

UNIT-III

State Government and its functions

State governments are responsible for governing all matters that fall under state subjects as per the Indian constitution. This includes areas like law and order, health, education, transportation, agriculture, etc. They comprise of three branches - legislative, executive and judiciary. The legislative branch makes laws, executive branch implements laws and policies, and judiciary interprets laws and resolve disputes.

Structure of State Government

State governments have three branches - the Executive, Legislative, and Judicial - each with specific roles and responsibilities.

Executive Branch

The executive branch comprises the Governor, Chief Minister, and the Council of Ministers. The Governor serves as the ceremonial head of the state, while the Chief Minister leads the elected government and the Council of Ministers assists in decision-making.

Legislative Branch

The law-making part of the government is called the legislative branch. In states, it consists of the State Legislature which is divided into two bodies - the Legislative Assembly and the Legislative Council (in some states only).

Members elected in the Legislative Assembly are called MLAs. They represent the people living in their areas called constituencies. Similarly, in Legislative Council (if a state has one) members are called MLCs.

Judicial Branch

The part of the government that handles legal matters and resolves disputes is called the judicial branch. In a state, the High Court heads this branch.

The main job of the High Court is to make sure laws made by the Legislative Assembly are interpreted correctly and applied properly. The High Court and lower courts make up the state's judiciary.

Functions and Responsibilities of State Government

State governments perform various essential functions to govern effectively and meet the needs of their citizens.

Law and Order

State governments are responsible for maintaining law and order within their jurisdiction, ensuring the safety and security of their citizens. They oversee police administration and take measures to prevent and combat crime.

Education

State governments manage the state's educational system, including schools and universities. They formulate and implement educational policies, ensuring access to quality education for all.

Health and Welfare

State governments play a crucial role in providing healthcare services and implementing social welfare programs. They strive to improve public health facilities, promote preventive healthcare, and address the welfare needs of marginalized communities.

Infrastructure Development

State governments build and take care of things people need, like roads, bridges, buildings and services. These are called infrastructure. States work to improve towns and villages. This makes life better for people.

Finance and Budgeting

State governments collect taxes and revenues to fund various developmental projects and welfare schemes. They prepare and execute state budgets, ensuring prudent fiscal management and resource allocation.

Interactions with Central Government

States collect taxes and money from people. They use this money to pay for projects and schemes to help people. They make a plan called a budget for how to spend the money each year. States try to spend the money in a smart way.

Position of Governor

The Constitutional Position of the governor can be understood by the following articles:

Constitutional Position of the Governor	
Article	Provision
Article 154	He is the executive head of the state. All the executive functions will be performed by him or by the officer's subordinate to him in accordance with the Constitution

Article 163	<p>He will be aided and advised by the Chief Minister and Council of Ministers unless he is performing a function at his discretion</p> <p>Note:</p> <ul style="list-style-type: none"> • The power to act at his own discretion is a power that is not given to the President. • 42nd Amendment Act made the advice of the Council of Ministers' binding on the President but not on the Governor in state
Article 164	<p>The Council of Ministers are collectively responsible to the state legislative assembly</p> <p>Note: This provision is the foundation of the state parliamentary system</p>

Powers of Governor

Executive Powers of the Governor

The following comes under his executive powers:

1. Every executive action that the state government takes, is to be taken in his name.
2. How an order that has been taken up his name is to be authenticated, the rules for the same can be specified by the Governor.
3. He may/may not make rules to simplify the transaction of the business of the state government.
4. Chief Ministers and other ministers of the states are appointed by him.
5. It is his responsibility to appoint Tribal Welfare Minister in the states of:
 1. Chattisgarh
 2. Jharkhand
 3. Madhya Pradesh
 4. Odisha
6. He appoints the advocate general of states and determines their remuneration
7. He appoints the following people:
 1. State Election Commissioner
 2. Chairman and Members of the State Public Service Commission

3. Vice-Chancellors of the universities in the state
8. He seeks information from the state government
9. A constitutional emergency in the state is recommended to the President by him.
10. The governor enjoys extensive executive powers as an agent of the President during the President's rule in the state.

