



Local Self Governance and People's Empowerment: Indian Perspective

Mr. Rakesh Manna

***Research Scholar, Department of Education, University of Kalyani, Kalyani, W.B., India
srijanrkm@gmail.com***

ABSTRACT

Local governance, therefore, includes the diverse objectives of vibrant, living, working, and environmentally preserved self-governing communities. Good local governance is not just about providing a range of local services but also about preserving the life and liberty of residents, creating space for democratic participation and civic dialogue, supporting market-led and environmentally sustainable local development, and facilitating outcomes that enrich the quality of life of residents. Local self-government in India has, since 1992, been formalized under the panchayat raj system (rule by village committee), a three-tier system with elected bodies at the village, taluk and district levels.

Since the time of independence struggle the Local Self Government has played a significant role. However after Independence, the Constitution of India as framed on federal principles, divided the functions of the government into three lists such as Central, State and Concurrent lists. The local bodies come under the State List and in case of Union territories under the Central List. In the recent years the Local self Government has been playing a vital role. These local bodies not only provide services to the communities but also act as an instrument of democratic self government.

The Central Government has also taken significant steps to address the issues related to the governance of urban areas. Recent government policies allow for greater community participation, private sector participation and decentralization. Institutions of local governance are being assisted to experiment with and introduce new practices. Existing practices are being streamlined by taking into consideration the local issues. An important initiative in this respect is the enactment of the Constitution 74th Amendment Act during the year 1992.

As such the Local self-government is authorized by the Constitution of India to play a very important role in the formulation of policy and implementation of developmental works at the grass roots level through the Gram Sabhas. In order to deliver the above duties, the Local Self Government has been given certain powers to earn revenues by levying certain taxes and fees. As these Local authorities, acting within the limits of the law, are required to regulate and manage a substantial share of public affairs under their own responsibility in the interests of the local population, it would be interesting to analyze their functioning so far as



local units of governance and find out how far these units have been able to enhance the quality of governance by way of a reoriented strategy in their decision making process and if they have proved to be the vehicle of people's empowerment, particularly, the poor. Through this measure, an attempt is being made to improve the performance ability of municipalities, so that they are able to discharge their duties efficiently.

Key Words: Local authority, Perspectives, Duties, Local Self-Governance, and People's Empowerment.

● Introduction:

In the recent years the local self government has been playing a vital role. These local bodies not only provide services to the communities but also act as an instrument of democratic self government. Besides the local self government has become an essential part of the national government structure. This level of local government is now recognized by the people as it is close to them and involve them in the decision making process. Local self-government in India has, since 1992, been formalized under the panchayat raj system, a three-tier system with elected bodies at the village, taluk and district levels. The modern system is based in part on traditional panchayat governance, in part on the vision of Mahatma Gandhi and in part by the work of various committees to harmonize the highly centralized Indian governmental administration with a degree of local autonomy. The result was intended to create greater participation in local government by people and more effective implementation of rural development programmes. Although, as of 2015, implementation in all of India is not complete the intention is for there to be a gram panchayat for each village or group of villages, a tahsil level council, and a zilla panchayat at the district level.

The Central government has also taken significant steps to address the issues related to the governance of urban areas. Recent government policies allow for greater community participation, private sector participation and decentralization. Institutions of local governance are being encouraged/ assisted to experiment with and introduce new practices. Existing practices are being streamlined by taking into consideration the local issues. An important initiative in this respect is the enactment of the Constitution (74th Amendment) Act during the year 1992. Through this measure, an attempt is being made to improve the performance ability of municipalities, in order to enable these to discharge their duties efficiently.

Decentralization of powers is a pre-requisite of a democratic society. Local Self-Government implies the decentralization of powers so that the elected bodies may function independently with authority and resources to bring about economic development and social justice. The Article 40 of the Constitution lays down that the state would take steps to establish autonomous bodies in the form of village panchayats. Since the time of independence struggle the local self government has played a significant role. However after Independence, the Constitution of India, framed on federal principles, divided the functions of the government into three lists such as Central, State and

Concurrent lists. The local bodies come under the State List and in case of Union Territories under the Central List. On the basis of 73rd and 74th Amendments Acts of the Constitution, the Panchayat Raj and the Municipality Act came into effect on April 23 and May 30, 1994 respectively. As a result, the powers were decentralized, the responsibilities and projects of the government were transferred to the local self-government on October 2, 1995.

