



INDIAN CONSTITUTION & PR SYSTEM

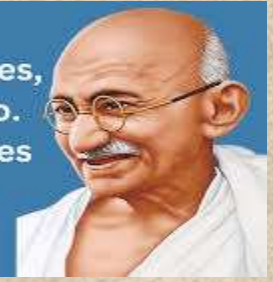


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GRAM SWARAJ

"If the village perishes,
India will perish too.
The soul of India lives
in its villages."
-Mahatma Gandhi



- ❑ He not only emancipated India, but also introduced the world to a new way of thinking about nonviolence and ecological living.
- ❑ Gandhi expounded on a sustainable way of life and development when he spoke about an ideal village and the characteristics of a community that are required for self-sufficiency.
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GRAM SWARAJ'S IDEALS



Gram Swaraj's ideals may be summarized as follows:

- ❖ India lives in villages, not cities;
- ❖ Rural Reconstruction is founded on the non-exploitation of rural regions.
- ❖ Industrialization of villages through small-scale and cottage enterprises.
- ❖ Each individual must carry out their responsibilities to the state.

SELF-GOVERNANCE: SELF-RELIANT/ SELF-SUSTAINING COMMUNITY LIVING

The village will be self governed-

- ❖ **People will discuss,**
- ❖ **Take decision and**
- ❖ **Implement decision**
- ❖ **No external intervention.**

GANDHIAN DEMOCRACY



For Gram swaraj

- "It is Swaraj when we learn to rule ourselves. A society must be built in which every village has to be self sustained and capable of managing its own affairs. Growth will not be a pyramid with the apex sustained by the bottom."
- The basic principles of Gram Swaraj as laid down by Gandhiji are:
 - (i) co-operation,
 - (ii) the best utilization of man power,
 - (iii) village governance by panchayats,
 - (iv) decentralization,
 - (v) supremacy of man,
 - (vi) self-sufficiency,
 - (vii) equality,
 - (viii) navi talim



Village The Basic Unit of Gandhian Democracy

In the Gandhian governance system, village is the smallest unit for participatory democracy. A village has to be small enough to permit direct participation of all in the decision-making process. In Gandhiji's view concentration of either economic or political power in few hands violates the essential principles of participatory democracy. Thus, he suggested that the villages function both as an institutions of parallel polities and also as units of economic autonomy.

Gandhian Democracy

A series of concentric governments with the village at the centre



SWARAJ



CONSTITUTION OF INDIA:A NEW DREAM

- ❑ **Constitutionalism: The Idea of Limited Government**
- ❑ **Federal Constitution: Division of Powers**
- ❑ **Welfare State: Directive Principles of State Policy**

The Idea of Decentralization

- ✓ The idea of decentralization promulgates efficiency in the governance by holding them accountable and responsive to the felt needs of people.
- ✓ The veil of secrecy has been the most powerful weapon in the hands of public servant, which they use to keep everything to themselves and keep the public away from the information.
- ✓ Therefore, to put a check on such practices, government devolved right and duties to the institutions of the local self-governance.

ARTICLE 40

Article – 40: The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

- ❖ **State will take steps for organising Gram Panchayats**
- ❖ **The Gram Panchayat will be Local self Government.**
- ❖ **The State may endow Panchayats with powers and authority.**

PROBLEMS: THE THREE PROMINENT FACTORS THAT CAN INFLUENCE AN INDIVIDUAL'S CAPACITY TO ENGAGE IN COLLECTIVE DECISION MAKING IN LOCAL GOVERNMENT.

Structural Factors: Structural factors are those that affect the capacity to participate or to be adequately represented in local governance. These factors can be categorized as gender, ethnicity, caste, religion, class and age.

Institutional Factors: Institutional factors are those that can be seen in the institutional configurations that enable or disable individuals from influencing decision-making in local governance. These are not just mechanisms that affect the degree of representation in the daily functioning of local government, but also access to other institutions that help to secure a fairer and more adequate representation.

Individual Factors: Individual citizen factors are those that address the agency of individuals and social groups as citizens possessing rights. They influence the degree to which these actors can express to agencies through their actions both within and upon local governments.

EVOLUTION OF LOCAL SELF GOVERNMENT

- ❖ Ashok Mehta Committee in 1977 did bring new thinking in the concepts and practice of the Panchayat Raj.
- ❖ The committee recommended a two-tier Panchayat Raj institutional structure consisting of Zilla Parishad and Mandal Panchayat.
- ❖ In order to use planning expertise and to secure administrative support, the district was suggested as the first point of decentralization below the state level.
- ❖ Based on its recommendation, some of the states like Karnataka incorporated them effectively.

