



E-ISSN: 2664-603X  
P-ISSN: 2664-6021  
IJPSG 2025; 7(4): 90-95  
[www.journalofpoliticalscience.com](http://www.journalofpoliticalscience.com)  
Received: 09-02-2025  
Accepted: 12-03-2025

**Boga Srinu**  
Research Scholar, Department  
of Political Science, School of  
Social Science, University of  
Hyderabad, Telangana, India

## Democratic decentralization in India: A retrospective analysis of the panchayat raj act in Telangana

**Boga Srinu**

**DOI:** <https://www.doi.org/10.33545/26646021.2025.v7.i4b.486>

### Abstract

Democracy is being strengthened by decentralising power, allowing more people to participate in the political system. To achieve this, villages needed greater autonomy. In the process of securing village administration, the government took the initiative. The Government of India introduced the Panchayati Raj Act of 1993, prompting all states to enact their own Panchayati Raj Acts based on this legislation. Following the bifurcation of Andhra Pradesh in 2014, the newly formed state of Telangana also established its own Panchayati Raj Act. This paper will discuss the strengths and weaknesses of the Telangana Panchayati Raj Act, analyse how it differs from the former Andhra Pradesh Panchayati Raj and examine the changes implemented in this new Act.

**Keywords:** Grama Sabham, democratic decentralization, panchayati raj act, reservations, transfer of subjects

### Introduction

In an era of globalisation, policymakers and governments are focused on creating a global village (Andrew M, *et al.* 1998) <sup>[3]</sup>. National and international organisations like the UNO, World Bank, MNCs and NGOs have shifted their focus from urban to rural areas. Villages have always been vital to a nation's development. Julius Caesar once said, "I had rather be first in a village than second at Rome." Gandhi stated, "The future of India lies in its villages," highlighting that the essence of true democracy resides in the village.

Globally, villages have been developed and governments have introduced unique acts to support this development. A town is a fundamental unit of democracy. The Panchayati Raj Institutions Act of 1993 in India provided significant opportunities for villages. "Political democracy depends not only on economic and social conditions but also on the design of political institutions" (James *et al.*, 1984) <sup>[35]</sup>. This Act also empowered Panchayati Raj Institutions in India by decentralising power and granting local bodies special powers and authority (Srinivasan N, 1956, P Bardhan, 2000, Jayal NG) <sup>[19, 7]</sup>. Decentralization has become synonymous with progressive development and inclusive, participatory governance (Arkorful I, *et al.* 2021, January, Amit PK, *et al.* 2006) <sup>[4, 10]</sup>. This Act provided ample opportunities for people to participate in local elections and increased the powers of local governance. "Distinct from democratic decentralization that seeks to establish self-governing institutions at the local level, this kind of decentralization referred only to the devolution of functions and budgets and was managerial in content" (Kuldeep Mathur, 2013; Mookherjee D, 2015) <sup>[36, 11]</sup>. Myerson (2014) <sup>[37]</sup> emphasizes the benefits of decentralized government in screening governance talent and allowing officials to develop village administration. Decentralization thus allows local government to be reconsidered (McCarney, 1996) to secure more funds, functions and functionaries (Mookherjee D., 2015, Jayal NG, Amit PK, *et al.* 2006) <sup>[11, 10]</sup>. At the local level, the system becomes more responsible, transparent and accountable (Smith, 1985, p. 18-30; Wolman, 1990:30-36) <sup>[38, 39]</sup>.

Since 1993, all states in India have implemented the Panchayati Raj Act. Andhra Pradesh also adhered to this Act until its bifurcation in 2014 (The Hindu, 2016; GOT, 2014; GOI, 2014) <sup>[40-42]</sup>. Following the formation of Telangana, the newly elected government introduced numerous administrative changes, including amendments to the Panchayati Raj Act. This Act added many new provisions and modified several old rules from the Andhra Pradesh Panchayati Raj Act.

