

# Democratic Decentralization: An Analysis



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# Welcome to the session on **Democratic Decentralization: An Analysis**



“Independence must begin at the bottom. Thus, every village will be a republic or panchayat having full powers.”



# Local Government Contributes to the Strengthening of Democratic Values

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- ❖ The grass roots of democracy are found at the local level because it is here that people deal with the problems of immediate and direct importance
- ❖ Democracy will be meaningless unless the people are allowed to decide what they want
- ❖ Policies and programmes can best be conceived and managed by the people at the local level according to their needs
- ❖ People's participation in the development process is the foundation of democracy
- ❖ Political leadership is also developed at the level of local governments



# Meaning of Local Government

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- According to the Encyclopedia of Britannica
  - “ Local Government means authority to determine and execute measures within a restricted area inside and smaller than the whole state”
- G.M Harris defines the local government as government by the people themselves through freely elected representatives
- Local government is at the bottom of a pyramid of governmental institutions with the national government at the top and intermediate government



# Importance of Local Government

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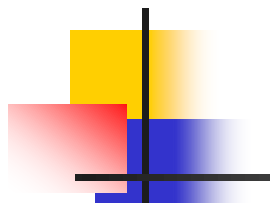
- ❑ Local government is one way of reconciling citizen's desire for self management and meeting their needs
- ❑ Provides opportunity to the citizen's to have free, intelligent and active participation in the government of their local area
- ❑ It creates an personal interest in the personal affairs of the community
- ❑ It serves as a means for political education of the community



# Serves as an Ideal Channel of Communication

- Local governments help in bringing the people close to the plans and programmes of the nation
- The desires and aspirations of the local people are communicated to the higher government
- People in the remote areas of the country express their desires through the local governments
- It is easier for the central and provincial governments to communicate with the people through the institutions of local government

# Better Utilisation of Local Resources

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- ❖ Local governments are better equipped to manage local resources
  - ❖ Mobilisation of local finances is better
  - ❖ Manpower utilisation at the local level is managed better through the local governments
  - ❖ Programme implementation by the local governments helps in reducing delay and is cost effective



## PR – Pre-Independence Period

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- Traditional System of Panchayats  
(Assembly of 5 persons)  
Caste Panchayats
- Local Bodies - Towns (Nominated)  
1687 Madras Municipal Corporation came to be formed on the British model
- 1870 Resolution for town based local bodies(Lord Mayo's resolution)





# PR – Pre-Independence Period

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- Local Self-Government (Municipal Functions) May 18, 1882(Lord Ripon's Resolution of 1882)
- In the 1930s and 40's Gandhiji's Gram Swaraj - Village Republics
  - Self-Reliant but interdependent
- Gram Swaraj idea was in the forefront of independence movement
- Indian Constitution - Directive Principles (Part IV Article 40) defined panchayats as units of self-government.

# Backdrop of 73<sup>rd</sup> CAA



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- 1986: 64<sup>th</sup> Constitution Amendment bill introduced on 15<sup>th</sup> May in Lok Sabha was defeated in Rajya Sabha
- 1992: Lok Sabha Passes 73<sup>rd</sup> and 74<sup>th</sup> Constitution Amendment Bills on 22 Dec.
- 1993: 73<sup>rd</sup> Amendment Act, 1992 comes into force on 24 April, 1993.
- 74<sup>th</sup> Amendment Act, 1992 comes into force on 1 June, 1993.



# Major Headways

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- **B R Mehta Committee(1957)**

(Team for the study of community Projects and National Extension Service, strengthening Panchayats for community development programme)

- **Ashok Mehta Committee(1978)**

(Two tier system for PRI's and district as basic unit of administration ,Karnataka, Andhra Pradesh and West Bengal passed legislations)



## In the latter part of 50's

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- Three Tier Panchayats came into existence as Development Agencies
- Panchayati Raj, a process from Gram Sabha (Village Assembly) to Lok Sabha (People's Assembly - Parliament) was a subject of debate

# Milestones



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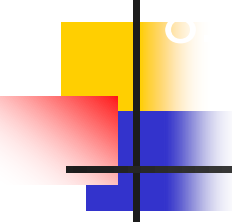
- ◆ 73<sup>rd</sup> & 74<sup>th</sup> Amendments
- ◆ Panchayats and Municipalities became Institutions of Self-Government in Part IX and Part IXA of the Constitution :
- ◆ By April 23, 1994, May 31, 1994 - States passed conformity legislations
- ◆ Panchayats extended to Schedule V(Tribal) areas (1996)



## 29 Subjects Suggested for Transfer to the Panchayats(Schedule 11)

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1. Agriculture, including agricultural extension
2. Land improvement, implementation of land reforms, land consolidation and soil conservation
3. Minor irrigation, water management and watershed development
4. Animal husbandry, dairy and poultry
5. Fisheries
6. Social forestry and farm forestry
7. Minor forest produce



