

CHAPTER 5

Local Self-Government —Rural



SYLLABUS

Local Self-Government—Rural

Rural : Three-tier system of Panchayati Raj— Gram Panchayat, Panchayat Samiti, Zila Parishad — their meaning and functions.

We have the Central Government to look after the interests of the whole country, while we have State Governments to manage State administration. At the local level, we have Local Self-Government, which manages local affairs, through the representatives of the locality. Local Self-Government has thus become an integral part of the three-tier system of the Government.

MEANING OF 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*.

LOCAL GOVERNMENT AND LOCAL SELF-GOVERNMENT

Local self-government is quite different from local government. In local government the administration of a locality is looked after by the officials appointed by the State. Such officials are paid a salary; they include *patwari* or policeman or the village chowkidar, and the village postman. These officials provide certain services to the local people and do not have any say in management and administration of local affairs.

Local self-government consists of elected representatives. They receive government grants for their activities like sanitation, providing elementary education and settling disputes. That is to say that local people govern themselves.

SIGNIFICANCE OF LOCAL SELF-GOVERNMENT

The local self-government institutions play an important role in the functioning of democracy at grassroot level. This importance also stresses the need for having such institutions.

- (i) These institutions provide the foundations on which the entire democratic structure of our country stands. These institutions make it possible for local people to take interest in their own affairs and groom them well to take on larger responsibilities later.
- (ii) The local institutions provide a training ground for local leadership and to gain necessary experience for undertaking bigger challenges at the state or the national level.

Local Self-Government

- (iii) Local people know their problems well and are best judges of their own needs.
- (iv) The local institutions encourage self-help and voluntary service and save the state of many unnecessary expenses.
- (v) Local self-government institutions gain the support of local communities.
- (vi) Through these institutions government can reach ordinary citizens in times of need like National Emergency.
- (vii) These institutions lessen the burden of workload on State and Central Government machinery.
- (viii) They facilitate active participation of local people as an individual can evaluate the performance of the elected representatives.

Panchayati Raj system was first inaugurated at Nagaur in Rajasthan on October 2, 1959. It was followed by Andhra Pradesh in the same year. Real breakthrough came on 24th April 1993 when the Constitution (73rd Amendment) Act, 1992 came into force. That is why April 24 is celebrated as National Panchayati Raj Diwas every year.

SALIENT FEATURES OF THE CONSTITUTION (73RD AMENDMENT) ACT, 1992

- (i) To provide three-tier system of *Panchayati Raj* for all States having population of over 20 lakh,
- (ii) To hold *Panchayat* elections regularly every five years,
- (iii) To provide reservation of seats for Scheduled Castes, Scheduled Tribes and women.
- (iv) To constitute State Finance Commissions every five years to make recommendations on financial powers of the *Panchayats*,
- (v) To constitute District Planning Committee to prepare draft development plan for the district as a whole.

A three-tier system of Local Self-Government for rural areas came into effect in April 1993. There were the Panchayats at the village level, the Block Samitis and the District Boards (The Zila Parishad) at the apex. The nomenclature

varies from state to state but the basic structure remains a three-tier one starting with the village (or group of small villages) at the base, the Panchayat Samiti at the Block level and the Zila Parishad at the District level.

PANCHAYATI RAJ SYSTEM

ORGANISATION OF PANCHAYATI RAJ INSTITUTION

The three-tier system comprises the following:

- (i) *Gram Panchayats* at village level.
- (ii) *Panchayat Samiti* at block level or middle level.
- (iii) *Zila Parishad* at District level.

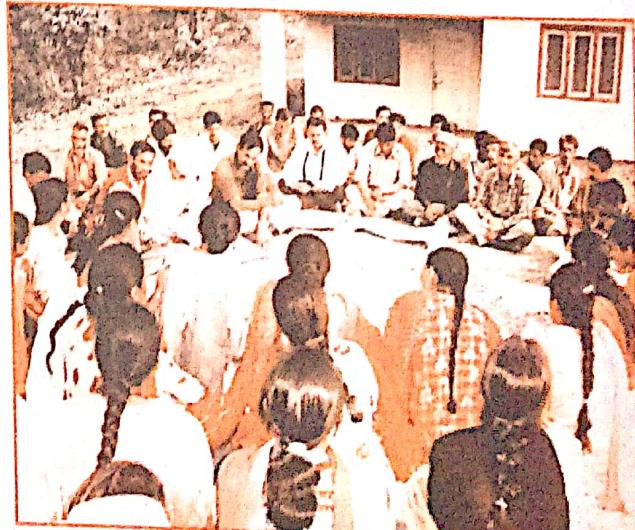
In addition, a *Nyaya Panchayat* has been provided for every three or four village Panchayats.

