

PANCHAYAT ELECTION AND THE
POLITICAL PARTIES IN UTTAR
PRADESH: UNDERSTANDING THE
DYNAMICS OF PARTICIPATION

—Sanjay Singh* & Shailja Singh**

Abstract—The recent election of the rural local body in Uttar Pradesh seems to be a semifinal for the political parties, waiting for the final in the form of State Vidhan Sabha election in the year 2022. The results of all the three tiers of panchayat elections in the state are declared now. The ruling Bhartiya Janta Party (BJP) claims that they have won 66 out of 75 seats of Chairperson, District Council and 648 out of 825 positions of Chief, Block Development Council. The party also claims that a majority of Gram Pradhans and Gram Panchayat Members are also affiliated to the party. Since the panchayat elections were held on the non party-line basis, how the ruling BJP is making such claims, no doubt they have extended support to the various candidates for different positions. Still the question is, if they are making tall claims, why they did not hold the panchayat elections on the basis of party line. The panchayat election held recently raises specific questions. First, why all the political parties participated indirectly in the election? Second, the rural local body election is held on a non-party-line basis, whereas the urban local body election is held on a party-line basis. The present article tries to find out the answers to these questions and tries to understand

* PhD and Professor (Sociology), Dr. Ram Manohar Lohiya National Law University, Lucknow. <ssocio@yahoo.com>.

** PhD and Associate Professor (Sociology), Department of Sociology, Social Science and Social Work, Dr. Shakuntala Misra National Rehabilitation University, Lucknow.<shailjadsmru@gmail.com>.

the political parties commitment to grassroots democracy. The present paper is based on the primary and secondary sources of data.

Keywords: Democracy, Political Parties, Panchayat, Election

I. INTRODUCTION

People in almost every country on the globe are dissatisfied with their elected representatives and political parties. The majority of them feel disconnected from the politics and political process. It is very true for India. The citizens in India are dissatisfied with the government and the political parties, and a majority of them feel disconnected from the political process. To attack this disconnection, the Indian Parliament passed specific reforms in the form of the 73rd Amendment for rural grassroots politics and the 74th Amendment for urban grassroots politics in the early 1990s. The reforms aimed to provide a new and immediate political space for citizens to participate in politics and decision-making directly. It was the initiation of the top echelon of the policy frame. The citizens did not initiate any movement or resistance to that. Therefore, this decentralised governance model's effectiveness is decided and dictated to a certain extent by the national political regime. Although, no doubt the national political regime decides the primary mandates for governance at the grassroots, the non-participation of the national and state/local level political parties directly in the political process of rural local bodies creates specific vital questions. Indirectly, nearly all the political parties participate in the political process at the grassroots. Though interested in local politics, participative governance advocates do not want to expose themselves directly. An essential agency of the political process, the political parties, do not participate in the grassroots elections directly, but they are present indirectly.

In Uttar Pradesh, the panchayat election was held in April 2021 under the dictates of the High Court's orders. The High Court asked the government to finalise the voter list and the reservation scheme at the earliest and complete the election process by May 2021. Before the court's decision, all the political parties have started their preparation for the election, and in that whole process, they appointed their representative for the coming panchayat polls. All the political parties have nominated their panchayat election observer in the form of panchayat warriors or panchayat representatives. The irony is that despite the involvement of all the political parties in the panchayat election, not a single political party wants the panchayat election to be held on a party-line basis. There was no demand from the political parties, ruling,

and the opposition parties that the State Election Commission conduct these panchayat elections based on the party symbol. They did not nominate the candidates, neither they asked for the allotment of party symbols to the candidates for these elections. It is not as if India's Constitution does not permit the conduct of panchayat elections on the party-line. There is a provision in the Constitution of India under Article 243K¹ subclause(4) that 'Subject to the provision of this, the Legislature of a State may, by law, make provision with respect to all matters relating to, or in connection with, elections to the panchayat'. It suggests that if State has the intention to involve the political parties directly in the panchayat election, they may do so without any difficulty.

