

APPOLO STUDY CENTRE

TNPSC GROUP I / II - PRELIMINARY INDIAN POLITY – WORKSHEET - 2023

Local government – panchayat raj – Tamil Nadu

The term *Panchayati Raj* in India signifies the system of rural local self-government. It has been established to build democracy at the grass root level. It is entrusted with rural development. It was constitutionalized through the 73rd and 74th Constitutional Amendment Act of 1992.

Origin and development of Local Governments in India

Ancient India

The period between 600 BCE to C.E. 600 witnessed the rise and fall of republics. During this period, there emerged Mahavira (founder of Jainism) and Buddha (founder of Buddhism). Villages were classified according to size and mode of habitation in Jain and Buddhists literature.

The religious orders founded by Buddha and Mahavira observed highly democratic procedures in arriving at decisions. Kautilya's Arthshastra (Treatise) gives a comprehensive account of the system of village administration prevailing in his time. In the days of Maurya the village and the district were units of administration.

South Indian Peninsula

In the South Indian peninsula, the existence of the local self governing institutions could be traced well before the period of the Christian calendar. The historical period can be grouped into early Chola period, Kalabira period, and the later Chola period, the emergence of Vijayanagara empire, entry of Muslims and Moghuls and the British.

There were some account of existence of local governments during the times of Pandyas (rulers of deep south India) and the Pallavas (rulers of mid

south india). But Cholas (rulers who ruled mid Tamil country) period witnessed a well developed local self governments. The inscriptions of Paranthaka Chola - I(919.C.E. - 922.C.E) from Utthiramerur in Kanchipuram district of Tamilnadu state, give detailed account of local self government. They inform that each village had an assembly consisting of all adult males and their involvement in general matters. These assemblies are of two types, the “Ur” and the Mahasabha”. The third kind was the nagaram (town) confined to mercantile towns(trading centers) and the fourth was the “nadu”. Hence two types of institutions were mentioned one nadu (village and other areas) and nagaram (urban centers). The Mahasabhas and Kudavolai were confined to Brahmin settlements.

Medieval India

During the Moghul period A.D (C.E.)1500 to A.D (C.E.)1777), the fundamental principles of central local relationships hardly changed with change of kingdoms. When the Mughal Empire was at its zenith of glory, it was divided into provinces (Subhas), and Provinces into sub divisions (Sarkars), and Sarkars into union of villages (Paraganas). At each level the government is organized and the officials were appointed by the Emperor.

Modern India - Pre Independence

- ❖ The important milestone during the company rule was the establishment of the Municipal Corporations, at Calcutta (Kolkata) in 1725, Bombay (Mumbai) in 1726 and Madras (Chennai) in 1687-88.
- ❖ The Bengal People Act, 1842
- ❖ Lord Mayo Resolution on financial decentralization 1870
- ❖ Lord Rippon Resolution - Magna Carta of Local Self-Government, 1882
Nearly 500 rural boards were created with a two third majority of non officials who depended upon the district magistrate (district collector) for the favour of nomination. Hence, Lord Rippon is called as the father of Local Self Government in India.
- ❖ The Royal Commission on decentralisation was appointed in 1907 and it submitted its report in 1909. Its chairman was Hob house.

- ❖ Cantonments Act of 1924

Modern India - Post Independence

- ❖ Article 40 - organization of village panchayat, 1950

Article 40 came to be incorporated in the Constitution, as part of the Directive Principles of the State policy (Part -IV) of the Constitution of India.

- ❖ Community Development Programme 1952

The Community Development Programme was launched in 1952 with main focus of securing social- economic transformations of village.

- ❖ National Extension Service, 1953

Aimed at transferring scientific and technical knowledge to agricultural, animal husbandry and rural craft sectors.

1. Balwant Rai Mehta Committee

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. The committee submitted its report in November 1957 and recommended the establishment of the scheme of 'democratic decentralization', which ultimately came to be known as Panchayati Raj. The specific recommendations made by it are:

- ❖ Establishment of a three-tier panchayati raj system – gram panchayat at the village level, panchayat samiti at the block level and zila parishad at the district level. These tiers should be organically linked through a device of indirect elections.