● **Aims:**

Local bodies can contribute more effectively to the development process and provide the citizens with better living conditions by meeting their aspirations in terms of civic amenities, infrastructure and better environmental conditions thus contributing to social and economic development of the society as a whole by better management of the human settlements.

● **Objectives:**

1. To strengthen and improve local government institutions by improving their performance through education, orientation training and bringing them together for common endeavor by organizing specialized conferences, conventions and seminars.
2. To make available a platform for members of local bodies and officials for exchange of views and ideas related to urban development and administration.
3. To represent the views of local authorities supported by research work to the concerned higher authorities from time to time.
4. To undertake research studies in public administration, problems of local bodies and also in related topics of urban and environmental factors and arrange for their publication etc.
5. To undertake assignments in various areas of urban development and problems of local bodies with a view to improve and develop organizational, managerial and operational efficiency.

● **Methodology:**

This study is basically based on the review of information collected from secondary sources i.e. published books, reports, research works, journals and newspapers. Some information is also collected through internet browsing.

● **Early history:**

In the time of the Rig-Veda (1700 BC), evidences suggest that self-governing village bodies called 'sabhas' existed. With the passage of time, these bodies became panchayats (council of five persons). Panchayats were functional institutions of grassroots governance in almost every village. The Village Panchayat or elected council had large powers, both executive and judicial. Land was distributed by this panchayat which also collected taxes out of the produce and paid the government's share on behalf of the village. Above a number of

these village councils there was a larger panchayat or council to supervise and interfere if necessary. Casteism and feudalistic system of governance under Mughal rule in the medieval period slowly eroded the self-government in villages. A new class of feudal chiefs and revenue collectors (zamindars) emerged between the ruler and the people. And, so began the stagnation and decline of self-government in villages.

● **During British rule:**

From 1870 that Viceroy Lord Mayo's Resolution gave the needed impetus to the development of local institutions. It was a landmark in the evolution of colonial policy towards local government. The real benchmarking of the government policy on decentralization can, however, be attributed to Lord Ripon who, in his famous resolution on local self-government on May 18, 1882, recognized the twin considerations of local government: (i) administrative efficiency and (ii) political education. The Ripon Resolution, which focused on towns, provided for local bodies consisting of a large majority of elected non-official members and presided over by a non-official chairperson.

The Royal Commission on Decentralization (1907) under the chairmanship of C.E.H. Hobhouse recognized the importance of panchayats at the village level. The commission recommended that "it is most desirable, alike in the interests of decentralization and in order to associate the people with the local tasks of administration that an attempt should be made to constitute and develop village panchayats for the administration of local village affairs". But, the Montague-Chelmsford reforms (1919) brought local self-government as a provincial transferred subject, under the domain of Indian ministers in the provinces.

The provincial autonomy under the Government of India Act, 1935, marked the evolution of panchayats in India. Popularly elected governments in provinces enacted legislations to further democratize institutions of local self-government. But the system of responsible government at the grassroots level was least responsible. D.P. Mishra, the then minister for local self-government under the Government of India Act of 1935 in Central Provinces was of the view that 'the working of our local bodies... in our province and perhaps in the whole country presents a tragic picture... 'Inefficiency' and 'local body' have become synonymous terms....'

In spite of various committees such as the Royal Commission on Decentralization (1907), the report of Montague and Chelmsford on constitutional reform (1919), the Government of India Resolution (1919), etc., a hierarchical administrative structure based on supervision and control evolved. The administrator became the focal point of rural governance.

The Indian National Congress from the 1920s to 1947, emphasized the issue of all-India Swaraj, and organized movements for Independence under the leadership of Mahatma



Gandhi. The task of preparing any sort of blueprint for the local level was neglected as a result. There was no consensus among the top leaders regarding the status and role to be assigned to the institution of rural local self-government; rather there were divergent views on the subject.

● **Post-independence period:**

After independence, the country adopted the five year plan for the economic growth and prosperity of rural India. To ensure growth and prosperity in rural India, the Community Development Project was launched in 1952, which was the biggest rural reconstruction scheme to fight against rural poverty, hunger, disease and ignorance. In 1953, the National Extension Service was also launched, but the Balwant Rai Mehta Committee (1957) found that people's participation was not there and the village panchayats were not even involved. The committee therefore, recommended the devolution of development and decentralization of machinery of administration with adequate delegation of power to the Panchayati Raj Institutions. The committee recommended three-tier system of rural local government namely, the Village Panchayat at the local level i.e. village, the Panchayat Samiti at the Block level and Zila Parishad at the District level. Rajasthan was the first State to introduce the three-tier panchayat framework.

