members can be organised within the State and outside to better perform villages and model grama panchayats. Exchange programmes and community internship programs can also be organised.

- xix) Performance-based incentives may be provided for village councils. This can include themes like transparency, innovation, participation, and agriculture.
- xx) SIRD capacity-building infrastructure may be used to conduct action research on the functioning of local governments in the State. This process may ensure student participation in the regional educational institutions, especially in social sciences. Research on the existing system, program implementation, contextual factors, and social, political, and cultural factors can be carried out. Research support from national institutes can also be obtained.
- xxi) In the context of the above-discussed observations and suggestions, a separate Project Implementation Unit can be set up at the state level to study and modify the existing system of rural local governance in the State. Village Council Empowerment may be implemented as a separate mission mode project that is inclusive and sensitive to the existing system.

9. The Present Status of Rural Local Governance Systems in Non-Part IX areas of Tripura

Tripura is one of the smallest states in India. It was formally declared a Union Territory on 1st November 1957 and elevated to the status of a full-fledged State on 21st January 1972. It shares borders with Bangladesh, Mizoram and Assam. The State is surrounded by Bangladesh on its north, south and west, making it share an international border of 856 km (84 per cent of its total border). The economy of Tripura is majorly agrarian, and about 70% of the population depends on agriculture and allied activities. The rural population of the State is 83%, and 59% of the total area of the State is forest cover. In addition, 70% of the land area is hilly terrain, limiting the land available for agriculture activities to 30% of the State's total land. The State has limited industrial development. These factors make the State almost completely dependent on the central grants. According to the third State finance commission report of Tripura, the own tax and non-tax revenue of the State constitute only about 15% of the total revenue receipts of the State. The remaining comprises of share of central taxes, grants-in-aid from the central government, central plan assistance, loans from financial institutions, and open market borrowing.

The non-part IX areas in Tripura are under the Tripura Tribal Areas Autonomous District Council (TTAADC), which covers four districts that consist of almost 70 per cent of the State's geographical area. Tripura Tribal Areas Autonomous District Council (TTAADC) covers about 38% of the total population. The population in TTADC is mainly Scheduled Tribes (84%), with Scheduled Castes making up 4.8% and other communities at 11.16 %. Table 30 provides some basic details on Tripura.

Table 30 Tripura At a Glance

Area	10491 sq km
Latitude	23°45 N
Longitude	91°30 E
Population	3673917
Literacy Rate	97.2
Capital	Agartala
No. of Districts	8
Total number of Zilla Parishad	8
No. of Autonomous District	1
No. of Sub Division	23
Block	58
No. of Assembly Constituency	60
No. of Seat in Parliament	3
Total number of Gram Panchayats	589
Total number of Panchayat Samities	35
Total number of Village Committees	587
Total number of Block Advisory Committee	40

9.1 Evolution of Rural Local Governments in Tripura

The Panchayati Raj system in Tripura was initially adopted under the United Province Panchayat Raj Act, 1947. The provisions of the Act were extended to the seventeen community development blocks of Tripura in May 1959, and Gram Sabhas in development blocks were constituted in a phased manner. Tripura had a single-tier system of village panchayats till 1978. The Tripura Panchayats Act 1983 replaced the United Provinces Panchayat Raj Act 1947 and brought forward legislation to constitute a two-tier Panchayat system. It also reduced the voting age from 21 to 18 years and made special provisions to represent Scheduled Castes (SCs) and Scheduled Tribes (STs). The Tripura Panchayat Act, 1993 established a three-tier structure in the State, with the Gram Panchayat as the lowest tier, the Panchayat Samitis at the block level and Zilla Parshad at the district level. Powers relating to 12-line departments were vested to the PRIs. These powers were

devolved not by the State Act but through executive instructions by the RD (Panchayat) Department. The local governments' roles were mainly related to supervision and monitoring in the beginning. Over the years, different functions and functionaries were transferred to the local governments. The following subjects were transferred to the local governments by Executive Orders. The irrigation schemes of the PWD (Water Resources) Department were transferred to PRIs and Village Committees in August 2006 with funds, functions and functionaries. Primary Schools of the School Education Department, Adult and Non-Formal Education, Women and Child Development, and Social Welfare, including Welfare of the Handicapped and Mentally Retarded were transferred in August 2007. Drinking-Water Sources were transferred in 2010.

The Tripura Tribal Areas Autonomous District Council (TTAADC) was established by enacting Tripura Tribal Areas Autonomous District Councils Act, 1979. The Act aimed at fulfilling the aspirations of the people for self-governance and protection of their culture and identity. At the time of inception, the body was not under the purview of the sixth schedule of the constitution. Provisions of the 6th Schedule were extended to Tripura from 1st April 1985 by the 49th Amendment of the Constitution, and TTAADC was brought under the schedule. This has also provided for separate elections to Village Committees. Specific powers and functions are assigned to the TTAADC by State Government to improve the life and livelihood of tribal people living in ADC areas. The functions are mainly administrative, legal and financial.

Tripura Tribal Areas Autonomous District Council (TTAADC) covers about 38% of the total population and 68% of the State's total area. The inhabitants of the TTAADC area are mainly Scheduled Tribes (84%), with Scheduled Castes making up 4.8% and other communities at 11.16%. TTAADC also covers about 85% of the Tribal Sub-plan (TSP) areas. The Council has thirty members, out of which twenty-eight members are elected, and two are nominated.

The most striking feature of the TTAADC in comparison to other sixth schedule areas is that its jurisdiction is not contiguous with revenue district boundaries. The Autonomous Council operates

in areas spread over 527 villages in all four districts. Figure 1 illustrates this uniqueness in administration in the State map of Tripura.



Figure 5 ADC and Non-ADC area in Tripura

9.2 Current Status of Rural Local Governments in TTAADC areas of Tripura

9.2.1 Existing System of Rural Local Governments in Tripura

The TTAADC council consists of 30 members, of which 28 members are elected and two members nominated by the Governor. The Chief Executive Member (CEM) of the Council is chosen by the elected members of the Council. Executive functions of TTAADC are managed by the Chief Executive member, who is supported by a council of 9 executive members.

TTAADC areas are divided into five zones, with the zonal areas further divided into 37 sub-zones. Each zone is coterminous with the Sixth Schedule area of revenue districts. Except for a few, most subzones are coterminous with the boundaries of Rural Development (RD) blocks. At present, 527 elected Village Committees function at the village level.

In each zone, there is a Zonal Development Committee comprising a chairperson of the elected Village Committees (VCs), the Member of District Council (MDCs), Member of Legislative Assembly (MLAs) and the Executive Members of the District Council.

In all thirty-five blocks that fall fully or partially within the TTAADC, Block Advisory Committees (BACs) are constituted by the State government. BACs comprise chairpersons of all elected VCs in the RD blocks, chaired by MLAs or MDCs. Among the rural development blocks in the State, nineteen blocks are within the Sixth Schedule area, and eighteen blocks are within the jurisdiction of both the Sixth Schedule and Panchayati Raj areas. A State-level planning initiative named Gramodaya in rural areas and Nagarodaya in urban areas merges local plans prepared at the grassroots to prepare a district plan. The consolidation of local plans occurs at the village and block level in the Sixth Schedule areas and the areas covered under PRIs.

9.2.1.1 Constitution of the Village Committees

Total Village Committees within the TTAADC areas derive their power and responsibilities from the TTAADC (Establishment of Village Committee) Act, 1994 and discharge their functions according to the provisions of TTAADC Village (Administration) Rules, 2005.

TTAADC (Establishment of Village Committee) Act provides detailed guidelines on the constitution of the village committees, the composition of the committee, elections to the committees, reservation for women, qualification of the members, duration of the committee, and responsibilities and powers of the committee. Some important aspects of the establishment of village committees under the act are given below,

- A Village Committee is established for each village notified by the executive council of TTAADC.
- Village Committee can have a maximum of not more than 11 members and not less than 7 members. The number of members is determined by the Executive Committee on the basis of population.
- The members are elected on the basis of adult suffrage
- There are provisions for reservation for the scheduled tribes and scheduled castes in the “Village” Committees on the basis of their population in the village.
- Not less than one-third of the members of the Village Committee are reserved for women on a rotation basis.
- There are provisions for reservation of seats to the offices of the Chairman of Village Committee for Scheduled Castes and Scheduled Tribes, proportionate to their respective population in the Zone on a rotation basis.
- Not less than one-third of the total number of offices of the Chairman of the Village Committee shall be reserved for women on a rotation basis.

The provisions of the TTAADC Village (Administration) Rules clearly illustrate the functions regarding the following matters.

- Manner of conducting a meeting of village Sabha
- Proceedings at the meeting of Village Sabha
- Preparation of the list of business

- Preparation of notice of meetings to members
- Maintenance of attendance register
- Removal or resignation of the chairman and vice-chairman
- Leave of Chairman and Vice-Chairman, and village committee secretary
- Duties of the secretary of the Village Committee
- Constitution of vigilance committees in the village
- Preparation of annual reports

9.2.1.2 Qualification of Members

An Indian citizen who is not less than 21 years of age can contest the election to the village committees unless disqualified under the following conditions.