(a) Qualification for Election to Local Bodies:

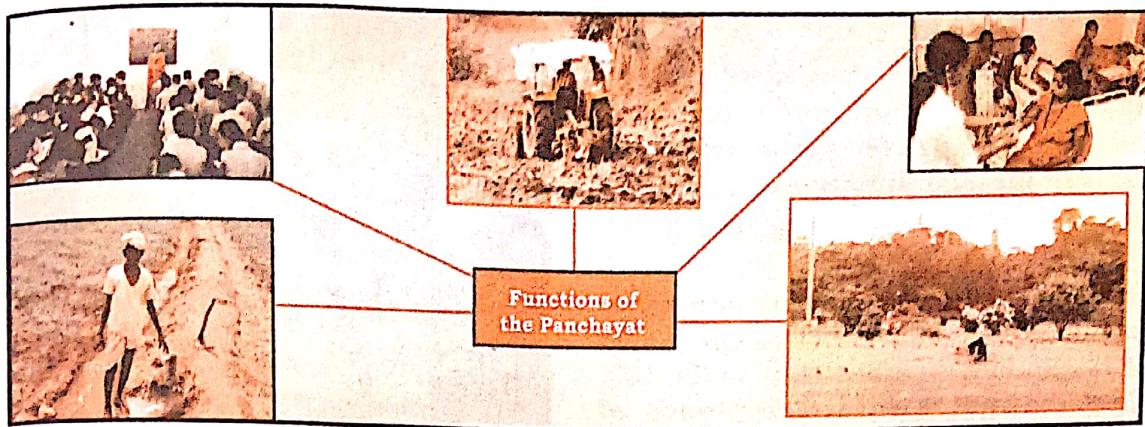
A candidate seeking election to any of the local bodies (including Municipal Corporation) must have the following qualifications:

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

(b) Term: The Constitution (73rd Amendment) Act, 1992 relating to Panchayats and Part IX-A relating to Municipalities provide for among



A meeting of the Gram Panchayat



Functions of the Panchayat

~~other things a uniform and fixed term of 5 years for both the rural and urban local bodies.~~

GRAM PANCHAYAT

The members of the Gram Panchayat are elected by the Gram Sabha. In essence Gram Sabha functions as the general body of the Gram Panchayat. All adult men and women in the village registered as voters are members of the Gram Sabha.

COMPOSITION

Sarpanch: He/She is the head of the Gram Panchayat. In some states a Sarpanch is elected directly and in others indirectly by members of the Gram Panchayat. A Vice-Sarpanch from amongst its own members is also elected.

Members: Number of members of the Panchayat is fixed by the State. The membership of a Village Panchayat is between 5 to 31. In most of the States a Village Panchayat has 5 to 9 members. One-third of the seats of the Panchayat are reserved for women. Seats are also reserved for Scheduled Castes/Tribes in proportion to their population in the village. The members are elected on the principle of Adult Franchise.

Office Bearers: The Sarpanch and Vice-Sarpanch are honorary members. They are not paid a salary. A paid Secretary to the Panchayat and a Treasurer, if the Panchayat is large, are appointed by the State government through the district authorities.

FUNCTIONS

A Gram Panchayat performs the following

functions which are aimed at decentralisation of political power.

1. Administrative Functions

- (i) All public works and public welfare functions like construction, repair and maintenance of village roads, cart tracks, bridges, drains, tanks and wells.
- (ii) Upkeep of cremation and burial grounds.
- (iii) Sanitation, health, setting up of health centres and dispensaries.
- (iv) Providing primary education.
- (v) Arranging irrigation facilities, seeds, fertilisers.
- (vi) Registration of births and deaths.
- (vii) Maintaining records of common village property, their sale and purchase and land grants.