**Corresponding Author:**  
**Boga Srinu**  
Research Scholar, Department  
of Political Science, School of  
Social Science, University of  
Hyderabad, Telangana, India

This paper will retrospectively analyse the history of the Panchayati Raj system in the former Andhra Pradesh and examine its new version in the youngest Indian state, Telangana.

Significant changes have been made to local governance administration for newly emerged states like Telangana. The newly formed government amended the Panchayati Raj Act to alter the administrative provisions at the state level. A critical review of the Panchayati Raj Act is necessary for future studies on Telangana local governance. This paper will analyse the Telangana Panchayati Raj Act, highlight its differences from the Andhra Pradesh Panchayati Raj Act and discuss the significant changes it introduces.

### Literature review

According to Indian governance literature, there are ongoing discussions about the tensions between formal and informal institutions in the context of decentralisation in rural areas (Ananth *et al.*, 2014) <sup>[2]</sup>. In devolution, governments in developing countries are transferring management responsibilities and powers from central authorities to various local institutions (Dillinger, 1994, p. 8; Crook and Manor, 1998; UNCDF, 2000:5-11; World Bank, 2000; Ribot, 1999a:51; Fisher, 1991). Wade (1997) <sup>[49, 44-48]</sup> notes that while central authorities managed construction, maintenance was devolved to local communities (Bardhan, P., 2002, p. 6) <sup>[6]</sup>.

The OECD (Organization for Economic Cooperation and Development) states that local government is based on fiscal governance, legislative and executive authority over a specific area, accountability for resource use and government commitment and ownership (Crook and Sverrisson, 2001; Manor, 2003; OECD-DAC, 2004; Ahmad *et al.*, 2005; Aijaz, 2007) <sup>[49-53]</sup>. Decentralisation is politically motivated, allowing for greater democratic participation, increased accountability and integration into the government (Clarke, 2007) <sup>[54]</sup>.

Comme (1987) <sup>[55]</sup> defines local government as a part of the national or state government administered by authorities subordinate to, but elected independently of, the state authority. These authorities consist of qualified residents or property owners in localities formed by communities with shared interests and histories. Tindal (1977) <sup>[56]</sup> emphasises that local institutions provide public services and represent the people's will. Lockard (1963) <sup>[57]</sup> describes local government as a public organisation authorised to establish and administer public policies within a given territory, a subdivision of the central government. Unlike private organisations, local governments aim to serve the general interest of citizens.

As Jawaharlal Nehru, the first Prime Minister of India, said in 1948, "Self-governance is and should be the basis of any truly democratic system. You cannot build a consolidated democracy if you do not build its foundation from below" (Aijaz, 2007) <sup>[53]</sup>.

### Surveying the Indian Panchayati Raj System

Our local democracy is the largest in the world, with approximately 30 lakh local representatives elected for local government. In India, the Panchayati Raj System has developed over time. Local self-government existed as early as 1200 B.C. during the Vedic period. Village agrarian communities served as natural governing agencies in that

era (Yerankar, 2004; Jayal, 2006) <sup>[21, 6]</sup>. The Ramayana, Mahabharata and Kautilya's Arthashastra also mention the village system. In the Rigveda, bodies like the "Sabha" and "Samiti" fulfilled the purpose of self-government (Kamble, 2015, p.2) <sup>[62]</sup>. This tradition continued into the Buddhist era, as noted in the writings of Dr. B.R. Ambedkar, the father of the Indian Constitution. During the Chola period, local government was successfully maintained by the rulers of the time. The Delhi Sultanate's administration also prioritised village-level Panchayats (Jayal, 2006) <sup>[10]</sup>.

During the Mughal period, decisions were made at the Panchayati level. Although British Governors-General and Viceroys modernised and centralised Indian administration, which created a "White Man's Burden," they did not dismantle the existing Panchayati system. 1882 Lord Ripon introduced Panchayati Raj Institutions (PRI) in India. The Royal Commission on Decentralization in 1907, the Montagu-Chelmsford Reforms in 1919 and the Government of India Act in 1935 also mentioned it (Mathew G., 2005) <sup>[59]</sup>.