Legislative Powers of the Governor

The following are the legislative powers of the governor:

1. It's in his power to prorogue the state legislature and dissolve the state legislative assemblies
2. He addresses the state legislature at the first session of every year
3. If any bill is pending in the state legislature, Governor may/may not send a bill to the state legislature concerning the same
4. If the speaker of the legislative assembly is absent and the same is Deputy Speaker, then Governor appoints a person to preside over the session
5. As President nominates 12 members in Rajya Sabha, Governor appoints $\frac{1}{4}$ of the total members of the legislative council from the fields of:
 1. Literature
 2. Science
 3. Art
 4. Cooperative Movement
 5. Social Service
6. As President nominates 2 members in the Lok Sabha, Governor nominates 1 member in state legislative assembly from Anglo-Indian Community.
7. He can consult Election Commission for the disqualification of members
8. With respect to the bill introduced in the state legislature, he can:
 - Give his assent
 - Withhold his assent
 - Return the bill
 - Reserve the bill for the President's consideration (In instances where the bill introduced in the state legislature endangers the position of state High Court.)

Financial Powers of the Governor

The following are the financial powers and functions of the Governor:

1. He looks over the state budget being laid in the state legislature
2. His recommendation is a prerequisite for the introduction of a money bill in the state legislature
3. He recommends for the demand for grants which otherwise cannot be given
4. Contingency Fund of State is under him and he makes advances out that to meet unforeseen expenditure.
5. State Finance Commission is constituted every five years by him.

Judicial Powers of the Governor

The following are the judicial powers and functions of the Governor:

1. He has the following pardoning powers against punishment:
 1. Pardon
 2. Reprieve
 3. Respite
 4. Remit
 5. Commute
2. President consults the Governor while appointing judges of High Court.
3. In consultation with the state High Court, Governor makes appointments, postings, and promotions of the district judges.
4. In consultation with the state high court and state public service commission, he also appoints persons to the judicial services.

Powers of Chief Minister

The CM of the state performs functions in relation to the different categories of people:

1. In relation to the Council of Ministers
2. In relation to the Governor
3. In relation to the State Legislature

Other than that, he also performs the following functions:

1. He chairs the State Planning Board

2. He is a vice-chairperson of the concerned zonal council by rotation, holding that office for a period of one year at a time
3. He is a member of Inter-State Council and National Development Council which are headed by the Prime Minister.

In Relation to the Council of Ministers

The Chief Minister is the head of state council of ministers. He performs the following functions:

1. He recommends to the governor on who to appoint as ministers
2. He designates or reshuffles the portfolios of the ministers
3. He can ask a minister to resign
4. Meeting of the council of ministers is headed by him
5. All activities of the ministers are guided and controlled by the Chief Minister
6. If he resigns, the entire council of minister's collapses.

Note: If the CM dies (or resigns), the council automatically dissolves.

In Relation to the Governor

In relation to the governor, the Chief Minister performs the following functions:

1. All the activities, decisions that are taken up by the council of ministers are communicated to the governor by the chief minister
2. To report to the governor, information about the administrative affairs if and when asked by the governor
3. If any minister has decided on any issue, the same has to be reported to the Governor by the Chief Minister when the same has not been considered by the council.
4. He gives his advice to the governor for the appointment of the following persons:
 1. Advocate-General
 2. Chairman of state public service commission
 3. The state election commission, etc.

In Relation to the State Legislature

He is the leader of the house and holding this position, he performs the following functions:

1. Before a governor prorogues and summons the sessions of the state legislature, the Chief Minister's advice is a must
2. Legislative Assembly can be dissolved at any time on his recommendation to the governor

3. All government policies are announced by him on the floor of the house.

State Council of Ministers

State Council of Ministers is similar to Central Council of Ministers. The state council is headed by the Chief Minister. The council comprises ministers appointed by the governor on the recommendation of the CM.

They are appointed by the governor on the advice of the CM. Governor also appoints a tribal affairs minister for the following states:

1. Chhattisgarh
2. Jharkhand
3. Madhya Pradesh
4. Odisha

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2. Jharkhand
3. Madhya Pradesh
4. Odisha

Collective Responsibility

The provision of collective responsibility is dealt with by Article 164. The Article mentions that the council of ministers are collectively responsible to the state legislature. (To read more about the important articles in the Indian Constitution, refer to the linked article.) This means that all the ministers own joint responsibility to the legislative assembly for all their acts of omission and commission.

State Secretariat

Functions of State Secretariat

It is the center of the political and administrative functions of the state.

It aids the policymakers on all the issues related to the state.

