

Understanding the History of Development of Panchayati Raj in Assam through Assam Legislative Assembly Debates, 1947 – 1960

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This paper seeks to understand the history of development of Panchayat Raj in Assam by looking into the Legislative Assembly debates prior to the establishment of Panchayati Raj in Assam in 1960. Grassroot democracy in Assam did not develop in a fortnight even after the Government of India, following the Balwant Rai Mehta Committee Report of 1957, seeks to introduce democratic decentralisation or the Panchayati Raj in various states to promote and propagate the culture of participative democracy in the county in the post independence period. The process of establishment of decentralised institutions for the people to participate requires careful discussions and deliberations. The outcome has to be a system which suits the unique socio-cultural system of the state. The paper traces how prominent politicians of Assam during those days laid down the foundational blocks of grassroot democracy in Assam by discussing and debating extensively on the different legislations on decentralisation.

Keywords: Assam, Panchayati Raj, Decentralisation, Democracy.

Democracy unleashes its actual form and character only when it is participative. When we say democracy is a form of government of the people, by the people and for the people, it emphasises the role of individual and collective participation in the governance of a country. In fact, the element of participation is so inevitable to democracy that without it a democratic form of government may actually be called a farce. The strategic objective of an effective democracy is also to realise democratic decentralisation so as to apprehend the ideas of legitimacy, accountability and transparency. Taking cognizance of the necessity of an organic relationship of the people with the governance process, the Balwant Rai Mehta Committee or the “Team for the study of Community Projects and National Extension Service” was appointed which submitted its report in November 1957. The recommendations of the Committee favoured the establishment of Panchayati Raj institutions all over the country with an objective to devolve power to the people.

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Rajasthan was the first state in India to make way for local self government followed by Andhra Pradesh, Mysore and Tamil Nadu in 1959 and Assam and Odisha in 1960. Other states soon followed the trend. Considering the fact that Assam was one of the first states to have taken the initiative to systematically lay down the ground for devolution of power, it is pertinent to understand the growth and development of panchayats in this state.

This paper attempts to understand the history behind the development of decentralisation in Assam by looking back into the debates and discussions which took place on the floor of the Legislative Assembly from the time of India's independence till the establishment of panchayat institutions in Assam in 1960. The topic has been chosen so as to understand the history behind this revolutionary achievement and relate it to the present. Through the study of the debates on the floor of the House we can understand the opinions different members had about diffused democracy and how their fruitful discussions led to the significant growth and development of grassroots democracy in Assam.

Decentralisation in the pre-colonial period

The history of decentralisation in Assam can be traced back to the Ahom rule (1228-1826) in Assam where small assemblies like *Mels* and *Khels* were constituted to conduct various socio-political affairs in the kingdom. While *Mels* were similar to councils where important socio-political matters related to the kingdom were discussed; *Khels* constituted homogenous territorial units formed on the basis of professions of the subjects. Although these assemblies were not the typical grassroots level organisations of the present, yet it cannot be denied that this had laid out the framework for the evolution of panchayati raj institutions in the state. During the British rule in Assam, popular *Raij Mels* (village assemblies) were organised to address people's grievances, especially those of peasants during the British rule. *Raij Mels* had played a crucial role in mobilising the peasants against the agrarian rule of the Britishers. In the peasant uprisings of Assam like the revolt at Phulaguri, Patharughat, Rangia and Lachima, the *Raij Mels* helped to organise socio-economic and political agitation against the injustice meted out to the peasants. Rural self-government in Assam had no legal status till 1915. Following the recommendations of the Royal Commission on Decentralisation in 1907, the Assam Local Self Government Act was passed in 1915. Under the provisions of the Act, a village authority was constituted on the directions of the Chief Commissioner. The members of such village authorities were wholly appointed or wholly elected or partly appointed or partly elected for a tenure of three years. By 1919, the number of such village authorities were 80. With the introduction of the Government of India Act, 1919, the subject of local self government was transferred to the provincial government. Thereafter The Rural Self Government Act was passed in 1926 which laid down that the village authorities would consist of members elected through adult franchise. However due to financial strains, the village authorities could not function properly and their number also declined considerably in the coming years.

