



ST. LAWRENCE HIGH SCHOOL

A JESUIT CHRISTIAN MINORITY INSTITUTION

CLASS - XII

STUDY MATERIAL



TOPIC: Local Self Government

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Local government in India:-

Local government in India refers to governmental jurisdictions below the level of the state. India is a federal republic with three spheres of government: central, state and local. The 73rd and 74th constitutional amendments give recognition and protection to local governments and in addition each state has its own local government legislation. Since 1992, local government in India (bala) takes place in two very distinct forms. Urban localities, covered in the 74th amendment to the Constitution, have Nagar Palika but derive their powers from the individual state governments, while the powers of rural localities have been formalized under the panchayati raj system, under the 73rd amendment to the Constitution. For the history of traditional local government in India and South Asia, see panchayati raj. As of 2017, there are a total of 267,428 local government bodies, of which 262,771 are rural and 4,657 urban. Of the rural local governments, 632 are zilla parishads at the district level, 6,672 are panchayat samitis at the block level, and 255,466 are gram panchayats at the village level. Following the 2013 local election, 37.1% of councillors were women, and in 2015/16 local government expenditure was 16.3% of total government expenditure. The panchayati raj system is a three-tier system with elected bodies at the village, taluk and district levels. The modern system is based in part on traditional {Panchayati raj. Panchayat governance}, in part on the vision of (Mahatma Gandhi) and in part by the work of various committees to harmonize the highly centralized Indian governmental administration with a degree of local autonomy. The result was intended to create greater participation in local government by people and more effective implementation of rural development programs. Although, as of 2015, implementation in all of India is not complete, the intention is for there to be a gram panchayat for each village or group of villages, a tehsil level council, and a zilla panchayat at the district level.

Rural local governments (or panchayat raj institutions):

Zilla panchayats

Mandal or taluka panchayats

Gram panchayats (rahalz)

The 73rd Constitutional Amendment Act

The idea which produced the 73rd and Amendment[12] was not a response to pressure from the grassroots, but to an increasing recognition that the institutional initiatives of the preceding decade had not delivered, that the extent of rural poverty was still much too large and thus the existing structure of government needed to be reformed. This idea evolved from the Centre and the state governments. It was a political drive to see PRIs as a solution to the governmental crises that India was experiencing.

The Constitutional (73rd Amendment) Act, passed in 1992 by the Narasimha Rao government, came into force on April 24, 1993. It was meant to provide constitutional sanction to establish "democracy at the grassroots level as it is at the state level or national level". Its main features are as follows:

The Gram Sabha or village assembly as a deliberative body to decentralised governance has been envisaged as the foundation of the Panchayati Raj System. 73rd Amendment of the Constitution empowered the Gram Sabhas to conduct social audits in addition to its other functions.

A uniform three-tier structure of panchayats at village (Gram Panchayat — GP), intermediate or block (Panchayat Samiti — PS) and district (Zilla Parishad — ZP) levels.

All the seats in a panchayat at every level are to be filled by elections from respective territorial constituencies.

Not less than one-third of the total seats for membership as well as office of chairpersons of each tier have to be reserved for women.

Reservation for weaker castes and tribes (SCs and STs) have to be provided at all levels in proportion to their population in the panchayats.

To supervise, direct and control the regular and smooth elections to panchayats, a State Election Commission has been constituted. The State Finance Commission in every State/UT, for every five years, to suggest measures to strengthen finances of panchayati raj institutions.

To promote bottom-up-planning, the District Planning Committee (DPC) in every district has been accorded to constitutional status.

An indicative list of 29 items has been given in Eleventh Schedule of the Constitution. Panchayats are expected to play an effective role in planning and implementation of works related to these 29 items.

Functions

All municipal acts in India provide for functions, powers and responsibilities to be carried out by the municipal government. These are divided into two categories: obligatory and discretionary.

