

## Panchayati Raj, Municipalities & Centre-State Relation

### Panchayats

1. The local self-government at the grass-root levels signifies the Panchayati Raj institutions.
2. They were constitutionalized by 73rd and 74th constitutional amendment acts 1992 respectively.
3. In January 1957, the Government of India appointed a committee to examine the working of the Community Development Programme (1952) and the National Extension Service (1953) and to suggest measures for their better working. The chairman of this committee was **Balwant Rai G Mehta**. It was as per the recommendations of this committee that Panchayati Raj Institutions came up in India post-independence.
4. **Rajasthan** was the first state to establish Panchayati Raj. The scheme was inaugurated by the prime minister on October 2, 1959, in Nagaur district. Next was Andhra Pradesh, which too adopted the system in 1959. Gradually, more states followed.
5. In December 1977, the Janata Government appointed a committee on Panchayati Raj institutions under the chairmanship of Ashok Mehta to revive and strengthen the declining PRIs in India.
6. The Committee on Administrative Arrangement for Rural Development and Poverty Alleviation Programmes under the chairmanship of G.V.K. Rao was appointed by the Planning Commission in 1985.
7. In 1986, Rajiv Gandhi government appointed a committee on 'Revitalisation of Panchayati Raj Institutions for Democracy and Development' under the chairmanship of L M Singhvi.
8. The 73rd constitutional amendment act 1992 has added a new Part-IX to the Constitution of India titled 'The Panchayats' and consists of provisions from Articles 243 to 243 O. In addition, the act has also added a new Eleventh Schedule to the Constitution. This schedule contains 29 functional items of the panchayats. It deals with Article 243-G.
9. The Amendment created a constitutional institution known as Gram Sabha, which is a body at the village level comprising of all the registered voters in the village within the area of the Panchayat.
10. The 73rd CAA provides for the three-tier system of PRIs in every state- village, intermediate and district levels.
11. The members of panchayat shall be directly elected by the people. Further, the chairperson of panchayats at the intermediate and district levels shall be elected indirectly—by and from amongst the elected members thereof. However, the chairperson of a panchayat at the village level shall be elected in such manner as the state legislature determines.
12. The normal term of the Panchayat at every level shall be five years. The dissolution can also take place before the expiry of the term of the Panchayat. Fresh elections must be held before the expiry of the incumbent Panchayat and if there's dissolution, then before the expiration of 6 months.
13. The superintendence, direction, and control of the preparation of electoral rolls and the conduct of all elections to the Panchayats shall be vested in the state election commission.
14. The minimum age to contest elections at the panchayat level is 21 years.
15. Some states where this act does not apply in totality – J&K, Mizoram, Meghalaya and Nagaland and some other scheduled and tribal areas.
16. The act came into effect from 24th April 1993 and added new parts – part ninth and ninth-A; and new schedules- 11th and 12th to the constitution of India.



## Municipalities

1. The term 'Urban Local Government' in India signifies the governance of an urban area by the people through their elected representatives. The jurisdiction of an urban local government is limited to a specific urban area which is demarcated for this purpose by the state government.
2. The system of urban government was constitutionalized through the **74th Constitutional Amendment Act of 1992**. It added a new part – part **9th-A**; and a new schedule- schedule 12th to the constitution of India. There are eight types of urban local governments in India in totality.
3. In 1687-88, the first municipal corporation in India was set up at Madras.
4. In 1726, the municipal corporations were set up in Bombay and Calcutta.
5. Lord Ripon is regarded as the father of local-self-government in India. His resolution of 1882 is considered as the 'Magna Carta' of local self-rule in this regard.
6. **NOTE** – The part 9th B was added by 97th constitutional amendment act, 2012 and provides constitutional status to the co-operative societies.

## Centre-state Relations

1. Articles 245 to 255 in Part XI of the Constitution deal with the legislative relations between the Centre and the states.
2. The constitution mentions about three types of Lists.

(a) Union List

(b) State List

(c) Concurrent List

3. The Union List mentions about those subjects on which only the Union Parliament can legislate.
4. The State list mentions about those subjects on which only the states in India 'under normal circumstances' can legislate.
5. The Concurrent list mentions about those subjects on which both the Union as well as the States can legislate.
6. The Union list contains 100 subjects presently (originally 97 subjects).
7. Examples of subjects in Union list - defence, banking, foreign affairs, currency, atomic energy, insurance, communication, inter-state trade and commerce, census, audit and so on.
8. The State contains 61 subjects presently (originally 66 subjects).
9. Examples of subjects in State list - public order, police, public health and sanitation, agriculture, prisons, local government, fisheries, markets, theatres, gambling and so on.
10. The Concurrent list contains **52** subjects presently (originally 47 subjects).
11. Examples of subjects in a Concurrent list - criminal law and procedure, civil procedure, marriage and divorce, population control and family planning, electricity, labour welfare, economic and social planning, drugs, newspapers, books and printing press, and others.
12. However, if the Rajya Sabha declares that it is necessary in the national interest that Parliament should make laws on a matter in the State List, then the Parliament becomes competent to make laws on that matter. Such a



- resolution must be supported by two-thirds of the members present and voting. The resolution remains in force for one year; it can be renewed any number of times but not exceeding one year at a time (**Article 249**).
13. Also, the Parliament acquires the power to legislate with respect to matters in the State List, while a proclamation of national emergency is in operation (**Article 250**).
  14. Furthermore, when the legislatures of two or more states pass resolutions requesting the Parliament to enact laws on a matter in the State List, then the Parliament can make laws for regulating that matter. A law so enacted applies only to those states which have passed the resolutions. However, any other state may adopt it afterwards by passing a resolution to that effect in its legislature. Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states (**Article 252**).
  15. The Parliament can make laws on any matter in the State List for implementing the international treaties, agreements or conventions (**Article 253**).
  16. **Note** – Parliament has the exclusive power to legislate on any matter not mentioned in either the State list or Concurrent list (**Article 248**) – Residuary powers of legislation.
  17. Sarkaria Commission, Rjamannar Commission and Punchhi Commission are some important commissions related to the Centre-State Relations.

