

THE ROLE OF DISTRICT GOVT. ADMINISTRATION IN RULING DECENTRALISATION IN MADHYA PRADESH INDIA

Rajaram Rawat¹, N.P. Shrivastava², P.P. Gaur³ and S.N. Tripathi⁴

1. Guest Lect. Political Science, Govt. College Devendra Nagar Panna (M.P.)
2. Ret. Prof. Govt. College Raipur Karchulian Rewa (M.P.)
3. Prof. & Head Political Science Department Chhatrasal Govt. P.G. College Panna (M.P.)
4. Prof. Chhatrasal Govt. P.G. College Panna (M.P.)

ABSTRACT: - Assertions in favour of democratic decentralisation are often founded upon the notion that the democratisation and empowerment of local political bodies will create institutions that are more accountable to local citizens and more appropriate to local needs and preferences. However, international experience has shown that even the most ambitious attempts at decentralisation have failed to overcome regional and local dimensions of poverty and inequality. Moreover, the power to decide local development initiatives is often highly dependent on a state apparatus that respects the autonomy of local political institutions.

Because of its size and its relatively ambitious efforts to decentralise government, India provides an important context for understanding the ways in which decentralisation can improve the performance and accountability of local government institutions. In 1993, the Government of India passed a series of constitutional reforms, designed to democratise and empower local political bodies – the Panchayats. Since this time, the experience has been highly variable, ranging from ambitious attempts at Gram Swaraj (or village self-rule) in Madhya Pradesh.

This paper lays out the political dynamics that preceded the constitutional amendments in 1993, and then explores the extent to which these reforms have been implemented in MP. It reviews the literature on decentralisation in India, analysing three elements that are thought to have undermined the power and autonomy of village-level Panchayats – India's federalism, the 'resistant' bureaucracy and 'elite capture.' It then develops hypotheses to explain the conditions under which Panchayats can be made more responsive and accountable to the interests of groups traditionally marginalised by local political processes.

KEYWORDS: Decentralisation, Gram Swaraj and Madhya Pradesh.

INTRODUCTION

Public sector decentralisation has become a worldwide phenomenon. In recent decades, many countries have decentralised functions, typically with a combination of stated intention(s), such as to improve service delivery, enhance governance and accountability, increase equity in service and development outcomes, and/or promote a more stable state. Reform in a particular country reflects its context and the relative priority of desired objectives. Although decentralisation receives much global attention, our systematic practical knowledge about it is limited.¹ Much early literature highlighted weak performance, and positive assessments tended to be based on anecdotal successes or rhetoric about expected gains. Despite limited empirical evidence of positive outcomes, many countries continue to pursue decentralisation, presumably in part because they perceive it to be politically beneficial. This underscores the pressing need to consider how to design and implement reform so as to reap potential benefits and limit potential problems.

In recent years better research has emerged in response to concerns about decentralisation performance, availability of improved data, and application of more robust methodologies. At the same time, decentralisation is complex, and its suitability varies across countries. Different actors—policymakers, academics in diverse disciplines, development partners—have specific interests and preferred approaches to the topic. Thus, despite advances, evidence about outcomes remains generally inconclusive and challenging to navigate. It is, nevertheless, worth taking stock of what existing literature has to offer.

In 1993, the Government of India passed a series of constitutional reforms, which were intended to empower and democratise India's rural representative bodies – the Panchayats. The 73rd Amendment to the Constitution formally recognised a third tier of government at the sub-State level, thereby creating the legal conditions for local self-rule – or Panchayati Raj. Since this time, the

process of decentralisation has been highly variable, ranging from ambitious attempts at Gram Swaraj (or village self-rule) in Madhya Pradesh to political re-centralisation in Karnataka. Early experiences have also revealed considerable uncertainty and confusion about the precise political, administrative and fiscal powers Panchayats have in relation to the States, line ministries, and local user groups. This, in part, reflects the fact that the 73rd Amendment gave the State governments considerable autonomy to interpret and implement the constitutional reforms.