In the 1980s due to expansion of anti-poverty programme and creation of District Rural Development Agency (DRDA) and other organizations for rural development purposes at lower level, it was required to integrate panchayati raj system with development programmes. As a result, C.H. Hanumanth Rao Working Group on district planning was set up in 1983. There after G.V.K. Rao Committee was setup in 1985 to review the existing administrative arrangements for rural development and poverty alleviation programmes. The committee recommended the need of regular elections to the PRIs and strengthening of Zila Parishad.

During the time of Rajiv Gandhi government, attempts were made to reconstruct local governments, both rural and urban. Prime Minister Rajiv Gandhi took the initiative to amend the Constitution of India. In the year 1987 and 1988, the Prime Minister held a series of conferences and workshops where district collectors were summoned and the theme was on "Responsive Administration". Rajiv Gandhi introduced 64th Constitutional amendment Bill in 1989. But the Bill did not come into effect because of the fall of his Ministry. Finally the P.V.Narasimha Rao government introduced Panchayati Raj system in India through the Constitution(73rd Amendment)Act in 1992. On 24th April 1993 the Constitution(73rd Amendment)Act, 1992 came into force. It was a red-letter day for the Panchayati Raj system of our country.

The National Democratic Alliance(NDA) Government headed by Prime Minister A.B.Vajpayee convened a two day long conference of all heads of panchayats of the country

in Delhi from April 5-6, 2002 to have a firsthand information about the problems of Panchayati Raj Institutions in India. He underlined the need for strengthening the grass-root level institutions by giving more power to PRIs (Panchayati Raj Institutions). The Panchayati Raj Act constitutes a major milestone in the history of rural local self government as it provides political and administrative decentralization and devolution of resources and powers to local people.

● **The Balwant Rai Mehta Committee (1957):**

In 1957, Balwant Rai Mehta Committee studied the Community Development Projects and the National Extension Service and assessed the extent to which the movement had succeeded in utilizing local initiatives and in creating institutions to ensure continuity in the process of improving economic and social conditions in rural areas. The Committee held that community development would only be deep and enduring when the community was involved in the planning, decision-making and implementation process.

● **G.V.K. Rao Committee (1985):**

The G.V.K. Rao Committee was appointed by Planning Commission to once again look at various aspects of PRIs (Panchayati Raj Institutions). The Committee was of the opinion that a total view of rural development must be taken in which PRIs must play a central role in handling people's problems. It recommended the following:

● **L. M. Singhvi Committee (1986):**

L.M. Singhvi Committee studied panchayati raj. The Gram Sabha was considered as the base of a decentralised democracy, and PRIs viewed as institutions of self-governance which would actually facilitate the participation of the people in the process of planning and development. It recommended:

- Local self-government should be constitutionally recognized, protected and preserved by the inclusion of new chapter in the Constitution,
- Non-involvement of political parties in Panchayat elections.

● **The 73rd Constitutional Amendment Act:**

The idea which produced the 73rd Amendment was not a response to pressure from the grassroots, but to an increasing recognition that the institutional initiatives of the preceding decade had not delivered, that the extent of rural poverty was still much too large and thus the existing structure of government needed to be reformed. It is interesting to note that this idea evolved from the Centre and the state governments. It was a political drive to see PRIs as a solution to the governmental crises that India was experiencing.

The Constitutional (73rd Amendment) Act, passed in 1992 by the Narasimha Rao government, came into force on April 24, 1993. It was meant to provide constitutional sanction to establish "democracy at the grassroots level as it is at the state level or national level".

★★ Its main features are as follows:

☐ The Gram Shabha or village assembly as a deliberative body to decentralized governance has been envisaged as the foundation of the Panchayati Raj System. 73rd Amendment of the Constitution empowered the Gram Sabhas to conduct social audits in addition to its other functions.

☐ A uniform three-tier structure of panchayats at village (Gram Panchayat — GP), intermediate or block (Panchayat Samiti — PS) and district (Zilla Parishad — ZP) levels.

☐ All the seats in a panchayat at every level are to be filled by elections from respective territorial constituencies.

☐ Not less than one-third of the total seats for membership as well as office of chairpersons of each tier has to be reserved for women.

☐ Reservation for weaker castes and tribes (SCs and STs) has to be provided at all levels in proportion to their population in the panchayats.

☐ To supervise, direct and control the regular and smooth elections to panchayats, a State Election Commission has The Act has ensured constitution of a State Finance Commission in every State/UT, for every five years, to suggest measures to strengthen finances of panchayati raj institutions.

