

Course :	DEG 111		Credit:	1(1+0)	Semester-I
Course title:	Democracy, Elections and Good Governance				

Unit I Democracy

What is Democracy

The term "democracy" first appeared in ancient Greek political and philosophical thought in the city-state of Athens during classical antiquity.

The word 'Democracy' is derived from two Greek words "**Demos**" which means 'the people' and "*kratos*" which means 'the rule. So originally and really Democracy means the rule of people.

Led by [Cleisthenes](#), Athenians established what is generally held as the first democracy in 508–507 BC. Cleisthenes is referred to as "the father of [Athenian democracy](#)."

Athenian democracy was not only *direct* in the sense that decisions were made by the assembled people, but also the *most direct* in the sense that the people through the assembly, boule and courts of law controlled the entire political process and a large proportion of citizens were involved constantly in the public business.

Athenian democracy took the form of a direct democracy

In democracy supreme power is in the hands of people who exercise this power either directly or indirectly, through the elected representatives who are responsible to the people

Democracy is a system of government in which people [choose](#) their [rulers](#) by [voting](#) for them in [elections](#).

Definitions of Democracy

Democracy has been defined by various philosophers and writers in different ways e.g.

- Aristotle definition of democracy, It is *the rule of mob and condemns it*.
- Seelye defined it as *a government in which everyone has a share*.

Characteristics of democracy

- Sovereignty with the people
- Faith in the rationality of man
- Liberty
- Equality

- Fraternity
- Provision of fundamental rights
- Independent and impartial judiciary
- Rule of majority
- Respect of public opinion
- Faith in peaceful and constitutional methods
- Freedom to form opposition parties
- Open competition for political power
- Periodic elections
- Independent means of propaganda
- Rule of law
- Decentralization of power
- Pluralistic character of society

Merit of democracy

- Government is based on the will and consent of the people
- The government seeks the welfare of all
- Administration is good and responsible
- People get political education
- Government is based on liberty, equality and fraternity
- In this government there is less possibility of revolution
- It promotes patriotism
- Social economic and political reforms
- It brings the spirit of unity among the people
- Proper opportunities for the development of man
- Protection of the rights and liberties of the people

- Government is based on public opinion

Demerits of democracy

- More importance to quantity than quality
- It is based on the principle of unnatural equality
- It is cult of incompetence
- Dominance of bureaucracy
- It is expensive government
- Unstable government
- Dictatorship of the majority
- It lowers the moral standard of people
- It is not government of all
- It is the government of rich
- Weak government during emergency
- Politics becomes a profession
- Indifferent attitude of voters

Types of Democracy

1. Direct Democracy

In simple terms, direct democracy is where political power is exercised by the citizens without representatives acting of their behalf. **In a *direct democracy*, major decisions on public policy are made directly by the mass of adult citizens. Most citizens personally participate in the decision making process. In other words, the whole body of adult citizens govern the political society.**

Direct democracy is also termed as "**pure democracy**".

It can be **defined** as

A system in which people as a political community, come together in a forum to make policy decisions themselves, with no intervening institution or officials.

A political system in which the citizens vote directly in matters of public concern and every citizen participates in the decision-making.

The **Panchayati Raj Institutions of India** also is an example of direct democracy.

INSTRUMENTS OF DIRECT DEMOCRACY

In a direct democracy, citizens have the right to participate and be heard in political decision making. This is done through certain instruments or components of direct democracy.

Let's know these:

a) Referendum

The *referendum* is a tool by which the citizens of a nation i.e. the electorate declare its choice about a decision. It is a **direct vote** in which an entire electorate is asked to either accept or reject a particular proposal. This may be adoption of a new law; change in the existing policy or even a change in the constitution of the country.

Mandatory or obligatory Referendum

A mandatory or obligatory referendum is a vote of the electorate (voters) as provided in the constitution of a country. The consequences of the vote are usually **binding**. This means, if a proposal passes, the government or appropriate authority is compelled to implement it.

Optional or Facultative Referendum

These are votes of the electorate which are called by a formal demand. It can be initiated at the will of a public authority, or at the will of the citizens in the form of a petition. An optional referendum may originate from the executive or from the members of the legislature or from a number of citizens. The consequences of the vote may or may not be binding.

b) Initiative

The initiative is defined as the people's power to approve or reject legislation initiated or proposed by someone other than the legislature. The initiative process is the most commonly used form of direct democracy. It is also referred to as **popular or people's initiative**. It is a means by which a petition signed by a minimum number of registered voters can force a public vote. It can be done for various forms of legislation like constitutional amendments, ordinary statute or fiscal issues.

Initiative is of two kinds:

- a. **Direct:** Under the direct initiative, the proposal is put directly to a vote after being submitted by a petitioner.
- b. **Indirect:** Under an Indirect initiative a measure is first referred to the legislature and then put to a popular vote only if enacted by the legislature.

c) Recall

Recall is the name given to an instrument by which a specified number of citizens can demand a vote of the electorate, on whether an elected holder of public office should be removed from that office before the end of his/her term. Combining elements of the initiative instrument and a normal candidate election, a recall initiative is launched to gather a specified number of signatures in support of the recall measure. If and when the recall petition acquires enough **valid signatures**, the issue is put to voters at a **ballot** to determine

- Firstly**, whether or not the officer in question should be recalled and
- Secondly**, who should replace the officer if the recall measure is successful?

Under this system the people take direct in the affairs of the state. The people themselves are the rulers and they are the ruled at the same time. They themselves make the laws, enforce them and

decide cases according to these laws. Such a democracy existed in City States of ancient Greece and Rome.

Some practices of direct democracy are still observed in Switzerland and in some states of the USA.

2. Indirect or Representative Democracy

After the creation of large nation states, it became impossible for all the people directly to participate in the affairs of the state. Under this form of government the people elect a small number of representatives or delegation and give them the authority to run the government. Since the people rule through these representatives, we give the system the name of indirect or representative democracy.

This system of democracy is considered to be “indirect” because it is based on a common assumption by the citizen that

- a. The promises made by the officials during election will be the course of action the government will actually follow after being elected.
- b. The official who is elected by the citizens will always reflect the values, desires and goals of those who elected him in the course of decision making and so no further supervision would be required by the citizen over his actions and decisions like in direct democracy.

Today in almost all the countries of the world there is indirect or representative democracy.

FORMS/TYPES OF INDIRECT DEMOCRACY

A. PARLIAMENTARY FORM:

A system of government in which the power to make and execute laws is held by a parliament.

In such a system of government, there exists a very close relationship between the executive and the legislature. **England, India and Sweden** are some of the examples of the Parliamentary form of democracy.

Parliamentary democracy is a representative democracy where government is appointed by, or can be dismissed by, representatives as opposed to a "presidential rule" wherein the president is both head of state and the head of government and is elected by the voters. Under a parliamentary democracy, government is exercised by delegation to an executive ministry and subject to ongoing review, checks and balances by the legislative parliament elected by the people.

Parliamentary systems have the right to dismiss a Prime Minister at any point in time that they feel he or she is not doing their job to the expectations of the legislature. This is done through a Vote of No Confidence where the legislature decides whether or not to remove the Prime Minister from office by a majority support for his or her dismissal. In some countries, the Prime Minister can also call an election whenever he or she so chooses, and typically the Prime Minister will hold an election when he or she knows that they are in good favour with the public

as to get re-elected. In other parliamentary democracies extra elections are virtually never held, a minority government being preferred until the next ordinary elections. An important feature of the parliamentary democracy is the concept of the "loyal opposition". The essence of the concept is that the second largest political party (or coalition) opposes the governing party (or coalition), while still remaining loyal to the state and its democratic principles.

b) PRESIDENTIAL FORM

A presidential system is a form of government where *an executive branch exists and presides separately from the legislature. The executive is not responsible to the legislature.* Some examples are: **United States of America, Brazil, Philippines, and Nigeria.**

The features of a presidential system are:

1. President is the Real Head

In the Presidential system, the President is the real head. He is the head of state as well as the head of government.

2. Separation of Powers

There is separation of powers. The President is elected by people. Neither he nor his ministers are drawn from the legislature. They are independent of the legislature. The head i.e., the **President has a fixed tenure.** He cannot be easily removed from office by the legislature.