India, of course, is not alone in this process. Decentralisation has emerged as a dominant trend in world politics. In 1998, the World Bank estimated that all but 12 of the 75 developing and transitional countries with populations greater than 5 million had embarked on a process of political devolution (cited in Crook and Manor, 1998: 1). At the heart of this transformation are a number of complex yet inter-related themes. One is an ideological shift, in which the legitimacy of central state-led development has been challenged on the grounds that it produces systems of governance that undermine national economic performance and effective public policy (Gore, 2000; Johnson and Start, 2001). A second is a (remarkably widespread) political agenda, which asserts that the decentralisation of public administration and the introduction of locally elected bodies will produce systems of governance that are better able to meet the needs of poor and politically marginal groups in society. A third and related theme suggests that democratic decentralisation is a political strategy that national élites have used to maintain legitimacy and control in the face of political disintegration. Here it can be argued that economic liberalisation, political regionalism and the rise of powerful inter- and sub-national actors have weakened the traditional nation state and created the conditions under which more local identities could emerge (Giddens, 1998).

Assertions in favour of decentralisation are often founded upon a wider critique of central state planning, which holds that large and centrally-administered bureaucracies represent an inefficient and potentially destructive means of allocating resources (and generating wealth) within society. Two assertions are generally used to substantiate this claim. One argues that central state agencies lack the 'time and place knowledge' to implement policies and programmes that reflect people's 'real' needs and preferences. A second and related assertion is that time and place gaps give local officials unlimited ability to distribute resources and extract 'rent' as they see fit. Such outcomes are believed to be particularly prone in poor countries, where government represents a vital source of wealth, and mechanisms to ensure accountable governance are often poorly enforced. In theory, decentralisation would

undermine these opportunities by creating institutional arrangements that formalise the relationship between citizens and the state, giving the former the authority to impose sanctions (such as voting, recourse to higher-level authorities) on the latter. Decentralisation is also thought to create the conditions for a more pluralist political arrangement, in which competing groups can voice and institutionalize their interests in local democratic forums.

This paper lays out the political dynamics that preceded the constitutional amendments of 1993, and then explores the extent to which these reforms have been implemented in the Indian States of Madhya Pradesh (MP). An important theme that underlies the paper – and the research it aims to inform – is an apparent tension between the very formal process of decentralisation – in which the State (writ large) lays out the legal terms and conditions under which power will be allocated within its boundaries – and the very informal (or messy) process of political economy, in which power – rooted in class, caste and gender – determines the informal functioning of local political institutions. Critical assessments of decentralisation (such as Cross and Kutengule, 2001; Harriss, 2001; James et al., 2001; Slater, 1989) have argued that formal processes, such as decentralisation, representation and democracy, matter less than informal processes of power and change in rural societies. In India, for instance, it has been argued that subordinate groups – backward castes, agricultural labourers, women – will only begin to use and benefit from decentralisation when there is a genuine redistribution of land and other agrarian assets (Echeverri-Gent, 1992; Mukarji, 1999). In other words, the formal mechanisms matter less than the informal institutions that underpin local political economies.

Decentralisation: Concepts and Theories

Decentralisation can be usefully understood as a political process whereby administrative authority, public resources and responsibilities are transferred from central government agencies to lower-level organs of government or to non-governmental bodies, such as community-based organisations (CBOs), 'third party' non-governmental organisations (NGOs) or private sector actors (Crook and Manor, 1998: 6–7; Rondinelli et al., 1989; Meenakshisundaram, 1999; World Bank, 2000a: 3). Conceptually, important distinctions can be made among:

- Deconcentration, in which political, administrative and fiscal responsibilities are transferred to lower units within central line ministries or agencies (Crook and Manor, 1998: 6–7; Rondinelli et al., 1989; Meenakshisundaram, 1999: 55; emphasis added);
- Devolution, in which sub-national units of government are either created or strengthened in terms of political,

administrative and fiscal power (Blair, 2000; Crook and Manor, 1998: 6–7; Rondinelli et al., 1989);

- Delegation, in which responsibilities are transferred to organisations that are ‘outside the regular bureaucratic structure and are only indirectly controlled by the central government,’ (Meenakshisundaram, 1999: 55; emphasis added);
- Privatisation, in which all responsibility for government functions is transferred to nongovernmental organisations (NGOs) or private enterprises independent of government (Meenakshisundaram, 1999, 56).