The concept of the traditional village panchayat formed an integral part in the national movement for freedom. Mahatma Gandhi, the doyen of freedom movement, always emphasised on developing vibrant instruments of self-governance for empowering the people. Gandhiji envisioned a village based political formation fostered by a

classless society for ushering Gram Swaraj. His broad vision encompassed “a complete republic independent of its neighbours of its own vital wants and yet interdependent for many others in which dependence is a necessity.... The Government of the village will be conducted by the Panchayat of five persons annually elected by the adult villagers, males and females, possessing minimum prescribed qualifications. These will have all the authority and jurisdiction required. Since there will be no system of punishment in the accepted sense, the Panchayat will be the legislature, judiciary and the executive combined to operate for its year of office. Any village can become such a republic today without much interference even from the present government whose sole effective connection with the villages is the execution of the village revenue... Here there is perfect democracy based upon individual freedom. The individual is the architect of his own government.”¹ The village formed the actual unit of democracy and it was here that development could be initiated. According to him the individual is the locus of administration. Concentration of powers led to mobocracy and that is why Gandhi wanted to distribute political power effectively to the masses living in the villages. In his ideal village republics, people were to constitute panchayats to discuss problems of common interest and together strive to create socio-economic stability.

Among the many people of Assam who were inspired by Gandhi’s philosophy, Gopinath Bardoloi was the foremost. He was the first chief minister of Assam in independent India. A Gandhian true to his heart he believed that indirect election would lead to a kind of regimentation leading to cliques and juntas. Bardoloi often suggested that if the leaders of the Congress party were really inspired with the ideas of Gandhiji, then the best way was to implement his ideas into practice by ushering in the Panchayat system.

Understanding Decentralisation through the Assam Legislative Assembly Debates

It was his immense admiration for Gandhiji and his philosophy that made Gopinath Bardoloi visit Sevagram in 1939. There he met other people like J. C. Kumarappa who helped Bardoloi to comprehend Gandhian thought and ideology. Infused with knowledge and having a dream to set up democratic decentralisation in Assam, Bardoloi introduced The Assam Rural Panchayat Bill on 11 March 1948 and formed a Select Committee for the purpose. Paying his homage to the Mahatma, Bardoloi vowed to realise the India of Gandhiji’s dream and made firm his commitment to give a concrete shape to his Godfather’s ideals. He said, “The villagers should be made to feel their potency as citizens of the state, so that they can be intelligent partners in the management of their own state... Free Assam can remain free in fact only if we can develop the village, which is the ultimate unit of administration. In the past the revenues of the Province were spent on projects far removed from the villager – on trunk roads, office buildings, administrative services. They are probably more necessary now. Yet if the tree is to flourish we must water the roots on which it stands and not the flowers at the top. The villagers are the roots of the state and on them we must now bestow our care. We can make Assam prosperous if we can regulate the daily life of the rural population, not by external pressure but by the functioning of a socio–moral–economic order such as Mahatma Gandhi preached and worked for.”² While introducing the Bill, Bardoloi was also aware of many problems and challenges that such a new set-up would go through, but he ended his

speech on a positive note saying that great things could be achieved only if difficulties were confronted.

The Rural Panchayat Act, 1948 created two types of Panchayats – the Primary Panchayats and the Rural Panchayats. Under Clause 4 of the Bill, every village had a Primary Panchayat area. The Primary Panchayat consisted of adults of both the genders and together they formed an electoral body for the election of member or members according to their population. The Secretary of the Rural Panchayat was responsible for the economic plan of the Rural Panchayat area. The Rural Panchayat had local administrative powers in matters of education, communication, hygiene, veterinary, cooperatives, farming – all aiming at the welfare of the rural life. Bardoloi had also proposed a Panchayat Adalat within the Rural Panchayat to take care of judicial matters within the village.