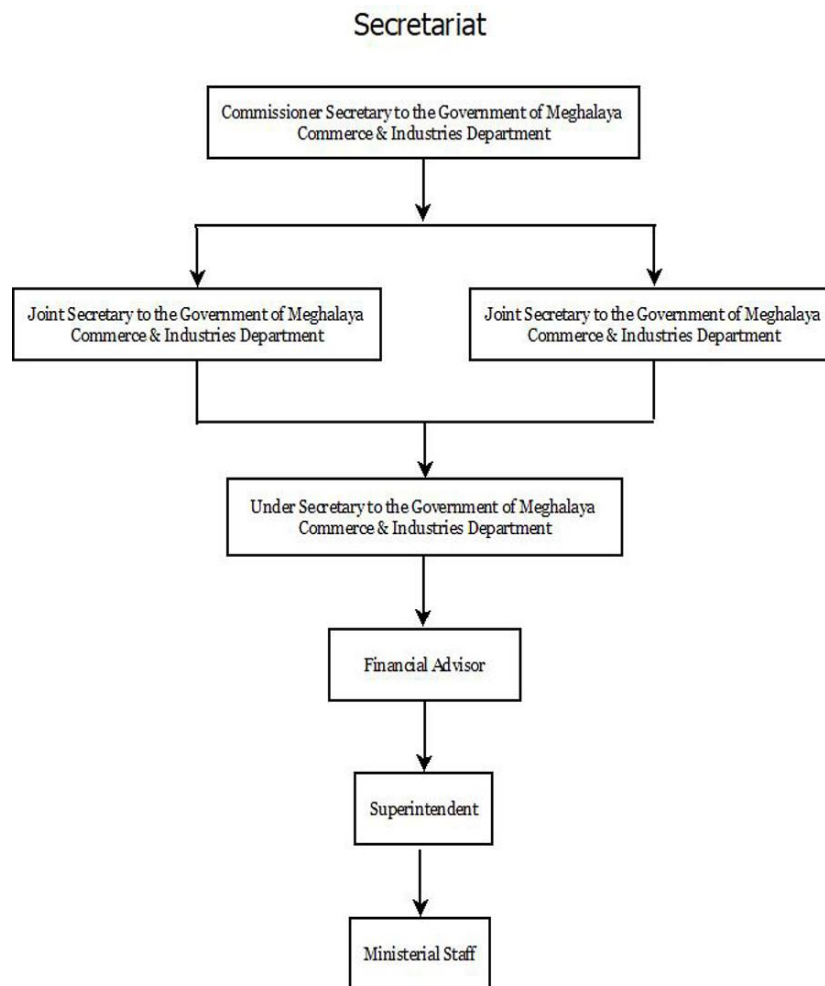
It functions as the advisory expert committee to the state.

It facilitates internal harmony among the various departments.

It consolidates the various policies and programs of the government.

It advises the minister in formulating the draft of the bills.

- It supports the formulation of rules and regulations.
- It prepares the budget and controls public spending.



UNIT-IV

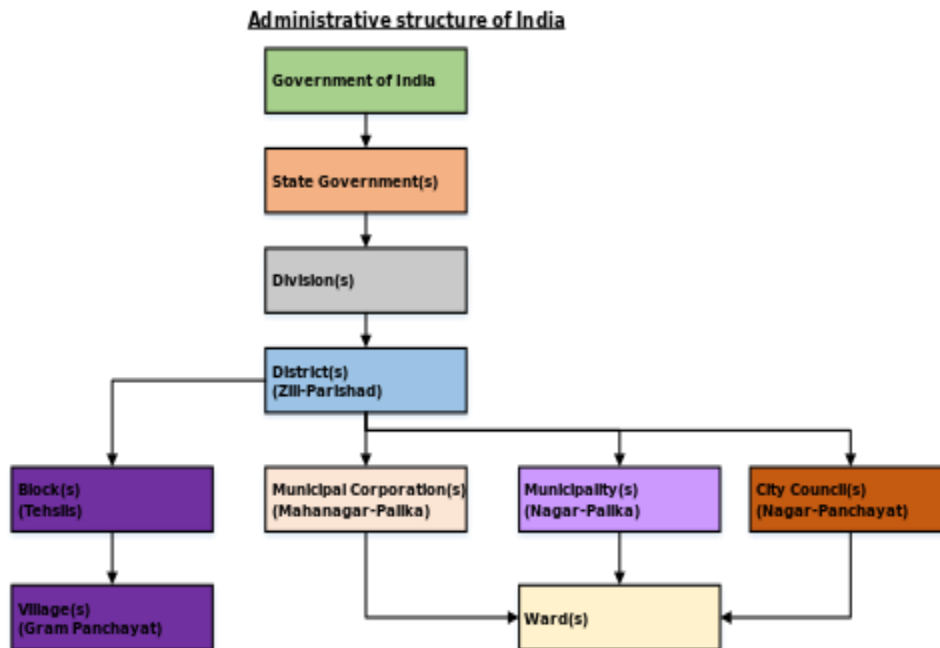
District Administration

District Administration means the management of the task of government so far as it lies within an area legally recognized as a district. The district collector or district magistrate is a member of the Indian Administrative Services (IAS) and is in charge of the administration of a district.