Decentralisation in India

A commitment to the reduction of poverty has been a defining characteristic of the Indian state, from the time of Independence to the present day. As Kohli (1987: 62) has argued, the Indian state that emerged after Independence was deeply committed to ‘industrialisation, economic growth and a modicum of income redistribution.’ In terms of poverty reduction, this involved an early attempt at improving agricultural productivity through the implementation of land reforms, agricultural cooperatives and local self-government (Harriss et al., 1992; Varshney, 1998).

From an early stage in this process, the reduction of poverty and the empowerment of poor and politically marginal groups in India have been strongly associated with at least some form of decentralisation (e.g. Drèze and Sen, 1996; Jha, 1999). Perhaps the most enduring image of decentralisation in India is Gandhi’s vision of village Swaraj, in which universal education, economic self-sufficiency and village democracy would take the place of caste, untouchability and other forms of rural exploitation. Although this vision has been hotly debated since (at least) the time of independence (see, especially,

Ambedkar’s debates with Gandhi, cited in World Bank, 2000a: 5), Gandhi’s vision has had an enduring effect on the ways in which decentralisation has been argued and defended in Indian politics. Beyond the symbolic imagery of the independent ‘village republic,’ an important element of this relates to the idea that formal, constitutional changes in India’s administrative system can have a lasting impact on informal and unequal structures like caste, class and gender. (We shall return to this theme in due course.)

According to the 73rd Amendment, States are required to pass their own ‘conformity legislation’, which outlines the powers, functions and procedures of local government at village, district and intermediate levels (World Bank, 2000a: 8). However, the Conformity Acts also recognise the possibility that changing circumstances will give rise to new regulatory requirements, and therefore give individual States substantial autonomy to enact rules of ‘delegated legislation,’ which ‘emerge through government orders and which in actual fact are the source of State control over the Panchayats,’ (World Bank, 2000a: 8). Table 1 gives some idea of the extent to which the States of AP, MP, Kerala, Karnataka and West Bengal have retained powers of appointment, dismissal and review over the Panchayats: all States but Karnataka and West Bengal reserve the right to cancel decisions made by the Panchayats; all States but AP reserve the right to inspect the records of the Panchayats; all States reserve the right to dismiss the Sarpanch or village chief; finally, all States but Kerala reserve powers of appointment to the Panchayats. Here it is worth emphasising that these are States that have been relatively progressive (compared with States like UP and Bihar) in the field of Panchayati Raj.