○ Small scale industries, including food processing industries

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9. Khadi, village and cottage industries

10. Rural housing

11. Drinking water

12. Fuel and fodder

13. Roads, culverts, bridges, ferries, waterways and other means of communication

14. Rural electrification, including distribution of electricity



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15. Non-conventional energy sources

16. Poverty alleviation programme

17. Education including primary and secondary schools

18. Technical training and vocational education

19. Adult and non-formal education

20. Libraries

21. Cultural activities





22. Market and fairs

23. Health and sanitation, including hospitals, primary health centres and dispensaries

24. Family welfare

25. Women and child development

26. Social welfare, including welfare of the handicapped and mentally retarded

27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and Scheduled Tribes

28. Public distribution system

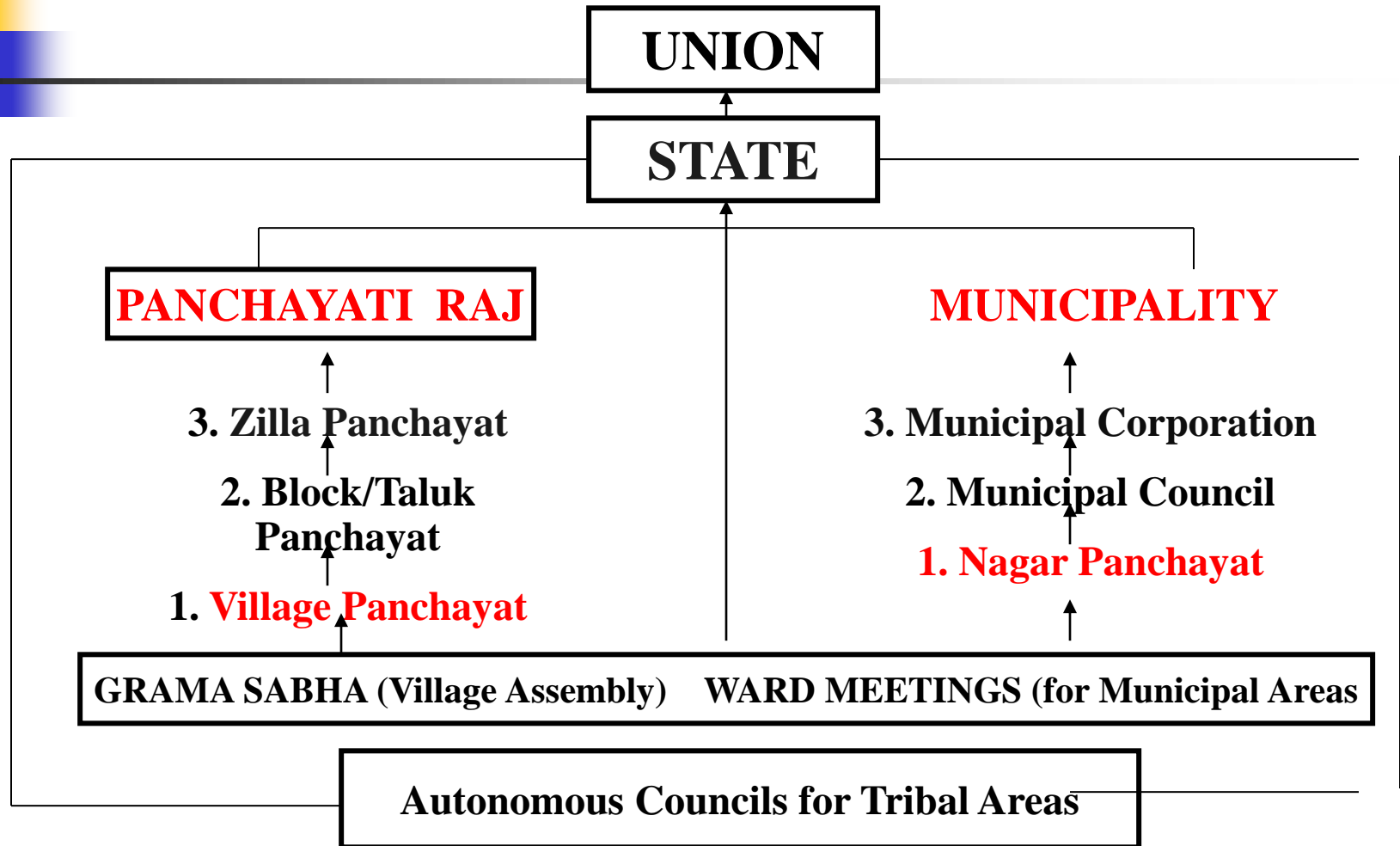
29. Maintenance of community assets

# Salient Features of the 73rd and 74th Constitution Amendment Acts (1992)

1. Panchayats and Municipalities will be “institutions of self-government”.
2. Basic Units of Democratic System - Gram Sabhas (villages) and Ward Committees (Municipalities) comprising all the adult members registered as voters.
3. Three-tier system of panchayats at village, intermediate block/taluk/mandal and district levels. Smaller states with population below 2 million only two tiers
4. Seats at all levels filled by direct election