After independence, many states implemented rural development programs, such as Firka planning in Madras in 1946, Etawah planning in Uttar Pradesh and Nilokheri planning in Haryana (Srinivasan, N., 1956) <sup>[19]</sup>. The central government took many steps to develop local governments across the country. It introduced several programs and appointed committees to promote them. Programs like the Community Development Programme (1952) <sup>[60]</sup> and the National Extension Service (NES) in 1952 brought many villages under the umbrella of Panchayati Raj. In 1957, the Congress government appointed the Balwant Rai Mehta Committee, the first to recommend a three-tier system to decentralise power and give it to local people (Mathew G., 2005) <sup>[59]</sup>. Following these recommendations, states like Rajasthan and Andhra Pradesh implemented the three-tier system in local government.

In 1977, the Janata government appointed a committee by Ashok Mehta, which mainly proposed the 'Mandal Panchayati' system (Haragopal *et al.*; G., 1995) <sup>[9]</sup>. The Dantwala Commission in 1978 recommended block-level planning, giving more powers to the Sarpanch. The C.H. Hanumantha Rao Committee (1984) <sup>[61]</sup> recommended district planning boards. The Rajiv Gandhi government appointed the G.V.K. Rao Committee and the L.M. Singhvi Committee in 1985-86 (Jayal NG, 2006) <sup>[10]</sup>. The former recommended the abolition of block-level bodies and the strengthening of the Zilla Parishad. At the same time, the latter suggested reorganising Panchayati Raj institutions, establishing influential village-level committees and giving constitutional recognition to PRI.

The P.V. Narasimha Rao government took the most revolutionary step in 1992 to strengthen the Panchayati Raj institutions. The government enacted the 73rd Amendment, leading to the Panchayati Raj Institutions Act 1993 (Jayal, N.G., 2006; Kamble, 2015; Mathew G, 2005; Balaramulu *et al.*; M., 1996) <sup>[10, 62, 59, 5]</sup>. This Act required all state governments in India to introduce and implement the Panchayati Raj Institutions Act. Local governments gained autonomy over local administration through this Act, which focused on democratic decentralisation, a three-tier system in local government, direct elections for local bodies, reservations for S.C.s and S.T.s and encouraging high women representation in local elections (GOI, 1992; GOT,

2018) [63, 64]. It fulfilled the philosophy of the Directive Principles of State Policy mentioned in Article 40 of the Indian Constitution (Austin G, 1964) [65]. According to this Act, 29 subjects were assigned to village Panchayats (GOI, 1992; GOT, 2018) [63, 64]. The Act also gave extraordinary powers to the finance commission and election commission to specify and recommend funds and conduct free and fair elections at the local level (Balaramulu M, *et al.*, 1996) [5].

### **Andhra Pradesh Panchayat Raj System: A Historical Overview:**

The Andhra Pradesh Gram Panchayati Raj Act of 1964 replaced the previous Gram Panchayati Acts in the Andhra and Telangana regions. This Act mandated that every village have a Gram Sabha consisting of all eligible voters and introduced a three-tier system: Gram Panchayat at the village level, Panchayati Samiti at the block level and Zilla Parishad at the district level.