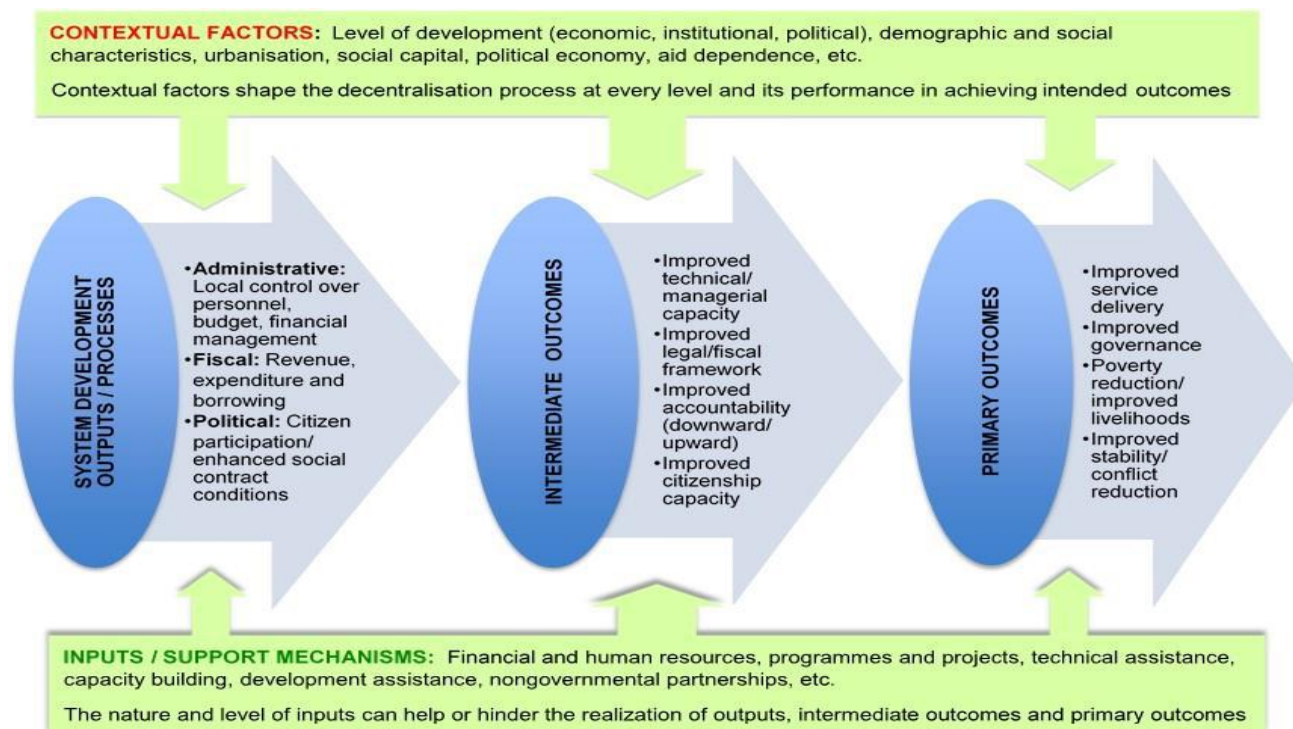


Table 1 Decentralisation in five Indian States

State Powers	AP	MP	Kerala	Karnat's	W. Bengal
State reserves powers to make rules and make changes in content of schedule	X	X	X	X	X
State reserves power of appointment to PRIs	X	X	-	X	X
Delimitation of constituencies the responsibility of government, not SEC	-	X	X	-	-
State manages PRIs when delay in elections	-	-	X	-	-
State reserves power to dismiss <i>Sarpanch</i>	X	X	X	X	X
State reserves power to cancel resolution or decision of <i>Panchayats</i>	X	X	X	-	-
State reserves power to dissolve <i>Panchayats</i>	X	X	X	X	X
State reserves power to inspect records/works	-	X	X	X	X
SFC report mandatory	-	X	-	-	-

Source: World Bank (2000a: 10)

DECENTRALISATION MADHYA PRADESH

According to the World Bank's assessment (2000a), the *Zilla Parishads* (ZPs) are entirely dependent on tied funds. In theory, the ZP is meant to advise the State on development plans of

GPs. In practice, the ZP advises the DPC, which is dominated by MPs and MLAs. According to the MP *Panchayati Raj Act*, MLAs and MPs are ex-officio members of the ZP, but have no voting power. In practice, MLA and MP presence 'overwhelms' local bodies (World Bank, 2000a).

At the block level, amendments to the 1993 MP *Panchayat Raj Adhiniyam* in 2001 give *Janpad* officials powers of appeal for *Gram Sabha* members. In theory, JPs have power to transfer class 3 and 4 officers. In

practice, however, the Minister and the DPC can usurp these powers. JPs have no tax base, and are entirely dependent on external funds. The DPC exercises considerable influence.

JPs can supervise key officials, especially teachers, although they lack the power to transfer. As noted earlier, the most important differences between decentralisation in AP and that in MP relates to the power and functioning of the *Gram Panchayat*. Amendments to the 1993 MP *Panchayat Raj Adhiniyam* in 2001 give the *Gram Sabha* powers to appoint user committees (see below). Apart from the EGS, the GP has power to implement development works under Rs300,000.

The GP can employ functionaries, such as the *Panchayat* secretary. Once again, however, the fiscal powers of GPs are minimal and powers of taxation are largely unexercised. Most GPs are therefore highly dependent on funds that emanate from Bhopal and New Delhi.