1. S/He is disqualified under any law from contesting elections to the legislature of the State.
2. If s/he holds any office of profit under the Central Government or any State Government or Autonomous District Council or any Panchayat Samiti or a Gram Panchayet or a Village Committee.
3. If s/he directly or indirectly holds any share or interest in any contract with or on behalf of the Village Committee concerned.
4. If s/he has been dismissed from the service of the Central or State Government or legal authority or a co-operative society or Government company or a corporation for misconduct involving moral turpitude and five years, have not elapsed from the date of such dismissal.
5. If s/he has been adjudged by a competent court to be of unsound mind
6. If s/he is an undischarged insolvent.
7. If s/he has been convicted of any offence punishable under Chapter IX-A of the Indian Penal Code or under Chapter - III of Part-VIII of the Representative of the People Act, 1951, and five years have not been elapsed from the date of the expiration of the sentence.

Additionally, a member of a Village Committee belonging to any political party can be disqualified on the grounds of defection if he has voluntarily given up his membership of such political party or votes or abstains from voting in the Village Committee contrary to any direction issued by the political party.

9.2.1.3 Duration of the Village Committee

The members of the Village Committee elected hold office for five years from the date appointed.

A functioning village committee cannot be dissolved through amendment of laws or by enacting new legislation, or through executive order before the expiration of its term. The term of office of the members of the Village Committee commences from the date of its first meeting at which quorum is present. If the first meeting of the newly constituted Village Committee is not held within three months of the constitution of the Committee, the Executive Committee may by order terminate the term of office of the members of the Village Committee. A Village Committee constituted upon the dissolution of a Village Committee before the expiration of its duration continues only for the remainder period for which the dissolved Village Committee would have continued.

9.2.2 Devolution of Powers to Rural Local Governments

Devolution of powers and responsibilities along with resources are essential for effective decentralisation. For Panchayat Raj Institutions, Article 243G of the Constitution provides for the devolution of powers by the State legislatures to endow them with authority necessary for functioning as institutions of self-government. Article 243G recommends the State consider 29 subjects listed in Eleventh Schedule for devolution to the Panchayats.

Village Committees within the TTAADC areas function under the provisions of the TTAADC (Establishment of Village Committee) Act, 1994 and TTAADC Village (Administration) Rules, 2005. The major responsibilities of the village committees mentioned in the policy documents are the initiation of development schemes for their village areas to function as the Executive Agency of all minor development schemes. The following specific functions are also mentioned;

- a. Sanitation and hygiene of the village areas
- b. Cleaning and maintaining Village roads and paths
- c. Construction, maintenance and improvement of village wells and tanks for the supply of water to the villagers for drinking, washing and bathing purposes
- d. Taking curative and preventive measures against the epidemic diseases
- e. Opening and maintenance of burial and cremation grounds
- f. Disposal of carcasses
- g. To encourage Villagers to kitchen gardening and educate them for the preparation of organic manure and the use of chemical fertilizers
- h. Maintenance of records of yearly population census, cattle census, spinning and weaving loom census, landless and unemployed person census;
- i. Encouragement of cattle rearing in the khutti system and establishment of village grazing grounds to control stray cattle
- j. Maintenance and construction of new buildings and houses
- k. Maintaining a register of birth and death in the village
- l. Initiatives for promoting education of children, adults and women education
- m. Establishment and maintenance of social and cultural clubs, including reading and recreation room
- n. Popularising of indigenous sports, folk dances and music and celebration of National Days and other festivals
- o. Control of stray animals

Additionally, the State government carried out an activity mapping for devolution of powers to the three-tier of PRIs in 2010. This Activity Mapping is reported to have included all the 29 subjects mentioned in the Eleventh Schedule of the Constitution and covers 21 State government departments. Out of the total 21-line departments devolved to the local governments through Activity Mapping, the functionaries of 6 subjects (School Education, Social Welfare & Social

Education, Social Welfare, Water Resource Department, and RD (Panchayat) Department have been transferred to Panchayats. In most of the Gram Panchayat, there are 2 Panchayat Secretaries and another 2 GRS for the NREGA. Panchayats have the power to recommend payment of salary for staff, transfer, grant of leave and disciplinary action over these functionaries at present

9.2.3 Elections and Representation in Rural Local Government

Elections to the local rural governments in TTAADC take place under the provisions of The Tripura Tribal Area's Autonomous District Village Committee (Conduct of Election) Rules, 1996 and The Tripura Tribal Area Autonomous District Village Committee (Election of Office Bearers) Rules, 2006. Detailed provisions of these acts are summarised in Table 31.

Table 31 Status of Elections to Village Committees under TTAADC

Dimension	Status	Aspects for which detailed guidelines are in place
1 Direct elections to Local Governments	Yes	<ul style="list-style-type: none"> • Election of members • Conduct of elections • Notification for election • Appointment and functions of election officials • Details of candidature • Recognition and classification of political parties • Scrutiny of nomination • Electoral rolls • Safeguards • Counting of votes • Election disputes
2 Elections to Local Governments every five years	Yes	<ul style="list-style-type: none"> • Duration of VCs • Filling up casual vacancies • Timeframe for elections
3 Constitution of State Election Commission and vesting the superintendence, directions, and control of the preparation of electoral rolls for all elections to the panchayats	Yes	<ul style="list-style-type: none"> • Constitution of Election Commission • Powers and responsibilities of the Election Commission.
4 Reservation in seats for Scheduled Castes and Scheduled Tribes	Yes	<ul style="list-style-type: none"> • Percentage of reservation • Conditions of reservations • Allotment of reservations

			<ul style="list-style-type: none"> • Reservation for the post of Chairperson
5	Reservation of not less than one-third of seats for women	Yes	<ul style="list-style-type: none"> • Percentage of reservation • Conditions of reservations • Allotment of reservations • Reservation for the post of Chairperson
6	Rotation of reserved seats and office	Yes	<ul style="list-style-type: none"> • Basis and manner of rotation of seats
7	Direct elections of President of Village Panchayat	No	

9.2.4 State Election Commission

Direct, transparent, and timely elections are essential for the effective functioning of local governments. In the case of PRIs, Article 243E of the Constitution of India provides for elections in this manner. Article 243K of the Constitution provides for the setting up of a State election commission to be vested with the “superintendence, direction and control of the preparation, revision and correction of electoral rolls and conduct of all elections to the panchayats”.

The State election Commission in Tripura was established on 26th April 1994 as per the provisions of Article 243 K. The State Election Commission conducts elections in all rural & urban local bodies, including the Village Committees in TTAADC areas. The State Election Commission decides the date of General Elections to the village committees in consultation with the District Council.

9.2.5 Representation of Women and SC/ST

There are 4,165 elected members in all 587 VCs, of which one-third are women members. With effect from 2016, there is a 50 per cent reservation of women for the post of chairperson of VC. Reservations are made for Scheduled Tribes and Scheduled Castes in proportion to the percentage of their population. According to the respondents, 50% of the elected members in rural local governments are women, and also the majority of participants in Gram Sabhas are women.

9.2.6 Finance and Resources of Rural Local Governments

The following list contains different sources of revenue for the Gram Panchayats and Village Committees in the State.

- a. Contributions and grants made by the Central and/or the State Govt. including a certain percentage of the entire tax revenue as grants-in-aid based on the recommendations of the State Finance Commission and Central Finance Commission. This includes the share of the Centrally Sponsored Schemes/Special Central Assistance and State Plan Schemes.
- b. Contributions and grants, if any, made by the Zila Parishad, Panchayat Samiti or any local body;
- c. Loans, if any, granted by the Central or the State Govt. or any specified institution;
- d. All receipts on account of taxes, rates, duties, tolls, and fees levied by the Panchayats.
- e. all receipts in respect of any school, hospital, dispensary, institution, building or works vested in it, constructed by or placed under the control and management of the Gram Panchayat;
- f. all sums received as gifts or contributions and all income from any trusts or endowments made in favour of the Gram Panchayat;
- g. such fines and penalties imposed and realised under the Act, and
- h. all other sums received by or on behalf of the Gram Panchayat.

Additionally, the village committees have the power to levy and collect all or any of the following fees at rates prescribed by the Executive Committee;

- i. Fees for maintenance of Primary Schools
- ii. Fees for maintenance of roads, bridges, paths and land constructed or maintained by it or transferred to it for maintenance.

- iii. Fees for the use and for the maintenance of Rest House constructed or transferred to Village Committee
- iv. Fees for the maintenance of the public well, tanks and water supply constructed or transferred to the Village Committee.
- v. Fees for the maintenance of lighting installation within the village and
- vi. Fees for conducting anti-epidemic services and other social services schemes are meant to improve public health and sanitation within the village.

