



ORIGINAL RESEARCH PAPER

Political Science

THE LOCAL GOVERNMENT SYSTEM IN INDIA: AN OVERVIEW

KEY WORDS: Local Self-Government, Democracy, Decentralization and Peoples Participation.

Vootukuri Nagaraju

M.A - Political Science DEPARTMENT OF POLITICAL SCIENCE KAKATIYA UNIVERSITY WARANGAL

ABSTRACT

Democratization and decentralization are the interdependent processes. Dissemination of power from one centre helps in empowering the people and can also held the government accountable for exercising political power. In India, as the democratic institutions started maturing, the tendency towards centralization of power is being increasingly questioned and the efforts of decentralization and participation of the citizen in the management of their local area, is being encouraged. Paucity of funds, lack of planning, excessive state control, etc. are some of the intriguing problems which resulted in inefficient and substandard governance. The newly recognized local self-government (henceforth, the term 'local government' would be used) is still in the transitional phase which is expected to acquire a new shape in the face of technological facilitation and the democratic change.

INTRODUCTION:

Local Self Government is the management of local affairs by such local bodies who have been elected by the local people. It is widely accepted that self-governing institutions at the local level are essential for national growth and for effective people's participation and that they are an integral and indispensable part of the democratic process. 'Grass-roots of democracy' based on small units of government enables people to feel a sense of responsibility and to inculcate the values of democracy.

Concept of Local Self-Government:

Local government is that part of the state government in federal countries, dealing mainly with local affairs, administered by authorities, subordinate to the state government. The local authorities may be elected independently of the state authority by qualified residents. Alternatively, they may consist of partly elected and partly nominated or wholly nominated members. Normally, the state government has no jurisdiction within the local area in respect of matters administered by the local authority. Thus, the local authority derives its power from a portion of the same electorate from which the state authority derives its powers. However, the local authorities are the creatures of the state legislature. They cannot do many things without the explicit sanction of the state government.

Nature of Local Self-Government:

The Local Government institutions are known by different names. In India the popular term is local self- government; in England local authorities; in other places local authorities / bodies or local government. According to Venkatarangaiya and Pattabhiram: Local self-government means, "administration of a locality, a village, a town, a city or any other area smaller than the state, by a body representing the local inhabitants, possessing a fairly large amount of autonomy, raising at-least a part of its revenue through local taxation and spending its income on services." This definition is somewhat comprehensive in the sense that it includes both rural and urban LSGs. The Rural LSG comprises Village Panchayats, Intermediate Panchayats and District Panchayats, which are also popularly named as the Panchayati Raj Institutions (PRIs) in India. The urban LSG comprises Municipal Corporation, Municipalities and Town Panchayats.

Local Self-Government	
Rural LSGs	Urban LSGs
1. District Panchayat (A top tier)	1. Municipal Corporations
2. Intermediate Panchayat (An Intermediate tier)	2. City Municipal Councils
3. Village Panchayat (An bottom tier)	3. Town Panchayat
	4. Notified Area Committee
	5. Cantonment Board

73rd Constitutional Amendment Act, 1993 and Its Features:

The 73rd constitutional amendment bill has introduced in Parliament in September 1991 for strengthening the PRIs in the country. The bill passed as 73rd Constitutional Amendment Act,

1992 by the Parliament that notified by the central government through official Gazette on April 20, 1993 as it got ratification by the state legislatures and assented by the President of India. After notification, the PRIs now have constitutional legitimacy. The 73rd Constitutional Amendment Act, inserted part IX into the Constitution and added new articles from 243 to 243-0 (16 Articles) dealing with the PRIs.

Objectives of Panchayat Raj:

The main objectives of Panchayat Raj system, according to 73rd Amendment Act are,

- a. To give power to the people.
- b. To build democracy from the bottom or grass-root level.
- c. To design innovative plans for people's involvement in village development.
- d. To inculcate the responsibility among the people for all development activities in a village.
- e. To ensure the concrete benefits to the rural people from various plans and programmes, etc.

Definitions:

- Article 243 defines the following terms,
- i. "District" which means a district in a State.
 - ii. "Gram Sabha", meaning a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of panchayat at the village level.
 - iii. Inter-mediate level – means a level between the village and district levels.
 - iv. "Panchayat" means an institution of self-government.
 - v. "Panchayat Area" means the territorial area of a panchayat etc.

