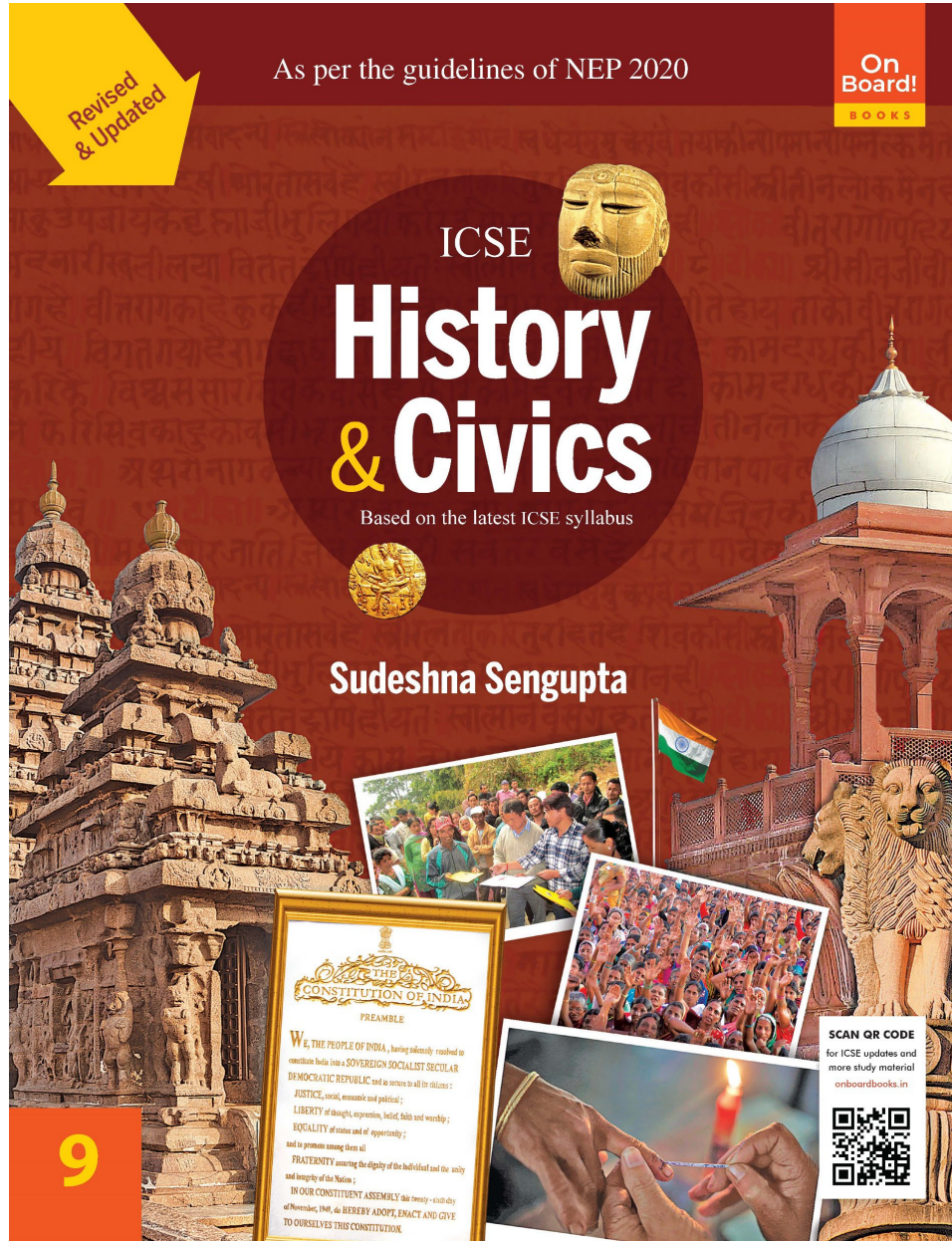


On Board!

B O O K S

History and Civics 9



Civics 9

Chapter 6: Local Self-Government – Rural

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Chapter 6: Local Self-Government – Rural

Since the days of the British Raj, the local administration was totally under the government control. When Indian leaders at the national level pressed for local autonomy, the British Government granted concessions at the lowest level. The powers of self-government were given to panchayats in the rural areas and the municipalities in the urban areas. By the Government of India Act, 1935, provincial legislatures were given special powers to enact laws vesting greater powers in the panchayats.

THE NEED FOR ELECTIONS

The makers of our Constitution inserted this Directive in the Constitution (Article 40): ‘The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.’

The Central Government looks after the interests of the country as a whole, and State Governments manage administration within each state. At the local level, we have the Local Self Government, which manages local affairs through representatives of the locality.