Many states like Kerala and West Bengal hold the election of panchayat based on political party-line. In contrast, in Karnataka, the Gram panchayat election was not held on party-line, and the candidates were not allotted the political party symbol. Still, for Kshetra panchayat and Zila panchayat, the symbols of political parties were allocated. During the recent panchayat election held in Karnataka, some of the candidates for the Gram Panchayat elections were fined for using party symbol during the campaign and using banners and posters of political parties. State Election Commissioner B Basavaraju said that the Gram Panchayat election's very purpose is lost by using party symbols. Commission had instructed all deputy commissioners to bookcases against candidates for violating this primary rule that is using the party symbol and photographs of political party leaders as it is a serious violation². In the case of Tamilnadu, State Election Commission, in consultation with the government, notify from time to time of the election or elections which shall be held on a party basis and the elections that shall not be held on a party basis³. In the election held in the year 2019, the elections at the district panchayat and middle-tier panchayat union were held on party symbols. But at the grassroots village panchayat, no party symbols were used, and the elections were not held on the basis of party symbols. The panchayat elections held in Kerala and West Bengal clearly show the political parties position regarding their performance at the Gram panchayat levels. Therefore when any political party claims its victory or dominance, it is based on objective facts and figures. However, in the states that do not permit political symbols and political parties, for example, Uttar Pradesh, all the political parties are indirectly involved in the political process of panchayat elections. The win and loss of the candidates are also not based on party symbol, how they claim their dominance in the rural local political domain. The claim is false, which is supported

¹ Art. 243-K deals with Elections to the Panchayats.

² "Gram Panchayat Polls: Candidates in Soup for Using Party Symbols"- The New Indian Express<<https://www.newindianexpress.com/states/karnataka/2020/dec/26/gram-panchayat-pollscandidates-in-soup-for-using-party-symbols-2241290.html>>.

³ <https://tnsec.tn.nic.in/tnsec_upload/symbols/SO0014-2019.pdf> The Tamil Nadu Local Bodies Election Symbols (Reservation and Allotment) Order, 2019 (S.O. No.14/2019/TNSEC/EG1, 6th September, 2019.

by the media's propaganda and different social media platforms. The situation creates a democratic deficit where the voters aspirations and orientations are diverted and affected without getting involved in the election fray, creating a narrow public sphere. The political parties that are expected to socialise the citizens politically deceive them. After the election process is over, all the political parties are claiming the victory of their candidates they supported. It is to be remembered that these political parties did not demand for the election on the basis of political party's symbol and whatever claim they are making after the election is not a fair claim.

II. POLITICAL PARTIES AND PANCHAYAT ELECTIONS IN UTTAR PRADESH

In Uttar Pradesh, the elections to the rural local bodies are held on the non-party-line, and no political parties' symbols are allotted. It is not as if the State Election Commission has not recognised the political parties or does not allocate the party symbol, but whether the elections will be held on party-line or without party symbol is decided by the State Government. In the panchayat election of 2021, the political party symbols were not allotted, and the polls were held on a non-party-line basis. But despite this, all the political parties were involved in the preparations of the panchayat polls. The state party units of all the political parties were involved in the poll preparations.

Bhartiya Janta Party (BJP) has finalised 75 thousand panchayat poll warriors for the panchayat elections. As the Panchayat Elections approach closer in Uttar Pradesh, Chief Minister Yogi Adityanath has initiated the election campaign from Akhilesh Yadav's bastion Azamgarh amidst the farmers' protest that has gained momentum in the western part of the State⁴. He has addressed the public meetings along with inspecting the Purvanchal Expressway. BJP is going to arrange chaupals in the villages so that an interactive forum may be created to bring the voters in dialogue with the government's policies.⁵ The party is set to give the panchayat elections a bigger canvass by releasing the list of candidates supported by the state party unit. BJP's spokesperson confirmed that the candidates' list would be released for every ward in Kshetra Panchayat at the block level and Zila Panchayat level. Candidates, may not contest on party symbol will have the full support of the party. The party is going to hold chaupals and gram sampark abhiyan to sway voters. The spokesperson also said that 'though candidates for gram pradhans are not being selected and backed, the party is trying to reach out to voters who support the party's ideology to elect pradhans who have worked for the party or supported

⁴ "UP Panchayat Elections 2021: CM Yogi Adityanath To Blow Poll Bugle From Akhilesh Yadav's Bastion" (yahoo.com) <<https://in.news.yahoo.com/panchayat-elections-2021-cm-yogi-062625211.html>>.