2. Social and Economic Functions

These functions are not obligatory and can be performed according to the availability of funds. These functions include:

- (i) Construction of guest houses, libraries, marriage halls, etc;
- (ii) Organising regular village melas, fairs and exhibitions;
- (iii) Planting of trees, parks, gardens and playgrounds for recreation;
- (iv) Establishing fair price shops, Cooperative Credit Societies.

3. Judicial Functions

These are discussed under Nyaya Panchayats.

NYAYA PANCHAYATS

Nyaya Panchayat also called *Panchayati Adalat* is set up for every three or four Gram Panchayats. These Panchayats exist only in some States and perform judicial functions. The chief characteristics of Nyaya Panchayats are the following:

- (i) They ensure quick and inexpensive justice to villagers.
- (ii) They can impose a fine of up to Rs. 100.
- (iii) They cannot award a sentence of imprisonment.
- (iv) Lawyers are not allowed to appear before these Panchayats.
- (v) There is generally no appeal against the decision of a Nyaya Panchayat if the powers are exercised within their jurisdiction.
- (vi) However, under the Panchayats Act, Sub-divisional Magistrates and Sub-Judges of the District are empowered to hear appeals.
- (vii) No person can be a member of the Nyaya Panchayat and the Panchayat Samiti, Gram Panchayat or other local self-governing body at the same time.
- (viii) The state government or the State Judicial Service decides the jurisdiction of these Panchayats.

From the above account it can be stated that *Gram Sabha* acts as a General Body as well as legislature, the Panchayat as the Executive and Nyaya Panchayat as the Judicial Body for a village or a group of such villages.

PANCHAYAT SAMITI (AT THE BLOCK LEVEL)

This intermediate body at the block level is known by different names in different states, like Panchayat Samiti, Kshetra Samiti, Janapada Panchayat and Panchayat Union Council.

The Community Block is in fact Panchayat of the Panchayats.

Composition: It has the representatives of Panchayats and some others as its members as given below:

- (i) Sarpanchs of all Panchayats concerned.
- (ii) Members of Legislative Assembly of the State from the area.



Panchayat Samiti Office, Dahanu

- (iii) Members of Parliament belonging to the area.
- (iv) Block Development Officers of the block or the area served by them.
- (v) Co-opted members (provisional) representing women, Scheduled Castes/Tribes.
- (vi) Representatives of Cooperative Societies (only in certain States).

The Samiti appoints various Standing Committees to undertake specialised works. These committees may have outside members as well.

Office Bearers

Chairperson—elected from amongst its own members.

Deputy Chairperson—elected from amongst its own members.

Secretary—A salaried employee appointed by the State authorities through District Administration.

FUNCTIONS

- (i) To supervise and coordinate the working of Gram Panchayats.
- (ii) To conduct higher education (higher secondary level and above) for a group of villages or at block level.
- (iii) To provide hospital and health services with various facilities at community block level.
- (iv) To pay special attention to development of agriculture through undertaking minor irrigation schemes, distribution of quality seeds and fertilisers.

Deputy Commissioner - Main tenance of Law and Order, responsible for criminal administration and supervises Executive Magistrates

- (v) To approve building plans, undertake other development works including roads and bridges within the circle Panchayats.
- (vi) To provide drinking water and execute other community development programmes.
- (vii) To act as a link between the Gram Panchayat and Zila Parishad.

ZILA PARISHAD (AT DISTRICT LEVEL)

At the apex of the three-tier Panchayati Raj system lies the **Zila Parishad**. It is a local self-government unit at district level. Panchayat Samiti forms a link between the Gram Panchayat and Zila Parishad. The link between the State Government and the Gram Panchayats is the **Zila Parishad**.

The Zila Parishad is also known by different names in different States, like District Development Council, Zila Parishad and Mohkuma Parishad.

COMPOSITION

The membership varies from 40 to 60 and usually comprises — Deputy Commissioner of the District, Presidents of all Panchayat Samitis in the district and Heads of all Government Departments in the district; Members of Parliament and Legislative Assembly in the district (as Associate Members in some States); a representative of each cooperative society (only in some States); some women and Scheduled Caste members if not adequately represented; and Co-opted members having extraordinary experience and achievements in public service.