The main functions of the district administration are as follows:

- Maintaining law and order in the district.
- Providing relief work in case of emergencies like floods and famine.
- Maintenance of land records and revenue collection.
- Providing civic amenities and monitoring the overall development process.
- Supervision of the working of the Panchayati Raj System.

Functions of District Collector



- **District collector:**

- The district collector is the head of the district administration. This individual is appointed by the state government. One of the functions of a district collector is to maintain law and order in the district.

- **Functions of District Collectors:**

- Agriculture
 - Implement laws relating to agriculture
 - Collect agricultural tax
 - Law and order
 - Maintain social harmony
 - Establish peace in the district
- Election officer
 - Take necessary decisions related to the electoral process
 - Ensure smooth conduct of elections
- Disaster management
 - Give orders to the disaster management units
 - Prevent or minimize the damage

Municipal Corporation

- A Municipal Corporation is referred to as an Urban local body that works for the development of a Metropolitan City with a population of more than one million.
- Also known as the Mahanagar Palika, Nagar Palika, Nagar Nigam, and City Corporation, they are local-level governments in India.
- Municipal Corporations are divided into wards, and a representative known as a councilor or corporator is chosen for each ward.
- The administrative head of the Municipal Corporation is the Municipal Commissioner, appointed by the state government.

The functions of the municipal councils and corporations are of two types-

1. Compulsory - Mandatory tasks which are on priority
 2. Optional - Tasks carried out when excess fund is left
- Compulsory functions-
Looking after public health and sanitation and cleanliness in the city.
Organizing vaccination camps against diseases like Smallpox, Polio, Cholera, Tuberculosis and Diphtheria.
Maintenance of roads, schools, libraries and museums of the city.
 - Optional functions-
Development of parks and playgrounds for children.
Providing cheap and affordable bus services to the citizens.
Maintenance of rest houses, children and senior citizens' homes.

Functions of Municipal Corporation:

- Urban Planning, including Town planning
- Planning for Social and Economic Development
- Water supply for domestic, industrial, and commercial purposes
- Public health, sanitation, Fire services
- Urban Poverty Alleviation

CEO of Municipal Corporation

Municipal Commissioner is generally civil servant of **IAS Rank or Provisional Services (State Public Services) rank** officers who is appointed by state government to govern municipal corporations(municipalities) with population over a million.

In India Municipal Commissioner acts(works) as "**de facto**" **head of local administration** whereas **Mayor works as Ceremonial Head or chief.**

Works or duties of a municipal commissioner:

1. Signing bills which were passed by standing committee of Municipality.
2. Presiding over meeting, seminars.
3. Implementation of Government Schemes.
4. Improving functionality of administration.

5. Looking after all committees of Municipality.
6. Mayor is sworn-in by Divisional Commissioner.
7. Presenting Annual Budget for the city
8. Taking actions against corruption.

Mayor

- A municipal corporation is a self-governing elected body that is tasked with the administration of cities and towns.
- The mayor is the executive head of the municipal corporation.
- The whole concept of a municipality and a corporation was initiated by British colonizers.
- The first municipal corporation was established in 1688 in the erstwhile Madras, or what is now called Chennai.

Functions of Mayor

The functions and powers of the executive mayor include:

- 1) administration of the local urban body
- 2) arranging the tenure of different civic bodies and
- 3) presiding over meetings with other elected representatives of the civic body.

Difference between Municipal Commissioner and Mayor

While a Mayor is elected to serve as the ceremonial head of a municipal corporation, a municipal commissioner or municipal corporation secretary is appointed by the state government from the Indian Administrative Service or Provincial Civil Service to head the administrative staff of the municipal corporation.

Panchayatraj

A three-tier structure of the Indian administration for rural development is called Panchayati Raj. The aim of the Panchayati Raj is to develop local self-governments in districts, zones and villages.

73rd Constitutional Amendment Act of 1992

Salient Features of the Act

1. Gram Sabha: Gram Sabha is the primary body of the Panchayati Raj system. It is a village assembly consisting of all the registered voters within the area of the panchayat. It will exercise powers and perform such functions as determined by the state legislature.