Rajasthan was the first state to establish Panchayati Raj. The scheme was inaugurated by then prime minister Pt. Jawaharlal Nehru on October 2, 1959,

in Nagaur district. Golden Jubilee year was celebrated in 2009. Rajasthan was followed by Andhra Pradesh, which also adopted the system in 1959.

Study Teams and Committees on Panchayati Raj

Year	Committee	Chairperson
1960	Committee on Rationalisation of Panchayat Statistics	V.R. Rao
1961	Working Group on Panchayats and Cooperatives	S.D. Mishra
1961	Study Team on Panchayati Raj Administration	V. Iswaran
1962	Study Team on Nyaya Panchayats	G.R. Rajgopal
1963	Study Team on the Position of Gram Sabha in Panchayati Raj Movement	R.R. Diwakar
1963	Study Group on Budgeting and Accounting Procedure of Panchayati Raj Institutions	M. Rama Krishnayya
1963	Study Team on Panchayati Raj Finances	K. Santhanam
1965	Committee on Panchayati Raj Elections	K. Santhanam
1965	Study Team on the Audit and Accounts of Panchayati Raj Bodies	R.K. Khanna
1966	Committee on Panchayati Raj Training Centres	G. Ramachandran
1969	Study Team on Involvement of Community Development Agency and Panchayati Raj Institutions In the Implementation of Basic Land Reform Measures	V. Ramanathan
1972	Working Group for Formulation of Fifth Five Year Plan on Community Development and Panchayati Raj	N. Ramakrishnayya
1976	Committee on Community Development and Panchayati Raj	Smt. Daya Choubey

2. Ashok Mehta Committee

In December 1977, the Janata Government appointed a committee on panchayati raj institutions under the chairmanship of Ashok Mehta. It submitted its report in August 1978 and made 132 recommendations to revive and strengthen the declining panchayati raj system in the country. Its main recommendations were:

1. The three-tier system of panchayati raj should be replaced by the two-tier system, that is, zila parishad at the district level, and below it, the mandal panchayat consisting of a group of villages with a total population of 15,000 to 20,000.
2. The Nyaya panchayats should be kept as separate bodies from that of development panchayats. They should be presided over by a qualified judge.
3. A constitutional recognition should be accorded to the Panchayati Raj institutions.

Three states of Karnataka, West Bengal and Andhra Pradesh took steps to revitalise the panchayat raj, keeping in view some of the recommendations of the Ashok Mehta Committee.

3. Hanumantha Rao Committee Report on District Planning (1984)

The Hanumantha Rao Committee advocated separate district planning bodies under either the District Collector or a minister.

The committee recommended that the Collector should be the coordinator, at the district level, of all developmental and planning activities.

4. G V K Rao Committee

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.

Recommendations:

- The Committee came to conclusion that the developmental process was gradually bureaucratized and divorced from the Panchayati Raj. This

phenomena of bureaucratization of development administration as against the democratisation weakened the Panchayati Raj institutions resulting in what is aptly called as 'grass without roots'.

- A post of District Development Commissioner should be created. He should act as the chief executive officer of the Zila Parishad and should be in charge of all the development departments at the district level.

5. L M Singhvi Committee

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. It made the following recommendations.

- The Panchayati Raj institutions should be constitutionally recognised, protected and preserved.
- It also suggested constitutional provisions to ensure regular, free and fair elections to the Panchayati Raj bodies.

6. Thungon Committee

In 1988, a sub-committee of the Consultative Committee of Parliament was constituted under the chairmanship of P.K. Thungon to examine the political and administrative structure in the district for the purpose of district planning.

7. Gadgil Committee

The Committee on Policy and Programmes was constituted in 1988 by the Congress party under the chairmanship of V.N. Gadgil.

Constitutionalization

Rajiv Gandhi Government: The Rajiv Gandhi Government introduced the 64th and 65th Constitutional Amendment Bill in the Lok Sabha in July 1989 to constitutionalise panchayati raj institutions and make them more powerful and broad based. It was not passed in Rajya Sabha.