On the other hand, the **President also cannot dissolve the legislature.**

Further, **the judiciary is independent of both the executive and the legislature.** It results not only in separation of powers, but also develops a system of checks and balances in the Presidential system

3. Ministers are Accountable to the President

The President appoints his ministers (or secretaries) who stay in office during his pleasure. They do not belong to the legislature. Nor are they responsible to it.

4. Stability

As both the President and the legislature enjoy fixed terms of office, there is **political stability.** There is continuity of policy which leads to achievement of long-term goals.

SEMI PRESIDENTIAL FORM:

The semi-presidential system is a form of government in which the president and the prime minister are both active participants in the day-to-day administration of the state. It differs from a parliamentary system in the sense that it has a popularly elected head of state, who is more than a purely ceremonial figurehead, and from the presidential system in the sense that the cabinet, although named by the president, is responsible to the legislature.

Some of the examples of the countries that have adopted Semi-presidential form of government are **France, Sri Lanka, Russia, Zimbabwe, Kenya** etc.

FEATURES:

The features of the Semi-Presidential System

- The head of state is elected by popular vote— either directly or indirectly— for a **fixed term** of office.
- The head of state shares the executive power with a prime minister, creating a **dual power structure**.
- The head of state is independent from the legislature, but is not entitled to govern alone or legislate directly. **Legislative policies must be routed through the Government and the legislature.**
- Conversely the **Prime Minister and cabinet are responsible to the legislature.**

SEMI-PRESIDENTIAL & PRESIDENTIAL: SIMILARITY AND DIFFERENCE

SIMILARITY: Both have a directly elected President.

DIFFERENCE: The executive power is divided “in half” under semi-presidential form between the elected President and the Prime Minister selected by the legislature.

C. Hybrid or semi-direct

Some modern democracies that are predominantly representative in nature also heavily rely upon forms of political action that are directly democratic. These democracies, which combine elements of representative democracy and direct democracy, are termed *hybrid democracies*, *semi-direct democracies* or *participatory democracies*. Examples include Switzerland and some [U.S. states](#), where frequent use is made of [referendums](#) and [initiatives](#).

The [Swiss confederation](#) is a semi-direct democracy.^[102] At the federal level, citizens can propose changes to the constitution ([federal popular initiative](#)) or ask for a [referendum](#) to be held on any law voted by the [parliament](#).^[102] Between January 1995 and June 2005, Swiss citizens voted 31 times, to answer 103 questions (during the same period, French citizens participated in only two referendums).^[102] Although in the past 120 years less than 250 initiatives have been put to referendum. The populace has been conservative, approving only about 10% of the initiatives put before them; in addition, they have often opted for a version of the initiative rewritten by government.

In the [United States](#), no mechanisms of direct democracy exists at the federal level, but over half of the [states](#) and many localities provide for citizen-sponsored ballot initiatives (also called "ballot measures", "ballot questions" or "propositions"), and the vast majority of states allow for referendums. Examples include the extensive use of [referendums](#) in the US state of [California](#), which is a state that has more than 20 million voters.

In New England, [Town meetings](#) are often used, especially in rural areas, to manage local government. This creates a hybrid form of government, with a local [direct democracy](#) and a state government which is representative. For example, most [Vermont](#) towns hold annual town meetings in March in which town officers are elected, budgets for the town and schools are voted on, and citizens have the opportunity to speak and be heard on political matters.

PRINCIPLES OF DEMOCRACY

People from around the world have identified the basic principles, which must exist in order to have a democratic government. These principles often become a part of the constitution or bill of rights in a democratic society. Though no two democratic countries are exactly alike, people in democracies support many of the same basic principles and desire the same benefits from their government.

- 1. CITIZEN PARTICIPATION**
- 2. EQUALITY**
- 3. POLITICAL TOLERANCE**
- 4. ACCOUNTABILITY**
- 5. TRANSPARENCY**
- 6. REGULAR FREE AND FAIR ELECTIONS**
- 7. ECONOMIC FREEDOM**
- 8. CONTROL OF THE ABUSE OF POWER**
- 9. BILL OF RIGHTS**
- 10. ACCEPTING THE RESULTS OF ELECTIONS**
- 11. HUMAN RIGHTS**
- 12. MULTI PARTY SYSTEM**
- 13. RULE OF LAW**

1. Citizen Participation

One of the most basic signposts of a democracy is citizen participation in government. Participation is the key role of citizens in democracy. It is not only their right, but it is their duty. Citizen participation may take many forms including standing for election, voting in elections, becoming informed, debating issues, attending community or civic meetings, being members of private voluntary organizations, paying taxes, and even protesting. Participation builds a better democracy.

2. Equality

Democratic societies emphasize the principle that all people are equal. Equality means that all individuals are valued equally, have equal opportunities, and may not be discriminated against because of their race, religion, ethnic group, gender or sexual orientation. In a democracy, individuals and groups still maintain their right to have different cultures, personalities, languages and beliefs.

3. Political Tolerance

Democratic societies are politically tolerant. This means that while the majority of the people rule in a democracy, the rights of the minority must be protected. People who are not in power must be allowed to organize and speak out. Minorities are sometimes referred to as the opposition because they may have ideas which are different from the majority. Individual citizens must also learn to be tolerant of each other. A democratic society is often composed of people from different cultures, racial, religious and ethnic groups who have viewpoints different from the majority of the population. A democratic society is enriched by diversity. If the majority deny rights to and destroy their opposition, then they also destroy democracy. One goal of democracy is to make the best possible decision for the society. To achieve this, respect for all people and their points of view is needed. Decisions are more likely to be accepted, even by those who oppose them, if all citizens have been allowed to discuss, debate and question them.

4. *Accountability*

In a democracy, elected and appointed officials have to be accountable to the people. They are responsible for their actions. Officials must make decisions and perform their duties according to the will and wishes of the people, not for themselves.

5. *Transparency*

For government to be accountable the people must be aware of what is happening in the country. This is referred to as transparency in government. A transparent government holds public meetings and allows citizens to attend. In a democracy, the press and the people are able to get information about what decisions are being made, by whom and why.

6. *Regular, Free and Fair Elections*

One way citizens of the country express their will is by electing officials to represent them in government. Democracy insists that these elected officials are chosen and peacefully removed from office in a free and fair manner. Intimidation, corruption and threats to citizens during or before an election are against the principles of democracy. In a democracy, elections are held regularly every so many years. Participation in elections should not be based on a citizen's wealth. For free and fair elections to occur, most adult citizens should have the right to stand for government office. Additionally, obstacles should not exist which make it difficult for people to vote.

7. *Economic Freedom*

People in a democracy must have some form of economic freedom. This means that the government allows some private ownership of property and businesses, and that the people are allowed to choose their own work and labor unions. The role the government should play in the economy is open to debate, but it is generally accepted that free markets should exist in a democracy and the state should not totally control the economy. Some argue that the state should play a stronger role in countries where great inequality of wealth exists due to past discrimination or other unfair practices.

8. *Control of the Abuse of Power*

Democratic societies try to prevent any elected official or group of people from misusing or abusing their power. One of the most common abuses of power is corruption. Corruption occurs when government officials use public funds for their own benefit or exercise power in an illegal manner. Various methods have been used in different countries to protect against these abuses. Frequently the government is structured to limit the powers of the branches of government: to have independent courts and agencies with power to act against any illegal action by an elected official or branch of government; to allow for citizen participation and elections; and to check for police abuse of power.

9. *Bill of Rights*

Many democratic countries also choose to have a bill of rights to protect people against abuse of power. A bill of rights is a list of rights and freedoms guaranteed to all people in the country. When a bill of rights becomes part of a country's constitution, the courts have the power to enforce these rights. A bill of rights limits the power of government and may also impose duties on individuals and organizations.

10. *Accepting the Results of Elections*

In democratic elections, there are winners and losers. Often the losers in an election believe so strongly that their party or candidate is the best one, that they refuse to accept the results of the election. This is against democratic principles. The consequences of not

accepting the result of an election may be a government that is ineffective and cannot make decisions. It may even result in violence which is also against democracy.

11. Human Rights

All democracies strive to respect and protect the human rights of citizens. Human rights mean those values that reflect respect for human life and human dignity. Democracy emphasizes the value of every human being. Examples of human rights include freedom of expression, freedom of association, freedom of assembly, the right to equality and the right to education.