Candidates can refer to the functions of gram panchayat and gram panchayat work, on the government official website – <https://grammanchitra.gov.in/>.

2. Three-tier system: The Act provides for the establishment of the three-tier system of Panchayati Raj in the states (village, intermediate and district level). States with a population of less than 20 lakhs may not constitute the intermediate level.
3. Election of members and chairperson: The members to all the levels of the Panchayati Raj are elected directly and the chairpersons to the intermediate and the district level are elected indirectly from the elected members and at the village level the Chairperson is elected as determined by the state government.
4. The Chairperson of a Panchayat and other members of a Panchayat, whether or not elected directly from territorial constituencies in the Panchayat area, have the right to vote in Panchayat meetings.
5. Reservation of seats:
 - For SC and ST: Reservation to be provided at all the three tiers in accordance with their population percentage.
 - For women: Not less than one-third of the total number of seats to be reserved for women, further not less than one-third of the total number of offices for chairperson at all levels of the panchayat to be reserved for women.
 - The state legislatures are also given the provision to decide on the reservation of seats in any level of panchayat or office of chairperson in favor of backward classes.
6. Duration of Panchayat: The Act provides for a five-year term of office to all the levels of the panchayat. However, the panchayat can be dissolved before the completion of its term. But fresh elections to constitute the new panchayat shall be completed –
 - before the expiry of its five-year duration.
 - in case of dissolution, before the expiry of a period of six months from the date of its dissolution.
7. Disqualification: A person shall be disqualified for being chosen as or for being a member of panchayat if he is so disqualified –
 - Under any law for the time being in force for the purpose of elections to the legislature of the state concerned.

- Under any law made by the state legislature. However, no person shall be disqualified on the ground that he is less than 25 years of age if he has attained the age of 21 years.
 - Further, all questions relating to disqualification shall be referred to an authority determined by the state legislatures.
8. State election commission:
- The commission is responsible for superintendence, direction and control of the preparation of electoral rolls and conducting elections for the panchayat.
 - The state legislature may make provisions with respect to all matters relating to elections to the panchayats.
8. Powers and Functions: The state legislature may endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government. Such a scheme may contain provisions related to Gram Panchayat work with respect to:
- the preparation of plans for economic development and social justice.
 - the implementation of schemes for economic development and social justice as may be entrusted to them, including those in relation to the 29 matters listed in the Eleventh Schedule.
9. Finances: The state legislature may –
- Authorize a panchayat to levy, collect and appropriate taxes, duties, tolls and fees.
 - Assign to a panchayat taxes, duties, tolls and fees levied and collected by the state government.
 - Provide for making grants-in-aid to the panchayats from the consolidated fund of the state.
 - Provide for the constitution of funds for crediting all money of the panchayats.
10. Finance Commission: The state finance commission reviews the financial position of the panchayats and provides recommendations for the necessary steps to be taken to supplement resources to the panchayat.
11. Audit of Accounts: State legislature may make provisions for the maintenance and audit of panchayat accounts.

12. Application to Union Territories: The President may direct the provisions of the Act to be applied on any union territory subject to exceptions and modifications he specifies.
13. Exempted states and areas: The Act does not apply to the states of Nagaland, Meghalaya and Mizoram and certain other areas. These areas include,
- The scheduled areas and the tribal areas in the states
 - The hill area of Manipur for which a district council exists
 - Darjeeling district of West Bengal for which Darjeeling Gorkha Hill Council exists.
- However, Parliament can extend this part to these areas subject to the exception and modification it specifies. Thus, the PESA Act was enacted.
14. Continuance of existing law: All the state laws relating to panchayats shall continue to be in force until the expiry of one year from the commencement of this Act. In other words, the states have to adopt the new Panchayati raj system based on this Act within the maximum period of one year from 24 April 1993, which was the date of the commencement of this Act. However, all the Panchayats existing immediately before the commencement of the Act shall continue till the expiry of their term, unless dissolved by the state legislature sooner.
15. Bar to interference by courts: The Act bars the courts from interfering in the electoral matters of panchayats. It declares that the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies cannot be questioned in any court. It further lays down that no election to any panchayat is to be questioned except by an election petition presented to such authority and in such manner as provided by the state legislature.

Zilla Parishad

- The Zilla Panchayat or District Development Council or Zilla Parishad or District Panchayat or is the third tier of the Panchayati Raj system and functions at the district levels in all states.
- A Zilla Parishad is an elected body.
- A District Panchayat is headed by a President, who is a elected member.
- Block Pramukh of Block Panchayat are also represented in Zila Parishad.
- The members of the State Legislature and the members of the Parliament of India are members of the Zilla Parishad.