9.2.7 Own Source Revenue of the Village Committees

A detailed guideline on the collection and utilisation of the own-source revenue of the village committees is in place. The Own Source Revenue (OSR) is defined in the rule as revenue generated by the local governments from the following sources;

1. Trade License
2. House Tax
3. Property Tax
4. Non-motorized vehicle
5. Drinking water sources
6. Market Stall
7. Ponds and Waterbodies
8. User Charges
9. Community Hall
10. Market, fairs etc
11. Garden, Nursery
12. Cattle market
13. Interest accrued from the Bank
14. Any other sources at the disposal of RLBs.

The guideline also states the purpose for which OSR can be utilised and not.

- a) The fund from which project income is derived can be utilized for the development of such a project
- b) Payment of shortfall of fund of the power consumption bill raised for Lift Irrigation scheme, Drinking Water Scheme; and Power consumption bill of the Gram Village committee Office, Community hall maintained by the Village Committee
- c) Payment of Telephone bill or Internet bill
- d) Minor maintenance of the existing Village committee Office building
- e) Procurement of furniture
- f) Procurement Electronic appliances
- g) Organizing Cultural, Sports activities
- h) Payment of expenses for Street lighting and power connection utilized in the Market/Motor Stand like busy areas of Village committee
- i) For the purchase of land for execution of any scheme under the Centrally Sponsored Scheme (CSS), State-Sponsored Scheme (SSS), and Community purposes.
- j) Maintenance of Drinking water sources, including the extension of water pipeline to households in VCs area.
- k) Maintenance of community assets like schools, AWCs, public buildings, community hall, Health Sub-Centre, Cooperative stores etc
- l) Organizing Meals /festivals/Exhibition stalls
- m) For organizing Village Sansad/ Sabha, and awareness campaigns

The Village Committees are not allowed to use OSR funds for Hiring of Vehicles, for projects for which fund has already been provided under any other scheme, For engagement of Staff., for Construction of Road, Construction of bridge/culverts and for Financial assistance to anybody.

9.2.8 State Finance Commission

Article 243-I of the Constitution provides for the constitution of the State Finance Commission (SFC) every five years to review the financial position of the panchayats and make recommendations to improve the financial position of the panchayats. The objectives of the SFC are to recommend the principles of distribution between the State and the panchayats of the taxes, tolls, fees, and duties levied by the State. Also, to determine the assignment of taxes, duties, tolls, and fees to the panchayats. The SFC also makes recommendations regarding the grants-in-aid to the panchayats from the State's consolidated Fund. Nagaland, Meghalaya, and Mizoram are exempted under article 243M from these provisions.

Tripura State Government constituted First State Finance Commission (SFC) in April 1994. The Commission submitted its report in January 1996. State Government accepted most of the recommendations of the First SFC. The Second SFC was constituted in October 1999 and submitted its report in April 2003. The State Govt. did not accept the recommendations of the Second SFC, considering that higher devolution of the fund as recommended by the Commission was not realistic under the then financial position of the State. Instead, the State Govt. continued the implementation of the recommendations of the First SFC till the report of the next SFC was received.

The implementation of the First SFC recommendations resulted in a significant devolution of funds to the Rural Local Bodies. Such a devolved fund was termed as "untied fund" in the beginning and later changed to the "Panchayat Development Fund" (PDF). The State share of the CSS executed through the RD Department used to be included in the PDF. After the introduction of MGNREGA in all the districts from 2008-09, State Govt. decided to de-link PDF with the State share of the CSS. The PDF is devolved among the Rural Local Bodies based on a per capita ratio of 4:5 between the PRI and 6th Schedule areas. It is Rs.250/- for each person per year in the TTAADC areas and Rs 200/- per person in the PRI areas. The funds are released on a quarterly

basis. Table 32 contains the pattern of flow of funds under different heads to PRIs and Village Committees in Tripura for 2014-16. Table 33 shows the devolution of funds recommended by SFCs over the years.

The third SFC was constituted in March 2008 and submitted its report in October 2009. State Government accepted most of the recommendations of the Third SFC. The third SFC Adopted a 'gap-filling' approach and made recommendations based on the gap in requirement of establishment expenditure, maintenance expenditure and development expenditure of the RLBs.

Table 32 Flow of funds to PRIs & TTAADC area bodies of the year 2014-16 (In Lakhs)

Funds	Tier	2014-15	2015-16
Remuneration of Pump Operator	Panchayat Samiti	353.31	385.1
	Block Adv. Committee	236.64	294.9
	Sub Total	589.95	680
Electricity charges	Panchayat samiti	1204	928
	Block Adv. Committee	986	760
	Sub Total	2190	1688
Share of taxes (pdf)	Zila Parishad	624.35	860.81
	Panchayat Samiti	903	1257.71
	Gram Panchayat	1686.95	2271.96
	Block Adv. Committee	812.23	1138.08
	Village committee	1526.02	2079.7
	ADC HQ	529.45	747.74
	Sub Total	6082	8356
Finance Commission Grants	Zila Parishad	858.19	1002.87
	Panchayat Samiti	1287.3	1504.31
	Gram Panchayat	2145.5	2507.18
	Block Adv. Committee	1188.27	1388.59
	Village committee	1980.46	2314.32
	ADC HQ	792.18	925.73
	Spl. Area Prog.	951	480
	Sub Total	9202.9	10123
	Grand Total	18064.85	20847

Table 33 Devolution of funds recommended by Tripura SFCs

	Period	Per capita Devolution recommended by SFCs (Rs)	Recommended devolution as % of the State's own tax revenue	Recommended devolution as % of State's own revenue receipts
1	2010-11	128.92	7.46	6.15
2	2011-12	139.44	5.92	4.73
3	2012-13	151.53	5.56	4.72
4	2013-14	163.54	5.68	4.62
5	2014-15	179.45	5.86	5.02

9.3 Strengthening of Rural Local Government in Tripura

The existing rural local governance system in Tripura provides a strong foundation for deeper democratic decentralisation. The strengthening process of rural local governments in TTAADC needs to be built on the existing system of the Village Committees by identifying bottlenecks and hurdles. An activity-centric or a program implementation linked empowerment program appears more suitable for the State. The local government empowerment program, therefore, at the same time, should be a local development program too. Such a program for strengthening local governments can be designed within the framework of implementing different State and central rural development schemes. A strengthening and capacity building initiative involving SHGs, students, and different CBOs will bring these stakeholders to the mainstream local development planning and local governance, increasing the community's voice in local action. The observations made by this study are based on the status of activities, finance, functionaries, powers, participation, and capacity building. The following specific suggestions are made from the study findings;

- i. An online helpdesk for Village Committee representatives may be set up at the State level to provide knowledge support, guidance and assistance. A protocol for managing offices and institutions needs to be prepared within the existing system.
- ii. Practising experts of local governments such as experienced and pro-active Village Committee members, stewards of innovative and best practices, and other resource persons shall be added to the State's resource pool of training institutes. Such a resource pool consisting of professional and practising experts will enrich the capacity building process. Additional capacity building to be given to village committees on participation, SHG and VC convergence, CBO-VC convergence, and plan implementation.
- iii. The planning process can be devised as an empowerment tool. Resource persons and guidelines can be provided to every Village Committee. The guidelines shall ideally prepare

in a simple, local language. Media other than print may also be used to popularise and circulate the planning process campaign. The planning manual may be prepared in the audio-visual format to increase reach and understanding. Success stories and innovative practices may also be included in the materials.

- iv. A Post Graduate Student Internship program can be envisaged, where trained students in the lines of NIRD&PR Young Fellows can work as student interns in Village Committees. Incentives can be provided to the students in an honorarium/grace mark or other weightage in employment opportunities.
- v. Village Committees performing better can be converted into knowledge hubs that provide mentoring and handholding assistance to other Village Committees. These knowledge hubs can be further developed into community learning centres with experts from SIRD, trained Village Committee members and members of the community. This approach will help faster dissemination of local experience-based knowledge and create a sense of ownership by the community of such knowledge.
- vi. Exposure visits for the Village Committee members can be organised within the State and outside to better perform villages and model grama panchayats. Exchange programmes and community internship programs can also be organised.
- vii. Performance-based incentives may be provided for Village Committees. This can include themes like transparency, innovation, participation, and agriculture.
- viii. SIRD capacity-building infrastructure may be used to conduct action research on the functioning of local governments in the State. This process may ensure student participation in the regional educational institutions, especially in social sciences. Research on the existing system, program implementation, contextual factors, and social, political,

and cultural factors can be carried out. Research support from national institutes can also be obtained.

10. Summary

The study on ‘present status of rural local governments in non- Part IX areas of the country’ set out to explore the structure and functioning of rural local governments in the State. Other primary objectives were to study the status of representation of women in Village Councils, the status and scope of a state election commission, the status and scope of a state finance commission, the status and scope of resources available to the village councils, and ways to strengthen local governments in the State. Table 34-39 summarises the study findings under each research objectives to provide an overview about the status of rural local governments in non-part IX areas studied.