Office Bearers

Chairman: Presides over the meetings and conduct proceedings. Elected by members from amongst themselves.

Deputy Chairperson: Elected by members amongst themselves.

Secretary: A whole time paid employee of the state government.

FUNCTIONS

The Zila Parishad as seen from its composition is like a regular official body rather than a popular one. It functions mostly through various Standing Committees. There are District Boards who

coordinate the functions of circle Panchayats. Functions vary from State to State. These functions generally pertain to the following:

- (i) Overseeing all-round development work of the district under the overall charge of an experienced functionary like the Deputy Commissioner.
- (ii) The Standing Committees have each a Chairperson, and Deputy Chairperson, holds discussions and take decisions. Members of the District Boards are also included in the Standing Committee.
- (iii) In practice, the Working Committee functions as the executive body of the District Board.
- (iv) Supervision of working of Panchayats is carried out.
- (v) In some states like in Assam, Bihar and Punjab scrutiny of the budget estimates of Panchayat Samitis is done.
- (vi) It cooperates with and coordinates the work of Panchayat Samitis for undertaking various development works specially minor irrigation works, vocational and industrial schools, village industries, sanitation and public health.
- (vii) It advises the State Government on all matters relating to the Gram Panchayats and Panchayat Samitis under their own jurisdiction.

ACHIEVEMENTS OF THE PANCHAYATI RAJ SYSTEM

Gandhiji's dream of every village being a republic has been translated into reality with the introduction of the three-tier Panchayati Raj System.

The Ministry of Rural Development gives training to the members of the Panchayats at all levels in order to implement the rural development programmes under schemes such as Swarnajayanti Gram Swarozgar Yojana (SGSY). The Panchayati Raj system has, thus, brought government close to people.

- (a) The Central government has started the process of digitisation of over 2.5 lakh Gram Panchayats across the country. Under this, all Gram Panchayats will be converted

Structure of Village Panchayat, Panchayat Samiti and Zila Parishad

| Level | Village Panchayat | Panchayat Samiti | Zila Parishad |
|-------------|--|---|--|
| Composition | Consists of minimum 5 and maximum 31 members directly elected by Gram Sabha. | Sarpanchs of Village Panchayats, MLAs and MPs belonging to that area, members of the Zila Parishad and Block Development Officer. | Deputy Commissioner, Heads of government departments, BDOs and Chairmen of all Panchayat Samitis, MPs and MLAs belonging to that district. |
| President | Sarpanch | Chairman | Chairman |
| Functions | <p>Provision of civic amenities, looking after sanitation, management of common property, provision of primary education and primary health centres.</p> | <p>Coordination of the working of various Panchayats under it.</p> <p>Management of schools and colleges.</p> <p>Maintenance of hospitals and other health services.</p> <p>Help in the development of agriculture.</p> | <p>Coordination of the working of Panchayat Samitis under it.</p> <p>Recommendation for grants-in-aid for local bodies.</p> <p>Help in the formulation of various plans.</p> <p>Act as a link between the government and the local bodies.</p> |

to 'digital' Panchayats to provide speedy delivery of government services and welfare schemes to people in rural areas.

As a part of the Digital India program, the Government of India has started the eGram Swaraj, a user-friendly web-based portal. It is a step towards complete digitisation of villages and will maintain all records of developmental activities of villages and will be accessible on mobile phones.

(b) Panchayati Raj system ensures effective coordination between government programmes and those of voluntary agencies.

(c) The District Rural Development Agencies (DRDAs) in close cooperation with Zila Parishads release funds to Gram Panchayats under the Jawahar Gram Samridhi Yojana (JGSY). Its main objective is to create demand driven village infrastructure. JGSY is now implemented through Panchayats all over the country. The Mahatma Gandhi National Rural Employment Guarantee Act, 2005, provides every rural household 100 days of work in a year which involves unskilled manual work. Gram Panchayat is the implementing agency of this scheme.

EXERCISES

I. Multiple-Choice Questions

Choose the correct answers to the questions from the given options.

- Which of the following statements best describe the difference between Local Self-Government and Local Government?