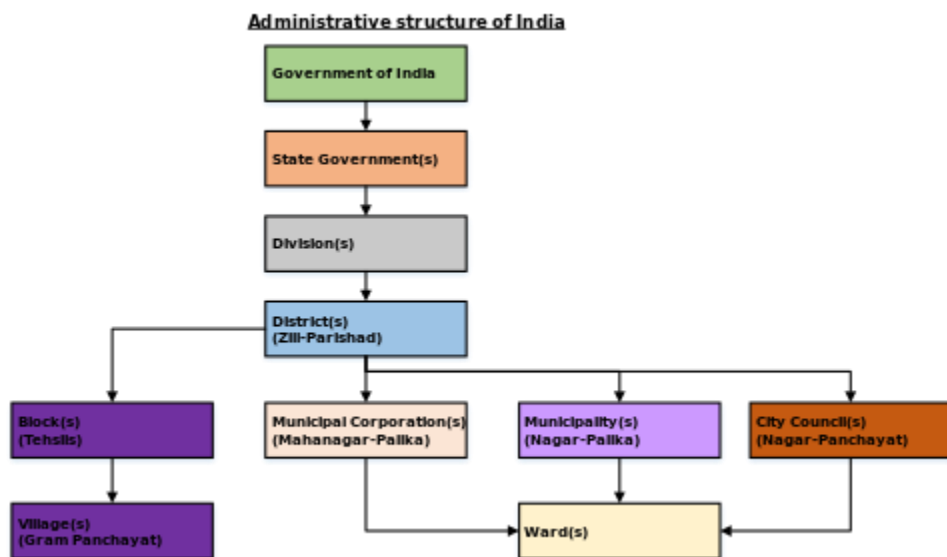
- The Zilla parishad acts as the link between the state government and the village-level Gram Panchayat.

Functions of Zilla Parishad

The functions of zila parishad are:

- Guide and coordinate the functions of panchayats and panchayat samitis.
- Prepare plans for the development of a district.
- Settles disputes between panchayats and panchayats samitis.
- Guides the state government for the development of the district.

Administrative structure



The chief executive officer (CEO), who is a civil servant under IAS or **State Administrative Service** cadre, heads the administrative machinery of the Zila Parishad.

He is also nominated by the government.

He may also be district magistrate in some states.

The CEO supervises the divisions of the parishad and executes its development schemes.

In some states, like Kerala, the chief executive officer of the District Panchayat is known as Secretary.

Grass Root Democracy

In simple term, Grassroot democracy is a people/community driven contribution in elections, governance and decision making. Grassroot democracy can be seen as a propensity towards designing political processes where as much decision-making authority as practical is shifted to the lowest level of organization. Therefore, a local government is a government at the grassroots level of administration meant for meeting peculiar grassroots need of the people (Agagu, 1997). Appadurai (1975) also opined that the local government system as government is by the popularly elected bodies charged with administrative and executive duties in matters concerning the populations of a particular district or place.

The grassroots level is called the Panchayati Raj System. If democracy means people's participation in running their affairs, then it is nowhere more direct, clear and significant than at the local level, where the contact between the people and their representatives, between the rulers and the ruled is more constant, vigilant and manageable. Lord Bryce believed: "The best school of democracy and the best guarantee for its success is the practice of local self - government". Decentralization is a main mechanism through which democracy becomes truly representative and responsive (Dhaliwal, 2004).

Village Level- role of elected and appointed officials

Panchayati Raj is the oldest system of local government in the Indian subcontinent. Panchayati Raj Institutions as units of local government have been in existence in India for a long time, in different permutations and combinations. However, it was only in 1992 that it was officially established by the Indian Constitution as the third level of India's federal democracy through the 73rd Amendment Act.

The Panchayati Raj Institution (PRI) consists of three levels:

- Gram Panchayat at the village level
- Block Panchayat or Panchayat Samiti at the intermediate level
- Zilla Panchayat at the district level

The word "Panchayat" means assembly (ayat) of five (panch) and raj means "rule". Traditionally Panchayats consisted of elderly and wise people chosen by the local community, who used to settle disputes between individuals and villages.

Gram Panchayat

Gram Panchayat consists of a village or a group of villages divided into smaller units called “Wards”. Each ward selects or elects a representative who is known as the Panch or ward member. The members of the Gram Sabha elect the ward members through a direct election. The Sarpanch or the president of the Gram Panchayat is elected by the ward members as per the State Act. The Sarpanch and the Panch are elected for a period of five years. Gram Panchayat is governed by the elected body and administration. The secretary is normally in charge of the administrative duties of the Gram Panchayat.