12. Multi-Party System

In order to have a multi-party system, more than one political party must participate in elections and play a role in government. A multi-party system allows for opposition to the party, which wins the election. This helps provide the government with different viewpoints on issues. Additionally, a multiparty system provides voters with a choice of candidates, parties and policies to vote for. Historically, when a country only has one party, the result has been a dictatorship.

13. The Rule of Law

In a democracy no one is above the law, not even a king or an elected President. This is called the rule of law. It means that everyone must obey the law and be held accountable if they violate it. Democracy also insists that the law be equally, fairly and consistently enforced. This is sometimes referred to as "due process of law."

Democracy and Diversity

Power can be distributed to accommodate linguistic and regional diversities. But language and region are not the only features that give a distinct identity to people.

Sometimes, people also identify themselves and relate with others on the basis of their physical appearance, class, religion, gender, caste, tribe, etc.

In this topic, we study how democracy responds to social differences, divisions and inequalities. We begin with an example of public expression of social divisions. We then draw some general lessons about how social differences can take various forms. We then turn to how democratic politics affects and is affected by these social diversities.

○ Social differences:-

Social differences are the situations where the people are discriminated against on the basis of social, economic and racial inequality. It gives way to social diversity which is different from society to society.

Social Differences are based on two main factors:

Differences on the basis of Birth

1. Normally we don't choose to belong to our community. We belong to it simply because we are born into it.
2. People around us, have different physical abilities or disabilities.

Differences on the basis of choices

1. Some people are atheists. They don't believe in god or any religion.
2. Some people choose to follow a religion other than the one in which they are born.
3. Most of us choose what to study, which occupation to take up and which games or cultural activities to take part in.

○ Social division:-

Division of the society on the basis of language, region, caste, colour or race and sex. It signifies linguistic and regional diversity.

○ The black power:

It was a movement started by black people in 1966 against racialism and the practice of apartheid. It was a militant movement advocating even violence if necessary to end racism in the US.

○ Overlapping differences:

Social differences which overlap other differences are known as overlapping differences e.g., difference between the blacks and whites became a social division in US because the Blacks tend to be poor homeless and discriminated against.

○ Cross-Cutting Differences:

If social differences cross cut one another, it is known as cross cutting differences. In another way in this situation groups that share a common interest on one issue are likely to be in different sides on a different issue.

○ Homogenous Society:-

Homogenous society signifies absence of significant ethnic differences. It is a society that has similar kinds of people or inhabitants.

○ Migrants:

Anybody who shifts from one region or country to another region within a country or to another country for the purpose of work or other economic opportunities.

○ Minority:

It refers to community who are less than half of the total population of the country. The idea of minority at national level is totally different from what it is at state level.

Politics of social divisions

How do these social divisions affect politics? What does politics do to these social divisions?

At first sight, it would appear that the combination of politics and social divisions is very dangerous and explosive. Democracy involves competition among various political parties. Their competition tends to divide any society.

If they start competing in terms of some existing social divisions, it can make social divisions into political divisions and lead to conflict, violence or even disintegration of a country. This has happened in many countries.

In case of Northern Ireland, This region of the United Kingdom has been for many years the site of a violent and bitter ethno-political conflict. Its population is divided into two major sects of Christianity: 53 per cent are Protestants, while 44 per cent are Roman Catholics. The Catholics were represented by Nationalist parties who demanded that Northern Ireland be unified with the Republic of Ireland, a predominantly Catholic country. The Protestants were represented by Unionists who wanted to remain with the UK, which is predominantly protestant. Hundreds of civilians, militants and security forces were killed in the fight between Unionists and Nationalists and between the security forces of the UK and the Nationalists. It was only in 1998, that the UK government and the Nationalists reached a peace treaty after which the latter suspended their armed struggle.

In Yugoslavia, the story did not have a happy ending. Political competition along religious ending ethnic lines led to the disintegration of Yugoslavia into six independent countries. Bosnia, Croatia, Macedonia, Montenegro, Serbia, Slovenia.

Three determinants

Three factors are crucial in deciding the outcome of politics of social divisions

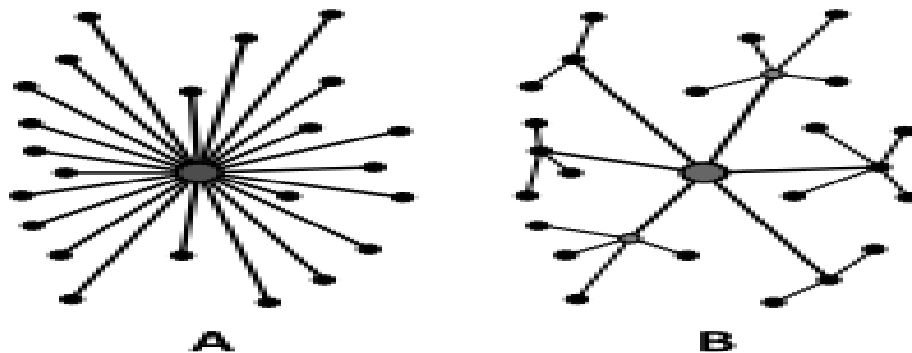
- First of all, the outcome depends on how people perceive their identities.**
- Second, it depends on how political leaders raise the demands of any community.**
- Third, it depends on how the government reacts to demands of different groups.**

Decentralization

Concept

- The word "centralization" came into use in France in 1794 as the post-[French Revolution](#) [French Directory](#) leadership created a new government structure.
- The word "decentralization" came into usage in the 1820s.^[4] "Centralization" entered written English in the first third of the 1800s; mentions of decentralization also first appear during those years. In the mid-1800s [Alexis de Tocqueville](#) wrote that the French Revolution began with "a push towards decentralization...[but became,]in the end, an extension of centralization.

System approach



A. Centralization

B. Decentralization

Definition

- “Decentralization refers to tire systematic effort to delegate to the lowest levels all authority except that which can only be exercised at central points.” - Louis A. Allen
- Decentralization—the transfer of authority and responsibility for public functions from the central government to subordinate or quasi-independent government organizations and/or the private sector
- **Decentralization** is the process of distributing or dispersing functions, powers, people or things away from a central location or authority
- Concepts of decentralization have been applied to [group dynamics](#) and [management science](#) in private businesses and organizations, [political science](#), [law](#) and [public administration](#), [economics](#) and [technology](#).

- **Discuss the main features of democratic decentralization in India?**

(1) Transparency : When the power to make decisions is transferred to elected lower-level authorities, both decisions and the decision making process become more visible and intelligible to people at the grass roots. The proceedings of decentralized authorities are often publicized, and when they are not, discontented members of those bodies often criticize them publicly, so that news spreads widely. Elected members of such bodies, who usually live locally, are also better able than those higher up to explain decisions in terms that ordinary people will understand: Thus, transparency is usually greatly enhanced.

(2) Responsiveness : Democratic decentralization lends strongly to increase the speed, quantity and quality of responses to citizens and groups at the grass roots. Decentralized institutions deliver response with greater speed, because they can act without seeking approval from higher authority. The quantity of responses also increases because decentralized bodies prefer to undertake many small scale development projects; rather than a few expensive larger projects often favored by higher ups. And the quality of responses increases if 'quality' is measured by the degree to which responses from government institutions conform to local preferences.

(3) Openness : Increased transparency and responsiveness also make government more open in the sense that citizens and groups at the local level find it easier to gain access and influence. That is true not only when the previous system was undemocratic, but also when it was democratic but centralized. Democratic decentralization enables citizens to contact a much larger number of elected representatives than when the only elected leaders sat in distant, high-level legislatures. And when citizens see that elected members of decentralized bodies have influence over bureaucrats, they also contact and lobby bureaucrats more often.

(4) Accountability : Since elected members of decentralized councils usually live close by with the people who elected them, they are under much greater pressure than politicians higher up to behave accountably. These elected councillors worry not only about the next election, but also about displays of discontent between elections. Their (and government's) accountability is thus enhanced. So is the accountability of bureaucrats to citizens and groups. Ordinary people quickly perceive that their representatives especially in intermediate-level bodies have contact with and some influence over field officers from line ministries. Citizens therefore apply more direct pressure on bureaucrats, whose accountability is thereby enhanced.