Table 34 Status of RLBs in Non-part IX areas of Assam Summary

No	Dimension	Summary
1	Existing set up of local governance in non-part IX areas	<ul style="list-style-type: none"> • Territorial Constituency Level Coordination Committee (TCLCC) at the subdistrict level and the Village Councils Development Committee (VCDC) at the village level. Village Development Councils (VDC) at the village level in Karbi-Anglong. (Details in 4.2.1) • A gap in coordination and planning between the villages and the councils observed.
2	Devolution of powers	<ul style="list-style-type: none"> • The powers and responsibilities of the village bodies are not clearly stated. • The local governments function as an extended arm of different departments, and as a point of contact with the community than that of a government. (Details in 4.2.2) • Activity mapping and legal backing for effective functioning of Local Governments required. • Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments.
3	Elections to local governments	<ul style="list-style-type: none"> • Members and the Chairman of the local government are not elected through a democratic process but selected and appointed by the BTC authority. (Details in 4.2.3) • Uniformity in constituting local governments and democratic process of election under the supervision of ADCs and SEC needed.
4	State Election Commission	<ul style="list-style-type: none"> • SEC conducts election to PRIs and ADCs. • SEC doesn’t conduct elections to the rural local governments at village or block level in the sixth schedule areas. (Details in 4.2.5)
5	Reservation for women	<ul style="list-style-type: none"> • A claimed 30% reservation norm for women exists. However, this reservation does not have any statutory backing, nor is it implemented at the ground level.

		<ul style="list-style-type: none"> • Participation of women in local government activities very limited. (Details in 4.2.4). • Campaigns to improve women participation needed. Involvement of women SHGs in the region in local government functions to be encouraged.
6	Financial Status of Local Governments	<ul style="list-style-type: none"> • The village governments depend solely on different central and state government schemes for developmental activities and have no financial resources under their discretion. • Funds are not devolved to the bottom tiers following any particular or uniform criteria. • Lack of information in devolution, and expenditure of funds at subdistrict and village level. • Activities and functions of the Local Government severely limited due to lack of financial resources. (Details in 4.2.6) • A robust yet simple accounting system needs to be prepared for use at village level.
7	Own Source Revenue	<ul style="list-style-type: none"> • Villages do not collect any taxes or other forms of OSR. Revenue from no other source mobilised in most villages. • Lack of guidelines on OSR mobilisation and use. (Details in 4.2.6) • Templates for own revenue generation and use need to be prepared at ADC level and distributed.
8	State Finance Commission	<ul style="list-style-type: none"> • Five SFCs constituted so far. Terms of devolution of funds to ADCs, and grants-in-aid recommended. (Details in 4.2.7).

Table 35 Status of RLBs in Non-part IX areas of Manipur Summary

No	Dimension	Summary
1	Existing set up of local governance in non-part IX areas	<ul style="list-style-type: none"> • Village Authorities with unique traditional governance systems functioning at the village level. • Both Kukis and Nagas have their unique traditional system of village governance and administration. • The chief of the village is the repository of all powers of administration supported by a selected council. • The chief is an ex-officio member of the village authority wherever such a committee exists. • No uniform system of governance or administration. Characteristics vary on the basis of region and tribe (Details in 5.2.1)
2	Devolution of powers	<ul style="list-style-type: none"> • Judicial powers and responsibilities are given the focus. • Responsibility of the village council almost always end with giving an approval for carrying out developmental interventions in the village.

		<ul style="list-style-type: none"> • Other powers and responsibilities of the village bodies are not clearly stated. • Activity mapping and legal backing for effective functioning of Local Governments required. • Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments. (Details in 5.2.2)
3	Elections to local governments	<ul style="list-style-type: none"> • According to existing policy, elections to the village authorities are to be conducted on the basis of adult suffrage and the local body is constituted for three years. • In practice, no uniform process is followed for elections and the duration of village governments also vary. • The villagers often select candidates who are educated, or seem suitable for the job on the basis of consensus or by limited election (Details in 5.2.3)
4	State Election Commission	<ul style="list-style-type: none"> • There is need for a state election commission first and foremost to bring uniformity in the elections to the village government and to implement the provisions of Manipur (Village Authorities in Hill Areas) Act 1956 (Details in 5.2.5)
5	Reservation for women	<ul style="list-style-type: none"> • Only men can be part of the village council according to tradition in many villages. • Representation of women in the village government is near absent. • Participation of women is limited. (Details in 5.2.4). • Campaigns to improve women participation needed. Involvement of women SHGs in the region in local government functions to be encouraged.
6	Financial Status of Local Governments	<ul style="list-style-type: none"> • There is a lack of data on the expenditure of the village councils. • Activities are planned solely based on funds available every year and through department of rural development • The village governments depend solely on different central and state government schemes for developmental activities and have no financial resources under their discretion. • Funds are not devolved to the bottom tiers following any particular or uniform criteria. • Activities and functions of the Local Government severely limited due to lack of financial resources. (Details in 5.2.6)
7	Own Source Revenue	<ul style="list-style-type: none"> • Villages do not collect any taxes or other forms of OSR. Revenue from no other source mobilised in most villages. • Lack of guidelines on OSR mobilisation and use. (Details in 5.2.6) • Templates for own revenue generation and use need to be prepared at ADC level and distributed.

8	State Finance Commission	<ul style="list-style-type: none"> • Three State Finance Commissions have been constituted so far. The third State finance commission was constituted in 2013 and the SFC submitted the report in 2014. • SFC did not clearly mention the terms of devolution of funds to the local bodies in the hill areas. Or discuss the financial position of such local bodies. • There exists a need for clear terms by which the funds can be transferred to the traditional local institutions. • An SFC with adequate timeframe to assess the present scenario and make recommendation needed. (Details in 5.2.7).
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Table 36 Status of RLBs in Meghalaya Summary

No	Dimension	Summary
1	Existing set up of local governance in non-part IX areas	<ul style="list-style-type: none"> • A complex structure of governance observed. • Village Authorities with unique traditional governance systems functioning at the village level. • Both Khasi, Garo, and Jaintia hills have their unique traditional system of village governance and administration. (Details in 6.1) • The local governing structure are similar to chieftainships in many aspects with elements of matrilineal characteristics. • The ADCs have overriding powers over village governments. • A Village Development Council (VDC) to enable and ensure the participation of men, women and youth in the welfare and socio-economic development of the Village is constituted under the general control and supervision of the Village Government (Details in 6.2.1.6) • For implementation of MGNREGA, village employment councils (VECs) and area employment councils (AECs) have been set up. (Details in 6.2.1.7)
2	Devolution of powers	<ul style="list-style-type: none"> • Traditional Local governments have both executive and judicial functions. • Functions of VDCs are described in policy documents. • Other powers and responsibilities of the village bodies are not clearly stated. • Activity mapping and legal backing for effective functioning of Local Governments required. • Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments. (Details in 6.2)

3	Elections to local governments	<ul style="list-style-type: none"> • Elections to the local governments take place according to customary practices and often through blood lineages. • The process is often voice vote or a rise of hands. The nominations are on the basis of consensus and family, or clan lineages. • The ADCs play a crucial role in the conduct and recognition of elected members and have extra ordinary powers for appointing as well as removal of the elected heads. (Details in 6.2.3)
4	State Election Commission	<ul style="list-style-type: none"> • There is need for a state election commission first and foremost to bring uniformity in the elections to the village governments (Details in 5.2.5).
5	Reservation for women	<ul style="list-style-type: none"> • Only men can be part of the village council according to tradition in many villages. • Representation of women in the village government is near absent. • VDCs constituted by the village council to ensure inclusive participation for socio economic development of the village has spaces for women but even in VDCs, participation of women appear inadequate and seldom at the level of chairperson of VDCs or at other key posts. (Details in 6.2.4)
6	Financial Status of Local Governments	<ul style="list-style-type: none"> • There is a lack of data on the expenditure of the village councils. • The village governments depend solely on different central and state government schemes for developmental activities. • Severe political bias in allocation of development scheme funds reported. • Funds are not devolved to the bottom tiers following any particular or uniform criteria. • Activities and functions of the Local Government severely limited due to lack of financial resources. (Details in 6.2.5)
7	Own Source Revenue	<ul style="list-style-type: none"> • The villages have nominal or no own source revenue at present. • There are provisions for collection of some small tax such as animal tax or water tax in the customary practices but these are not documented or has legal backing. (Details in 6.2.6) • Lack of guidelines on OSR mobilisation and use. • Templates for own revenue generation and use need to be prepared at ADC level and distributed.
8	State Finance Commission	<ul style="list-style-type: none"> • In Meghalaya the State Finance Commission act of 2012 provides for the constitution of a State Finance Commission to study and recommend terms of financial resource sharing between the state and the local governments. • There is need for an SFC to study and recommend financial position of local governments.