In 1968, the government appointed J. Vengala Rao as chairman of a committee that focused on non-party identity elections, proper allocation of funds and limiting the decision-making power of local body representatives. Subsequently, in 1971, another high-power committee was appointed under the chairmanship of C. Narasimhan. This committee assessed the performance of PRI and recommended that the Sarpanch and Zilla Parishad chairman be elected directly, that no-confidence motions do not apply to the Sarpanch and that reservations have to be made for S.C.s, STs and women, along with a redesign of standing committees (Haragopal *et al.*, G., 1995; Singh, H., 1994) [9, 18]. The Andhra Pradesh Gram Panchayati Raj Act of 1976 prioritised reservations for S.C.s and S.T.s (20-50%). The Act of 1986 focused on abolishing the Panchayati Samiti and constituting 1,104 Mandals, each represented by an MPP, with the ZPP at the district level Zilla Praja Parishad. Six standing committees have been formed to implement policies (Ramulu *et al.*, D., 2012) [16]. The Andhra Pradesh Panchayati Raj Act of 1994 was enacted on April 21 in light of the 73<sup>rd</sup> Constitutional Amendment Act of 1993 (GOI, 1993) [66]. This Act incorporated all provisions of the 73<sup>rd</sup> Amendment Act and provided comprehensive legislation covering the principles and rules of the three-tier Panchayati Raj system (Singh, H., 1994) [18]. Special provisions were made for members of backward communities. According to this Act, there are currently 1,095 Mandal Parishads at the intermediate level, each with a population ranging from 35,000 to 55,000 (Ramulu D, *et al.* 2012) [16]. At the apex of the Panchayati Raj structure, there are 22 Zilla Parishads, each covering approximately 50 Mandals with an average population of 22 lakhs. In Andhra Pradesh, 21,895 Gram Panchayats cover a total population of 5, 63, 11 and 788 according to the 2011 census. In 2014 andhra Pradesh bifurcated and Telangana formed. Telangana state enacted a new Panchayati Raj Act in 2018.

### **A Critical Study Telangana Panchayati Raj Act-2018:**

After independence, the Telangana region became part of Hyderabad State, which had its own specific Panchayats Raj legislation, including the District Board Act of 1951 (Haragopal G & Sudharshanam G, 1995) [9] and the Hyderabad Panchayati Act of 1951. Following the recommendations of the Balwant Rai Mehta Committee, the

former Andhra Pradesh Government implemented the three-tier Panchayati Raj system for the first time in the Shadnagar constituency of Mahaboobnagar District. From 1956 to April 2018, the Telangana region followed the Panchayati Raj system of the erstwhile Andhra Pradesh. In 2018, the state government established a committee chaired by Jupally Krishna Rao to draft a new Panchayati Raj Act. The Telangana Panchayati Raj Act Bill was introduced in March 2018 and enacted in April 2018, comprising 9 Parts, 10 Chapters and 297 Sections (GOT, 2018) [64].

Telangana covers an area of 112,077 square kilometres with a total population of 35,031,366 (2011 census). The state comprises 33 districts, 69 revenue divisions, 590 revenue mandals, 136 municipalities and 13 municipal corporations (Telangana *et al.* Act, 2018 & Telangana Municipalities Act, 2019; The Hindu, 2016) [25, 28, 67].

Previously, Telangana had 8,690 panchayats. Of these, 322 panchayats were merged into nearby municipalities and corporations and 4,383 new panchayats were created, bringing the total to 12,751. Among these, 2,637 Gudems and Tandas were designated panchayats, with 1,326 having a 100% S.T. population. The remaining 1,311 panchayats are in scheduled areas (Telangana *et al.* Act, 2018 & The Hindu, 2016) [25, 28].

### **Significant changes in the Telangana Panchayati Raj Act of 2018**

**Decentralisation:** The Act's primary goal is the decentralisation of democracy. It created space for many small villages, designating Tandas and Gudems as panchayats while those near cities were merged into municipalities (GOT, 2018) [64].

**Grama Sabha:** The Act mandates that the Grama Sabha meet once every two months, totalling six meetings annually. These meetings should focus on older people, persons with disabilities (PWD) and women (Sec. 6), as supported by Sec. 43(5), (xiv), Sec. 52(4), Sec. 94(3) and Sec. 268.

**Model Village:** This concept, introduced by the Government of India in the Adarsh Sansad Gram Yojana, was adopted by the state government under the name "Model Village". Indicators for identifying Model Villages include:

- Awareness of cleanliness and 100% sanitation.
- 100% open defecation-free status.
- Seven committees are working on various development issues.
- Proper implementation of 'Haritha Haram' for environmental protection.
- 100% water, electricity, education and health facilities.
- Elimination of all types of poverty.
- Food security, providing quality food and encouraging agriculture.
- Maintenance of gender equality.
- Effective resource utilisation.