The Bill was criticised from many angles. Md. Saadulla (a Muslim Leaguer who joined the Congress party after partition, only to resign from it just before the first general elections) did not support Bardoloi's urgency to pass the Bill and said it was difficult to realise in actuality. J.S. Hardman (Member of Legislative Assembly belonging to the European Planting, Commerce and Industry group) criticised the powers entrusted to the Rural Panchayats and lamented the non-recognition of the private rights of the individual. But Bardoloi remained steadfast on his views about the Bill. He recognised the challenges, but believed that tougher the problems, the greater was to be the strength to overcome them. With the object of making diffused democracy a significant part of administration, the then Finance Minister in Bardoloi's cabinet, Bishnuram Medhi in his budget speech for 1947 – 48 proposed to establish 78 ideal or model villages on scientific lines in the next five years. "A total sum of Rs. 6,90,500 was provided in the Budget for 1947–48 and the amount will be spent on building of rural development training centres, the starting of model villages run on co-operative lines, taking over of non-official rural development centres, the procurement of cotton for distribution to spinners, grants-in-aid to non-official rural development enterprises and similar other purposes."³ It was however very disheartening to know that Assam did not receive the promised grant from the centre for implementation of post-war development projects as a result of which the realisation of Gopinath Bordoloi's dream remained incomplete.⁴ In spite of this financial deficiency, the Congress Government in 1950 decided to retain the existing 15 Rural Panchayats and provided a sum of 1 lakh to the Self-Help Enterprise Scheme for the year 1950-51.⁵

Assam was already bogged down by financial constraints during this time and she was yet to fully recuperate from the disastrous effects of war and partition. Problems of economic and industrial stagnation, acute food scarcity, influx of people from East Pakistan, unemployment and poverty of the masses had been threatening the state since independence of the country. To make matters worse, Assam was struck by a very powerful earthquake on 15 August 1950 which left thousands of people dead and property worth lakhs of rupees devastated. Large tracts of Upper Assam and hills of the North-East Frontier Agency were badly affected. Immediately the state government had to shift its entire focus and attention on this problem of grave magnitude. Relief grants, funds and donation poured in from all sides of the country. Despite such a situation which

demanded not only attention but financial aid in huge amounts, rural development works were not discontinued. In fact, in his Budget Speech for 1951–52, Motiram Bora, the then finance minister in Bishnuram Medhi's (after Gopinath Bardoloi's death in 1950, Bishnuram Medhi formed the Congress government in Assam till 1957) cabinet had made provision for a grant of Rs. 2,40,000 not only to the existing Panchayats but also another amount of Rs. 2,70,000 to start 15 new Panchayats. For amelioration of Rural Water Supply and village communication a sum of Rs. 1,500,000 was released.⁶

In 1952, The Local Self Government Bill was reintroduced on the floor of the House by Maulavi Abdul Matlib Mazumdar, the Minister-in-Charge of Local Self Government, Veterinary and Livestock.⁷ However the Bill contained some defects as pointed out by different members. For example, Ranendra Mohan Das (Kisan Majdoor Praja Party) regretted bureaucratic control of government officials and the deplorable financial condition of the local bodies. Leader of the opposition party, Hareswar Goswami (Socialist) rued the loss of adult franchise in determining members of local bodies. The motion was however adopted and the Bill was referred to a Select Committee.⁸ Another aspect of the Bill which concerned all was the question of representation. In 1953 while debating on The Assam Local Self Government Bill, some opposition members alleged that the Congress government had been adopting a biased approach towards representation of various communities of people in the local boards. They alleged that the government had been nominating partymen and favourites in some places whereas in other cases, some sections of people were over-represented. Maulavi Mazumdar himself admitted that there were many interests which remained unrepresented in the local boards and assured that the Government was trying its best to overcome all lacunas.⁹ A lively debate thus took place on the floor of the House during these initial years about local self-government legislation which gave rise to a sense of enlightenment among the legislators of the need for speeding up the process of decentralisation and removing the gaps within it.

Decentralisation in Five Year Plans

Whenever the question of measuring the success of democracy arises, popular participation in the democratic process is taken to be an important yardstick. One of the concerns of the development process since the introduction of the First Five Year Plan (1951–1956) had been about how to engage people in planning decisions and their implementation. In order to encourage local initiative and enthusiasm, the Five Year Plan had been investing on provisions for local self-government in order to make it fully operational and meaningful. Hence we now move on to discuss what the first two plans contained as regards local self-government in Assam.