(5) Enhancing the flow of information : Democratic decentralization almost always triggers a huge increase in the flow of information between government and citizens in both directions. Ordinary people suddenly find that they have a large number of elected representatives through whom to pass information to government about their problems and preferences. Bureaucrats, who have worked in such systems – who had thought that they were well-informed before decentralization often report vast increases in the amount of information reaching them. Many of them feel empowered by this, and derive greater job satisfaction from it. Elected representatives also provide governments with many new conduits for information to citizens. And as locals, they can often explain the rationale behind government programmes far more convincingly than can bureaucrats. This often enhances the uptake on important government services. When elected councillors

especially women explain the utility of ante and post-natal care services to rural women in terms that the latter can grasp, so more mothers come forward, and illnesses and even deaths are thus prevented.

(6) Curbing absenteeism by government employees : There is evidence from a few countries that decentralization can make at least modest inroads into a serious problem – the tendency of government employees at and near the local level to fail to turn up for work. Elected councillors often hear complaints from citizens about absenteeism by teachers or local health centre staff. And if they are adequately empowered, councillors have the clout to force these people to work properly. This can produce improvements in service delivery at no extra cost to the exchequer.

(7) Encouraging greater probity Democratic: Decentralization has usually done little to curb corruption. But in a small number of cases it has done so and there are realistic chances of its doing so more often in future. When power is decentralized, the number of people involved in corrupt acts always increases, because the number of people with political influence soars. But the overall amounts of money stolen seldom increase, and sometimes decline. Because decentralized systems are so transparent, acts of malfeasance are very visible, and this severely limits the amounts that individuals can pocket. In a small number of cases in two or three Indian states and to an extent the Philippines – the overall amounts have fallen significantly.

Easing political alienation : Democratic decentralization can ease potentially dangerous political alienation in two ways. First, activists at lower levels who were once frustrated because they had little hope of gaining elected posts at the national level can realistically aspire to the many new seats on decentralized bodies. This lessens the chances that their frustration will incline them to act destructively. Second, parties that lose in national elections need not wait four or five years until the next opportunity to win a share of power at a subsequent national election. They need only wait until the next election for decentralized. And smaller parties which have support only in certain parts of a country and which therefore cannot hope to gain power at the national level can realistically aspire to gain control of some decentralized bodies. Decentralization makes it more likely that such parties will remain engaged with the democratic process, and not turn against it.

(9) Promoting political legitimacy: All of the things noted above – greater transparency, responsiveness, openness, accountability, and some decreases in absenteeism and corruption – tend strongly to make government institutions appear more legitimate to ordinary folk. This is especially true of their perceptions of decentralized institutions, but it usually extends to government in general and to the political leaders who decided to decentralize. This is a welcome change, both in itself and as we see below in terms of its impact on society and on development.

Fundamental Rights in India

What are rights?

Rights are legal, social, or ethical principles of freedom or entitlement; that is, rights are the fundamental normative rules about what is allowed of people or owed to people, according to some legal system, social convention, or ethical theory.

Rights are of essential importance in such disciplines as law and ethics, especially theories of justice and deontology. Rights are claims of a person over other fellow beings, over the society and over the government. All of us want to live happily, without fear and without being subjected to degraded treatment. For this we expect others to behave in such a way that does not harm us or hurt us. Equally, our actions should not also harm or hurt others.

- So a right is possible when you make a claim that is equally possible for others.
- You cannot have a right that harms or hurts others.
- You cannot have a right to play a game in such a way that it breaks the neighbour's window.

Fundamental Rights in India

Fundamental Rights are the basic rights of the people and the charter of rights contained in Part III of Constitution of India. It guarantees civil liberties such that all Indians can lead their lives in peace and harmony as citizens of India.

Composition of Rights

The development of constitutionally guaranteed fundamental human rights in India was inspired by historical examples such as [England's Bill of Rights](#) (1689), the [United States Bill of Rights](#) (approved on 17 September 1787, final ratification on 15 December 1791) and [France's Declaration of the Rights of Man](#) (created during the [revolution of 1789](#), and ratified on 26 August 1789).

Why Fundamental rights included?

The fundamental rights were included in the constitution because they were considered essential for the development of the personality of every individual and to preserve human dignity.

All people, irrespective of race, religion, caste or sex, have been given the right to petition directly the [Supreme Court](#) or the [High Courts](#) for the enforcement of their fundamental rights.

- Poverty stricken people may not have the means to do so and therefore, in the public interest, anyone can commence litigation in the court on their behalf. This is known as "[Public interest litigation](#)"

Fundamental rights in India

- Right to equality:** Right to equality is provided from Article 14 to Article 18 of Indian constitution.
- Right to freedom:** It is provided from Article 19 to 22 of constitution.
- Right against exploitation:** It is provided under Articles 23 and 24 of Indian constitution.
- Right to freedom of religion:** Article 25 to 28
- Cultural and Educational rights:** Article 29 and Article 30 of Indian constitution
- Right to constitutional remedies:** It is provided under Article 32 to 35 of Indian constitution.

1) Rights to Equality

Equality before law: Article 14 of the constitution guarantees that all people shall be equally protected by the laws of the country.

Social equality and equal access to public areas: Article 15 of the constitution

Equality in matters of public employment: Article 16 of the constitution

Abolition of untouchability: Article 17 of the constitution

Abolition of Titles: Article 18 of the constitution

2) Rights to freedom

The right to freedom in Article 19 guarantees the following six freedoms:

- Freedom of speech and expression
- Freedom to assemble peacefully without arms
- The Freedom to form associations or unions or co-operative societies
- Freedom to move freely throughout the territory of India
- Freedom to reside and settle in any part of the territory of India
- Freedom to practice any profession
- Protection in respect of conviction for offences – Article 20
- Protection of life and personal liberty –Article 21
- Rights elementary education – Article 21A

Protection against arrest and detention in certain case – Article 22

3) Rights against exploitation

Prohibition of traffic in human beings and forced labour – Article 23

Prohibition of employment of children in factories- Article 24

4) **Rights to freedom of Religion**

Freedom of conscience and free profession, practice and propagation of religion – Article 25

Freedom to manage religious affairs – Article 26

Freedom from payment of taxes for promotion of any religion – Article 27

Freedom from religious instruction or worship in certain educational institute – Article 28

5) **Cultural and educational rights**

Protection of language, script and culture of minorities – Article 29

Rights to minorities to established and administer educational institution – Article 30

6) **Rights to Constitutional remedies**

Dr. B. R. Ambedkar rightly declared Right to constitutional remedies as "the heart and soul" of Indian constitution. When a national or state emergency is declared, this right is suspended by the central government.

Right to constitutional remedies [Article 32 to 35] empowers the citizens to move a [court](#) of law in case of any denial of the fundamental rights.

This procedure of asking the courts to preserve or safeguard the citizens' fundamental rights can be done in various ways. The courts can issue various kinds of *writs*. These writs are [habeas corpus](#), [mandamus](#), [prohibition](#), [quo warranto](#) and [certiorari](#).

Types of Writs

There are five types of Writs - *Habeas Corpus*, *Mandamus*, *Prohibition*, *Certiorari* and *Quo warranto*.

1. Habeas Corpus

"Habeas Corpus" is a Latin term which literally means "**you may have the body.**" The writ is issued to produce a person who has been detained , whether in prison or in private custody, before a court and to release him if such detention is found illegal.

2. Mandamus

Mandamus is a Latin word, which means "**We Command**". Mandamus is an order from the Supreme Court or High Court to a lower court or tribunal or public authority to perform a public

or statutory duty. This writ of command is issued by the Supreme Court or High court when any government, court, corporation or any public authority has to do a public duty but fails to do so.

3. Certiorari

Literally, Certiorari means **to be certified**. The writ of certiorari can be issued by the Supreme Court or any High Court for quashing the order already passed by an inferior court, tribunal or quasi judicial authority.

There are several conditions necessary for the issue of writ of certiorari .

1. There should be court, tribunal or an officer having legal authority to determine the question with a duty to act judicially.
2. Such a court, tribunal or officer must have passed an order acting without jurisdiction or in excess of the judicial authority vested by law in such court, tribunal or officer.
3. The order could also be against the principles of natural justice or the order could contain an error of judgment in appreciating the facts of the case.