**Co-Opted Members:** Each village panchayat should appoint retired government employees, older people, donors and village cooperative presidents as co-opted members without voting rights (Sec. 7(3)).



**Quorum:** While the 73<sup>rd</sup> Amendment did not specify a quorum, the Telangana PRI Act details the requirements for a quorum for conducting Grama Sabha meetings [Sec. 52(2), (3)].

Member of voters	Quorum
Up to 500 voters	50 Members
501 to 1000 voters	75 Members
1001 to 3000 voters	150 Members
3001 to 5000 voters	200 Members
5001 to 10000 voters	300 Members
Above 10000 voters	400 Members.

[https://www.panchayatgyan.gov.in/documents/20181/0/Telangana State+presentation.pdf/239d43e6-77e3-46e0-bde0-dfc58c51ed73](https://www.panchayatgyan.gov.in/documents/20181/0/Telangana+State+presentation.pdf/239d43e6-77e3-46e0-bde0-dfc58c51ed73)

If there is insufficient attendance at the Sabha, it will adjourn for one hour and reconvene after two hours, with sessions mandated to be held between 10:00 am and 5:00 pm.

**Sarpanch:** The Sarpanch serves as the village head (Sec. 32), responsible for conducting Grama Sabha meetings every two months. Failure to fulfil these duties or engaging in misconduct may lead to removal (Sec. 32(1), Sec. 33, Sec. 37).

**Deputy Sarpanch Powers:** In the absence of the Sarpanch at Grama Sabha meetings, the Deputy Sarpanch assumes the role and conducts the meetings (Sec. 6(3)(b)). The present Panchayati Raj Act stipulates the establishment of a Sarpanch, a Deputy Sarpanch and three Co-opted members as part of the Panchayat, with Deputy Sarpanch empowered in decision-making and oversight processes.

**Duties of Panchayat Secretary:** The village secretary must promptly inform the election commission of any vacancies in the Panchayat and conduct elections within 120 days, except for a general Panchayati election within six months. The secretary's duties include organising Grama Sabha meetings, tree plantation drives, managing street lights, maintaining village records and auditing. Failure to fulfil these obligations may result in removal (Sec. 43, Sec. 43(5)(xiv)).

**Reservation:** Reservations are provided based on proportional representation, with 34% for backward communities, 50% for women and special considerations for S.T.s based on population demographics. S.T.s comprise 100% of the population in 1326 reserved Panchayats, with ten-year reservations and positions rotated in initial elections.

**Finance:** The Telangana Government allocates 30 crore rupees monthly to local bodies for infrastructure development, sanitation and other developmental activities.

Local bodies receive revenue through taxes and non-taxes (Sec. 64).

**Standing Committee:** Each village must establish four committees focused on sanitation, street lighting, tree planting and other community projects (Sec. 49).

**Training:** Sarpanch, Deputy Sarpanch and Ward Members are required to attend training sessions (Sec. 16).

**E-Panchayat Portal:** Telangana adopted eight applications from the E-Panchayat portal for data collection and analysis, including LGD, PRIA Soft, Plan Plus and others. The <http://epanchayat.telangana.gov.in> portal facilitates various transactions such as plot mutation, building permissions and birth/death certificates:

1. Local Government Directory (LGD).
2. PRIA Soft.
3. Plan Plus.
4. Action Soft & m-Action Soft.
5. Area Profile.
6. National Asset Directory (NAD & m-Asset).
7. National Panchayat Portal.
8. Training Management Portal (TMP).

In addition to these platforms, the Telangana Government has introduced the <http://epanchayat.telangana.gov.in> portal, designed for village-level data collection and assessment. This portal offers various applications, including plot mutation, layout permission, building permission, house tax payment, trade license, feedback assessment reports and birth and death certificates.

