



Democracy at the Grass Root Level In India: 73rd and 74th Amendments and their Impacts

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Abstract:-

India's democratic structure has three levels of governance national or federal, state or regional and the grass roots level called the Panchayati Raj and Nagar Palika systems. The Panchayati Raj system covers the village, the tehsil and the district and the Nagar Palika system serves towns and cities. Lord Bryce said "The best school of democracy and the best guarantee for its success is the practice of local self government." Decentralisation is a prime mechanism through which democracy becomes truly representative and responsive.

The democratic ideals of decentralization, development and increased, continuous and active popular participation in the process of nation building can be secured only through the working of an efficient system of local government. Without a well organized system of local government, no democratic political system can be expected to become stable and really developed. This paper deals with Balwant Rai Mehta committee and Ashok Mehta Committee as well as these recommendations. 73rd and 74th Amendments and their Impacts.

Introduction:-

India is a democracy and people's participation is essential to it. To make it effective people's participation must reach the grass root level. It is because grass root of Democracy based on small units of government. The self governing rural local bodies are known in India as Panchayati Raj

Institutions (PRIs) and they facilitate democratic decentralisation. It was first introduced in 1959. It was depicted as a mechanism of popular participation. The Panchayati bodies were expected to awake political consciousness at the local level and strengthen the roots of democracy at the grass root level. The sole objective of the PRIs was ensuring people's participation in developmental activities by creating awareness among them there by strengthening roots of democracy.

Balwant Rai Mehta Committee:-

In January 1957 the Government of India appointed a team for suggest measures to secure people's cooperation in development under the chairmanship of Balwant Rai Mehta.

Recommendation of Balwant Rai Mehta Committee were:-

- Rural development and rural improvement were possible only with local initiative.
- There should be a three-tier structure of local self government from the village to the district with the village at the bottom and district at the top with its intermediary link of institutions all organically related to one another.
- There should be genuine transfer of power and responsibility to these institutions of local governments.
- All programmes of social and economic development formulated through the network of planning should be channelled through those institutions.
- Adequate resources should be genuine transfer of power and responsibility to these institutions of local governments.
- The whole system of Panchayati Raj should facilitate further devolution and dispersal of power, responsibilities and resources in the future.
- This term was used by Pandit Jawaharlal Nehru, because of its popular appeal.
- With the recommendations of committee, a number of states created three-tier system of rural local self government institutions, on the pattern of Rajasthan and Andhra Pradesh with some modifications.

Three-tier system of Panchayati Raj

I. Village Panchayats

The Panchayat which forms the basic units of the three tier structure, is an executive body of the village.

- It chiefly consists of representatives elected by the people of the village.
- The Panchayat has an elected chairman, popularly known as Sarpanch.
- The Panchayat as a body is accountable to the general body of the village known as Gram Sabha which meets at least twice a year.
- The Gram Sabha reserves the right to lay down guide lines for the Panchayat.
- All schemes of development, taxation proposals etc, are also approved by the Gram Sabha.
- Average population between 1000 to 3000 people and an average area of about 6 square miles. It is a body of elected representatives.

II. Panchayat Samiti

- Usually a block consists of 20 to 60 villages depending on area and population.
- Panchayat Samiti in most cases are indirectly elected bodies.
- The Sarpanchs of the constituent Panchayat being its member.

III. Zila Parishad

- The Collector or the Deputy Commissioner is also a member of the zila Parishad.
- Most of the work of the Zila Parishad is carried through standing committees elected by the general body.
- The Chairman of the Zila Parishad and the District collector are the ex-officio members of these committees.

Ashok Mehta Committee

The Janta Party Government appointed a high level committee on Panchayati Raj under the Chairmanship of Ashok Mehta in Dec. 1977. The recommendation of the Ashok Mehta Committee were implemented in Karnataka, West Bengal and Andhra Pradesh to revitalise the Panchayati Raj.

The committee recommended two tier system a district level zila Parishad and a Mandal Panchayat. Panchayati Raj election should be conducted by the Chief election officer of the state in consultation with the chief election commissioner. The committee favoured an elected president of the Mandal Panchayat and recommended a term of four years for the Mandal Panchayat.