Table 37 Status of RLBs in Mizoram Summary

No	Dimension	Summary
1	Existing set up of local governance in non-part IX areas	<ul style="list-style-type: none"> • Village Councils similar to PRIs exist at the village level. • The ADCs have the discretion on size and composition of the members of the Village Councils. (Details in 7.2.1)
2	Devolution of powers	<ul style="list-style-type: none"> • Village Councils in Mizoram are actively involved in the day to day functioning of village activities. • Of the functions carried out by the Village Committees, some have clear provisions and guidelines mentioned in the acts, rules, and regulations, while others are based on convention, usage, practice, and custom of the Mizo people. • Village Councils coordinate MGNREGA activities under the instructions of block-level officials. • Activity mapping and legal backing for effective functioning of Local Governments required. • Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments. (Details in 7.2.1.6) • The Mizo District (Forest) Act, 1955 assigns additional responsibilities related to the protection of forests to the Village Councils. (Details in 7.2.1.9)
3	Elections to local governments	<ul style="list-style-type: none"> • SEC conducts elections to the local governments. • Elections take place as ADCs notifies the vacancies. • Detailed guidelines for the conduct of elections in each ADC exists. (Details in 7.2.3).
4	State Election Commission	<ul style="list-style-type: none"> • The State Election Commission was constituted in October 2008. Additionally, legislation by Autonomous District Councils was required for enforcement of the State Election Commission in the Sixth Schedule areas. • The three autonomous district councils, Mara Autonomous District Council, Lai Autonomous District Council, and Chakma Autonomous District councils (2014, 2011, and 2007 respectively), have passed legislation entrusting the State Election Commission with the responsibility of conducting elections to their Village Councils. (Details in 7.2.3).
5	Reservation for women	<ul style="list-style-type: none"> • 30% of the seats in VCs are reserved for women since 2014. • Participation of women in VCs is nominal, strictly limited to the reserved seats and seldom at the level of President of the VCs. (Details in 7.2.1.1)
6	Financial Status of Local Governments	<ul style="list-style-type: none"> • Village Councils are entirely dependent on the funds of rural development schemes, the transfer of State finance commission funds, and that of the central finance commission.

		<ul style="list-style-type: none"> • Activities and functions of the Local Government severely limited due to lack of financial resources. (Details in 7.2.4)
7	Own Source Revenue	<ul style="list-style-type: none"> • Lack of guidelines on OSR mobilisation and use. • Templates for own revenue generation and use need to be prepared at ADC level and distributed. • The existing legislation was also amended to enable the village councils to collect property tax, but most village councils do not collect any tax. (Details in 7.2.4)
8	State Finance Commission	<ul style="list-style-type: none"> • The first State Finance Commission of Mizoram was set up in 2011 and published its report in 2015. • The State Finance Commission had recommended the devolution of 15 per cent of state tax revenue and the grants in aid to the village councils. Devolution of state funds takes place based on this recommendation (Details in 7.2.5)

Table 38 Status of RLBs in Nagaland Summary

No	Dimension	Summary
1	Existing set up of local governance in non-part IX areas	<ul style="list-style-type: none"> • The traditional Village councils which were given legal status in 1968 and its subsidiary Village Development Board (VDB) are established modes of decentralized governing institution in every village of Nagaland. • Additionally, new platforms for community participation created through the communitisation program also exist in the form of different committees (Details in 8.2.1)
2	Devolution of powers	<ul style="list-style-type: none"> • Powers of the village councils are not clearly mentioned; however, they assume the position of apex decision making authority in the village. • The village council is vested with some judicial powers to administer justice within the village limits in accordance with the customary law. • Functions of VDBs, and committees under communitisation are mentioned. • Activity mapping and legal backing for effective functioning of Local Governments required. • Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments. (Details in 8.2.1 and 8.2.2)
3	Elections to local governments	<ul style="list-style-type: none"> • Traditional Naga politics though with variation from village to village show a common rejection towards voting or supporting one side and opposing other. A consensus-based decision-making mechanism at the village level is followed. • The members are chosen by villagers in accordance with the prevailing customary practices. (Details in 8.2.3).

4	State Election Commission	<ul style="list-style-type: none"> • Constitution of a State Election Commission to conduct election to Village Councils does not appear feasible given the social and cultural context of the State.
5	Reservation for women	<ul style="list-style-type: none"> • Representation of women in Village Council is absent and participation of women in local governance is strictly limited to the reserved seats in different committees under communitisation programme. (Details in 8.2.4)
6	Financial Status of Local Governments	<ul style="list-style-type: none"> • All the villages are dependent on MGNREGA funds. • Most of them have received FFC grants and for some both the funds are pending. • The amounts received significantly vary on the basis of village population. • CSR funds and mobilisation of additional resources are not observed in these villages. • Potential to converge different funds effectively exists at the village level. • There is a lack of clarity regarding different functions related to tax collection and fund transfer. • There is a need for clear rules and provisions for proceedings related to different taxes and duties and the transfer of funds. (Details in 8.2.5)
7	Own Source Revenue	<ul style="list-style-type: none"> • Village Councils don't seem to have any own source revenue. • Lack of guidelines on OSR mobilisation and use. • Templates for own revenue generation and use need to be prepared at ADC level and distributed.
8	State Finance Commission	<ul style="list-style-type: none"> • In Nagaland, A State Finance Commission was constituted in 2008 with limited scope. The State Finance Commission Report that was submitted after fifteen months of constituting the commission discusses only the fund sharing between the State and Urban Local Bodies and do not deal with rural local bodies. The provisions of the State Finance Commission need to be extended to address Rural Local Bodies as well. (Details in 8.2.6)

Table 39 Status of RLBs in Non-part IX areas of Tripura Summary

No	Dimension	Summary
1	Existing set up of local governance in non-part IX areas	<ul style="list-style-type: none"> • PRIs and non-PRIs in the State has almost same characteristics. • TTAADC areas are divided into zones, with the zonal areas further divided into sub-zones. • In each zone, there is a Zonal Development Committee comprising a chairperson of the elected Village Committees (VCs), the Member of District Council (MDCs), Member of Legislative Assembly (MLAs) and the Executive Members of the District Council.

		<ul style="list-style-type: none"> • In Sub-zones Block Advisory Committees (BACs) are constituted by the State government. BACs comprise chairpersons of all elected VCs in the RD blocks, chaired by MLAs or MDCs. • Village Committees exist at the village level • Village Committees are very similar to that of PRIs (Details in 9.2.1)
2	Devolution of powers	<ul style="list-style-type: none"> • The major responsibilities of the village committees are mentioned in the policy documents are initiation of development schemes. • Additionally, the State government carried out an activity mapping for devolution of powers to the three-tier of PRIs in 2010. This Activity Mapping is reported to have included all the 29 subjects mentioned in the Eleventh Schedule of the Constitution and covers 21 State government departments. • Out of the total 21-line departments devolved to the local governments through Activity Mapping, the functionaries of 6 subjects (School Education, Social Welfare & Social Education, Social Welfare, Water Resource Department, and RD (Panchayat) Department have been transferred to Panchayats. (Details in 9.2.2)
3	Elections to local governments	<ul style="list-style-type: none"> • The members are elected on the basis of adult suffrage • Detailed guidelines on the conduct of elections are provided. (Details in 9.2.3)
4	State Election Commission	<ul style="list-style-type: none"> • The State election Commission in Tripura has been established on 26th April 1994 as per the provisions of Article 243 K. The State Election Commission conduct elections in all rural & urban local bodies including the Village Committees in TTAADC areas (Details in 9.2.4)
5	Reservation for women	<ul style="list-style-type: none"> • There are 4,165 elected members in all 587 VCs, of which one-third are women members. • With effect from 2016, there is a 50 per cent reservation of women for the post of chairperson of VC. • According to the respondents 50% of the elected members in rural local governments are women and also majority of participants in Gram Sabhas are also women. (Details in 9.2.5)
6	Financial Status of Local Governments	<ul style="list-style-type: none"> • Village Councils in the State enjoy a sound financial position in comparison to rural local governments in other non-part IX areas studied. • The implementation of the First SFC recommendations resulted in a significant devolution of funds to the Rural Local Bodies. • The PDF is devolved among the Rural Local Bodies based on a per capita ratio of 4:5 between the PRI areas and 6th Schedule areas.

	<ul style="list-style-type: none"> • Transfers take place to the tune of Rs.250/- for each person per year in the TTAADC areas and Rs 200/- per person in the PRI areas. (Details in 9.2.6 and 9.2.8)
7	Own Source Revenue <ul style="list-style-type: none"> • A detailed guideline on collection and utilisation for own source revenue of the village committees are in place. (Details in 9.2.7)
8	State Finance Commission <ul style="list-style-type: none"> • Three SFCs have been constituted so far in the State. • The third SFC was constituted in March 2008 and submitted its report in October 2009. • The third SFC Adopted a 'gap-filling' approach and made recommendations based on the gap in requirement of establishment expenditure, maintenance expenditure and development expenditure of the RLBs. • State Government accepted most of the recommendations of the Third SFC. • (Details in 9.2.8)

11. Conclusion

In this report, we have tried to illustrate the structure and functioning of the local governments at present, provisions, powers, and responsibilities vested on the village councils and traced their historical evolution. It is observed that the unique cultural and historical context of local governments in non-part IX areas has given them a special status compared to PRI institutions in other parts of the country. In many ways, they enjoy a position far superior to PRI institutions in the day to day lives of the community; at the same time, many lack the legal backing and resources to carry out their functions. The village councils are severely limited by the availability of financial resources and further crippled by the lack of clarity and uniformity in rules and guidelines in most the States.