Obligatory functions

- supply of pure and wholesome water
- construction and maintenance of public streets
- lighting and watering of public streets
- cleaning of public streets, places and sewers
- regulation of offensive, dangerous or obnoxious trades and callings or practices
- maintenance or support of public hospitals
- establishment and maintenance of primary schools
- registration of births and deaths
- removing obstructions and projections in public streets, bridges and other places
- naming streets and numbering houses
- maintenance of law and order

Discretionary functions

- laying out of areas
- securing or removal of dangerous buildings or places
- construction and maintenance of public parks, gardens, libraries, museums, rest houses, leper homes, orphanages and rescue homes for women
- public buildings
- planting of trees and maintenance of roads
- housing for low income groups
- conducting surveys
- organizing public receptions, public exhibitions, public entertainment
- provision of transport facilities with the municipality
- promotion of welfare of municipal employees

Some of the functions of the urban bodies overlap with the work of state agencies. The functions of the municipality, including those listed in the Twelfth Schedule to the Constitution, are left to the discretion of the state government. Local bodies have to be bestowed with adequate powers, authority and responsibility to perform the functions entrusted to them by the Act. However, the Act has not provided them with any powers directly and has instead left it to state government discretion.

Panchayati raj :-

The Panchayat raj (panchayat "village council", raj "rule") is a political system, originating from the Indian subcontinent, found mainly in India, Pakistan, Bangladesh, Sri Lanka, and Nepal. It is the oldest system of local government in the Indian subcontinent, and historical mentions date to the 250 CE period. The word raj means "rule" and panchayat means "assembly" (ayat) of five (panch). Traditionally panchayats consisted of wise and respected elders chosen and accepted by the local community. However, there were varying forms of such assemblies. Traditionally, these assemblies settled disputes between individuals and between villages. The leader of the panchayat was often called the mukhiya, sarpanch or pradhan, an elected or generally acknowledged position. The modern panchayati raj of India and its gram panchayats are neither to be confused with the traditional system nor with the extra-constitutional khap panchayats (or caste panchayats) found in parts of northern India. Mahatma Gandhi advocated panchayat raj as the foundation of India's political system. It would have been a decentralised form of government where each village would be responsible for its own affairs. The term for such a vision was Gram Swaraj ("village self-governance"). Instead India developed a highly centralised form of government. However, this has been moderated by the decentralisation of several administrative functions to the local level, empowering elected gram panchayats. There are significant differences between the traditional panchayati raj system, that envisioned by Gandhi, and the system formalised in India in 1992.

Zilla parishad :-

The Zila Panchayat or District Council or Zila Parishad or District Panchayat, is the third tier of the Panchayati Raj system. Zila Parishad is an elected body. Block Pramukh of Block Panchayat are also represented in Zila Parishad. The members of the State Legislature and the members of the Parliament of India are members of the Zila Parishad. Zila parishad are Panchayats at Apex or District Level in Panchayat Raj Institutions

Municipal corporation :-

A municipal corporation is the legal term for a local governing body, including (but not necessarily limited to) cities, counties, towns, townships, charter townships, villages, and boroughs. The term can also be used to describe municipally owned corporations.

A. Important questions :-

1. What are the different types of local bodies?
2. List the Salient features of the 73rd Constitutional Amendment Act.
3. What do you understand by the three-tier Panchayati Raj in West Bengal?
4. Discuss in brief the Gram Panchayat.
5. List the functions of the Gram Panchayat.
6. What are the different sources of income of Gram Panchayat?
7. What are the functions of the Gram Samita?
8. What is Gram Sabha?
9. What is the composition of the Panchayat Samiti?
10. Name the organisations that fall under Panchayat Samiti.
11. List the powers and duties of Panchayat Samiti?
12. What are the different sources of income of Panchayat Samiti?
13. Write a brief note on the following :
 - a) Zilla Parishad
 - b) Finance commission
 - c) Municipality
 - d) Municipal Authorities
 - e) Municipal Corporation
14. Discuss the success of Panchayat Raj in West Bengal.
15. Analyse the features of 74th Constitutional Amendment Act.

Teacher's Name: Rituparna Banerjee