Amendments to the 1993 MP *Panchayat Raj Adhiniyam* in 2001 require a GS quorum of at least one-fifth of eligible voters, one-third of which must be women, SCs and STs. The GS has powers to appoint standing and ad hoc committees. In reality, quorum conditions are not adhered to as meetings prove difficult to organise. Quorum are made up by collecting signatures later.

Amendments to the 1993 MP *Panchayat Raj Adhiniyam* in 2001 give villagers the ability to appeal to a three-member committee at the *Janpad* level. Behar and Kumar's study of 61 GPs and five districts in MP (2002) found that the power and autonomy of the *Panchayats* had been undermined by three familiar factors: a resistant bureaucracy, local élite capture and a gap between the capabilities of *Panchayat* councillors and their responsibilities. In particular, they found that:

- actual powers transferred to the *Panchayats* have been 'inadequate and superficial,' (Behar and Kumar, 2002: 33);
- *Panchayat* councillors were overwhelmed with various reforms, orders, etc. emanating from above;
- confusion arising from the merger of the ZP and the DRDA;
- line departments over-riding the authority of GPs (particularly in forestry);
- Reported bribery between GP members and line department officials;
- Conflicts between the *Sarpanch* and RD officials over the selection of beneficiaries;
- An unclear division of powers and responsibility among the three tiers of the *Panchayat* system, in which the upper tiers 'overstep' the functions of lower tier bodies.

In sum, the MP government has taken important steps to empower the decision making abilities of the *Gram Sabha*. Moreover, programmes like the EGS constitute a substantive devolution of power whose impact is believed to have been large (Vyasulu and Vyasulu, 1999). However, the powers and functioning of the *Panchayats* appear to have been undermined by a number of familiar factors: interference from higher level authorities, a resistant bureaucracy and élite capture.

This is not to suggest that the *Gram Panchayats* in either State are completely powerless vis-à-vis these district and State-level bodies. What it does suggest, though, is that *the formal latitude to decide and allocate public resources remains confined by bureaucratic and party political forms of regulation and control*. This, in turn,

limits the extent to which *Panchayats* can be held accountable for public service delivery (see below).

Prospects for accountability

One of the more striking observations that emerges from this comparison (summarised in Annex 1) is the vast similarity that exists between the two States, particularly in terms of the lack of fiscal and political autonomy that exists at district and sub-district levels. In both States, powers governing the transfer and promotion of relevant officials and powers governing the ability to spend and approve financial transfers are still confined to a non-elected bureaucracy. At the district level, the nonelected DCs and ZP CEOs in both States play a large role in the assessment of subordinate performance (and therefore assessment of promotion and transfer) and in the approval of local development activities. In MP, this is further strengthened by the introduction of District Planning Committees in 1999.

At the sub-district level, decisions regarding staffing and spending are also largely under the remit of non-elected officials and bureaucrats attached to line departments. The AP *Panchayat Raj* Act stipulates that the *Mandal Parishad* Development Officer work under the administrative control of the elected *Mandal* President. However, ambiguity about the MPDO's authority relative to the MPP and the MP's lack of local revenues mean that the MPs are highly dependent on the fiscal and political authority of the DC, the DDRC and the DRDA. This, in turn, constrains the ability of elected officials to decide local spending initiatives. In the words of the World Bank report (2000b: 40):

The *Mandals*, like the ZPs, have no flexibility in using . . . (State and Central) funds. Even the funds collected by them are to be used based on certain guidelines, which are prescribed in the Rules (of the Act). 30% for maintenance of school buildings, 15% for SC welfare, 6% for ST welfare, 15% for women, 9% for emergency drinking water supplies, 16% office maintenance, 4% unforeseen contingency, fairs, etc. . . .

In MP, relevant powers governing the allocation of State resources are also under the influence of the powerful DPCs.

As the foregoing suggests, the most important difference between AP and MP is at the village level, most notably with respect to the power and functioning of the *Gram Sabha*. *Gram Panchayats* in both States are vested with powers of beneficiary selection. In theory these are meant to function in consultation with the *Gram Sabha* and with the GP members who represent their respective wards.