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# Panchayati Raj/Municipalities as the Third Tier of Governance on India's Federal Structure



Autonomous Councils are created in some States like West Bengal, Bihar and Assam for administration and development of certain areas with special features. But they also have statutory local bodies



## Salient Features ... Contd.

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5. Seats reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs)
6. Chairpersons of the Panchayats at all levels also shall be reserved for SCs and STs in proportion to their population.
7. One-third of the total number of seats reserved for women. One-third of the seats reserved for SCs and STs also reserved for women. One-third offices of chairpersons at all levels reserved for women.
8. Uniform five year term and elections to constitute new bodies to be completed before the expiry of the term. In the event of dissolution, elections compulsorily within six months.

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## Salient Features... Contd.

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Independent Election Commission in each state for superintendence, direction and control of the electoral rolls.

In each State a Finance Commission to determine the principles on the basis of which adequate financial resources would be ensured for panchayats and municipalities.

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## Salient Features...Contd.

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Funds: Budgetary allocation from state governments, revenue of certain taxes, collect and retain the revenue it raises, Central Government programmes and Grants.

Panchayats to prepare plans for economic development and social justice in respect of 29 subjects listed in 11th Schedule.

District Planning Committee to consolidate the plans prepared by panchayats and Municipalities.

# Article 243G

## **Powers, authority and responsibilities of Panchayats**

Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to :

- (a) the preparation of plans for economic development and social justice;
- (b) the implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule.



# District Planning Committee (DPC)

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- Legal provision for constitution of District Planning Committee in every district.
- DPC to consolidate perspective and Five Year Plans prepared by Panchayats and Municipalities as provided in the Constitution
- Indicate extent and type of available resources to each Panchayat level and Municipalities as per Article 243ZD in order to facilitate planning.





## □ Conti....

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- Local Governments have become important in the political and administrative set up of developing countries
- There are a number of success stories which indicate that local governments have the capacity to fulfill the needs and aspirations of the people
- People participate in the development process is very important and local government ensure this to a large extent



# Weaknesses of PRI's

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- Identity Crisis
- Proxy Participation(pradhan-Pati syndrome)
- Over politicization of Panchayats
- System of Overloads and overreliance
- Centralization of Power
- Recommendations not mandatory in nature
- PRI's with a backseat driving status
- Inadequate financial resources
- Silent revolution instead of self reliant one



# Major Challenges for Urban Local Governance

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- Scarcity of finances
- Recommendations not Binding on respective states
- People's Participation is negligible
- No clear demarcation of functions between local units and ULG
- Less autonomy



# New Dimensions of Local Governance

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- **The Global Local Debate**(development at local levels-ideas and innovation or external technology and expertise)
- **New Localism**(cautious devolution of power to local bodies in order to implement national policies in a better way)

# Way Forward.....



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- People need to be properly mobilized to shoulder the responsibility of governing themselves
- Strengthening the third stratum of Governance
- Holistic Approach towards democratic decentralization and governance
  - Status for Stability and Continuity
  - Timely elections
  - Representation for weaker sections
  - Framework for 4 “Fs”
    - Functions
    - Functionaries
    - Funds
    - Freedom

# Quiz



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**1. Lord Mayo's resolution was passed in which year?**

- (a) 1880
- (b) 1992
- (c) 1870
- (d) 1905

**2. Who is called as Father of Local Self Government?**

- (a) Lord Mayo
- (b) Lord Rippon
- (c) Mahatma Gandhi
- (d) Lord Macaulay

**3. In which year the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment Acts were passed?**

- (a) 1950
- (b) 1992
- (c) 1994
- (d) 1996

**4. Who headed the Team for the study of Community Projects and National Extension Service, strengthening Panchayats for community development programme?**

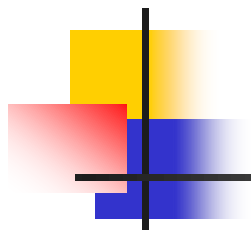
- (a) Ashok Mehta
- (b) B R Mehta
- (c) Satish Chandar
- (d) D S Kothari



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- *Local Government in India, Public Administration in India, Padma Ramachandran National Book Trust, New Delhi, 2013*



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**THANK YOU**