OTHER COMMITTEES

- ❖ The most important among them are the **Hanumantha Rao Committee (1983)**, **G.V.K. Rao Committee (1985)**, **L. M. Singhvi Committee (1986)** and the **Sarkaria Commission on Centre-State relations (1988)**, **P.K. Thungan Committee (1989)** and **Harlal Singh Kharras Committee (1990)**.
- ❖ The **G.V.K. Rao Committee (1985)** recommended making the “**district**” as the **basic unit of planning** and also holding regular elections while the **L. M. Singhvi Committee** recommended **providing more financial resources and constitutional status to the panchayats** to strengthen them.

ATTEMPTS TO MAKE CONSTITUTIONAL AMENDMENT

- The Amendment phase began with the 64th Amendment Bill (1989) which was introduced by Rajiv Gandhi seeking to strengthen the PRIs but the Bill was not passed in the Rajya Sabha.
- The Constitution (74th Amendment) Bill (a combined bill for the PRIs and municipalities) was introduced in 1990, but was never taken up for discussion.
- It was during the Prime Ministership of P. V. Narasimha Rao that a comprehensive amendment was introduced in the form of the Constitution 72nd Amendment Bill in September 1991.
- 73rd and 74th Constitutional Amendments were passed by Parliament in December, 1992. Through these amendments local self-governance was introduced in rural and urban India.**
- The Acts came into force as the Constitution (73rd Amendment) Act, 1992 on April 24, 1993 and the Constitution (74th Amendment) Act, 1992 on June 1, 1993.

73RD & 74TH CONSTITUTIONAL AMENDMENT ACT-1993

SALIENT FEATURES

- ❑ These amendments **added two new parts to the Constitution**, namely, added **Part IX titled “The Panchayats”** (added by 73rd Amendment) and **Part IXA titled “The Municipalities”** (added by 74th Amendment).
- ❑ Basic units of democratic system-**Gram Sabhas (villages) and Ward Committees (Municipalities)** comprising all the adult members registered as voters.
- ❑ **Three-tier system** of panchayats at village, intermediate block/taluk/mandal and district levels except in States with population is below 20 lakhs (Article 243B).
- ❑ Seats at all levels to be filled by direct elections **Article 243C (2)**.

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- ❑ Seats reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs) and the chairpersons of the Panchayats at all levels also shall be reserved for SCs and STs in proportion to their population.
- ❑ One-third of the total number of seats to be 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 (Article 243D).
- ❑ Uniform five year term and elections to constitute new bodies to be completed before the expiry of the term.

SALIENT FEATURES

- ❑ In the event of dissolution, elections compulsorily within six months (Article 243E).
- ❑ **Independent Election Commission in each State** for superintendence, direction and control of the electoral rolls (Article 243K).
- ❑ **Panchayats to prepare plans for economic development** and social justice in respect of subjects as devolved by law to the various levels of Panchayats including the subjects as illustrated in Eleventh Schedule (Article 243G).
- ❑ 74th Amendment provides for a **District Planning Committee** to consolidate the plans prepared by Panchayats and Municipalities (Article 243ZD).

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- Budgetary allocation from State Governments, share of revenue of certain taxes, collection and retention of the revenue it raises, Central Government programmes and grants, Union Finance Commission grants (Article 243H).
- Establish a **Finance Commission in each State** to determine the principles on the basis of which adequate financial resources would be ensured for panchayats and municipalities (Article 243I).
- The Eleventh Scheduled of the Constitution places as many as 29 functions within the purview of the Panchayati Raj bodies.

PANCHAYATI RAJ SYSTEM IN TRIPURA

- Pursuant to the 73rd Amendment of the Constitution of India in the year 1992, **the Tripura Panchayat Act, 1993** has been enacted with a view to decentralizing power at village level.
- In 1994, the seats of Schedule Castes and Schedule Tribes were reserved proportionately as per the provision of the Tripura Panchayat Acts, 1993;
- One third seats for the posts of Panchayat Pradhan, Chairman of Panchayat Samiti and Zilla Sabhadhipati were also reserved for women.
- At present the percentage of reservation of women is 50 percent. The first General Elections of the Panchayats took place in 1994. Since then, elections for three-tier Panchayati Raj were held in 1999, 2004, 2009, 2014 and 2019 (27/07/2019).
- Since the year 2014, 50% women representatives seats have been elected in all the three-tiers of Panchayati Raj system as well as TTAADC Village Committees in Tripura.



THANK YOU