Major interventions are needed in five areas in non-part IX areas of the States under study: Legal reforms, Financial resources, Human Resources, Capacity Building, and Monitoring and Evaluation. Legal reforms need to include entrusting additional powers to back the functions carried out by village councils at present, bringing more transparency and accountability into financial procedures, bringing uniformity into existing acts and guidelines, protocols for institutional management, guidelines for ensuring the creative and leading role of implementation of development schemes.

A clear criterion for transfer of funds is needed, and timely availability of central and state finance commission funds is to be ensured to improve the financial resource availability of the village councils. A state-level policy with uniform procedure and guidelines for own resource mobilisation for village councils is needed, along with a policy guideline on utilising funds for different schemes. Functionaries for the village councils and human resources, in general, are limited at present. There is an urgent need to provide human resources of permanent nature to the village councils. However, the financial constraints are apparent in this regard, and different strategies such as transferring functionaries for limited periods at the beginning of the strengthening phase, giving

additional charges to the line department employees who are working at the grassroots level, selecting accredited volunteers from SHGs and other organisations, and mobilising community volunteers can be adopted.

Massive capacity building campaigns are required to equip the elected representative, department officials and community groups. A state-level capacity building policy involving local academic institutions, NGOs, and model villages needs to be envisaged. A policy framework for a community level, community-centric, village council-led monitoring and evaluation process needs to be prepared.

Observations on similar lines that this study was made in the past by researchers and committees from within the State and at the national level. Recommendations were made to strengthen the local bodies by addressing many of these issues, but the implementation of these recommendations was not adequately carried out. A focus-oriented campaign is needed at the State level to elevate the Village Councils from the status of point of contact with the community with the Government to that of a Local Government.

SHGs, Youth Organizations, other community-based organisations, and students have a significant role in strengthening the local government. Most of the villages have SHG federations, youth organisations, and CBOs. Bringing these stakeholders into the mainstream, making them an integral part of local governments' functioning, and implementing existing development schemes can increase the community's development voice and trigger a natural reform within a short period. Learnings from the campaign mentioned above can be used to reform the legal framework of Village Councils to strengthen them further.

Most of the non-part IX areas studied had strong local governments in the past. Over the years, local governments' undemocratic nature and exploitative powers have been removed through different political and cultural shifts. It is time to rebuild these local governments into a new generation of strong, democratic, proactive, and inclusive local governments.

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13. Annexure

13.1 Interview Tool

Note: This semi-structured questionnaire was used as a guide to help cover all the Research Objectives. The order of questions was changed and some questions were skipped depending on the participants level of involvement and understanding.

Cover Sheet

Respondent Name	
Designation	
Contact Details	
Place	
Date of Submission	

History

1. What is the historical background of existing Traditional Local Bodies (TLBs) in the State?
.....
.....
2. How did the TLBs evolve over pre-independence, post-independence, and post the 73rd amendment times in the State?
.....
.....
3. What are the milestones in the evolution of TLBs in the State?
.....
.....

Existing Set-up of TLBs

4. What is the current set-up of TLBs in your village/area/state?
.....
.....
5. Are there different tiers to the TLBs, if yes then what are they?
.....
.....
6. Who all are part of these TLBs?
.....
.....
7. What are the roles played by each actor and institutions in these TLBs?
.....
.....
8. How are representatives elected to the TLB? If there are no elections how does the selection take place?
.....
.....

Legitimacy and Government Support

- 9. What is the support mechanism for TLBs at different levels of Government, if there are any?
.....
.....
- 10. What is the legal status of TLBs in the State?
.....
.....
- 11. Where does the TLB draw its legitimacy from? What is the general perception towards these TLBs?
.....
.....
- 12. Where does the TLB draw its authority from? How receptive is the public towards TLBs?
.....
.....
- 13. Were there any political movements that discussed status and functions of these TLBs
.....
.....
- 14. How are the TLBs placed in the general political context of the State
.....
.....

Functions of TLBs

- 15. What are the functions of TLBs?
.....
.....
- 16. What are the powers vested in TLBs?
.....
.....
- 17. In your opinion, how effective are the TLBs in carrying out their functions?
.....
.....
- 18. What are documents maintained by TLBs?
.....
.....
- 19. What is the supervision mechanism if there is any over the TLBs?
.....
.....
- 20. What are the main challenges faced by TLBs in carrying out their responsibilities?
.....
- 21. Has the Government been able to utilise the system of TLBs for development purposes?
.....
.....
- 22. How are conflicts managed?
.....

.....
23. What is the grievance redressal mechanism in place for the TLBs?
.....
.....

24. How are TLBs involved in different development activities, how do they take part in different government schemes and programs?
.....
.....

25. Are TLBs focused more on conflict management within community or development activities?
.....
.....

26. How are TLB activities coordinated at different levels?
.....
.....

Representation of women

27. How are women represented in the TLBs?
.....
.....

28. Do you think representation of women is adequate?
.....
.....

29. Is reservation for women implemented in the State?
.....
.....

30. What do you think is the scope for reservation for women in the State in TLBs?
.....
.....

Resources

31. What are the resources available to the TLBs?
.....
.....

32. How are own resources mobilised if any?
.....
.....

33. How are resources utilised by the TLBs, how does the prioritisation take place?
.....
.....

State Election Commission

34. Is there a State Election Commission? If yes, when was it formed and what are its functions?
.....
.....

35. How did the SEC get constituted? Is it through GO, or 73rd Amendment?
.....
.....
36. If there is no SEC then what do you think the scope of constituting one?
.....
.....
37. If an SEC is constituted and there is an election process, how do you think different stakeholder will respond to it?
.....
.....

State Finance Commission

38. Is there a State Finance Commission? If yes what are its functions?
.....
.....
39. What is the scope of constituting a State Finance Commission, how will different stakeholders respond to it?
.....
.....

13.2 Policy Mapping Matrix

Policy No.	Issued on	Policy Subject	Policy Highlights

13.3 GPDP Document Matrix

No		Name of the village1	Name of the village2	Name of the village n
1	Total Population			
2	Total No. of Households			
3	Total geographical area			
4	Total No. of Registered voters			
5	Total No. of Elected Women Representatives in the VC			
6	No. of Gram Sabhas held during 2021-22			
7	Whether the President of the GP is a male or a female			
8	Whether the VC has its own building			

9	Composition and No. of employees in the VC and their designations			
11	Whether the VC maintain computerized accounts			
12	Who signs cheques for the VC			
14	Taxes collected by the VC			
15	Registers maintained by the VC			
16	Whether the GP has been declared ODF			
17	No. of SHGs			
18	Whether there is a Federation of SHGs			
19	No. of NGOs/Youth Clubs/Voluntary organizations			
20	Sources of funds for GPDP for 2020-21			
21	MGNREGS Grant received during 2021-2022			
22	15th Finance Commission Grant received during 2021-22 (Rs)			
23	State Finance Commission Grant received during 2021-22 (Rs)			
24	Own Source Revenue mobilized during 2020-21 (Rs)			
25	Funds devolved by Intermediate Panchayat/District Panchayat/Department			
26	Fund for GPDP from any other source			
27	Is there any Complaint Box in the GP Office?			
28	Does the GP have its information board in the GP Building?			

13.4 Proposed Devolution of Activities by First State Finance Commission of Mizoram

Drinking Water supply	(a)Development of water supply system Including rain water harvesting (b)Monitoring Rural Water Supply Schemes (c)Maintenance of Rural Water Supply system
Roads, Culverts, Bridges etc.	(a)Development of Village Roads Network and accessibility (b)Improvement & Maintenance of Existing village roads/culverts/bridges
Public Health & Sanitation	(a)Health Care &qualified Health Worker (b)Sewerage and rural sanitation
Primary Education	(a) Expansion of Educational facilities (b) Monitoring of the attendance of the teachers and sending of the Report for payment of salaries. (c) Monitoring of teachers' performance (modalities to be worked out jointly with the State Government)
Rural Housing	(a) Approval of plans and sanctioning (b) Supervision and Monitoring
Agriculture	(a) Increase in Agricultural Production (b) Agriculture Link Road (c) Assist in getting Credit Support (d) Arranging Extension Support
Social Welfare	(a) Welfare of Disabled & Aged (b) Drug Use Prevention (c) Assistance to Voluntary Organizations (d) Identification of beneficiaries for different welfare schemes
Family Welfare	a) Maternal & Child Health Centres
Markets & Fairs	(a) Identification of location and Development of Market Complex
Rural Electrification	a) Expansion of Electrification (b) Monitoring of Power Supply
Public Distribution System	(a) Availability of Essential Commodities And Demand Assessment
Animal Husbandry, Dairying and Poultry	(a) Development of Livestock (b) Veterinary Service (c) Feeding and Fodder (d) Dairy Development (e) Poultry Development
Forest and Environment	Collection of fees against Commercial exploitation of Forest Resources