4. Prohibition

The Writ of prohibition means to forbid or to stop and it is popularly known as '**Stay Order**'. This writ is issued when a lower court or a body tries to transgress the limits or powers vested in it. The writ of prohibition is issued by any High Court or the Supreme Court to any inferior court, or quasi judicial body prohibiting the latter from continuing the proceedings in a particular case, where it has no jurisdiction to try. After the issue of this writ, proceedings in the lower court etc. come to a stop.

Difference between Prohibition and Certiorari:

1. While the writ of prohibition is available during the pendency of proceedings, the writ of certiorari can be resorted to only after the order or decision has been announced.
2. Both the writs are issued against legal bodies.

5. The Writ of Quo-Warranto

The word Quo-Warranto literally means "**by what warrants?**" or "what is your authority"? It is a writ issued with a view to restrain a person from holding a public office to which he is not entitled. The writ requires the concerned person to explain to the Court by what authority he holds the office. If a person has usurped a public office, the Court may direct him not to carry out any activities in the office or may announce the office to be vacant. Thus High Court may issue a writ of quo-warranto if a person holds an office beyond his retirement age.

Conditions for issue of Quo-Warranto

1. The office must be public and it must be created by a statute or by the constitution itself.

2. The office must be a substantive one and not merely the function or employment of a servant at the will and during the pleasure of another.
3. There must have been a contravention of the constitution or a statute or statutory instrument, in appointing such person to that office.

Outcomes of Democracy

Accountable, responsive and legitimate government

The most basic outcome of democracy is that it produces a government that is accountable to the citizens, and responsive to the needs and expectations of the citizens.

Democratic government can apparently be less efficient than a non-democratic government. This happens because a non-democratic government does not need to arrive at consensus among a diverse set of people. Democracy functions on the basis of deliberation and negotiation and hence decisions are often delayed. But this does not mean that a democratic government is less efficient.

A non-democratic government may be able to take decisions in non time. But one needs to assess if those decisions are acceptable to the masses or are they really solving people's problems.

A democratic government is more transparent than a non-democratic government. A citizen has the right to know the processes which were followed while taking a decision in a democratic government. Thus, a democratic government is more accountable and responsive to its citizens.

A democratic government is legitimate government because it is elected by the people. This is the reason that democratic governments are thriving in most of the countries.

Economic growth and development:

Data for the fifty years between 1950 and 2000 suggests that dictatorships have slightly higher economic growth. In most of the democracies, the economic growth is somewhat slower. But there are many democratic countries which are among the economic superpowers of the world. This shows that economic growth does not depend on the form of government only. Other factors also decide the trend of economic growth; like population size, global situation, cooperation from other countries, economic priorities of the country, etc.

When we look at several other positive outcomes; along with a reasonable economic growth; then democracy is always better than dictatorship.

Reduction of inequality and poverty:

Economic inequality has been increasing all over the world. In India, a larger portion of the population is poor and the number of rich people is less. Moreover, there is a large difference in the income of rich and the poor. In most of the countries, democracy has failed in reducing economic inequalities.

Accommodation of social diversity:

Every society is full of diversities and conflicts are bound to happen among various sections. It is impossible to fully rule out the possibility of conflicts. But democracy normally develops a procedure by which there can be a healthy competition among different sections of the society. People can learn to respect the differences and learn to resolve conflicts in an amicable manner. In most of the democratic countries, social diversity is accommodated peacefully. There can be some examples where social diversity is still a big problem; like in case of Sri Lanka.

Dignity and freedom of the citizens:

Democracy has succeeded in ensuring the dignity and freedom of its citizens. Let us take example of India. There are many social groups which had faced a long history of oppression. Due to democratic process, a sizeable portion of these people have been able to move up the social ladder and are in a position to assert themselves.

Equality of Women

Because of democracy, women could be able to wage a struggle for staking their claim to equality. In most of the democratic countries, women have succeeded in getting equal status in the society. This is not the case in most of the autocracies.

Caste Inequalities

Caste based inequalities had been quite predominant in India. But thanks to the democratic process, such cases have reduced to a bare minimum. People from all castes can be seen in every sphere of life.

CHALLENGES TO DEMOCRACY

1. The foundational challenge..

Different countries face different kinds of challenges. At least one fourth of the globe is still not under democratic government. The challenge for democracy in these parts of the world is very stark. These countries face the foundational challenge of making the transition to democracy and then instituting democratic government.

This involves bringing down the existing non-democratic regime, keeping military away from controlling government and establishing a sovereign and functional state.

For example, Nepal was under Monarchy till recent times. Now Nepal has changed to a democratic system. Certain mind sets and systems will take years to change as they have taken years to develop. Nepal is a very good example of foundational challenge of democracy.

2. Challenge of Expansion

Most of the established democracies face the challenge of expansion. This involves applying the basic principle of democratic government across all the regions, different social groups and various institutions. Ensuring greater power to local governments, extension of federal principle to all the units of the federation, inclusion of women and minority groups, etc., falls under this challenge.

This also means that less and less decisions should remain outside the arena of democratic control.

Most countries including India and other democracies like the US face this challenge. In India certain socio-economically backward groups have yet to get the political powers. Additionally, some north-eastern states have not yet fully integrated with the mainstream India.

3. Deepening of democracy

The third challenge of deepening of democracy is faced by every democracy in one form or another. This involves strengthening of the institutions and practices of democracy. This should happen in such a way that people can realise their expectations of democracy. But ordinary people have different expectations from democracy in different societies.

In the early nineties, when T N Sheshan became the Chief Election Commissioner, he brought about a revolutionary change of disciplining political parties. This in turn ensured fairer elections. This is an example of strengthening a particular political institution.

CONCLUSION..

From above descriptions it is clear that different countries face different kinds of challenges to democracy. These challenges depend on what stage of social development the country is.

Solutions to these challenges also depend on a particular country's unique situation. It can be said that there is no pre-prescribed method to tackle the challenge faced by a democracy.

Unit II

Elections

Election Commission of India

Introduction

Elections enable every adult citizen of the country to participate in the process of government formation. You must have observed that elections are held in our country frequently. These include elections to elect members of the Lok Sabha, Rajya Sabha, State Legislative Assemblies (Vidhan Sabhas) Legislative Councils (Vidhan Parishad) and of, President and Vice-President of India.

If you have attained the age of 18, you must have voted in some of these elections. If not, you will have the opportunity to vote in the next round of elections.

These elections are held on the basis of universal adult franchise, which means all Indians of 18 years of age and above have the right to vote, irrespective of their caste, colour, religion, sex or place of birth.

Election is a complex exercise. It involves schedules rules and machinery. This lesson will give you a clear picture of the voting procedure, as also about filing of nominations, their scrutiny and the campaigns carried out by the parties and the candidates before actual polling. In this lesson you will read about the Election Commission, electoral system in India and also some suggestions for electoral reforms.

Election Commission of India

The Election Commission is permanent and an independent body established by the constitution of India directly to ensure free and fair elections in the country.

Article 324 of the constitution provides that the power of superintendence, direction and control of elections to parliament, state legislature, the office of president of India and the office of vice-president of India shall be vested in the election commissions an all-India body in the sense that it is common to both the central government and the state governments.

- The Election Commission of India is an Independent Constitutional Authority since 25th January, 1950.
- The Commission has its headquarters in New Delhi.
- Elections enable every adult citizen of the country to participate in the process of government formation.

- These include elections to elect members of the Lok Sabha, Rajya Sabha, State Legislative Assemblies (Vidhan Sabhas) Legislative Councils (Vidhan Parishad) and President and Vice-President of India.
- It must be noted here that the election commission is not concerned with elections to panchayats and municipalities in the states.
- For this, the constitution of India provides for a separate State Election commission.