Narasimha Rao Government: The Congress Government under the prime ministership of P V Narasimha Rao once again considered the matter of the constitutionalisation of panchayati raj bodies. This bill finally emerged as the 73rd Constitutional Amendment Act, 1992 and came into force on 24 April, 1993.

73RD AMENDMENT ACT OF 1992

- This act has added a new Part-IX to the Constitution of India.
- It is entitled as 'The Panchayats' and consists of provisions from Articles 243 to 243 O.
- 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.

Article Related to Panchayats at a Glance

Article No.	Subject-matter
243	Definitions
243A	Gram Sabha
243B	Constitution of panchayats
243C	Composition of panchayats
243D	Reservation of seats
243E	Duration of panchayats, and so on
243F	Disqualifications for membership
243G	Powers, authority and responsibilities of panchayats
243H	Powers to impose taxes by, and funds of, the panchayats
243I	Constitution of finance commission to review financial position
243J	Audit of accounts of panchayats
243K	Elections to the panchayats
243L	Application to union territories
243M	Part not to apply to certain areas
243N	Continuance of existing laws and panchayats
243-O	Bar to interference by courts in electoral matters

Salient Features

- Article 243A - Gram Sabha: The act provides for a Gram Sabha as the foundation of the panchayati raj system. It is a body consisting of persons

registered in the electoral rolls of a village comprised within the area of Panchayat at the village level. Thus, it is a village assembly consisting of all the registered voters in the area of a panchayat.

➤ Article 243B - Three tier system:

However, a state having a population not exceeding 20 lakh may not constitute panchayats at the intermediate level.

➤ Article 243C - Election of Members and Chairpersons: All the members of panchayats at the village, intermediary and district levels shall be elected by the people. The chairperson at the district and intermediary levels are elected indirectly whereas the chairperson at the village level shall be elected in such manner as the state shall decide.

➤ Article 243 D - Reservation of Seats: The act provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat (i.e., at all the three levels) in proportion of their population to the total population in the panchayat area. Reservation of not less than 1/3 of the total number of seats are provided for women.

➤ Article 243E - Duration of panchayat is 5 years.

➤ Article 243H - Powers to impose taxes: The state legislature may authorise a panchayat to levy, collect and appropriate taxes, duties, tolls and fees.

➤ Article 243I - State finance commission: provided for state finance commission to augment the financial resources of local bodies. The governor of a state shall, after every five years, constitute a finance commission

➤ Article 243K - State election commission: provided for state election commission to conduct local body elections. It consists of a state election commissioner to be appointed by the governor.

PESA ACT OF 1996 (EXTENSION ACT)

“Provisions of the Panchayats (Extension to the Scheduled Areas) Act”, 1996, popularly known as the PESA Act or the Extension Act.

- Article 243M - Part not to apply to certain areas: The act does not apply to the states of Nagaland, Meghalaya and Mizoram and certain other areas.

As on 2022, Ten states have notified Fifth Schedule Areas. These are: Andhra Pradesh, Chatisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana

MUNICIPALITIES

The term 'Urban Local Government' in India signifies the governance of an urban area by the people through their elected representatives. There are eight types of urban local governments in India – municipal corporation, municipality, notified area committee, town area committee, cantonment board, township, port trust and special purpose agency.

Urban government was constitutionalised through the 74th Amendment Act 1992. It came into force on 1 June 1993. The subject of 'urban local government' is dealt with by the following three ministries:

- (i) Ministry of Urban Development, created as a separate ministry in 1985
- (ii) Ministry of Defence in the case of cantonment boards
- (iii) Ministry of Home Affairs in the case of Union Territories

74TH AMENDMENT ACT OF 1992

- This Act has added a new Part IX-A to the Constitution of India.
- It is entitled 'The Municipalities'
- It consists of provisions from Articles 243-P to 243-ZG.
- It added Twelfth Schedule to the Constitution which contains 18 functional items (Article 243W)

Articles related to Municipalities at a Glance

Article No.	Subject-matter
243P	Definitions
243Q	Constitution of municipalities
243R	Composition of municipalities