⁵ *Navbharat Times*, February 27, 2021, Lucknow Edition.

its ideology⁶. BJP wants to feel the pulse of the voters in the forthcoming panchayat elections, the results of which will provide an insight regarding the strengths and weaknesses of the ruling BJP in the State

The state government has also taken recourse to the surveillance and survey to those particular constituencies where the polling percentage was more than 90%, and the winning contestant has secured more than 75% of the votes⁷. It is another way to capture the democratic space and transform the contestants equations by changing the reservation pattern. There is also an effort to get complete information regarding their socio-economic and political background and their role in the changing scenario in the present panchayat election. It is done along with other exercises for the smooth conduction of the election. Therefore, the government collects information through administrative machinery in the manifest form and uses it to structure the election strategy in the current panchayat election and the coming state election in 2022.

The Congress Party has set up a 13-member committee to prepare party workers for the panchayat elections. The step is in line with Congress general secretary Priyanka Gandhi Vadra's directive to senior leaders to begin preparations for the panchayat polls, which are considered important to accomplish 'Mission UP-2022', to bring the party back to power in the 2022 assembly elections. The Congress has been out of power in the State since 1989. The 13-member committee will be responsible for preparations, selection of candidates and contesting the panchayat polls.

Samajwadi Party (SP) has also nominated their party cadre for the panchayat election. SP is banking upon the people's dissatisfaction in the form of farmers' protest against the present regime. SP has also appointed the representatives for the panchayat elections; the party's youth wing is also ready for the forthcoming elections. Chief of the samajwadi party, Akhilesh Yadav would be touring forty districts covering half of the assembly constituencies. Before the panchayat elections' code of conduct is enforced, they proposed to conduct a workers training camp.

The small political parties are also not far behind in the race of the preparation for panchayat elections. Aam Aadmi Party (AAP) is very active and alert in the panchayat elections poll preparations. The party is going to support its candidates in all the positions of the panchayat structure. The party is banking upon the Delhi model of governance and believes that this model will be its poll plank in rural India. This enthusiasm for AAP is due to the party's seats in the urban local body election in 2017 in Uttar Pradesh. The party won two seats of Chairman (Nagar Panchayat), nineteen seats of Member (Nagar Panchayat) and fifteen seats of Member (Nagar Palika Parishad). The party has

⁶ *The Times of India*, March 7, 2021, Lucknow Edition.

⁷ *Navbharat Times*, February 20, 2021, Lucknow Edition.

utilised the COVID-19 crisis as an opportunity. During this period, distributed oximeters to the villagers, and the party's volunteers also checked the villagers' oxygen level. According to the state party chief, the plan is to appoint a representative to each and every village and reach maximum people.

The preparations and attention of all the political parties regarding panchayat elections in Uttar Pradesh suggest that every political party perceives this election as a semifinal without any risk for the finals of 2022 state elections. This semifinal is without any risk because, after the election, every political party will claim that they scored better than others. As the elections are held on a non-party-line basis, and no party symbol is allotted to the candidates, the political parties are safe in their claim without and responsibility concerning election results. The ruling and the oppositional political parties have not demanded the panchayat elections on the party line. It raises some critical questions: first, why the panchayat elections in Uttar Pradesh are held on non-party line, whereas the urban local bodies elections are held on party basis? Second, whether the domain of rural Uttar Pradesh is less democratic in comparison to urban Uttar Pradesh? Third, whether the political literacy is less in rural Uttar Pradesh in comparison to urban Uttar Pradesh. Fourth, whether the political parties are the agents of divisive politics or there is a fear of strengthening the third tier of democracy which later on question the legitimacy of the state politics.