LOCAL GOVERNMENT AND LOCAL SELF-GOVERNMENT

Local self-government is an institution comprising locally elected representatives managing the affairs of the locality and providing them with basic amenities. In a rural area such an institution is called Panchayat and in an urban area it is known as Municipal Corporation or Municipality. It is distinguished from a local government, which comprises officials appointed by the State to look into the administration of a locality.

Importance of Local Self-Government

The local self-government institutions play an important role in the functioning of democracy at grassroots level.

- These institutions form the training ground for the local people to manage their local affairs and take on greater responsibility at the national level in the future.
- The local people are more aware of the problems in their locality and can suggest better solutions to tackle them.
- The local institutions through their personal involvement encourage voluntary service and honorary work and save the state of unnecessary expenses. The funds so saved can be utilized for developmental activities.
- As people from the locality actively participate in the administration, there is a close bonding between the masses and the elected representatives. The people can also evaluate the performance of these representatives.

THE PANCHAYATI RAJ INSTITUTIONS

The philosophy of Panchayat Raj is deeply rooted in the tradition and culture of India and is by no means a new concept. The Panchayati Raj provided a system of self-governance at the village level.

Introduction of a three-tier system

A recommendation for setting up Panchayats was made by the Balwant Rai Mehta Committee, set up in 1956 to review the self-governing institutions and to suggest the type of self-government in the villages. In its report in 1958 it suggested a three-tier system of governance for the rural areas.

The main recommendations of the report were: i. the Panchayat at the village level; ii. the

Panchayat Samiti at the block level, with members elected by the Panchayats of the villages within the block; and iii. the Zila Parishad at the district level.

The Constitution (73rd Amendment) Act, 1992 vests power in the State Governments to grant Panchayats the authority necessary to function as institutions of self-government.

These include the powers:

- To prepare and execute plans for economic development and social justice
- To levy, collect and appropriate taxes, duties, tolls and fees.
- To transfer taxes, duties, tolls and fees collected by the States to Panchayats.

PANCHAYATI RAJ SYSTEM

The three-tier Panchayati Raj system comprises:

- Gram Panchayats at village level
- Panchayat Samitis at block level or middle level
- Zila Parishads at district level.

Composition

All seats in a Panchayat shall be filled by persons directly elected from territorial constituencies. within the specified area. In this way representative democracy is introduced at the grassroots level itself.

Qualifications for election

A candidate seeking to be elected to any of the local bodies must have the following qualifications.

- He must be a citizen of India and not less than 21 years of age.
- He must be a registered voter (in the case of Panchayats, member of the Gram Sabha) in the constituency.
- He should not be a convict or have been disqualified by a law of the Parliament or an undischarged insolvent.
- He should not hold any office of profit under the government.

Term

The Constitution (73rd Amendment) Act, 1992 relating to Panchayats and Part IX A relating to Municipalities provide for, among other things, a uniform and fixed term of five years for both the rural and urban local bodies.

THE GRAM SABHA

- A Gram Sabha is constituted in every village with a population of not less than 1500.
- It consists of all the adult citizens of the village.
- The Gram Panchayat is the executive wing of the Gram Sabha and is derived from the word 'panch', a body of five members.
- The State Government decides on the number of 'panchas' according to the population of the village.
- One-third of the seats of the Panchayat are reserved for women.
- The members are elected on the principle of Adult Franchise.
- The head of the Gram Panchayat is the Sarpanch who is chosen from among the elected members for a period of five years.
- The Panchayat generally meets once a month.
- All decisions are taken by a majority vote.

Functions

A Gram Panchayat has the responsibility of providing social, economic, administrative and judicial requirements for the entire village under its jurisdiction. Its functions are varied as follows:

- Public welfare services like construction, repair and maintenance of village roads, cart tracks, bridges, drains, tanks and wells.
- Sanitation, health, setting up of health centres and dispensaries.
- Establishing primary schools and providing Education.
- Arranging for adequate irrigation facilities, improved seeds, fertilizers, insecticides, manures, implements and other related facilities.
- Maintaining and managing common properties
- Registration of births and deaths.
- Establishing fair price shops for personal and agricultural needs
- Building parks, playgrounds and gardens for economic as well as recreational purpose.

Sources of Income

The different sources include:

- Income derived from tax
- Rent from public property
- Taxes collected from fairs and exhibitions.
- Money received from sale of trees, orchards, natural fertilizers
- Grants-in-aid provided by the State Government

NYAYA PANCHAYATS

In some states, Nyaya Panchayats have been set up. The main characteristics of Nyaya Panchayats are the following:

- They can attend to petty cases
- They can impose a fine up to Rs 100.
- Lawyers are not allowed to appear for clients before these Panchayats.
- They cannot pass a sentence of imprisonment.
- Appeals can be made to the High Court if the decision given does not satisfy the concerned members.
- No person can be a member of both the Panchayat Samiti and the Nyaya Panchayat at the same time.
- As cases are decided quickly, these Nyaya Panchayats save a lot of money and time.
- The State Judicial Service and the State Government decide the jurisdiction of these Panchayats.