THREE-TIER STRUCTURE OF PANCHAYATI RAJ

(i) Panchayats at Village Level: This is the basic or grassroots level of panchayati raj. The panchayat for a village or a group of villages includes (a) Gram Sabha, the symbol of direct democracy; (b) Gram Panchayat and (c) Nyaya Panchayat.

a) Gram Sabha: Recognition to Gram Sabha, an institution of direct democracy, is an important feature of the 73rd amendment. Gram Sabha consists of all adult residents within a village or group of villages. Thus it is the only institution of direct democracy in the country. Generally, two meetings of Gram Sabha are held every year.

b) Gram Panchayat: The lower tier of the panchayati raj system in the country is the village level panchayat. It is known in most of the States as Gram Panchayat. The members of a Gram Panchayat are directly elected by the people. The number of members of a Gram Panchayat is fixed on the basis of village population. Hence, it differs from panchayat to panchayat. Election is held on the basis of single-member constituency. As already mentioned, one-third of the total number of seats are reserved for women; and some for Scheduled Castes and Tribes including one-third for women of Scheduled Castes and Tribes. Chairpersons of Gram Panchayats are called by

different names in different States as 'Sarpanch, Pradhan or President.

c) Nyaya Panchayat: These are judicial panchayats and reminder of ancient village panchayat that settled local disputes. They are set up to provide speedy and inexpensive justice. Jurisdiction of Nyaya Panchayat varies from State to State – one such panchayat is set up for five or more gram panchayats. Their tenure is between 3 and 5 years, as determined by State law. Nyaya Panchayats generally deal with petty civil and criminal cases, and can impose fine upto Rs. 100 only. There are no lawyers to plead the cases in Nyaya Panchayat. Parties to the disputes argue their own cases.

(ii) Panchayat Samiti: The second or middle tier of the panchayati raj is Panchayat Samiti which provides a link between Gram Panchayat and a Zila Parishad. The strength of a Panchayat Samiti also depends on the population in a samiti area. In Panchayat Samiti, some members are directly elected. Sarpanchs of gram panchayats are ex-officio members of Panchayat Samitis. However, all the sarpanchs of Gram Panchayats are not members of Panchayat Samitis at the same time. The number varies from State to State and is rotated annually. It means that only chairpersons of some Gram Panchayats in a Samiti area are members of Panchayat Samiti at a time

(iii) Zila Parishad: Zila Parishad at the district level is the uppermost tier of the panchayati raj system. This institution has some directly elected members whose number differs from State to State as it is also based on population. Chairpersons of Panchayat Samitis are ex-officio members of Zila Parishads. Members of Parliament, Legislative Assemblies and Councils belonging to the districts are also nominated members of Zila Parishads. The chairperson of a Zila Parishad, called Adhyaksha or President, is elected from among the directly elected members. The vice-chairperson is also elected similarly. Zila parishad meetings are conducted once a month. Special meetings can also be convened to discuss special matters. Subject committees are also formed.

FUNCTIONS OF PANCHAYATI RAJ INSTITUTIONS:

All panchayati raj institutions perform such functions as are specified in state laws relating to panchayati raj. Generally speaking the functions are as under:

(i) Functions of Gram Panchayat:

Some States distinguish between obligatory (compulsory) and optional functions of Gram Panchayats while other States do not make this distinction. The civic functions relating to sanitation, cleaning of public roads, drains and ponds, public toilets and lavatories, primary health care, vaccination, supply of drinking water, constructing public wells, street lighting, social health and primary and adult education, etc. are obligatory functions of village panchayats. The optional functions depend on the resources of the panchayats.

(ii) Functions of Panchayat Samiti:

Panchayat Samitis are at the hub of developmental activities. They are headed by Block Development Officers (B.D.Os). Some functions are entrusted to them like agriculture, land improvement, watershed development, social and farm forestry, technical and vocational education, etc. The second type of functions relates to the implementation of some specific plans, schemes or programmes to which funds are earmarked. It means that a Panchayat Samiti has to spend money only on that specific project. The choice of location or beneficiaries is, however, available to the Panchayat Samiti.

(iii) Functions of Zila Parishad:

Zila Parishad links panchayat samitis within the district. It coordinates their activities and supervises their functioning. It prepares district plans and integrates samiti plans into district plans for submission to the State Government. Zila Parishad looks after development works in the entire district. It undertakes schemes to improve agricultural production, exploit ground water resources, extend rural electrification and distribution and initiate employment generating activities, construct roads and other

public works.

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