



Polity Class Notes for IAS and PCS

Chapter No: 28

Panchayat Raj Institution

Panchayat Raj Institution (PRI)	
➤	The term Panchayati Raj is significance rural local self-government in India.
➤	It established in all state of India by state legislature to build democracy at grass root level.
➤	It was constitutionalized through constitutional Amendment 73 rd 1992.
➤	In Jan 1957 – GoI appointed a committee to examine working of community development programme (CDP) & National Extension Service (NES) under chairmanship of Balwant Rai G Mehta.
➤	This committee submitted their Report & recommendation decentralization of democracy which came to know as “local self-government” as Panchayati Raj.
Recommendation of Balwant Rai G Mehta Committee	
➤	Established three tier panchayati raj system <ul style="list-style-type: none"> • Village level → gram panchayat → direct election • Block level → gram samiti → executive body • District level → zila parishad → Advisory, supervision & coordination body
➤	All three are Indirect election of chair person
➤	Planning & development activities entrusted under these bodies.
➤	District collector should be chairperson of zila Parishad.
Note	
➤	Rajasthan was the 1 st state established Panchayati Raj system.
➤	NDC did not insist single rigid pattern of Panchayati raj & pattern of Panchayati Raj left on state to evolve on own suitable pattern.
➤	Ex. Rajasthan – adopted 3 – Tier, Tamil Nadu – adopted 2 Tier & West Bengal – adopted 4 – Tier
➤	Same state also established Nayab Panchayat to deal guilty criminal & civil case.
Recommendation of Ashok Mehta Committee	
➤	In 1997, Janta government, came to power & constituted Ashok Mehta Committee.
➤	Replace 3 Tier by 2 Tier <ul style="list-style-type: none"> • Zila Parishad at district level • Mandal – group. Of village
➤	Zila Parishad executive body for planning at district level
➤	Official Participation of Political Parties
➤	A minister of Panchayati Raj in state legislature



- Seat reserved for SC/ST
- Voluntary agency should play mobilize the Panchayati election.
- PRI should have compulsory power of taxation to mobilize their own financial resources
- Nayay Panchayat should be kept as separate bodies from that of development Panchayat.

G.K. Rao Committee

- Create post of district development commissioner.

L.M. Singhvi Committee

- PRI (Panchayat Raj Institution) – should be constitutional protected
- Village Panchayat should have more financial resources.
- Judicial Tribunal should be established in each to adjudicate controversies about to election to Panchayati Raj Institution.
- More financial resources.

73rd Amendment – 1992

- Part IX of constitution of India – Art 243 – 243O
- 11th Schedule contain 29 Matter
- It gave sharp shape of Art 40 under DPSP.

Silent Features

- Gram Sabha
- Three Tier system
 - Village level
 - Intermediate level
 - District level
- All three level member elected by direct election by people. But chairperson of intermediate & district level by Indirect & chairperson of village level shall be elected in such a manner at state legislature determines.
- 1/3rd seat reserved for woman & SC & ST – also reserved depending upon population in the state.
- 5 year duration & in the case of dissolution, before the expiry of period of 6 months from date of dissolution.
- PRI – under state election commission
- State legislature may authorize a PR to levy, collect, appropriate taxes, duties & toll & fees.
- Origin to panchayat taxes, duties, tolls, fees levied & collected by state government.
- Provide grant – in – aid to panchayat from consolidation fund of state.
- FC constituted every 5 year by governor – distribution between state & Panchayat of net proceeds of taxes, duties, tolls, fees levied by state. Measure need to improve financial position of Panchayat.
- Grant – in – aid to Panchayat from consolidation fund of state al FC – also recommended/ measure need to augment the consolidated fund to state to supplement the resource of panchayat instate.
- Audit to Accounts – State legislature may make provision on with respect to maintenance of accounts by panchayats & auditing such account.
- PRI Exempted in some state – J & K, Nagaland, Meghalaya, Mizoram etc.

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Note

- The act bars interference by court in electoral matter of Panchayat. It declares that validity of any law relating to delimitation of constituencies or the allotment of seats to such constituencies can't be questioned in any court.
- The subject → Local self – government → state list under 7th Schedule.
- A judge of HC can be removed from his office by president on recommendation of Parliament. This means that a state election commissioner cannot be removed by governor through appointed by him.
- District planning committee in under 7th (municipalities) & not under panchayat raj system .

Note

Panchayat extension to Schedule area (PESA) 1996

- Gram Sabha or Panchayats at Appropriate level shall be made mandatory prior grant of prospecting license or mining lease for minor mineral in schedule area (not for all minerals)
- Power to enforce prohibition or to regulate or restrict sale & consumption of any in toxicant.
- Ownership of minor forest products.
- Power to prevent alteration of land in Scheduled Area
- To provide self-governor
- To free tribal people from exploitation

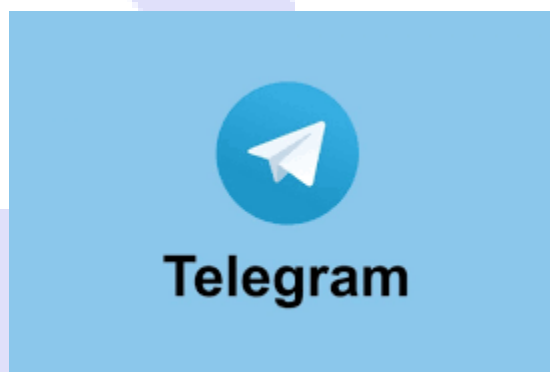
- In 73rd amendment act 1952, which added – not having provision of regular remuneration to Panchayat member
- Art 243 Q, 3 type of municipalities
 1. Nagar Panchayat
 2. Municipal Council
 3. Municipal Corporation



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