13.5 Roadmap for revamping the local government system in Non part IX areas

1. Ministry of Panchayati Raj

No	Actions	Timeline
1	A National Level Workshop on the report with participants from the Non-part IX Areas, Experts on Constitution, Panchayati Raj Experts.	September 2022
2	Advisories to the Non-part IX Areas states on reorganization of local government system, the suggestions drawn from the report and the workshop.	September 2022
3	A National Level Committee review and handhold the process of reorganization of the local government system in the Non-part IX Areas.	September 2022
4	Expert Mentor/s to support in the Non-part IX Areas states for the reorganizations.	September 2022
5	A package to be developed for the strengthening of the SIRDPRs in the Non-part IX Areas states, so that the SIRDPRs takes the activities forward.	October

2. States

No	Actions	Time line
1	A state level expert committee to be formed to review the status of local governance system based on the report.	September – December 2022
2	Review of the existing legal system and suggest measures for legislative actions.	September – December 2022
3	Amendments to the existing acts and legal instruments on local governments system in the states.	January 2023
4	Amendments to the various acts and legal instruments which have implication in the revamped local government system/ conformity legislations	January 2023
5	Legislations, other legal instruments and manuals for the functioning of State Election Commission (if, already in place review and amend. If not taking measures to establish State Election Commission).	March 2023
6	Legislations, other legal instruments and manuals for the functioning of State Finance	March 2023

	Commission (if, already in place review and amend. If not taking measures to establish State Finance Commission).	
7	A detailed assessment of the Human Resources available at local governments and suggest measures for increasing the number	December 2022
8	Development of an operational strategy for capacity development of the revamped local government system.	March 2023
9	Development of an Organizational development strategy for SIRDPR	March 2023

3. Specific Suggestions on Human Resources

For local governments with population less than 500

- 1) Secretary - 1 number
- 2) Technical Assistant (Computer Assistant) - 1 number
- 3) Community Mobilizers (semi voluntary) – 2 (male 1, female 1)

For local governments with population above 500

1. Secretary - 1 number
2. Clerk - 1 number
3. Technical Assistant (Computer Assistant) - 1 number
4. Overseer/Engineers (at least 1 for 3 LGs)
5. GPDP coordinator – 1 number
6. Community Mobilizers (semi voluntary) – 4 (male 2, female 2)
Thematically placed for topics like health, social security system (like pensions, ration card etc.), Gram Sabha mobilization, SHG PRI interface etc.
7. Emergency response teams (semi voluntary and on-call)- at least 10
8. Attendant / Multipurpose office work -1 number
9. Part time sweeper – 1 number

We also suggest that all the human resources of various flagship programmes and projects at the local level are attached with the local government of that level.

13.6 Status of RLBs in Non-part IX areas

Status of RLBs in Non-part IX areas								
State/ Dimension	Existing set up of local governance in non-part IX areas	Devolution of powers	Elections to local governments	State Election Commission	Reservation for women	Financial Status of Local Governments	Own Source Revenue	State Finance Commission
Assam	<p>1. Territorial Constituency Level Coordination Committee (TCLCC) at the subdistrict level and the Village Councils Development Committee (VDC) at the village level. Village Development Councils (VDC) at the village level in Karbi-Anglong.</p> <p>2. A gap in coordination and planning between the villages and</p>	<p>1. The powers and responsibilities of the village bodies are not clearly stated.</p> <p>2. The local governments function as an extended arm of different departments, and as a point of contact with the community than that of a government.</p> <p>3. Activity mapping and legal backing for effective functioning of Local Governments required.</p>	<p>1. Members and the Chairman of the local government are not elected through a democratic process but selected and appointed by the BTC authority.</p> <p>2. Uniformity in constituting local governments and democratic process of election under the supervision of ADCs and SEC needed.</p>	<p>1. SEC conducts election to PRIs and ADCs.</p> <p>2. SEC doesn't conduct elections to the rural local governments at village or block level in the sixth schedule areas.</p>	<p>1. A claimed 30% reservation norm for women exists. However, this reservation does not have any statutory backing, nor is it implemented at the ground level.</p> <p>2. Participation of women in local government activities very limited.</p> <p>3. Campaigns to improve women participation needed. Involvement of</p>	<p>1. The village governments depend solely on different central and state government schemes for developmental activities and have no financial resources under their discretion.</p> <p>2. Funds are not devolved to the bottom tiers following any particular or uniform criteria.</p> <p>3. Lack of information in devolution, and expenditure of funds at subdistrict and village level</p>	<p>1. Villages do not collect any taxes or other forms of OSR.</p> <p>2. Revenue from no other source mobilised in most villages. Lack of guidelines on OSR mobilisation and use.</p> <p>3. Templates for own revenue generation and use need to be</p>	<p>1. Five SFCs constituted so far. Terms of devolution of funds to ADCs, and grants-in-aid recommended</p>

	the councils observed	4. Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments.			women SHGs in the region in local government functions to be encouraged.	4. Activities and functions of the Local Government severely limited due to lack of financial resources. 5. A robust yet simple accounting system needs to be prepared for use at village level.	prepared at ADC level and distributed	
Suggestions								
Manipur	1. Village Authorities with unique traditional governance systems functioning at the village level. 2. Both Kukis and Nagas have their unique traditional system of village governance	1. Judicial powers and responsibilities are given the focus. 2. Responsibility of the village council almost always end with giving an approval for carrying out developmental interventions in the village 3. Other	1. According to existing policy, elections to the village authorities are to be conducted on the basis of adult suffrage and the local body is constituted for three years 2. In practice, no uniform process is followed for	1. There is need for a state election commission first and foremost to bring uniformity in the elections to the village government and to implement the provisions	1. Only men can be part of the village council according to tradition in many villages. 2. Representation of women in the village government is near absent. 3. Participation of women is limited. 4. Campaigns	1. There is a lack of data on the expenditure of the village councils. 2. Activities are planned solely based on funds available every year and through department of rural development The village governments depend solely on	1. Villages do not collect any taxes or other forms of OSR. 2. Revenue from no other source mobilised in most villages. Lack of guidelines on OSR mobilisatio	1. Three State Finance Commissions have been constituted so far. The third State finance commission was constituted in 2013 and the SFC submitted the report in 2014. 2. SFC did not clearly mention the terms of devolution of

	<p>and administration .</p> <p>3. The chief of the village is the repository of all powers of administration supported by a selected council.</p> <p>4. The chief is an ex-officio member of the village authority wherever such a committee exists.</p> <p>5. No uniform system of governance or administration .</p> <p>6. Characteristics vary on the basis of region and tribe</p>	<p>powers and responsibilities of the village bodies are not clearly stated.</p> <p>4. Activity mapping and legal backing for effective functioning of Local Governments required</p> <p>5. Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments.</p>	<p>elections and the duration of village governments also vary</p> <p>3. The villagers often select candidates who are educated, or seem suitable for the job on the basis of consensus or by limited election</p>	<p>of Manipur (Village Authorities in Hill Areas) Act 1956</p>	<p>to improve women participation needed.</p> <p>Involvement of women SHGs in the region in local government functions to be encouraged</p>	<p>different central and state government schemes for developmental activities and have no financial resources under their discretion</p> <p>3. Funds are not devolved to the bottom tiers following any particular or uniform criteria</p> <p>4. Activities and functions of the Local Government severely limited due to lack of financial resources.</p>	<p>n and use.</p> <p>3. Templates for own revenue generation and use need to be prepared at ADC level and distributed</p>	<p>funds to the local bodies in the hill areas. Or discuss the State Finance Commission financial position of such local bodies.</p> <p>3. There exists a need for clear terms by which the funds can be transferred to the traditional local institutions</p> <p>4. An SFC with adequate timeframe to assess the present scenario and make recommendation needed.</p>
Suggestions								

