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COURSE 424

LOCAL GOVERNMENT AND POLITICS IN INDIA

SHORT QUESTIONS

1. Explain the concept of local self government, - 10
2. Write a note on the meaning of Panchayat. – 10
3. Define democratic decentralization.-10
4. Write a short note on VILLAGE SELF GOVERNMENT ACT (1911) 10
5. Write a note on the BALWANT RAI MEHTA COMMITTEE Recommendations on Panchyati Raj. - 10
6. Write a note on the ASHOK MEHTA COMMITTEE Recommendations on Panchyati Raj. 10

1. WHAT IS LOCAL SELF-GOVERNMENT?

Local self-government implies the transference of the power to rule to the lowest rungs of the political order. It is a form of democratic decentralization where the participation of even the grass root level of the society is ensured in the process of administration.

The concept of Local Self- Government emerges from man's basic urge for liberty, the power to make decisions and to uplift the society as per the needs of the respective communities.¹ Local Self Governments are those bodies that look after the administration of an area or a small community such as a village, a town or a city. Local Self-Government operates at the lowest level of society. It works at the grass-root level, close to the people, touching their everyday life. Local Self-Government is the management of local affairs by such local bodies who have been elected by the local people. These local bodies provide services to the local community as well as acts as an instrument of democratic self government.

"Local Government may be loosely defined as a public Organisation authorised to decide and administer a limited range of policies within a relatively small territory which is a sub-division of a regional or national government? As summed up by w.A. Robson, a noted authority on local government, "local government may be said to involve the conception of a territorial, non-sovereign community possessing the legal right and the necessary organisation to regulate its own affairs.

Local Self- Government is a form of government that has no share in sovereignty and is thus entirely subordinate to central authority or, in a federal system, to state or regional authority. This level of government is recognised by the people as they are close to the citizen and involve them in the decision making process. The

jurisdiction of a Local Government is limited to a specific area, a village or a city, and its functions relate to the provision of civic amenities to the population living within that area. According to V.V. Rao, Local Government is “that part of the government which deals mainly with local affairs, administered by authorities subordinate to the state government but elected independently of the state authority by the qualified residents”. In simple language it may be said that a Local Government is a statutory authority in a specified local area having the power to raise revenue through taxes for the performance of local services like sanitation, education, water supply, etc. It is constituted by elected representatives of the local people and enjoys considerable autonomy from state or central control sufficient to enable it to perform its services adequately.

There are certain characteristics on which the system of Local Government is based. Some of its important characteristics are:

(a) Local Area: - Local Government unit, as far as its jurisdiction is concerned, has a well defined area which is fixed by the concerned state government. This area can be termed as a city, a town or a village, (b) Local Authority: - The administration of a particular locality is run by an authority or by a body of persons who are elected directly by the people residing in that particular area. The authority which includes the elected representatives of the people is responsible for management of local affairs in that area, (c) Civic Amenities for Local Inhabitants: - The primary objective of Local Government is to provide certain civic amenities to the people at their door-steps. The provision of these civic amenities ensures the healthy living of local community, (d) Local Autonomy: - Local autonomy means the freedom of the Local Government to decide and act in the sphere of activities and functions allotted to them by the statutes under which they are created,

(e) Local Accountability: - Local Government units which are created to provide civic amenities to the people are accountable to the local people. The people of a local area keep a watch on local authorities to ensure effective performance of their functions, (f) Local Finance: - In order to perform its functions effectively, it is necessary that every local government unit is provided with adequate finances. The services provided to the local inhabitants are largely financed out of finance raised locally. The local inhabitants are required to pay taxes imposed by the concerned local authority. The Central Government and State Government also render them financial aid through a system of grants-in-aid and permission to raise loans to enable them to perform the tasks assigned to them, (g) Local Participation: - The success or failure of developmental plans at the local level depends upon the active participation of local people for whom these plans are made. If the goals of development have to be achieved, people's participation is a prerequisite for it, (h) Local Leadership: - The people who come under the purview of Local Government, especially those living in rural areas, are generally inexperienced and unaware about the functioning of local bodies, strong leadership, therefore, needs to be provided to those people, this leadership is provided to the people from the local area in the shape of elected representatives and, (i) Local Development: - Local Government is concerned with the overall development of the people living within its area. Every activity of Local Government is aimed at local development.

2.MEANING OF PANCHAYAT

The Panchayati Raj is a pretty old concept in India and in a way it is one of the earliest concepts of democracy in the history of

civilization. The term 'panch' or five elected seniors in a village form a sort of self government of the organization to settle down matters of dispute of the community has not been found in any where else in the world except India. This aspect has been recorded by the Chinese Travelers like Fa Hien and Hue-en Tsang in their diaries. The records of history shows that the Panchayat system has been in existence in India since the dawn of civilization. India has witnessed the rise and fall of the empires but the village Panchayats continued to survive by providing continuity to the Indian Village traditions. It should be said that the Vedas, particularly the Rigveda in reveal that ancient Hindus used to lead a cooperative life. A reference to the Valmiki's Ramayana, the Mahabharata should also be made here. These epics have also described the existence of such institutions. In fact, the inspiration of the Panchayati Raj system is derived from the tradition of 'Panch Parameshwara' where God speaks through the five and the official publications speak of village republic.

However, the term Panchayati Raj indicates a wide range of meaning. Some regard it as an administrative agency for rural development; others as an extension of democracy at the grass-root level. The Panchayat is an organization of people for performing administrative activities and settling judicial disputes. It is the operational unit for popular representation as well as planned development. It refers that it is a system by which we mean a statutory multi-tier institutional structure endowed with a corporate status by a competent legislature performing

functions pertaining to local-self government as determined from time to time by the legislature and or the executive at the State or the Centre.