243S	Constitution and composition of wards committees
243T	Reservation of seats
243U	Duration of municipalities, and so on
243V	Disqualifications for membership
243W	Powers, authority and responsibilities of municipalities
243X	Powers to impose taxes by, and funds of, the municipalities
243Y	Finance commission
243Z	Audit of accounts of municipalities
243ZA	Elections to the municipalities
243ZB	Application to union territories
243ZC	Part not to apply to certain areas
243ZD	District Planning Committee
243ZE	Metropolitan Planning Committee
243ZF	Continuance of existing laws and municipalities
243ZG	Bar to interference by courts in electoral matters

Salient Features :

- Article 243Q - Three Types of Municipalities: The act provides for the constitution of the following three types of municipalities in every state.
 - a. A *nagar panchayat* (by whatever name called) for a transitional area, that is, an area in transition from a rural area to an urban area.
 - b. A *municipal council* for a smaller urban area.
 - c. A *municipal corporation* for a larger urban area
- Article 243R - Composition: All the members of a municipality shall be elected directly by the people of the municipal area.
- Article 243S - Ward Committees: There shall be constituted a wards committee, consisting of one or more wards, within the territorial area of a municipality having population of three lakh or more.
- Article 243T - Reservation of Seats: The act provides for the reservation of seats for the scheduled castes and the scheduled tribes in every municipality in proportion of their population to the total population in the municipal area.

- Article 243U: Duration of Municipalities is five years
- Article 243Y - State Finance Commission: The finance commission (which is constituted for the panchayats) shall also, for every five years, review the financial position of municipalities and make recommendation to the governor.
- Article 243ZA - State Election Commission: Superintendence, direction and control of the preparation of electoral rolls and the conduct of all elections to the municipalities shall be vested in the state election commission.
- Article 243ZD - District Planning Committee: Every state shall constitute at the district level, a district planning committee to consolidate the plans prepared by panchayats and municipalities in the district, and to prepare a draft development plan for the district as a whole.
- Article 243ZE - Metropolitan Planning Committee: Every metropolitan area shall have a metropolitan planning committee to prepare a draft development plan (Metropolitan area means an area having a population of 10 lakh or more)

Types of urban governments

i. Municipal Corporation

Municipal corporations are created for the administration of big cities with population more than 1 million. A municipal corporation has three authorities, namely, the council, the standing committees and the commissioner.

The Council is the deliberative and legislative wing of the corporation headed by a Mayor. He is assisted by a Deputy Mayor. Mayor is the first citizen of a city in India.

The municipal commissioner is responsible for the implementation of the decisions taken by the council and its standing committees.

ii. Municipality

The municipalities are established for the administration of towns and smaller cities. They are also known by various other names like municipal council, municipal committee, municipal board, borough

municipality, city municipality and others. Walajahpet Municipality is the first municipality in Tamilnadu.

iii. Notified Area Committee

A notified area committee is created for the administration of two types of areas—a fast developing town due to industrialisation, and a town which does not yet fulfil all the conditions necessary for the constitution of a municipality. All the members of a notified area committee including the chairman are nominated by the state government.

iv. Town Area Committee

A town area committee is set up for the administration of a small town. It is created by a separate act of a state legislature.

v. Cantonment Board

A cantonment board is established for municipal administration for civilian population in the cantonment (Military) area. It is set up under the provisions of the Cantonments Act of 2006—a legislation enacted by the Central government. At present (2019), there are 62 cantonment boards in the country. They are grouped into four categories on the basis of the civil population.

A cantonment board consists of partly elected and partly nominated members. The elected members hold office for a term of five years. The military officer commanding the station is the ex-officio president of the board and presides over its meetings. The executive officer of the cantonment board is appointed by the President of India.