73rd Amendment Act, of 1992

Part-Eleventh was added to the constitution of India by the 73rd Amendment Act of 1992. The part consists of provisions from Articles 243 to 243-o and is titled as Panchayats. The eleventh schedule consists of 29 functional items of the Panchayats such as:

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- Agriculture in including agricultural extension.
 - Land improvement
 - Minor irrigation, water management.
 - Animal husbandry, dairying and poultry.
 - Fisheries
 - Khadi and cottage industries
 - Fuel
 - Rural housing
 - Roads, bridges
 - Libraries
 - Cultural activities
 - Markets and Fairs
 - Women and child development
 - Family welfare.
 - Social welfare etc.

Salient Features Introduced by the Act

- Gram Sabha
- Three Tier System.

- **Elected Membership:-** The Chairperson at the village level Panchayat shall be directly elected while the chairperson of the intermediate and district level shall be indirectly elected from amongst the elected members there of.
- **Reservation of Seats:-** for the Scheduled castes and scheduled tribes. The act also provided for the reservation of one third of the total number of seats for women.

Duration of Panchayats:-

- The panchayats at each level, according to the act shall have a five year term of office.
- Powers and functions of Panchayats are social and economic development.

Finance of the Panchayat:-

- authorise a Panchayat to levy, collect and appropriate taxes, duties, tolls and fees.
- Provide for making grants-in-aid to the Panchayats from the consolidated fund of the state.

Application to union Territories:-

- The president of India may direct that the provisions of the act shall apply to any union territory subject to such exceptions and modifications as he may specify.
- **Interference by courts:-**
- The act bars the interference by courts in the electoral matters of Panchayats.

74th Amendment Act of 1992

The act came into force on 1st June 1992. The act added Part IXA to the constitution. The part is entitled as the Municipalities and consists provisions of Articles 243-P to 243-ZG.

The act provided for the constitution of the following three types of Municipalities in every state.

1. A Nagar Panchayat for a transitional area.
2. A municipal council for a smaller urban area.
3. A municipal corporation for a larger urban area.

The features of 74th Amendment Act added twelfth schedule of constitutions. Which are:-

- urban planning and town planning

- Regulations of land use and construction of buildings.
- Planning for economic and social development.
- Protection of environment problems
- Roads and Bridges
- Fire services.
- Urban poverty alleviation.
- Promotion of cultural, educational aspect
- Provide facilities such as parks, gardens and play grounds.

Public amenities including street lighting, bus stops, parking etc.

Types of Urban Governments

Municipal Corporation:-

These are created for the administration of metropolitan cities. A municipal corporation shall consists of a council, a standing committee and the commissioner.

The Municipal Commissioner is responsible for the implementation of the decisions.

Municipality:-

The Municipalities are entrusted with the administration of towns and smaller cities. They may be known by names like municipal council, municipal committees, municipal board, city municipality etc. They are established by the acts of the state legislatures and by the Parliament in case of the union Territories.

Notified Area Committee:-

A Notified area committee is established for the administration of:-

A fast developing Industrial town.

A town which does not yet fulfill all the conditions necessary for the constitution of municipality.

Town Area Committee:-

A town area committee which is set up for the administration of a small town, is a semi municipal authority and is entrusted with a limited number of civil functions. Its composition, functions, powers may be determined by the Act of the state Legislature.

Cantonment Board:-

A Cantonment Board is created by the central Government. It is a partly elected and partly nominated body. The elected members hold office for a term of five years while the nominated members continue, so long as they hold the office in the station. It performs functions similar to a municipality. The executive officer of the cantonment Board is appointed by the President of India.

Port Trust:-

This type of urban Government is established in the port areas like Mumbai, Kolkata, Chennai etc.

They are established to:-

- (a) Manage and protect the ports.
- (b) Provide civic amenities.

A port trust is created by an Act of Parliament. It is a partly elected and partly nominated body.

Special purpose Agency:- These will be function based:

- Town improvement trusts.
- urban development authorities.
- water supply and sewerage boards.
- Housing boards.
- Pollution control boards
- Electricity supply boards.

These are statutory bodies, as they are constituted by an Act of legislature. They will not be treated as subordinate to the other bodies.