**Regarding other functions the Gram Panchayati bears primary responsibility for several critical tasks:**

- Proper development planning and its execution at the village level.
- Maintenance of street lights.
- Collection of both taxes and non-taxes.
- Implementation of regular sanitation activities to keep the village clean.
- Ensuring the construction of toilets for every household on a saturation basis.
- Provision of sanitation facilities in all public institutions.
- Construction of community latrines where necessary.
- Construction and maintenance of drains.
- Adoption of solid and liquid waste management methods.
- Imposition of a fine of five hundred rupees for littering on roads, drains and other public areas.
- Promotion of tree plantation at the village level.
- Establishment of four standing committees at the village level.

Significant Similarities and Differences between the Andhra Pradesh and Telangana Panchayat Raj Acts

Subjects	Andhra Pradesh Panchayat Raj Act	Telangana Panchayat Raj Act
Constitutional Powers	Which was adopted from the Indian Panchayat Raj Act of 1994.	It is amended to the Panchayat Raj Act 1994.
Gram Panchayat	It created gram panchayat based on geographical area and population.	It created gram panchayat based on the geographical area, population and Cate basis. Ex: Lambadi Thanda.
Subjects	Which are the subjects mentioned in the Panchayat Raj Act 1994? It adopted 29 subjects.	Which are the subjects mentioned in the Panchayat Raj Act 1994? It adopted 29 subjects.

Powers	The Secretary and Sarpanch's consent is enough to pass any bill in the Panchayat.	Along with the Secretary and Sarpanch, the deputy Sarpanch got powers and passed any bill in the Panchayat.
Quorum	Quorum is needed to conduct the Grama Sabha.	A quorum is needed to conduct gram Sabha. Also, people should attend the Sabha within one hour; otherwise, it will postponed.
Reservation	This Act provided the reservation to women, the Scheduled Caste, Scheduled Tribe and Backward Classes.	This Act provided the reservation to women, the Scheduled Caste, Scheduled Tribe and Backward Classes. It also provided a particular reservation per the 100% tribe population area.
Finance	The allocation of the funds is through the state finance commission.	It also gets funds from the state finance commission. Also, it gets 30 cents of rupees in special funds every month.
Layouts	The Act does not mention the Layouts.	The gram panchayat will not authorise the construction of any buildings without the layout clearance.
Tribunals	This Act does not mention the tribunals.	It is mentioned in the three-member tribunal.

### Development of local governance in Telangana: After the New Panchayat Raj-2018

Implementing the new Panchayat Raj system in Telangana has led to significant changes in the village structure, primarily by introducing two major programs for village development: Grama Jyothi and Palle Pragati.

Grama Jyothi, also known as Mana Ooru-Mana Pranalika, was introduced by CM KCR on August 17, 2015. The program's main objective is to involve citizens in the development process, fostering transparency and accountability in local government institutions. Also, changes at the village level should be brought about by the participation of the people in the planning and execution of works in the village. Under this program, the GPDP has the first priority at the village level. Under this program, every village got financial assistance from the state government. The plan would prioritize raising the Human Development Index (HDI) by tackling fundamental problems, including roads, drains and sanitation, nutrition and health, drinking water, streetlights, wage employment and green cover. Village development committees would play a crucial part in this endeavor. Making decisions and utilizing social capital effectively at the village level.

### Conclusion

The Telangana Panchayat Raj Act has expanded the scope of local governance for rural development in the state. It has brought about substantial changes compared to the previous Andhra Pradesh Panchayat Raj Act, empowering people to create additional Panchayats and strengthening the Gram Sabha to provide reservations for various groups. Special powers have been granted to the Sarpanch and village Secretary for immediate decision-making on development issues and the Model Village Concept has been introduced. Direct budget allocations have increased the authority of Panchayats and standing committees are mandated at the Panchayat level to oversee development planning and implementation. This study emphasises the differences between the former Andhra Pradesh Panchayat Raj Act and the present Act, highlighting significant changes prioritising people's participation and welfare in the Telangana Panchayat Raj system.

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