☐ To promote bottom-up-planning, the District Planning Committee (DPC) in every district has been accorded constitutional status.

☐ An indicative list of 29 items has been given in Eleventh Schedule of the Constitution. Panchayats are expected to play an effective role in planning and implementation of works related to these 29 items.

● **Present scenario:**

At present, there are about 3 million elected representatives at all levels of the panchayat 1/2th of which are women. These members represent more than 2.4 lakh (240,000) Gram Panchayats, about 6,000 intermediate level tiers and more than 500 district panchayats. Spread over the length and breadth of the country, the new panchayats cover about 96 per

cent of India's more than 5.8 lakh (580,000) villages and nearly 99.6 per cent of rural population. This is the largest experiment in decentralisation of governance in the history of humanity.

The Constitution visualises panchayats as institutions of self-governance. However, giving due consideration to the federal structure of India's polity, most of the financial powers and authorities to be endowed on panchayats have been left at the discretion of concerned state legislatures. Consequently, the powers and functions vested in PRIs vary from state to state. These provisions combine representative and direct democracy into a synergy and are expected to result in an extension and deepening of democracy in India. Hence, panchayats have journeyed from an institution within the culture of India to attain constitutional status. This is one of the biggest democracy in the world where village level democratic structures are functioning for their development.

● **Function:**

All municipal acts in India provide for functions, powers and responsibilities to be carried out by the municipal government. These are divided into two categories - obligatory or discretionary.

❖ **Obligatory functions:**

- Supply of pure and wholesome water
- Construction and maintenance of public streets
- Lighting and watering of public streets
- Cleaning of public streets, places and sewers
- Regulation of offensive, dangerous or obnoxious trades and callings or practices
- Maintenance or support of public hospitals
- Establishment and maintenance of primary schools
- Registration of births and deaths
- Removing obstructions and projections in public streets, bridges and other places
- Naming streets and numbering houses

❖ **Discretionary functions:**

- Laying out of areas
- Securing or removal of dangerous buildings or places
- Construction and maintenance of public parks, gardens, libraries, museums, rest houses, leper homes, orphanages and rescue homes for women
- Public buildings
- Planting and maintenance of roadside and other trees
- Housing for low income groups
- Conducting surveys

- Organizing public receptions, public exhibitions, public entertainment
- Provision of transport facilities with the municipality
- promotion of welfare of municipal employees

● **The Constitution (73rdAmendment) Act, 1992 and The Constitution (74thAmendment) Act, 1992:**

The Constitution (73rd Amendment) Act, 1992 and the Constitution (74th Amendment) Act, 1992, were landmarks in the history of local self-government in India in the sense that it gave constitutional status to local self-government at the grass-root level and as a result, it became an indispensable part of governance in the country.

● **Rural Local Self Government in West Bengal:**

Rural Local Self Government of India is a three tier system which looks after the necessities of the villagers and encourages the development activity in the villages. As in urban areas, so in rural areas there are certain local problems which can be solved efficiently only by the local people. More than eighty per cent of the Indian people live in villages and the welfare of the people implies an all-round improvement of the Indian villages. With this end in view three types of self-governing institutions were created to look after the affairs of rural areas, namely, the District Board, the local or the Taluk Board and the Union Board or the Village Panchayat.

The West Bengal Government decided to introduce far-reaching reforms of the units of rural self-government on the basis of the report of the Balavant Rao Mehta Committee. Accordingly, the West Bengal legislature passed a new Act in 1963 The Act provided for the creation of four categories of local self-governing institutions. The Zilla Parishad stands at the apex of these institutions followed by Anchalik Parishad, Anchal Panchayat and Gram Panchayat. The new system primarily aimed at implementing the high ideals set forth by the preamble to the Constitution as also the directive principles of state policy Decentralisation of power is the basic principle of democracy. Democratic socialism is impossible unless the social structure, the administrative machinery and the economic organisation of a country are based upon decentralisation of power. With this end in view, the rural self-governing institutions introduced in this country by the former British rulers were reconstituted and revitalised so that through the agencies of these newly-formed institutions, the rural people may be increasingly associated with the task of planning for development The foundation of the welfare state was strengthened by providing for participation of the local people in the administration of local affairs affecting their common interests.

Rural self-government in West Bengal is now regulated by the West Bengal Panchayat Act, 1973 which created a three tier system, namely, (1) Gram Panchayat, (2)

Panchayat Samiti, and (3) Zilla Parishad. The work of these units is supervised by the Director of the Panchayat appointed by the State Government.