III. COMPARISON OF URBAN AND RURAL DEMOCRATIC SPACE

To answer these questions, one has to look for the indicators of democratic performance as far as the citizens are concerned in both rural and urban Uttar Pradesh. Let's compare the voting percentage of the 2015 panchayat election and 2017 urban local body elections. We find that every stratum of the democratic forum, Gram Panchayat, Kshetra Panchayat, and Zila Panchayat of the rural domain, shows better results than Nagar Nigam Nagar Palika Parishad and Nagar panchayat in the urban setup. If we put these constituencies in a rural continuum to urban, it suggests that the polling percentage decreased. The Nagar Nigam, the end of the urban constituency, has the polling of 36.6%, followed by Nagar Palika Parishad 50.8%, Nagar Panchayat 60.5%, Zila Panchayat/Kshetra Panchayat 61.66% and at the other end is the extreme rural constituency of Gram Panchayat Pradhans and Members showing a polling percentage of 71.8. It suggests that as the constituencies become more rural, the polling percentage improves. Therefore, rural space is more democratic than urban space in terms of political participation in Uttar Pradesh. So, when the rural domain is more democratic and politically dynamic, why the political parties are shying away directly contesting the elections on party symbols and why the ruling BJP regime in the State is not holding the election based

on party-line. The question becomes more important because all the political parties participate indirectly in the panchayat's political affairs and affect the village political environment. Every community has its local politics, and that affects its political behaviour. The uniqueness of its electoral behaviour is evident from the electorates' voting pattern in the rural and urban local body elections. This electoral behaviour is different from the behaviour perceived at the level of the constituency as a whole. The voting patterns at the different constituency levels that are urban and rural local level indicate behavioural change.

COMPARISON OF DEMOCRATIC SPACE REGARDING POLL PERCENTAGE

DEMOCRATIC CONTINUUM (URBAN TO RURAL CONSTITUENCIES)					
Constituencies	Nagar Nigam	Nagar Palika Parishad	Nagar Panchayat	Zila Panchayat/ Kshetra Panchayat	Gram Panchayat Pradhan/ Members
Polling Percentage	36.6%	50.8%	60.5%	61.66%	71.8%

Source: *Nagriya Nikay Samanya Nirvachana 2017 Ki Uplabdhiyan*, State Election Commission, U.P *Panchayat Samanya Nirvachana 2015-16 Ki Uplabdhiyan*, State Election Commission, U.P

This continuum also posed a fundamental question; if the urban space in the State of Uttar Pradesh is less democratic concerning citizens' participation as the polling percentage in the various strata of the constituencies suggest, the elections are held on party-line. In contrast, in the rural local body's elections, despite showing promising democratic behaviour, the elections are held on a non-party-line basis. To answer this question, one has to go through the court's observation while deciding on the validity of not holding the election based on party-line in the urban local body. In *People's Union for Civil Liberties v. State of U.P.*⁸, the court believes that the urban local bodies elections should be based on party-line. Political symbols of the political parties may be used by the candidates nominated by the concerned political parties. The case's background is that during the Bahujan Samajwadi Party (BSP) regime under the chief ministership of Ms. Mayawati, the rules related to the urban local body's election were amended. Mayawati believed that the urban local body election should be held on a non-party-line basis, and the amendment was done in the rules. A public interest litigation was filed by the People's Union for Civil Liberties (PUCL), praying for declaring Rule 4(2) of the Uttar Pradesh Municipalities (Election of Members, Corporators, Chairmen and Mayors) Rules, 2010 as ultra vires the provisions of the Constitution and also ultra vires to the provisions of the U.P. Municipalities Act, 1916 and the Uttar Pradesh Municipal Corporations Act, 1959'. The elections to the

⁸ 2011 SCC OnLine All 791.