(P) : In Local Government, the administration of a locality is looked after by the officials appointed by the State.

(Q) : Local Self-government consists of elected representatives who get grants from the government.

- (R) : In Local Government, all the voters look after the administration of the State.
(S) : Local Self-government is run by a Cooperative comprising the MLAs and Sarpanchs of the Panchayat.

(a) P and Q (b) R and S (c) P and R (d) R and Q

2. Which of the following statements about the significance of the local self-government are correct?

- (P) : They make it possible for the local people to run their own affairs.
 (Q) : They make it possible for the local people to select their favourites to run the administration.
 (R) : They give the local people the right to call back the members of the Panchayat if they do not work for the welfare of the local people.
(S) : They lessen the burden of workload on State and Central government machinery.
(a) P and Q (b) R and S (e) P and R (d) Q and S

3. A person commits an offence and is taken to Nyaya Panchayat. Which of the following actions can be taken by the Nyaya Panchayat?

- (a) It can award a sentence of imprisonment for a month.
(b) It can impose a fine of up to Rs. 1000.
(c) It can impose a fine of up to Rs. 100.
(d) It can award both a fine and imprisonment.

4. Complete the following analogy

Panchayat : rural :: _____ : urban

- (a) Zila Parishad (b) Municipality (c) Mayor's Office (d) None of the above

5. Local self-government has which of the following benefits?

- (a) Reduces workload on State Government
(b) Easy accessibility to common citizen
(c) Training for local leadership
 (d) All of the above

6. Where was the Panchayati Raj System inaugurated?

- (a) Nagaur, Rajasthan (b) Amritsar, Punjab
 (c) Ajmer, Rajasthan (d) Bhatinda, Punjab

7. Under the system of local self-government which local body discharges judicial functions in a rural area?

- (a) Gram Panchayat (b) Nyaya Panchayat
(c) Panchayat Samiti (d) Gram Sabha

8. Name the apex body of the Panchayati Raj System.

- (a) Gram Panchayat (b) Panchayat Samiti
 (c) Zila Parishad (d) Nyaya Panchayat

9. Which of the following is NOT a part of the three-tier Panchayati Raj System?

- (a) Gram Panchayat (b) Gram Samiti
 (c) Zila Parishad (d) Panchayat Samiti

II. Short Answer Questions

1. Differentiate between local government and local self-government unit.
2. What are the advantages of having local self-government?
3. Name the three-tier institutions of the Panchayati Raj.
4. What is a Gram Sabha?

5. What did the Constitution (73rd Amendment) Act, 1992 provide for in respect of organisation of Panchayats?
6. What was the view of Gandhiji on Panchayats?
7. Who is the head of the village Panchayat? What is the remuneration of this person?

III. Structured Questions

1. With reference to local self-government in rural areas, answer the following questions:
 - (a) Name important local self-government institutions.
 - (b) What is the significance of self-government institutions?
 - (c) Mention any four salient features of the Constitution (73rd Amendment) Act, 1992.
2. With respect to Panchayati Raj system answer the following questions:
 - (a) How did the Panchayats come to be set up on a uniform basis all over the country?
 - (b) Mention any three achievements of the Panchayati Raj System.
 - (c) What is Nyaya Panchayat? Mention two of its functions.
3. With reference to Gram Panchayat, state the following:
 - (a) Its composition. (b) Its function. (c) Important office bearers.
4. With reference to the Panchayat Samiti, answer the following questions:
 - (a) What is known as the Panchayat Samiti? Who is the head of the Panchayat Samiti? How is he appointed?
 - (b) State the composition of the Panchayat Samiti.
 - (c) List four functions of the Panchayat Samiti.
5. With reference to the Panchayati Raj System answer the following questions:
 - (a) State the name and composition of the apex body.
 - (b) Who is the head of local government at the district level? How is he elected?
 - (c) List four functions of the apex body.

IV. Thinking Skills

1. A large number of people in the villages are illiterate and are carried away by caste and creed politics. In this scenario, do you think Panchayati Raj system is effective in providing good governance in the villages? Give reasons to support your answer.
2. Do you think digitalisation in the villages will help in providing the benefits of various welfare schemes introduced by the Central government to the villagers? Give two examples to support your answer.