For the constitution and development of Panchayats, Rs. 98,00,000 was provided in the First Five Year Plan. Altogether 83 Panchayats had been established till 1953 and under the First Five Year Plan a training institute was established to train office bearers of Panchayats and village level workers.¹⁰ Various schemes for self-help and local development works under the said Plan received good response from the people. As stated in the Balwant Rai Mehta Committee Report, the Second Five Year Plan emphasised on creating a well organised democratic structure of administration in which the village

Panchayat was to be organically linked with popular organisation at a higher level. "Panchayats will come into being throughout the state within the first two years of the Second Plan... A provision of Rs. 50,00,000 for local bodies and Rs. 24,00,000 for town planning have been made... The bulk of the outlay of Rs. 60,12,00,000 on the Second Five Year Plan will be spent in the rural areas. The cost of the schemes for the benefit of the rural areas included in the Second Five Year Plan amounts to about Rs. 40,34,00,000...the schemes exclusively for the rural areas are expected to cost Rs. 7,78,00,000".¹¹

It can be observed from the above description that decentralisation and development of rural areas formed an integral part of the five year plans, which was expected to materialise the objective of devolution of power to local bodies thereby setting up new opportunities for the people.

The Balwant Rai Mehta Committee Report and Panchayati Raj in Assam

The Planning Commission in its progress report for the First Five Year Plan lamented that the purpose behind the formation of Community Projects and National Service Extension Blocks under the First Five Year Plan had been defeated because through these organisations the rich had become richer and the poor poorer.¹² This task of reviewing their working and to rectify glaring defects in rural bodies was entrusted to a Committee under the Chairmanship of Balwant Rai Mehta which submitted its Report in 1957. Among other recommendations, the Committee suggested the establishment of a three-tier local self government. The recommendations were accepted in 1958 by the National Development Council and states all over the country were directed to pave the way towards a systematic Panchayati Raj System.

The opposition leaders pointed out the fallouts of prevalent rural bodies of Assam in the Assam Legislative Assembly. According to them, these were not properly decentralised bodies as bureaucracy had control over them. Women, Scheduled Caste and Scheduled Tribe population were inadequately represented in rural bodies. The constitution of the prevalent Panchayats were thus not in accordance with the recommendations of the Balwant Rai Mehta Committee Report.¹³

The Balwant Rai Mehta Committee however expressed positivism and paid consistent emphasis on these bodies as institutions which were qualified to rouse the initiative of the people for national constructional activities. It was primarily with this purpose in mind that the Committee took evidence, examined witnesses, made findings and submitted the Report. The Report submitted by the Committee stated the urgency of decentralisation in Assam for the process was incomplete going by the records that power and responsibility had not trickled down as was expected. The Committee was also of the view that the most productive arrangement would be to have a self governing institution whose jurisdiction would be co-extensive with that of development block.

Taking into account the Report of 1957, it was almost unanimously agreed that The Assam Rural Panchayat Bill, 1958 should be constructed as per the instructions and recommendations of it. The Select Committee which had been set up to examine the applicability of different provisions of the Bill went through 16 exhaustive sessions and 55 hours of hard work in which they rectified the blemishes which were present in the

Act of 1948 and consequently framed the Bill keeping the Balwant Rai Mehta Committee as the parent reference. Speaking on the modified Assam Panchayat Bill, 1959, Fakhruddin Ali Ahmed, the then Minister of Local Self Government, stated that in the present Bill the Gaon Panchayats had been allotted with distinct powers so as to enable them to function as more effective units of self-government. Responsibility of planning and execution of development programmes, for example, was placed in the hands of the Gaon Panchayat. Further he said, "Consistently with this principle it was felt that if there were more than one tiers over the Gaon Panchayat in the district or subdivision, then the growth of the latter would be hampered and therefore not more than two tiers of Panchayats should be set up in the district... The majority view in the Select Committee was that, firstly, the purpose of democratic decentralisation would be better served by going down the district level, and that secondly, the Blocks which had come to stay permanently and would be the normal pattern of administration in the future, would provide not only a convenient administrative area but would also place at the disposal of the proposed Panchayats a full complement of trained and experienced technical staff."¹⁴ The Union Panchayat was replaced by the Mahkuma Parishad and it was entrusted with advisory and supervisory functions. It was proposed by the Select Committee that direct elections would be held to the Anchalik Panchayats but regarding Mahkuma Parishad it said that it would not be a directly elected body but should include members elected by the people like Members of Parliament and Assembly. A remarkable change was the provision for co-option of women, scheduled caste and scheduled tribes in the Anchalik Panchayats and the Mahkuma Parishads.