Corporators and Chairpersons' office are held under the provisions of the two acts mentioned above, and rules have been framed as referred to 'The Uttar Pradesh Municipalities (Election Of Members, Corporators, Chairman and Mayors) Rules 2010'. Rule 4(2) of the rule book says: 'The election to the post of members, corporator, chairperson and mayor of the municipalities shall not be contested on the basis of political parties. No such provision was earlier existed either in the Act or in the rules, preventing the participation of candidates of political parties in relation to elections of the Municipal Corporations or Municipalities. Therefore public interest litigation(PIL) was filed in the court. The court after a long deliberation said that: 'Sub-Rule (2) of Rule 4 of The Uttar Pradesh Municipalities (Election of Members, Corporators, Chairmen and Mayors) Rules, 2010, are unconstitutional and ultra vires the provisions of the powers conferred for the conduct of elections under the Uttar Pradesh Municipalities Act, 1916 and the Uttar Pradesh Municipal Corporation Act, 1959. The impugned rule is, accordingly, struck down, and the writ petitions are allowed. Thereby the court has supported the view that the election to the urban local bodies held based on political parties is justified.

While deciding the writ petition, the court has commented on the political parties role in the citizen's political socialisation⁹. The court said: 'These political parties are usually creatures of their cultural environment and the machinery with which they performed their functions is shaped by history, tradition and the electoral process stipulated by the constitutional government. Socialisation and education of the citizenry and translation of their demands into public policy is the direct outcome of such organisation. They are political guides of the population at large. A democracy nurtures the basic fundamental right of free thought and expression. It is possible only if organisations like political parties are ensured freedom to express themselves at levels of the participative democratic process'.¹⁰

The court also commented regarding the panchayat and said: "Parliament itself has recognised the role of political parties in local bodies pursuant to the Constitutional Amendment introducing Part-IXA in the Constitution of India. The 73rd Amendment, which introduced this Chapter has been held to be a forward step to bring about radical changes in our social structure. While dealing with Panchayat Raj Institutions, the Supreme Court in *Bhanumati v. State of U.P.*¹¹ has further noted that the Amendment has given Panchayat Raj Institutions, a constitutional status as a result of which it has become permanent in the Indian Political System as a third Government".

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ (2010) 12 SCC 1 : (2010) 7 SCR 585.

IV. CONCLUSION

The court's order and the court's comments indicate that political parties' presence in the local body election will ensure more accountability. It will also bring a continuum of check and balances. At the one end, the political representatives at the local level mediated by representatives of the State and the national level representative.

The court's opinion and observations in the People's Union For Civil Liberties Vs State Of U.P.¹² case open up another important debate as one domain of local body politics: Uttar Pradesh's urban frame has to incorporate the political parties in the election process. But the State is silent over the participation of political parties in the political process of the panchayat that is the rural domain. No doubt, all the political parties are participating indirectly in the panchayat elections. The question is why the political parties are not imposing any pressure on the state government to hold panchayat elections on the political party's symbol¹³. Indeed, there is a fear on the part of political parties, and this fear is more on the part of the ruling political party, BJP, to lose the panchayat election. Political parties are not directly fighting the panchayat elections suggest a two-fold argument: first, they are afraid of losing the ground before the state election, which is due in 2022; secondly, they try to be fool the people of the State by camouflaging their performance in the panchayat election because, after the election, every political party will claim for their better performance. So, let's consider the present panchayat election as a semifinal. All the political parties want a walkover hoping that they safely reach the final of the 2022 Vidhan Sabha election without any damage. The semifinal in the form of Panchayat election is over, the members and chairpersons of all the three tiers are elected. The semifinal is over, and all the political parties are claiming that they won the panchayat elections and the rural Uttar Pradesh is with them; they are claiming that the candidates supported by them won the elections in good numbers. Whether it is ruling or opposition, every political party is hopeful of its chances for the 2022 State Assembly elections. Their hope is more strengthened by the fact that the semifinal in the form of panchayat election is complete and since the elections were not held on political party symbol, every political party claims a better performance. Therefore every political party has a hope of better performance in the coming State Assembly election.

¹² *Supra* note 10.

¹³ Art. 243-K(4) of the Constitution of India says that 'subject to the provision of this Constitution, the Legislature of the State may, by law, make provision with respect to all matters relating to , or in connection with, elections to the Panchayats'. Therefore imposing pressure on the ruling BJP regime may bring about some change, but not a single party wants election on party symbol, however all the political parties are participating directly in the panchayat elections.