<p>Meghalaya</p>	<p>1. A complex structure of governance observed. 2. Village Authorities with unique traditional governance systems functioning at the village level. 3. Both Khasi, Garo, and Jaintia hills have their unique traditional system of village governance and administration . 4. The local governing structure are similar to chieftainships in many aspects with elements of</p>	<p>1. Traditional Local governments have both executive and judicial functions. 2. Functions of VDCs are described in policy documents. 3. Other powers and responsibilities of the village bodies are not clearly stated. 4. Activity mapping and legal backing for effective functioning of Local Governments required. 5. Detailed guidelines and manuals for implementing schemes need to be prepared, clearly</p>	<p>1. Elections to the local governments take place according to customary practices and often through blood lineages. 2. The process is often voice vote or a rise of hands. The nominations are on the basis of consensus and family, or clan lineages. 3. The ADCs play a crucial role in the conduct and recognition of elected members and have extra ordinary powers for appointing as well as removal of the elected heads.</p>	<p>1. There is need for a state election commission first and foremost to bring uniformity in the elections to the village governments</p>	<p>1. Only men can be part of the village council according to tradition in many villages. 2. Representation of women in the village government is near absent. 3. VDCs constituted by the village council to ensure inclusive participation for socio economic development of the village has spaces for women but even in VDCs, participation of women appear inadequate and seldom at the level of chairperson of</p>	<p>1. There is a lack of data on the expenditure of the village councils. 2. The village governments depend solely on different central and state government schemes for developmental activities. 3. Severe political bias in allocation of development scheme funds reported. 4. Funds are not devolved to the bottom tiers following any particular or uniform criteria 5. Activities and functions of the Local Government severely limited due to lack of</p>	<p>1. The villages have nominal or no own source revenue at present. 2. There are provisions for collection of some small tax such as animal tax or water tax in the customary practices but these are not documented or has legal backing. 3. Lack of guidelines on OSR mobilisation and use 4.</p>	<p>1. In Meghalaya the State Finance Commission act of 2012 provides for the constitution of a State Finance 2. Commission to study and recommend terms of financial resource sharing between the state and the local governments. 3. There is need for an SFC to study and recommend financial position of local governments</p>
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	<p>matrilineal characteristics</p> <p>5. The ADCs have overriding powers over village governments.</p> <p>6. A Village Development Council (VDC) to enable and ensure the participation of men, women and youth in the welfare and socio-economic development of the Village is constituted under the general control and supervision of the Village Government</p> <p>7. For implementation of</p>	<p>demarcating the roles and responsibilities of local governments</p>			<p>VDCs or at other key posts.</p>	<p>financial resources.</p>	<p>Templates for own revenue generation and use need to be prepared at ADC level and distributed</p>	
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	MGNREGA, village employment councils (VECs) and area employment councils (AECs) have been set up.							
Suggestions								
Mizoram	<p>1. Village Councils similar to PRIs exist at the village level.</p> <p>2. The ADCs have the discretion on size and composition of the members of the Village Councils</p>	<p>1. Village Councils in Mizoram are actively involved in the day to day functioning of village activities.</p> <p>2. Of the functions carried out by the Village Committees, some have clear provisions and guidelines mentioned in the acts, rules, and regulations,</p>	<p>1. SEC conducts elections to the local governments.</p> <p>2. Elections take place as ADCs notifies the vacancies.</p> <p>3. Detailed guidelines for the conduct of elections in each ADC exists.</p>	<p>1. The State Election Commission was constituted in October 2008. Additionally, legislation by Autonomous District Councils was required for enforcement of the State Election Commission in the Sixth</p>	<p>1. 30% of the seats in VCs are reserved for women since 2014.</p> <p>2. Participation of women in VCs is nominal, strictly limited to the reserved seats and seldom at the level of President of the VCs.</p>	<p>1. Village Councils are entirely dependent on the funds of rural development schemes, the transfer of State finance commission funds, and that of the central finance commission</p> <p>2. Activities and functions of the Local Government severely limited due to lack of</p>	<p>1. Lack of guidelines on OSR mobilisation and use.</p> <p>2. Templates for own revenue generation and use need to be prepared at ADC level and distributed.</p> <p>3. The existing legislation was also amended</p>	<p>1. The first State Finance Commission of Mizoram was set up in 2011 and published its report in 2015.</p> <p>2. The State Finance Commission had recommended the devolution of 15 per cent of state tax revenue and the grants in aid to the village councils. Devolution of state funds takes place based on</p>

		<p>while others are based on convention, usage, practice, and custom of the Mizo people.</p> <p>3. Village Councils coordinate MGNREGA activities under the instructions of block-level officials.</p> <p>4. Activity mapping and legal backing for effective functioning of Local Governments required.</p> <p>5. Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities</p>		<p>Schedule areas.</p> <p>2. The three autonomous district councils, Mara Autonomous District Council, Lai Autonomous District Council, and Chakma Autonomous District councils (2014, 2011, and 2007 respectively), have passed legislation entrusting the State Election Commission with the responsibility of conducting elections to</p>		<p>financial resources.</p>	<p>to enable the village councils to collect property tax, but most village councils do not collect any tax.</p>	<p>this recommendation</p>
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		of local governments. 6. The Mizo District (Forest) Act, 1955 assigns additional responsibilities related to the protection of forests to the Village Councils.		their Village Councils.				
Suggestions								
Nagaland	1. The traditional Village councils which were given legal status in 1968 and its subsidiary Village Development Board (VDB) are established modes of decentralized governing institution in every village of Nagaland.	1. Powers of the village councils are not clearly mentioned; however, they assume the position of apex decision making authority in the village. 2. The village council is vested with some judicial powers to administer justice within	1. Traditional Naga politics though with variation from village to village show a common rejection towards voting or supporting one side and opposing other. A consensusbased decision-making mechanism at the village level is	1. Constitution of a State Election Commission to conduct election to Village Councils does not appear feasible given the social and cultural context of the State	1. Representation of women in Village Council is absent and participation of women in local governance is strictly limited to the reserved seats in different committees under community development programme	1. All the villages are dependent on MGNREGA funds. Most of them have received FFC grants and for some both the funds are pending. 2. The amounts received significantly vary on the basis of village population. 3. CSR funds and mobilisation of additional	1. Village Councils don't seem to have any own source revenue. 2. Lack of guidelines on OSR mobilisation and use 3. Templates for own revenue generation and use need to be prepared at	1. In Nagaland, A State Finance Commission was constituted in 2008 with limited scope. The State Finance Commission Report that was submitted after fifteen months of constituting the commission discusses only the fund sharing between the State and Urban Local Bodies and

	<p>2. Additionally, new platforms for community participation created through the communitisation program also exist in the form of different committees</p>	<p>the village limits in accordance with the customary law. 3. Functions of VDBs, and committees under communitisation are mentioned. 4. Activity mapping and legal backing for effective functioning of Local Governments required. 5. Detailed guidelines and manuals for implementing schemes need to be prepared, clearly demarcating the roles and responsibilities of local governments.</p>	<p>followed. 2. The members are chosen by villagers in accordance with the prevailing customary practices</p>			<p>resources are not observed in these villages 4. Potential to converge different funds effectively exists at the village level 5. There is a lack of clarity regarding different functions related to tax collection and fund transfer. 6. There is a need for clear rules and provisions for proceedings related to different taxes and duties and the transfer of funds.</p>	<p>ADC level and distributed</p>	<p>do not deal with rural local bodies. The provisions of the State Finance Commission need to be extended to address Rural Local Bodies as well.</p>
Suggestions								

<p>Tripura</p>	<p>1. PRIs and non-PRIs in the State has almost same characteristics . 2. TTAADC areas are divided into zones, with the zonal areas further divided into sub-zones. 3. In each zone, there is a Zonal Development Committee comprising a chairperson of the elected Village Committees (VCs), the Member of District Council (MDCs), Member of Legislative Assembly (MLAs) and</p>	<p>1. In Sub-zones Block Advisory Committees (BACs) are constituted by the State government. BACs comprise chairpersons of all elected VCs in the RD blocks, chaired by MLAs or MDCs 2. Village Committees exist at the village level 3. Village Committees are very similar to that of PRIs 4. The major responsibilities of the village committees are mentioned in the policy documents are initiation of development schemes 5. Additionally,</p>	<p>1. The members are elected on the basis of adult suffrage Detailed guidelines on the conduct of elections are provided</p>	<p>1. The State election Commission in Tripura has been established on 26th April 1994 as per the provisions of Article 243 K. The State Election Commission conduct elections in all rural & urban local bodies including the Village Committees in TTAADC areas</p>	<p>1. There are 4,165 elected members in all 587 VCs, of which one-third are women members. 2. With effect from 2016, there is a 50 per cent reservation of women for the post of chairperson of VC. 3. According to the respondents 50% of the elected members in rural local governments are women and also majority of participants in Gram Sabhas are also women</p>	<p>1. Village Councils in the State enjoy a sound financial position in comparison to rural local governments in other non-part IX areas studied. 2. The implementation of the First SFC recommendations resulted in a significant devolution of funds to the Rural Local Bodies. 3. The PDF is devolved among the Rural Local Bodies based on a per capita ratio of 4:5 between the PRI areas and 6th Schedule areas 4. Transfers take place to the tune of Rs.250/- for each person per</p>	<p>1. A detailed guideline on collection and utilisation for own source revenue of the village committees are in place</p>	<p>1. Three SFCs have been constituted so far in the State. The third SFC was constituted in March 2008 and submitted its report in October 2009. 2. The third SFC Adopted a 'gap-filling' approach and made recommendations based on the gap in requirement of establishment expenditure, maintenance expenditure and development expenditure of the RLBs. 3. State Government accepted most of the recommendations of the Third SFC.</p>
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	the Executive Members of the District Council	the State government carried out an activity mapping for devolution of powers to the three-tier of PRIs in 2010. This Activity Mapping is reported to have included all the 29 subjects mentioned in the Eleventh Schedule of the Constitution and covers 21 State government departments 6. Out of the total 21-line departments devolved to the local governments through Activity Mapping, the functionaries of				year in the TTAADC areas and Rs 200/- per person in the PRI areas.		
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		6 subjects (School Education, Social Welfare & Social Education, Social Welfare, Water Resource Department, and RD (Panchayat) Department have been transferred to Panchayats.						
Suggestions								