THE PANCHAYAT SAMITI

The Panchayat Samiti at the block level is the intermediate body just above the Village Panchayats. It has about 50 to 100 villages under its jurisdiction. It is also referred to as the Community Block and is in fact the Panchayat of Panchayats. It has a term of five years.

Composition

The Panchayat Samiti is composed of the following members:

Sarpanchs of all Panchayats within the specified area.

- Members of Legislative Assembly of the State from the area.
- Members of Parliament from the area.
- The Block Development Officer who is the chief administrative officer of the Panchayat Samiti.
- Representatives of the Scheduled Castes and Tribes, Co-operative Societies and women.
- The Secretary, who is a paid official appointed by the state authorities through the District Administration.

Functions

The Panchayat Samiti looks into all developmental programmes of the block within its jurisdiction.

- The Samiti allocates surplus land to the poor and the landless and also makes improved seeds, fertilizers, farm machinery, etc. available to farmers.
- It takes care of health services for the rural masses.
- It ensures supply of clean drinking water.
- It also sets up educational institutions for providing higher education.
- It approves construction plans and undertakes other development works.
- It acts as a link between the Gram Panchayats at the village level and the Zila Parishad at the district level.

THE ZILA PARISHAD

At the apex of the three-tier Panchayati Raj system is the Zila Parishad. It is the highest local self-government unit at the district level. Apart from coordinating the activities of various Panchayat Samitis, it is also the link between the State Government and the other two tiers of the Panchayati Raj system.

Composition

It usually comprises:

- Chairpersons of all Panchayat Samitis in the district.
- Members of Parliament and the State Legislatures within the jurisdiction.
- A representative of each of the Co-operative Societies of the district.
- Women representatives
- Chairpersons of the Municipalities within the area of its jurisdiction

Functions

- The Zila Parishad is an official body that coordinates the activities of the Panchayats in all its developmental activities.
- It advises the State Government on all matters relating to rural bodies.
- It also supervises the work of the Panchayats.
- It functions mostly through various Standing Committees.
- It works for the upliftment of the weaker sections of the society
- The Zila Parishad also undertakes rural electrification, which is nearly complete in India.

Sources of income

- Grants from the Union and State governments under various schemes.
- Land revenue grants.
- Tax collected on trade, professional employment, water and entertainment.
- Taxes levied by the Panchayat Samiti and the gains from them.

Defects

The system has been criticized for the following reasons:

- Elections are often marked by violence, corruption, caste and class loyalties.
- Rich farmers and certain privileged sections of the society dominate.
- Many of the Panchas are elected on the basis of their party affiliations.
- Some of the Panchas are unable to solve the problems of the people.
- The Panchayats are frequently superseded and elections are often delayed.

PANCHAYATI RAJ IN THE PRESENT CONTEXT

- A new Ministry of Panchayati Raj was created on 27 May 2004.
- The Ministry of Panchayati Raj is responsible for monitoring the implementation of the Constitution (73rd Amendment) Act, 1992 and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.
- It ensures that the institutions hold timely elections, the State Finance Commissions are set up and their recommendations are implemented.
- It oversees that District Planning Committees are constituted and duly empowered for planning at the grassroots level.
- It is responsible for the formulation and implementation of an Action Plan to make these bodies the real 'Institutions of Local Self government'.

To Remember

Meaning of Local Self-Government and Local Government—Local Self-Government: Elected body of people from the locality, constituted to look into local affairs; Local Government: The administration of a locality looked after by officials appointed by the government.

Importance of Local Self-Government—Training ground for budding politicians, local people can handle local issues more effectively, expenses saved as much of the work is voluntary, bonding between the representatives and the local people.

The Panchayati Raj Institutions—The three-tier system introduced Gram Panchayat at the village level, Panchayat Samitis at the block level and Zila Parishad at the district level, the 73rd Amendment Act of 1992 provides the basic provisions for this three-tier system, all levels have a fixed term of five years, directly elected by the people, members above the age of 21 years.

The Gram Sabha—In every village with not less than 1500 residents, all adults form a body, elects the Gram Panchayat, the executive wing, number of panchas decided by the State Government, varies between 7 and 15, seats reserved for Scheduled Castes/Tribes and women, head is the Sarpanch.

Functions—Public welfare services, sanitation and health, establishing primary schools, adequate irrigation facilities, maintaining the village property, registration of births and deaths, setting up fair-price shops.

Sources of Income—Taxes on land, property, fairs, exhibitions, rent from public property, sale proceeds and grants-in-aid by the State Government.

Nyaya Panchayats—Set up to settle petty civil and criminal cases, one in every three to four Gram Panchayats, jurisdiction decided by the State Judicial Service and the State Government.

Thank You

Thank You