Thus under the new Act of 1959, Gaon Panchayats were established at the village level, Anchalik Panchayats which were co-extensive with the Community Project block and Mahkuma Parishads at the subdivisional level unfolded an era of Local Self-Government in Assam. Under the Act it was expected that 2657 Gaon Panchayats, 118 Anchalik Panchayats and 16 Mahkuma Parishads would be functioning. This arrangement which was at its infant stage required trained personnel to make it function properly. For this purpose, training to 861 Panchayat Secretaries was provided in the Rural Polytechnic Institute at Joysagar. It was also proposed to arrange camp training for Panchayat Presidents and members so that they could also be acquainted with the new decentralised system. During the year 1960-61 Rs. 3.46 lakh was sanctioned as grant-in-aid and a significant sum was to be devoted to development of rural areas under the Act of 1959.¹⁵

These legislative developments in the political history of Assam helped to make the idea of power to people a reality though the momentum of progress developed gradually. With the transfer of responsibility to the Panchayats in Assam, the need for public co-operation and national construction was in a way accommodated into the contours of democracy and a system of decentralisation suitable to the unique socio-economic system of the state was built up.

The composition, term and mode of election of Village Panchayats and powers and functions of the Panchayati Raj Institutions according to The Assam Panchayat Act, 1959 (amended in 1964) may be mentioned in a very brief manner.

Table 1
Composition, term and mode of election of village panchayats

| Number of members | Term of office | Are all members elected? | Mode of election | Constituenc s-single member or plural | Average number of voters in a constituency | Sarpanch, up-sarpanch how elected? |
|-------------------|----------------|--|--|--|--|------------------------------------|
| 9-11 members | 4 years | Yes. One Scheduled Caste and two women co-opted if not elected | Equal number of voters are distributed in each constituency -voting by secret ballot | Single Member | 200 | By members of Panchayat |

Source: *Report of the Committee on Panchayati Raj Elections*, Government of India, 1965, p. 92 in Maddick, Henry (1970), *Panchayati Raj : A Study of Rural Local Government in India*, Longman Group Ltd., London, Appendix V, p. 342.

Table 2
Powers and functions of the Panchayati Raj institutions

| Gaon panchayat | Anchalik panchayat | Mahkuma parishad |
|---|---|--|
| Sanitation, conservancy, construction and maintenance of roads and drains, maternity and child welfare, promotion of agriculture, cooperation and cottage industries. | Execution of all development works, maintenance of hospitals and dispensaries, general supervision of Gaon Panchayats, approval of Panchayat budgets. | Approve budgets of Anchalik Panchayats, coordinate and supervise works of Anchalik Panchayats, advise government on development schemes and distribution of funds. |

Source: *Report of the Committee on Panchayati Raj Elections*, Government of India, 1965, p. 24 – 29 in Maddick, Henry (1970), *Panchayati Raj : A Study of Rural Local Government in India*, Longman Group Ltd., London, Appendix VIII , p. 352.

There were some serious deficiencies in The Assam Panchayat Act, 1959 like exclusion of the Hill Autonomous Districts and villages located in the tea garden areas. Moreover difficulties arose regarding the three tier system like administrative and economic inconvenience. This led to the abolishment of the Anchalik Panchayat by The Panchayati Raj Act of 1973. The three tier system was brought back to function by The Assam Panchayati Raj Act, 1986. By the Constitution (73rd Amendment) Act, 1992 which came into force with effect from 24th April, 1993 Panchayati Raj Institutions were given a new facelift. Apart from giving constitutional status to these institutions, this amendment laid down certain guidelines and directives and thus a sort of uniformity was hoped to be established. In conformity with the 73rd Amendment Act, The Assam Panchayat Act, 1994 came into force.

This article sought to observe the history of development of the local self-government in Assam in the post-colonial period through the debates and discussions

that took place between legislators of different parties in the Assam Legislative Assembly. The historical perspective enabled to understand the link between the past and the present. The long yet chequered history of evolution of panchayati raj institutions in Assam helped to realise that democratic decentralisation existed in Assam since the days of the Ahom empire and today it has become the nucleus of development and democracy at the village level.