As noted earlier, research on *Gram Sabhas* in AP suggests that local involvement is generally confined to *Janmabhoomi* rounds, i.e. periods during which beneficiary selection is expected to occur. In contrast, amendments to the MP's *Panchayati Raj* legislation give

the *Gram Sabha* broader powers governing the selection of beneficiaries and the determination of the standing and *ad hoc* village committees. Moreover, unlike AP, they stipulate minimum guidelines governing the participation of women, SCs, STs and the general population in the *Gram Sabha*.

In theory, the constitutional amendments legislated by the MP government create a village structure with strong mechanisms for *downward accountability*. The principal mechanisms include:

- Powers of appointment and approval in the hands of the *Gram Sabha*;
- The right of the GS to 'recall' or dismiss the *Sarpanch*;
- Minimum requirements governing the GS quorum;
- Direct elections of GP councillors and *Sarpanch*.

The legislation also provides important opportunities for *upward accountability*, in particular the guarantees provided through the EGS and the ability to appeal to sub-district officials. However, the gap between *Gram Swaraj* and the district and State-level systems of allocation suggest that these village-level mechanisms can provide only limited accountability to the intended beneficiaries of government schemes and programmes. In other words, even if all of the village level mechanisms are functioning in the way they were intended (a very large provision), they only govern the allocation and maintenance of very small amounts of assistance.

In contrast, the key decision making bodies – the DPCs, the missions and the Legislative Assembly – are governed by systems that have only loose and informal lines of accountability to the vast majority of people in rural areas. One example of this is the vote that citizens are able to cast for MLAs and MPs, both of whom sit on the DPC. Although every citizen has in theory the power to elect MPs and MLAs in and out of office, these powers are greatly diluted by the sheer size of the electoral constituencies and the political machinery that governs party politics in MP (see, for instance, Jaffrelot, 1998).

One can therefore propose that in MP the most important functions relating to the power and performance of the GS and the GPs relate to the ability to identify the groups and individuals that will benefit from government schemes (which are largely tied), and the ability to collect and spend local revenues.

At the village level, AP presents a very different model of governance and very different prospects for accountability. In contrast to MP's model of participatory democracy, AP has institutionalised a system based largely on upward accountability. Although implemented for party political reasons, the village secretary has been defended as a means of institutionalising a systematic source of administration which draws its authority and legitimacy from the State

bureaucracy. In this way it is highly consistent with the Chief Minister's public commitment to organised and accountable government. There has been some debate about whether the use of parallel bodies is necessarily a bad thing for public service delivery. Vyasulu and Vyasulu (1999), for instance, argue that the *Janmabhoomi* programme in AP and the Education Guarantee Scheme (EGS) in MP are important examples of top-down programmes that can have positive effects for the rural poor. Manor (2000), on the other hand, argues that any benefits that derive from *Janmabhoomi* have come at the expense of *Panchayati Raj* because, in this case, the AP government had 'illegally' diverted funds designated for the *Panchayats* into its *Janmabhoomi* programme. Chandrababu Naidu, the State's Chief Minister, has argued that because they are organised on the basis of class, caste, gender, etc., SHGs are actually more participatory than *Panchayats*. His main assertion is that SHGs conform with the divisions that already exist in rural society. *Panchayats*, on the other hand, aim to encourage democratic ideals, such as equality, transparency and freedom, but fail to enforce them, thereby creating a situation in which the local bodies are systematically captured by powerful élites.

To summarise, we can conclude that MP have institutionalised very different systems of governance at the village level. In contrast, MP has institutionalised a system that aims to put these decisions squarely in the hands of the local electorate. Whether either of these systems conform to these generalisations (and whether they promote outcomes that are more effective and accountable to the needs of the rural poor) is an empirical question, which we aim to address in our field research. In order to do this, we have selected *Panchayats* in regions that vary in terms of economic development, political history and ecological setting.

CONCLUDING REMARKS AND HYPOTHESES FOR RESEARCH

Arguments in favour of decentralisation are often defended as a means of strengthening accountability and improving the delivery of public services. In the context of poverty reduction, access to the (myriad) resources and benefits that governments provide is associated with systems of governance that empower poor and vulnerable groups in society. An underlying hypothesis here is that strong mechanisms of accountability will improve the distribution of benefits to groups that are traditionally marginalised in local political processes.