Impacts on Panchayati Raj

- It helps in the rise of civic consciousness among the people.
- The Panchayati Raj has stimulated self education.
- It has shifted the centre of gravity to the villages.
- It has brought a revolutionary change in the administrative setup.
- It ensures popular participation and encourages local leadership.
- The idea that "let the people will and let their will be done". is better realised under the Panchayatiraj.

Conclusion & Suggestions:

The grass root level of democracy is the modern version of direct democracy. The local self government including Panchayats are the subject of state list under 7th schedule of the constitution. In 1957 Balwant Rai Mehta committee to examine the problems of setting up Panchayati Raj and suggest ways and means of its introduction. Ashok Mehta committee in 1977 to inquire into the Panchayati Raj institutions and to suggest measures to strengthen them. The union and the state governments accepted the recommendations of these reports. The states were free to set up Panchayati Raj institutions of their own choice. The 73rd Amendment to the constitution introduced grass root democracy at the rural level. The 74th amendments Act constitutional grass root democracy in the Urban areas. 73rd Amendment Act of 1992 the Panchayati Raj system consists of a three tier structure – the village Panchayat at the village level. Panchayat samiti at the middle level and the zila Parishad at the district level. 74th Amendment Act of 1992 provided three types of Municipalities in every state.

1. Nagar Panchyat an urban centre with more than 30,000 and less than 1, 00000
2. A municipal council for a smaller urban area. Smaller towns under 30, 000 are denominated as Panchayat Towns.
3. Municipal Corporation in India are state government formed departments that works for the development of a city, which has a population of more than 1 million. It is in the four metropolitan cities of India namely Delhi, Mumbai, Kolkata and Chennai.

Many Problems facing of Panchayati Raj Institutions:-

First, is the domination of the bureaucracy over the Panchayati Raj Institutions. Second, is the lack of adequate financial resources to carry out the administration. Grant in aids is the major component of the PRI revenue. Third, the lack of training programmes for the participants of the PRI

The PRIs in India are weak and assuming that it will not be smoot sailing for them even after the 73rd amendments, they do have an important role to play in India's development. For the solution in PRI problems are the government should attempt now is gradually to delimit the role of bureaucracy and to promote local leadership, encourage PRIs to strengthen their financial resources, to remove structural deficiencies, education provide to peoples time to time proper conduct election making and good relations maintain rules between PRIs and the state governments.

Action on these lines is the least that is expected of the rulers proclaiming their faith in and loyalty to Gandhian principles.

References

1. S.N. Mishra and Chaitali Pal, Decentrised planning and panchayati Raj Institutions, Mittal Publications, New Delhi, 2000.
2. D. Sundar Ram, Role of Panchayati Raj Institutions in 60 years of Independent India vision of the future, Kanishka Publishers, New Delhi, 2008.
3. Shakuntla Sharma, Gross Root Politics and Panchyati Raj, Deep & Deep Publications, New Delhi, 1994
4. S.N. Jha and P.C. Mathur, Decentralization and Local Politics, Sage Publication, New Delhi, 1999
5. R.K. Tiwari Training for Elected Panchayati Raj Representatives, Shipra Publication, Delhi, 2008.
6. G.S. Mehta, Participation of women in the Panchyayati Raj system, Kanishka Publishers, New Delhi, 2002
7. Jagdish Singla, The Punjab Gram Panchayat Act, 1952 with Rules, Singla Law Agency Publishers, Chandighar, 1992.

8. D. Sundar Ram, Dynamics of Grass roots Governance in India: Dreams and Realities Kanishka Publishers, New Delhi, 2007
9. Pardeep Sachdeva, Dynamics of Municipal Government and Politics in India, Kitab Mahal Publishers, Allahabad, 1991
10. Pardeep Sachdeva, Urban Local Government and Administration in India, Kitab Mahal Publishers, Allahabad, 1993.
11. A.S. Arora and J.S Kalra, The Punjab Municipal Act, 1911, Law Book Publishers, Chandigarh, 1993
12. N.R. Inamdar, Crisis in Urban Government A study of Decision Making, Concept Publishing Company, New Delhi, 1991.
13. Mohit Bhattacharya, Management of Urban Government in India, Uppal Books Publishers, New Delhi, 1976.
14. M.R. Biju, Politics of Democracy and Decentralisation in India, Atlantic Publishers, New Delhi, 1997.