Major types of elections in the country

- **Executive**
 - President and Vice-President (*indirectly elected i.e. through [electoral college of India](#)*)
- **Union Legislature ([Parliament of India](#))**
 - [Lok Sabha](#) ([Lower house](#)) (*directly elected*)
 - [Rajya Sabha](#) ([Upper house](#)) (*indirectly elected*)
- **State Legislature**
 - [State Assemblies](#) (Vidhan Sabha)(*directly elected*)
 - [Legislative Council](#) (Vidhan Parishad) (*indirectly elected*)

Composition of Election Commission India

Article 324 of constitution has made the following provision

1. The election commission shall consist of the chief election commissioner and such members of other election commissioner, if any, as the president may from time to time fix.
2. The appointment of chief election commissioner and other election commissioner shall be made by the President.
3. When any other election commissioner is appointed, the chief election commissioner shall act as the chairman of the election commission.
4. The president may also appoint after consultation with the election commission such regional commissioners as he may consider necessary to assist the election commission.
5. The conditions of service and tenure of office of the election commissioners and the regional commissioners shall be determined by the president.

About Election commission of India

- The Election Commission consists of the Chief Election Commissioner and such other Election Commissioners as may be decided by the President from time to time. Ever since the first Chief Election Commissioner was appointed in 1950, there was no other Election Commissioner till 1989. The Chief Election Commissioner was assisted by a larger number of officials.
- The Election Commission became a multi-member body on 16 October 1989 when the President appointed two more Election Commissioners. With lowering of the voting age from 21 years to 18 years. The senior of the two Election Commissioners is appointed as the Chief Election Commissioner.
- The chief election commissioner and the two other election commissioners have equal powers and receive equal salary, allowances and other perquisites which are similar to those of the judge of the supreme court.
- In case of difference of opinion amongst the chief Election commissioner and or two other election commissioners, the matter is decided by the commission by majority. They hold office for a term of six years or until they attain the age of 65 years., whichever is earlier. They can resign at any time or can also be removed before expiry of their term.

Independent Election commission of India.

- Article 324 of the constitution has made the following provisions to safeguard and ensure the independent and impartial functioning of the election commission
 1. The chief election commissioner is provided with security of tenure. He can not be removed from his office except in same manner and on the same grounds as a judge of the supreme court. In other words, he can be removed by the president on the basis of resolution passed to that effect by both houses of Parliament with special majority, either on the ground of proved misbehavior or incapacity. Thus, he does not hold his office till the pleasure of the president, though he is appointed by him.
 2. The service conditions of the chief election commissioner cannot be varied to his disadvantage after his appointment.
 3. Any other election commissioner or a regional commissioner cannot be removed from office except on the recommendation of the chief election commissioner.
 4. It is important that Chief Election Commissioner and other Election Commissioners should be free from all political interferences.

Powers of Election commission

The primary function of the Election Commission is to conduct free and fair elections in India. For this purpose, the Election Commission has the following functions:

1. Delimitation of Constituencies:-

To facilitate the process of elections, a country has to be divided into several constituencies.

Constituency It is territorial area from where a candidate contests elections

The task of delimiting constituencies is generally performed by the Delimitation Commission consisting of five serving or retired judges of the Supreme Court and the Chief Election Commissioner who is its ex-officio member. All secretarial assistance (at all levels, national, state, district) is provided to the Delimitation Commission by the Election Commission. The Delimitation Commission is constituted by the Government from time to time.

2. Preparation of Electoral Rolls

Each constituency has a comprehensive list of voters. It is known as the Electoral Roll, or the Voters' List. The Commission prepares the Electoral Roll for Parliament as well as Legislative Assembly elections. The Electoral Roll of every constituency contains the names of all the persons who have right to vote in that constituency. The electoral roll is also revised from time to time generally before every general election, by-election and mid-term election in the constituency.

General Election:- Election to constitute a new Lok Sabha or Assembly is called General Election.

By-Election :- If at any time there is a mid-term vacancy due to the death or resignation of a member either in Lok Sabha or Legislative Assembly only one seat falls vacant. The election for that seat is known as by-election.

Mid-term Election :- If the Lok Sabha or State Assembly is dissolved before completion of five years and the election is held to constitute new Lok Sabha or new State Assembly, etc. is called midterm election.

The revision is carried out from house to house by the enumerators appointed by Election Commission and all eligible voters are registered. A person can be registered as a voter if he/she fulfils the following conditions:

- 1. He/she is a citizen of India.
- 2. He/she is 18 years of age.
- 3. He/she is resident of the constituency.

3. Recognition of Political Parties

One of the important functions of the Election Commission is to recognise political parties as all India (National) or State (Regional) Political Parties.

If in a general election, a particular party gets four percent of the total valid votes polled in any four states it is recognised as an all India (National) Party. If a party gets four percent of the total valid votes in a state, it is recognized as a State or regional party.

The Indian National Congress, the Bharatiya Janata Party (BJP), the Communist Party of India (CPI), The Communist Party of India (Marxist) the Bahujan Samaj Party (BSP) and the Nationalist Congress Party are at present major recognised national parties.

4. Allotment of Symbol

Political Parties have symbols which are allotted by the Election Commission. For example, Hand is the symbol of the Indian National Congress, Lotus is the symbol of the Bharatiya Janata Party (BJP) and Elephant is the symbol of Bahujan Samaj Party.

These symbols are significant for the following reasons:

1. They are a help for the illiterate voters who cannot read the names of the candidates.
2. They help in differentiating between two candidates having the same name.

Functions of Election commission of India

1. To determine the territorial areas of the electoral constituencies throughout the country on the basis of the Delimitation act of Parliament.
2. To prepare and periodically revise electoral rolls and to register all eligible voters.
3. To notify the dates and schedules of elections and to scrutinize nomination papers.
4. To grant recognition to political parties and allot political symbol to them.
5. To act as a court for setting disputes related to granting recognition to political parties and allot political symbol to them.
6. To appoint officers for enquiring into disputes related to electoral arrangements.
7. To determine the code of conduct to be observed by the parties and candidates at the time of elections.
8. To prepare a roster for publicity of the policies of the political parties on radio and TV at the time of elections.

9. To advise the President on matters relating to the disqualifications of the members of the parliament.
10. To advise the Governor on matters relating to the disqualifications of the members of the State legislature.
11. To cancel poll in the event of rigging, booth capturing, violence and other irregularities.
12. To request the president or the governor for the requisitioning the staff necessary for conducting election.
13. To supervise the machinery of elections throughout the country to ensure free and fair elections.
14. To advise the President whether elections can be held in a state under president's rule in order to extend the period of emergency after one year.
15. To register political parties for the purpose of elections and grant them the status of national or state parties on the basis of their poll performance.

Electoral system

Articles 324 to 329 in part XV of constitution make the following provisions with regard to the electoral system in our country:

1. The constitution provides for an independent Election commission in order to ensure free and fair elections in the country. The power of superintendence, direction and conduct of elections to the parliament, the state legislature, the office of the president and the office of vice president is vested in the commission. At present the commission consists of a chief election commissioner and two election commissioners.
2. There is to be only one general electoral roll for every territorial constituency for election to the parliament and the state legislatures. Thus, the constitution has abolished the system of communal representation and separate electorates which led to the partition of the country.
3. No person is to be ineligible for inclusion in the electoral roll on grounds only of religion, race, caste, sex or any of them. Further no person can claim to be included in any special electoral roll for any constituency on grounds only of religion, race, caste or sex or any of them. Thus constitution has accorded equality to every citizen in the matter of electoral franchise.
4. The elections to the Lok Sabha and the state assemblies are to be on the basis of adult franchise. Thus, every person who is a citizen of India and who is 18 years of age, is entitled to vote at the election provided he is not disqualified under the provisions of the

constitution or any law made by the appropriate legislature (Parliament or state legislature) on the ground of non residence, unsound mind, crime or corrupt or illegal practice.

5. Parliament may make provision with respect to all matters relating to elections to the parliament and the state legislatures including the preparation of electoral rolls, the delimitations of constituencies and all other matters necessary for securing their due constitution.
6. The state legislatures can also make provision with respect to all matters relating to elections to the state legislatures including the preparation of electoral rolls and all other matters necessary for securing their due constitution. But, they can make provision for only supplement the parliamentary law and cannot override it.
7. The constitution declares that the validity of any law relating to the delimitation or the allotment of the seats to such constituencies cannot be questioned in any court. Consequently, the orders issued by the Delimitation Commission become final and cannot be challenged in any court.
8. The constitution lays down that no election to the parliament or the state legislature is to be questioned except by an election petition presented to such authority and in such manner as provided by the appropriate legislature. Since 1966, the election petitions are triable by high court alone, but, the appellate jurisdiction lies with the supreme court alone.