Block Panchayat

Panchayat Samiti (also called Taluka Panchayats or Block Panchayats) is the intermediate level in Panchayati Raj Institutions. The Panchayat Samiti acts as the link between Gram Panchayat (Village) and District Panchayat (Zilla). These blocks do not hold elections for the Panchayat Samiti council seats. Rather, the block council consists of all of the Sarpanchas and the Upa Sarpanchas from each Gram Panchayat along with members of the legislative assembly (MLA), members of parliament (MPs), associate members (like a representative from a cooperative society) and members from the Zilla Parishad who are a part of the block. The Gram Panchayat members nominate their Sarpanch and Upa Sarpanch amongst their ranks, which extend to the selection of the chairperson and vice-chairperson as well. The Executive Officer (EO) is the head of the administration section of the Panchayat Samiti.

District Panchayat

The District Panchayat also known as the District Council or Zilla Parishad is the third tier of the Panchayati Raj system. Like the Gram Panchayat, the District Panchayat is also an elected body. Chairpersons of Block Samitis also represent the District Panchayat. Like the Block Panchayat, the MP and MLA are also members of the district panchayat. The government appoints the Chief Executive Officer to carry out the administration of the district Panchayat along with the the Chief Accounts Officer, the Chief Planning Officer and one or more Deputy Secretaries who work directly under the Chief Executive Officer and assist him/her. The Zilla Parishad chairperson is the political head of the district panchayat

UNIT-V

Election Commission

The Constitution of India has established a permanent and independent body to ensure free and fair elections in the country known as the Election Commission. The commission is responsible for holding Lok Sabha elections of India.

Powers of Election Commission of India

In details, the powers of the Election Commission of India are:

- Determining the Electoral Constituencies' territorial areas throughout the country on the basis of the Delimitation Commission Act of Parliament.
- Preparing and periodically revising electoral rolls and registering all eligible voters.
- Notifying the schedules and dates of elections and scrutinizing nomination papers.
- Granting recognition to the various political parties and allocating them election symbols.
- Acting as a court to settle disputes concerning the granting of recognition to political parties and allocating election symbols to the parties.
- Appointing officers for inquiring into disputes concerning electoral arrangements.
- Determining the code of conduct to be followed by the political parties and candidates during elections.
- Preparing a program for publicizing the policies of all the political parties on various media like TV and radio during elections.
- Advising the President on matters concerning the disqualification of MPs.
- Advising the Governor on matters concerning the disqualification of MLAs.
- Cancelling polls in case of booth capturing, rigging, violence and other irregularities.
- Requesting the Governor or the President for requisitioning the staff required for conducting elections.
- Supervising the machinery of elections throughout the country for ensuring the conduct of free and fair elections.
- Advising the President on whether elections can be held in a state that is under the President's rule, in order to extend the period of emergency after 1 year.
- Registering political parties and granting them the status of national or state parties (depending on their poll performance).

The Commission is aided in its function by deputy election commissioners. The deputy ECs are taken from the civil services and they are appointed by the Commission. They have a fixed tenure. They are aided by the secretaries, deputy secretaries, joint secretaries and under-secretaries posted in the commission's secretariat.

Functions of Election Commission

1. To direct and control the entire process of conducting elections to Parliament and Legislature of every State and to the offices of President and Vice-President of India.
2. To decide the election schedules for the conduct of periodic and timely elections, whether general or bye-elections
3. To decide on the location of polling stations, assignment of voters to the polling stations, location of counting centers, arrangements to be made in and around polling stations and counting centers and all allied matters
4. To prepare electoral roll and issues Electronic Photo Identity Card (EPIC)
5. To grant recognition to political parties & allot election symbols to them along with settling disputes related to it
6. To sets limits of campaign expenditure per candidate to all the political parties, and also monitors the same
7. To advise in the matter of post-election disqualification of sitting members of Parliament and State Legislatures.
8. To issue the Model Code of Conduct in the election for political parties and candidates so that no one indulges in unfair practice or there is no arbitrary abuse of powers by those in power.