A central aim of this paper was to review the literature on Indian decentralisation, and to assess the extent to which the Indian States of AP and MP have devolved substantive powers to district, subdistrict and village level *Panchayats*. Although we have addressed participation, political transformation and the role that

political parties can play in improving the effectiveness and accountability of local government bodies, *this paper has been primarily concerned with the extent to which Union and State governments have created an enabling environment for accountable local government in India.*

This has involved a critical review of the 73rd Amendment, an assessment of the ways in which different States have followed or resisted the stipulations outlined in the 1993 reforms and an analysis of the problems most commonly associated with a lack of decentralization in India: federal constraints, a resistant bureaucracy and local élite capture.

A general conclusion which we reach from this review is that many States in India have tended to retain powers of appointment, transfer, revenue generation, spending, etc. at the expense of the *Panchayats*. In very general terms, the States of MP and AP have tended to conform to this trend.

However, there are States – MP among them – which have transferred substantive powers of appointment, planning, spending, etc. to very local spheres of political life. *Gram Swaraj* in MP is one example of this type of decentralisation, as is the Campaign for Decentralised Planning in Kerala and the Left Front Government's longstanding strategy of supporting *Panchayat* planning in West Bengal. In all of these States, substantive efforts to devolve funds, functions and functionaries have followed periods of political contestation among parties whose electoral support has been based in large part among the rural poor. In this context, decentralisation has been interpreted as a means of supporting – or at least placating – the interests of these groups.

The ideas, evidence and hypotheses developed in this paper are principally concerned with understanding the conditions under which decentralisation can lead to improvements in accountability in rural India. In the context of this paper, we define accountability as a relationship between public officials and citizens, in which the latter possess a means of challenging or counterbalancing the arbitrary use of power on the basis of a formal understanding of what constitutes appropriate behaviour on the part of public officials. The power on which citizens can counterbalance the power of public officials may be based on the hierarchical authority of the bureaucratic state (upward accountability) or on the general consent of the citizenry (downward accountability), or on a combination of the two. In its most ideal form, accountability should be based on strong norms of communication and consultation between public officials and citizens.

Reviewing experience from international and Indian settings, we have developed four general propositions about the conditions under which decentralisation can

lead to improved accountability for poor and marginal groups in society:

1. Active participation among broad elements of society, involving activities such as voting, campaigning, attending meetings, running for office, lobbying representatives, etc.;
2. Fiscal and political support from higher level authorities within government;
3. The existence of competitive political parties whose legitimacy depends at least in part on the support of the poor; and
4. Deeper economic transformations, which embolden traditionally subordinate groups to challenge local authority structures.

Further to these, we hypothesise that participation and the quality of government interventions will work best when formal institutions create conditions for downward accountability. (The counterhypothesis is that these variables will be dependent on the existence of upward accountability.)

Our approach to understanding the relationship between decentralisation and accountability is comparative and empirical. Our research design provides an important means of studying these issues: we have selected three comparably different regions MP. In MP, field sites were chosen in Ujjain, Tikamgarh and Mandla, which correspond with Malwa, Bundelkhand and Mahakoshal. The three 'zones' in each State were chosen on the basis of agro-ecology and political history. Thus, for MP:

- **Malwa** in the west is a semi-arid, tubewell irrigated region with highly fertile black cotton soil, much soyabean production and relatively high urban and industrial development. The region was originally a combination of two princely kingdoms and has a common local language (Malwi). The proportion of tribals is low, but scheduled castes high.

- **Bundelkhand** is in the north-east, a region that straddles the MP/UP border. It is highly feudal and caste ridden and untouchability is still practised. There is high female infanticide and highly uneven land distribution. The region is semi-arid with less fertile red-black soils but high irrigation coverage and good tank distribution.

- **Mahokoshal** in the east, a predominantly Ghond tribal area, forested and undulating terrain with infertile skeletal black soils. The region was originally a British colonial administrative unit, ruled from Jabulpur, with a Christian missionary influence. The area is sub-tropical and rice and traditional minor millets are grown, mainly for subsistence. There is little industrial or urban development, though some mining. Out-migration is high.

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