3.DEMOCRATIC DECENTRALISATION

A democratic polity involves the decentralization of power through which that the affairs of the local people are managed by means of their positive participation. It implies the extension of democracy at the grassroots level. It signifies marked devolution of power from the higher to the lower levels in a way that the units of Local Government exercise their authority with the participation of the people of that area with occasional control and supervision of the provincial and central governments. Democratic decentralisation is that process of decentralisation which conforms to the basic tenets of democracy. It implies a council of elected representatives at the decentralised level of administration which would be accountable to its electorate. Elections to these councils may be direct or indirect. Democratic decentralisation seeks to widen the areas of people's participation, authority and autonomy through dispersal of powers. It is the very base of the development of the people at the grass roots level. Democratic decentralization offers opportunities to the people at grassroots level to participate in decision making. The concept of democratic decentralisation is intimately associated with the idea of Local Self- Government. Democratic decentralisation is a political ideal and Local Self Government is its institutional form. The institution of Local Self-Government includes both rural and urban local bodies. In India, the Panchayati Raj Institutions (Rural) and the Municipal bodies (Urban) provide institutional frameworks for democratic decentralisation. The Constitution provides a clear mandate for democratic decentralisation not only through the Directive

Principles of State Policy which exhorts the State to promote Panchayati Raj Institutions but more specifically now through the 73rd and 74th Amendments of the Constitution.

4. VILLAGE SELF GOVERNMENT ACT (1911):

In accordance with this Act the *Chowkidari Panchayat* and The Union Committee were merged. **The Union Board** was formed at the village level and District Board at the district level. This two-tier system of local self-governance lasted till the 1950s. Both had limited franchise. Everyone was not allowed to stand for election neither was everyone allowed to vote. Only those who paid a certain amount of tax or above could stand for election. The Act also tried to introduce a third tier at the *Mahakuma* level called the Local Board to advance the three-tier system. But this experiment failed.

After independence the Panchayati Raj system came into existence during the late 1950s with the implementation of Balwantrai Mehta Committee's Report. This committee recommended a three-tier structure of local government at the Village, Block and Zilla levels.

The committee also recommended for the co-option of two women in all the tiers of Panchayats. The revival started in the late 1970s with the appointment of Ashok Mehta committee in December 1977. This committee recommended two-tiers of local governments at Mandal and Zilla levels. This committee also recommended the co-option of two women as members both at Zilla and Mandal levels. The Ashok Mehta committee was followed by G.V.K. Rao Committee (1988), which tried to make Panchayat Institutions more viable and effective.

Finally, the revival of Panchayat culminated by giving Panchayati Raj the constitutional status. The 73rd Constitutional Amendment was passed on 24, April 1993. The 73rd Amendment Act. allocated 29 subjects to the Panchayat, fixed five years' term, created the State Finance Commission and the State Election Commission and said that if the Panchayats were dissolved before the expiry of the term then they are to be reconstituted within six months of dissolution. The Act. further reserved 1/3rd of the seats for women at Village, Block and Zilla Parishad levels.

However, the different stages of development of the system of Panchyati Raj may be undertaken for scrutiny and analysis.

5. BALWANT RAI MEHTA COMMITTEE RECOMMENDATIONS

The Balwant Rai Mehta Study Team was appointed in 1957 to study the Community Development (CD) and National Extension Services (NES) Programme, especially from the point of view of assessing the extent of popular participation and to recommend creation of institutions through which such participation can be achieved. The study team recommended constitution of statutory elective local bodies with the necessary resources, power and authority developed on them and the decentralized administrative system working under their control.

It also recommended that the basic unit of democratic decentralization should be located at the block/samiti level. The study team envisaged directly elected and co-opted members and an advisory body called Zilla Parishad at the district level

constituted indirectly, mainly through ex-officio members from the lower tier and other with the Collector as Chairman.

The recommendations of the Balwant Rai Mehta Study Team gave a new lease to CD and NES projects. It also paved the way for a new era for Panchayati Raj institutions which was inaugurated by Jawaharlal Nehru on October, 2, 1959 at a national rally at Nagaur in Rajasthan. Nehru hailed it as “the most revolutionary and historical step in the context of new India”.

6. ASHOK MEHTA COMMITTEE RECOMMENDATIONS

The process of decline and stagnation became evident in the Panchayati Raj institutions because of a feeling of political alienation and indifference of the weaker sections and backward classes caused by the capture of the Panchayati Raj institutions by the dominant communities. Development programmes for increasing agricultural production became more bureaucratic with hardly any participation of the people. In view of this, a 13 member committee headed by Ashok Mehta was set up in 1977 to inquire into the Panchayati Raj institutions and to suggest measures to strengthen them.

A resolution appointing the committee said, “The government accords the highest priority to rural development so as to increase agricultural production, create employment, and eradicate poverty and bring about an all-round improvement in the rural economy. The Government considers that the maximum degree of decentralization, both in planning and in implementation, is necessary for the attainments of these objectives”.

The Committee recommended a two-tier set-up that is, district level and mandal level covering a population of 15,000 to 20,000 and suggested abolition of the block as the unit of administration. It also recommended holding of regular elections, compulsory items of taxation in their jurisdiction and transfer of land revenues collection to them. It was felt that a constitutional provision was necessary to strengthen Panchayati Raj institutions.

A conference of Chief Ministers held in 1979 to consider important recommendations of this committee did not accept the concept of mandal panchayats and favoured continuance of the existing three-tier system. The consensus was also against political parties taking part in panchayat elections.