Making way for decentralisation in Assam does not imply an end in itself for it is only a means to an end where the individual realises his potential and participates freely in the socio-political affairs in the larger society. Establishment of Panchayati Raj is however still an exercise in utopia (Kothari, 1961). For it is a blueprint requiring greater socio-political dynamics, the likes of which cannot be found today in the state due to problems manifested within the institutions of local self-government. Frequent government intervention, elite capture of institutions, indifference and apathy of members, inadequate funds and resources, corruption, irregular elections etc. have marred proper working of local self-government in Assam. Adequate delegation of powers and fiscal improvement can accelerate the performance and accountability of local government institutions. Together with the structure of the institutions, provisions should also be made to strengthen these institutions so that they are resilient to resistant bureaucracy and local elite capture. Only then Panchayati Raj can be effectuated. Panchayats as institutional vehicles for making citizens participative and vigilant enable democracy to become responsive and responsible. Thus, the sustainable development of democracy cannot be expected without a stable, independent and accountable local self-government.

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Notes

¹ Gandhi, M.K. (1942): "My Idea of Village Swaraj", Harijan, 26th July, in Mathew, George (ed.) *Status of Panchayati Raj in the States of India 1994*, Delhi, Concept Publishing Company, p. 4.

² Gopinath Bordoloi on The Assam Rural Panchayat Bill, 1948, Assam Legislative Assembly Debates (ALAD), 11 March, 1948, Vol 1, No. 2, p. 79, 82.

³ Budget Speech of Finance Minister Bishnuram Medhi for 1948 – 49, ALAD, 11 March, 1948, Vol 1, No.2, p.69.

⁴ The drastic reduction of the post – war grants had financially crippled the state. Initially the central government had promised an amount of 500 crores as a part of post – war development scheme. That amount was reduced to 250 crores. From a promised amount of 250 crores, only 204 crores was proposed to be distributed among the provinces. So the projects which had been originally planned keeping in mind the assumption of receipts on the allotment of 500 crores had to be reduced to a great extent. (Gopinath Bardoloi while in budget discussion, Assam Legislative Assembly Debates (ALAD), 10 March, 1949, pg. 126).

⁵ Budget Speech of Bishnuram Medhi for 1950 – 51, ALAD, 13 March, 1950, Vol. 1,

No.1, pg. 57.

⁶ Budget Speech of Finance Minister Motiram Bora for 1951 – 52, ALAD, 9 March, 1951, Vol. 1, No. 2, p. 58.

⁷ The Local Self Government Bill, 1952, ALAD, 4 September, 1952, Vol. 2, No. 12, p. 795.

⁸ The Local Self Government Bill, 1952, ALAD, 4 September, 1952, Vol. 2, No. 12, p. 795 – 806.

⁹ The Assam Local Self Government Bill, 1953, ALAD, 28 March, 1953, Vol.1, No. 18, p. 1199 – 1221.

¹⁰ Statement on the Five Year Plan Relating to the State of Assam moved by Baidyanath Mookherjee, ALAD, 12 September, 1953, Vol. 2, No. 37, p. 2642 – 43.

¹¹ Budget Speech of Motiram Bora for 1956 – 57, ALAD, 12 March, 1956, Vol. 1, No. 4, p. 184 – 188.

¹² Gaurisankar Bhattacharyya on The Assam Panchayat Bill, 1958, ALAD, 29 August, 1958, Vol 2, No. 46, p. 606 – 607.

¹³ Ibid, pg. 601 – 613.

¹⁴ Fakhruddin Ali Ahmad on The Assam Panchayat Bill, 1959, ALAD, 31 March, 1959, Vol. 1, No. 21. p. 2093 – 2095.

¹⁵ Budget Speech of Fakhruddin Ali Ahmad for 1960 – 61, ALAD, 4 March, 1960, Vol. 1, Part B, No. 2, p. 110.

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Selected Issues of Assam Legislative Assembly Debates from 1947 – 1960.(The mention of these issues have not been made here as they have been clearly pointed out in the endnotes).