● **Gram Panchayat** : Gram Panchayats are local governments at the level of villages and small towns. In fact the Gram Panchayat is the foundation of the Panchayati system in India. A Gram Panchayat is formed in a village which has 300 or more than 300 population or else two or more villages are clubbed together. Sarpanch or the Chair Person heads a Gram Panchayat. The main functions of the Grampanchayat are to look after the basic amenities of the villages under the surveillance of the Sarpanch. The Gram Panchayat earns its income from the taxes levied on various open spaces and various other properties of the villages.

● **Panchayat Samiti** : The Panchayat Samiti has taken the place of the former Anchalik Parishad and is the second tier under the new system. Every district is divided into a number of Blocs consisting of several neighbouring villages. For each Bloc, there shall be one Panchayat Samiti of which the Bloc Development Officer (BDO) will act as an ex-officio Executive Officer.

● **Zilla Parishad** : Zilla Parishad looks after the administration of rural areas in a district. The office of the Zilla Parishad is located in the district headquarters. The main function of this governing body revolves around providing the essential facilities to the rural people and to initiate the developing programmes in the villages.

Finally it can be concluded saying that rural local self government in the present day has been very meticulous to bring about developments in the villages.

● **National Panchayati Raj Day:**

National Panchayati Raj Day (National Local Self-Government day) is the national day of India celebrated by Ministry of Panchayati Raj on 24 April annually. Then Prime Minister of India Dr. Manmohan Singh inaugurated first National Panchayati Raj Day in 2010. He mentioned that that if Panchayati Raj institutions (PRIs) functioned properly and locals participated in the development process, the Maoist threat could be countered. Prime Minister Narendra Modi on 24 April 2015 called for an end to the practice of “husbands of women sarpanches” or “sarpanch pati” exercising undue influence on the work of their wives elected to power.

● **Findings:**

① Social auditing emerged as a complementary to the financial auditing. It is the assessment of an organization's non-financial aspects its achievement or failures. It is a mechanism of monitoring and evaluation of a panchayat body. Selected issues are audited socially in the meeting of gram sabha and performance of an institution is assessed.

② After independence, various committees were constituted to make local government as an autonomous body so that it can take decisions and effect implementation for its own development. The Constitution 73rd Amendment Act and the Constitution 74th Amendment Act, 1992 are considered to be milestones in the field of local self-government in the country.

③ Local self-governments act as "institutions of self-government" with the responsibility of promoting economic justice, gender justice and social justice.

④ Local governments are now devolved with powers, functions and finances so that it can make play a meaningful role in the governance of the country.

⑤ Panchayats are now considered as an institution of self-government and it has autonomy in matters of resources in decision making and its implementation. The Constitution 73rd Amendment Act 1992 has initiated the principle of political participation at the grass-root level aimed at balanced economic development and social justice for all.

● **My Suggestions:**

The suggestions were for as follows:

- An early establishment of elected local bodies and devolution to them of necessary resources, power and authority,
- That the basic unit of democratic decentralization was at the block/samiti level since the area of jurisdiction of the local body should neither be too large nor too small. The block was large enough for efficiency and economy of administration, and small enough for sustaining a sense of involvement in the citizens,
- Such body must not be constrained by too much control by the government or government agencies,
- The body must be constituted for five years by indirect elections from the village panchayats,
- Its functions should cover the development of agriculture in all its aspects, the promotion of local industries and others
- Services such as drinking water, road building, etc., and
- The higher level body, Zilla Parishad, would play an advisory role.

● **Conclusion:**

In the present days of globalised economy, the fast economic growth in India while contributing towards the development of our society also has led to calls for empowerment, strengthening and modernization of our local governance system in order to make the cities and towns and rural areas liveable and for attracting investments not only for development activities but also for generation of the much needed jobs and to raise the income level of the people who were hitherto known as the poor.

Since the nature of local authorities' responsibilities is fundamental to the reality of local self-government, it is in the interests of both clarity and legal certainty that basic responsibilities should not be assigned to them on an ad hoc basis but should be sufficiently rooted in legislation. In India the responsibilities on them has been conferred by the Constitution through an Act of Parliament.

As these Local authorities, acting within the limits of the law, are required to regulate and manage a substantial share of public affairs under their own responsibility in the interests of the local population, it would be interesting to analyze their functioning so far as local units of governance and find out how far these units have been able to enhance the quality of governance by way of a reoriented strategy in their decision making process and if they have proved to be the vehicle of people's empowerment, particularly, the poor.

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