State election Commission

The State Election Commissioners work independently of the Election Commission of India and each has its own sphere of operation. The functions of the State Election Commission are as follows:

- The State government is required to appoint a State Election Commissioner who would be responsible for conducting elections to the Panchayati Raj institutions.
- Preparation of Electoral Rolls
- Appointment of Dates for Nominations

- Public Notice of Election
- Nomination of Candidates for Election
- Publication of List of Contesting Candidates
- Fixing Time for Poll
- Adjournment of Poll in Emergencies
- Counting of Votes

Commission for the welfare of SC/ST

The National Commission for Scheduled Castes (NCSC) is a constitutional body that works to safeguard the interests of the scheduled castes in India.

It seeks to offer the SC community protection from discrimination and exploitation, as well as providing facilities to uplift the SC community. Article 338 of the constitution of India deals with this commission.

National Commission for Scheduled Castes Functions

1. Monitoring and investigating all issues concerning the safeguards provided for the SCs under the constitution.
2. Enquiring into complaints relating to the deprivation of the rights and safeguards of the SCs.
3. Taking part in and advising the central or state governments with respect to the planning of socio-economic development of the SCs.
4. Regular reporting to the President of the country on the implementation of these safeguards.
5. Recommending steps to be taken to further the socio-economic development and other welfare activities of the SCs.
6. Any other function with respect to the welfare, protection, development and advancement of the SC community.

National Commission for Scheduled Castes Composition

- Currently, the fifth NCSC is in progression.
- **National SC Commission Chairman: Dr Ram Shankar Katheria**
- Apart from the Chairman, there is a Vice-chairman and three other members.

National Commission for Women

The National Commission for Women was set up in 1992 under the National Commission for Women Act, 1990. This body was established to review the constitutional and legal safeguards for women.

Functions of National Commission for Women

- **Inquiry and Investigation**

The National Commission of Women enjoys the powers of a civil court. It investigates and examines the matters related to the safeguards ensured for feminine society under the Constitution of India. It took complaints suo moto notice of issues related to the non-implementation of laws and non-enforcement of laws and non-compliance of policy decisions, guidelines enacted and aimed at mitigating hardships ensuring the welfare and then take up issues arising out of matter with the concerned authorities.

- **Action Research**

NCW members take part in the planning process of socio-economic development of women, propose measures to encourage their representation in all spheres, and review their advancement. It also examines the safeguards provided for women in the Constitution and other laws study their working, recommend amendments to meet any inadequacies or deficiencies, and advocate measures for effective implementation.

- **Legal Intervention**

The Parivarik Mahila Lok Adalat, (PMLA) is an innovative component with its roots in the traditional Nyaya Panchayats. It is created by NCW for the redressal and speedy disposal of cases. It has taken up 7500 cases so far. The essential feature of PMLA is cordial mutual settlement and flexibility in implementation, aiming to empower women in the justice delivery mechanism.

The Commission shall perform all or any of the following functions:

1. **Investigation and Examination:** Investigate and examine all the matters relating to the safeguards provided for the women under the Constitution and other laws
2. **Presentation of Reports:** Table reports to the Central Government, every year and at such other times as the Commission may deem fit, reports upon the working of those safeguards

3. **Recommendations:** Make in such reports and recommendations for the effective accomplishment of those safeguards for enhancing the conditions of the women by the Union or any State.
4. **Review,** every now and then, the current provisions of the Constitution and other laws distressing the women and prescribe alterations and suggest curative legislative measures meet any break, inadequacies, and incapacity in such legislation.
5. **Cases of Violation:** Take up cases of infringement of the provisions of the Constitution and of other laws relating to the women with the relevant authorities
6. **Suo Moto Notice:** It looks into complaints, and takes Suo Motto notice of matters relating to – deprivation of women's rights, non-implementation of the laws, and Non-compliance of policy decisions guaranteeing the welfare for women society.
7. **Special Studies and Investigation:** It conducts special studies or investigation on the concerning issues or circumstances emerging out of segregation and outrages against ladies and recognizes the limitations in order to suggest techniques for their expulsion
8. **Research:** Undertake the promotional and educational research so as to propose ways of ensuring due representation of women in all fields and identifies the factors responsible for impeding the support services and technologies for reducing drudgery and professional health hazards and for escalating their efficiency.
9. **Participation in all spheres particularly in Planning:** take part and advice on the planning process of socio-economic development of women
10. **Evaluation:** assess the progress of the development of women society under the Union and State.
11. **Inspection:** investigate or cause to be inspected a jail, remand home women's establishment or other places of guardianship where ladies are kept as detainees.
12. **Funding:** fund litigation, relating issues affecting a large body of women.
13. **Reporting:** make periodical reports on any issue pertaining to women and in particular various difficulties under which women toil.