Table: Classification of Cantonment Boards

Category	Civil Population
I	Above 50,000
II	10,000 to 50,000
III	2,500 to 10,000
IV	Below 2500

vi. Township

This type of urban government is established by the large public enterprises to provide civic amenities to its staff and workers who live in the housing colonies built near the plant. The enterprise appoints a town administrator to look after the administration of the township.

vii. Port Trust

The port trusts are established in the port areas like Mumbai, Kolkata and Chennai for two purposes: (a) to manage and protect the ports; and (b) to provide civic amenities. It consists of both elected and nominated members. Its chairman is an official.

viii. Special Purpose Agency

In addition to these seven area-based urban bodies (or multipurpose agencies), the states have set up certain agencies to undertake designated activities or specific functions. They are known as 'single purpose', 'uni-purpose' or 'special purpose' agencies or 'functional local bodies'. They function as autonomous bodies and deal with the functions allotted to them independently

The Central Council of Local Government

The Central Council of Local Government was set up in 1954. It was constituted under Article 263 of the Constitution of India by an order of the President of India.

Till 1958, it dealt with both urban as well as rural local governments, but after 1958 it has been dealing with matters of urban local government only. The Council is an advisory body. The Union minister for Urban Development acts as the Chairman of the Council.

Panchayat Raj in Tamilnadu:

Committees appointed by Tamil Nadu Govt. related to rural local bodies:

1. L.C.Jain committee (1996)
2. Ko.Si.Mani Committee (1997)
3. M.K.Stalin Committee (2007)

Tamil Nadu Panchayats Act, 1994-Features:

- **3 tier system - Panchayats**
 1. Village Panchayat - Headed by President

2. Panchayat Union - Headed by Chairman
3. District Panchayat- Headed by Chairman

- **3 tier system - Municipalities**

1. Town Panchayat - Headed by Chairman
2. Municipal Council - Headed by chairman
3. Municipal Corporation - Headed by Mayor

- **Gram Sabha Meetings - Six times a year**

1. Republic Day (January 26th)
2. World Water Day (March 22nd)
3. Labour Day (May 1st)
4. Independence Day (August 15th)
5. Gandhi Jayanthi (October 2nd)
6. Local Governance Day (November 1st)

- **District Planning Committee**-The Chairman of the District Panchayat shall be the Chairperson of the Committee and the Collector of the District shall be Vice Chairman of the Committee.

- **Taxes collected by village panchayat:**

House tax, Vehicle tax, Entertainment tax, Land tax, Water tax

Municipal administration in TamilNadu:

- The municipal government was first introduced in the city of Madras.
- Madras Corporation was formed in 1688.
- Nathaniel Hagginson was the first mayor of Madras.

Major Acts:

- The Madras District Municipalities Act, 1919-1920
The act was amended in 1930 to introduce reservation of seats for minorities and women.
- Tamil Nadu Panchayats (Amendment) Act, 2016
The act provided 50 percent reservation for women in Panchayati Raj institutions.
- The Tamilnadu Municipal Laws (Fourth Amendment) Bill, 2018 and the Tamilnadu Panchayats (Second Amendment) Bill, 2018 - for extending

the tenure of the special officers of the urban and rural local bodies for a period of six more months

FACTS

- There are around 2.5 lakh village panchayats in India (2011 Census)
- National Panchayat Raj Day - 24th April

Local Bodies in Tamil Nadu

Municipal Corporations	21
Municipalities	138
Town Panchayats	490
District Panchayats	31
Blocks	388
Village Panchayats	12,525

1. Municipal Corporations

The most recent municipal corporations of Tamil Nadu are

Name	Formation	Name	Formation
Kumbakonam	20 December 2021	Cuddalore	21 October 2021
Tambaram	3 November 2021	Karur	21 October 2021
Sivakasi	21 October 2021	Kanchipuram	21 October 2021

2. Municipalities

Municipalities in Tamil Nadu are classified based on their annual income as

Classification	Annual income (Rs. in crore)	Number
Special Grade	Above 15.00	12
Selection Grade	9.00 - 15.00	25
First Grade	6.00 - 9.00	31
Second Grade	Below 6.00	70
Total		138

3. Town Panchayats

Town Panchayats in Tamil Nadu are categorized based on their annual income

Classification	Annual income	Number
Special Grade	Exceeding Rs. 200 lakh	47
Selection Grade	Exceeding Rs. 100 lakh and upto Rs. 200 lakh	187
Grade I	Exceeding Rs. 50 lakh and upto Rs. 100 lakh	194
Grade II	Below Rs. 50 lakh	62
Total		490