Election machinery in the state

For conducting election in free and faire voting environment there are requires many officers and supporting staff. In which Magistrate, Poloce officers, Teachers etc. are involved

- **Chief Electoral officer (CEO)** - he authorized to supervise the election work in the state/Union Territory subject to the overall superintendence, direction and control of the Election Commission.

ECI nominates or designates an officer of the Government of the state/union territory as the CEO in consultation with the state Government/Union territory Administration.

- **District Election officer (DEO)** Subject to superintendence, direction and control of the CEO, the DEO supervises the election work of the district. The ECI nominates or designates an officer of the state Government as the DEO in consultation with the state government.

- **Returning Officer (RO)** The Returning officer of a parliamentary or assembly constituency is responsible for the conduct of elections in the Parliamentary or assembly constituency concerned.

Receives nomination paper then scrutinized it. Then display the final list of eligible candidates. Then according to guidelines of ECI, allot symbols to candidates. Under supervision of Returning officer voting and counting is done then allowances the result. Election commission allot one or more returning officer for support of Returning officer.

- **Electoral registration officer (ERO)**

He is responsible for the preparation of electoral rolls for a parliamentary/ assembly elections. The ECI in consultation with the state/ Union territory government, appoints an officer of the government or the local authorities as the ERO. In addition, the ECI also appoint one or more Assistant ERO in the performance of his functions in the matter of preparation or revision of electoral rolls.

- **Presiding officer**

The presiding officer with the assistance of polling officers conducts the poll at a polling station. The District Election Officer appoints the Presiding Officers and the polling officer. In case of Union Territories, such appointments are made by the Returning Officer.

- **Polling Officer**

For help of every Presiding officer, District Election Officer appoint three to four Polling officer. Polling officer check names of voter in electoral rolls, mark on finger with help of ink, supervise voting procedure is done in confidential manner.

- **Observers**

The ECI nominates officers of Government as Observers for parliamentary and Assembly Constituencies.

1. General observers
2. Expenditure observers
3. Police observers
4. Awareness observers
5. Micro observers
6. Assistant Expenditure observers

Election procedure

Time of election

Elections for Lok sabha and every state Legislative Assembly have to take place every five years, unless called earlier.

The president can dissolve Lok Sabha and call general elections before five years is up, if the government can no longer command the confidence of the Lok Sabha and if there is no alternative government available to take over.

The constitution states that there can be no longer than six months between the last session of the dissolved Lok Sabha and recalling of the new House, so elections have to be concluded before then.

The commission normally announces the schedule of elections in a major press conference a few weeks before the formal process is set in motion.

The mode of conduct for guidance of candidates and political parties comes immediately into effect after such announcement.

Electoral Process:-

1. Notification for Election
2. Filing of Nomination
3. Security Deposit
4. Scrutiny and Withdrawal
5. Election Campaign
6. Model Code of Conduct
7. Scrutinisation of Expenses
8. Polling, Counting and Declaration of Result
9. Electronic Voting Machines (EVMs)

Notification for election

The process of election officially begins when on the recommendation of Election Commission, the President in case of Lok Sabha and the Governor in case of State Assembly issue a notification for the election. Seven days are given to candidates to file nomination. The seventh day is the last date after the issue of notification excluding

Sunday. Scrutiny of nomination papers is done on the day normally after the last date of filing nominations. The candidate can withdraw his/her nomination on the second day after the scrutiny of papers. Election is held not earlier than twentieth day after the withdrawal.

Filing nomination

A person who intends to contest an election is required to file the nomination paper in a prescribed form indicating his name, age, postal address and serial number in the electoral rolls. The candidate is required to be duly proposed and seconded by at least two voters registered in the concerned constituency. Every candidate has to take an oath or make affirmation. These papers are then submitted to the Returning Officer designated by the Election Commission.

Security deposit

Every candidate has to make a security deposit at the time of filing nomination. For Lok Sabha every candidate has to make a security deposit of Rs.25,000/- and for State Assembly Rs. 12,500. But candidates belonging to Scheduled Castes and Scheduled Tribes are required to deposit Rs. 10,000/- for if contesting the Lok Sabha elections and Rs. 5000/- for contesting Vidhan Sabha elections. The security deposit is forfeited if the candidate fails to get at least 1/6 of the total valid votes polled.

Scrutiny and withdrawal

All nomination papers received by the Returning Officer are scrutinised on the day fixed by the Election Commission. This is done to ensure that all papers are filled according to the procedure laid down and accompanied by required security deposit.

The Returning Officer is empowered to reject a nomination paper on any one of the following ground:

- (i) If the candidate is less than 25 years of age.
- (ii) If he/she has not made security deposit.
- (iii) If he/she is holding any office of profit.
- (iv) If he/she is not listed as a voter anywhere in the country

The second day after the scrutiny of nomination papers is the last date for the withdrawal of the candidates. In case that day happens to be a holiday or Sunday, the day immediately after that is fixed as the last day for the withdrawal.

Election campaign

Campaigning is the process by which a candidate tries to persuade the voters to vote for him rather than others. During this period, the candidates try to travel through their constituency to influence as many voters as possible to vote in their favour.

In the recent times, the Election Commission has granted all the recognised National and Regional Parties, free access to the State-owned electronic media, the All India Radio (AIR) and the Doordarshan to do their campaigning.

The total free time is fixed by the Election Commission which is allotted to all the political parties. Campaigning stops 48 hours before the day of polling.

A number of campaign techniques are involved in the election process. Some of these are: i. Holding of public meetings ii. Distribution of handbills, highlighting the main issues of their election manifesto (election manifesto is a document issued by political party.) iii. Door to door appeal by influential people in the party. iv. Broadcasting and telecasting of speeches by various political leaders.

Model code of conduct

During the campaign period the political parties and the contesting candidates are expected to abide by a model code of conduct evolved by the Election Commission of India on the basis of the consensus among political parties. It comes into force the moment schedule of election is announced by the Election Commission.

The code of conduct is as follows :

Political Parties and contesting candidates should not use religious places for election campaign.

Such speeches should not be delivered in a way to create hatred among different communities belonging to different religions, castes and languages, etc.

Official machinery should not be used for election work.

No new grants can be sanctioned; no new schemes or projects can be started once the election dates are announced.

One cannot misuse mass media for partisan coverage.

Scrutinisation of expenses

Though the Election Commission provides free access for a limited time to all the recognised National and State parties for their campaign, this does not mean that political

parties do not spend anything on their elections campaign. The political parties and the candidates contesting election spend large sum of amount on their election campaign.

However, the Election Commission has the power to scrutinise the election expenses to be incurred by the candidates.

There is a ceiling on expenses to be incurred in Parliamentary as well as State Assembly elections. Every candidate is required to file an account of his election expenses within 45 days of declaration of results.

In case of default or if the candidate has incurred (expenses) more than the prescribed limit, the Election Commission can take appropriate action and the candidate elected may be disqualified and his election may be countermanded.

Polling, counting and declaration of result

In order to conduct polling, large number of polling booths are set up in each constituency. Each booth is placed under the charge of a Presiding Officer with the Polling Officers to help the process. A voter casts his/her vote secretly in an enclosure, so that no other person comes to know of the choice he/she has made. It is known as secret ballot. After the polling is over, ballot boxes are sealed in the presence of agents of the candidates. Agents ensure that no voter is denied right to vote, provided the voter turns up comes within the prescribed time limit.

Electronic voting machines

The Election Commission has started using tamper proof electronic voting machines to ensure free and fair elections. Each machine has the names and symbols of the candidates Structure of Government in a constituency.

One Electronic Voting Machine (EVM) can accommodate maximum of 16 candidates. But if the number exceeds 16, then more than one EVM may be used. If the number of candidates is very large, ballot papers may be used.

The voter has to press the appropriate button to vote for the candidate of his/her choice. As soon as the button is pressed, the machine is automatically switched off. Then comes the turn of the next voter. The machine is easy to operate, and with this the use of ballot paper and ballot boxes is done away with. When the machine is used, the counting of votes becomes more convenient and faster.

The EVMs were used in all the seven Lok Sabha constituencies in Delhi in 1999, and later in all the State Assembly constituencies. In 2004 General Elections EVMs were used all over the country for Lok Sabha elections. The sealed ballot boxes or EVMs are shifted in tight security to the counting centre. Counting takes place under the supervision of the

Returning Officer and in the presence of candidates and their agents. If there is any doubt about the validity or otherwise of a vote, decision of the Returning Officer is final. As soon as counting is over, the candidate securing the maximum number of votes is declared elected (or returned) by the Returning Officer.

Re-poll

If at the time of polling, a booth is captured by some anti-social elements, the Election Commission may order holding of re-poll in either the entire constituency or particular booths.

Countermanding of elections

If a duly nominated candidate belonging to a recognised party dies at any time after the last date of nomination and before the commencement of polling, the Election Commission orders countermanding the elections.

This is not just postponement of polling. The entire election process, beginning from nominations is initiated afresh in the concerned constituency.

Bye- elections

If at any time there is a mid-term vacancy due to the death or resignation of a member either in Lok Sabha or Legislative Assembly only one seat falls vacant. The election for that seat is known as by-election.

SYSTEM OF ELECTION

Elections to the Lok Sabha and each Vidhan Sabha are carried out using a first-past-the-post electoral system. For each constituency, the electors can cast their vote for a single candidate (of their choice), the winner being the candidate who gets the most votes.

PARLIAMENT

The Parliament of the Union consists of

The President,

The Lok Sabha (House of the People) Lok Sabha is the lower house (First chamber or Popular house)

The Rajya Sabha (The Council of States). Rajya sabha is Upper house (Second chamber or House of Elders)

The president of India is not member of either House of Parliament and does not sit in the Parliament to attend its meetings, he is integral part of Parliament.

This is because a bill passed by both Houses of Parliament cannot become law without the President's assent.

He also performs certain functions relating to the proceedings of the Parliament, for example, he summons and prorogues both the Houses, dissolves the Lok Sabha, addresses both the Houses, issues ordinances when they are not in session and so on....

Concept of Parliament

The framers of Indian Constitutions relied on the British pattern rather than the American pattern.

In Britain, parliament consists of the crown (King or Queen), the House of Lords (Upper House) and House of Commons (Lower House).

By contrast,, the American president is not an integral part of the legislature.

In USA, the legislature which is known as Congress, consists of the senate (Upper House) and the House of Representatives (Lower house)

PRESIDENT AND VICE-PRESIDENT:-

The President is elected by the elected members of the Vidhan Sabhas, Lok Sabha, and Rajya Sabha and serves for a period of 5 years. A formula, linked to the population of state determines the value of vote for each elected member of Parliament- both of the Lok Sabha and the Rajya Sabha, is determined by a formula linked to the total value of votes of all the members of all the legislative assemblies. If no candidate receives a majority of votes there is a system by which losing candidates are eliminated from the contest and votes for them transferred to other candidates, until one gains a majority. The Vice-President is elected by a direct vote of all members elected and nominated, of the Lok Sabha and Rajya Sabha. A successful candidate for the office of the President or the Vice-President is eligible for re-election.

Rajya Sabha – the council of states

○ Composition of Rajya Sabha

The maximum strength of the Rajya Sabha is fixed at 250, out of which 238 seats are to be the representatives of the states and union territories (elected indirectly) and 12 are nominated by the president.

At present, the Rajya Sabha has 245 members. Of these, 229 members represent the states, 4 members represent the union territories and 12 members are nominated by the President.

1) Representation of states

The representatives of the states in the Rajya Sabha are elected by the elected members of state legislative assemblies.

The election is held accordance with the system of proportional representation by means of the single transferable vote.

The seats are allotted to the states in the Rajya Sabha on the basis of population. Hence the number of representatives varies from state to state.

For example, Uttar Pradesh has 31 members while Tripura has 1 member only. Maharashtra has 19 seats.

In USA, all states are given equal representation in the Senate irrespective of Population. USA has 50 seats therefore the Senate has 100 members- 2 from each state.

2)Representation of Union Territories

The representatives of each Union Territory in the Rajya Sabha are indirectly elected by the members of an electoral college specially constituted for the purpose.

This election also held in accordance with the system of proportional representation by means of the single transferable vote.

Out of seven Union Territories only two have representatives in Rajya Sabha. Delhi have 3 seats and Puducherry has 1 seat in rajya Sabha. Other UT has very low population.

3)Nominated Members

The president nominates 12 members to the Rajya Sabha from people who have special knowledge or practical experience in art, literature, science and social service.

In USA, there are no any nominated members in the Senate.

Lok Sabha - House of the People

○ Composition of Lok Sabha

The maximum strength of Lok Sabha is fixed at 552. out of this, 530 members are to be the representatives of the states, 20 members are to be the representatives of the union territories and 2 members are to be nominated by the President from the Anglo- Indian Community.

At present, the Lok Sabha has 545 members. Of these, 530 members represents the states, 13 members represent the union territories and 2 Anglo- Indian members are nominated by the President.

Representation of the states

The representatives of the states in the Lok Sabha are directly elected by the people from the territorial constituencies in the states.

The election is based on the principle of universal adult franchise.

Every Indian citizen who is above 18 years of age and who is not disqualified under the provisions of the constitution or any law is eligible to vote at such election.

The voting age was reduced from 21 to 18 years by the 61st constitutional Amendment Act 1988

Representation of Union territories

The constitution has empowered the Parliament to prescribed the manner of choosing the representatives of the Union Territories in the Lok Sabha.

Accordingly, the Parliament has enacted the Union Territories Act 1965, by which the members of Lok Sabha from union Territories are also chosen by direct election.

Nominated members

The president can nominate two members from Anglo-Indian community is not adequately represented in the Lok Sabha.

Systems of elections to lok sabha

The various aspects related to the system of elections to the Lok Sabha are as follows:

1) Territorial constituencies

For the purpose of holding direct elections to the Lok Sabha, each state is divided into territorial constituencies. In this respect, the constitution makes the following two provisions :

1. Each state is allotted a number of seats in the Lok Sabha in such manner that the ratio between that number and its population is the same for all states. This provision does not apply to a state having a population of less than six millions.
2. Each state is divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the numbers of seats allotted to it is the same throughout the state.

According to this Maharashtra state get 48 seat in which every constituency has equal number of population.

2) Readjustment after each census

After every census, a readjustment is to be made in Allocation of seats in the Lok Sabha to the states and Division of each states into territorial constituencies.

The 87th Amendment Act of 2003 provided for the delimitation of constituencies on the basis of 2001 census and not 1991 census. However, this can be done without altering the number of seats allotted to each state in the Lok Sabha.

3) Reservation seats for SCs and STs

Through the constitution has abandoned the system of communal representation, it provides for the reservation of seats for scheduled caste and scheduled tribes in the Lok Sabha on the basis of population ratios.

In Lok Sabha, 84 seats out of 543 seats are allotted to Scheduled castes. Uttar Pradesh allotted highest seats i.e. 17 out of 80. Maharashtra allotted 5 seats out of 48 seats. Amravati, Ramtek, Shirdi, Latur, Solapur

In Lok Sabha, 47 seats out of 543 seats are allotted to scheduled tribes. In which M.P. gets 6 out of 29 seats. Maharashtra get 4 out of 48 seats. Nandurbar, Gadchiroli, Dindori, Palghar.

Duration of Two Houses

Duration of Rajya Sabha

The Rajya Sabha (First constituted in 1952) is a continuing chamber, that is, it is a permanent body and not subjected to dissolution. However one-third of its members retired every second year. Their seats are filled up by fresh elections and presidential nominations at the beginning of every third year. The retiring members are eligible for re-election and renomination any number of times.

The term of office of a member of Rajya Sabha shall Six years.

Duration of Lok Sabha

Unlike the Rajya Sabha, the Lok Sabha is not continuing chamber. Its normal term is five years from the date of its first meeting after general elections, after which it automatically dissolved. However the president is authorised to dissolve the Lok Sabha at any time even before completion of five years and this is can not be challenged in a court of law. Further, the term of Lok Sabha can be extended during the period of national emergency.

Qualifications for Members of Parliament

1. He must be a citizen of India.
2. He must make and subscribe to an oath or affirmation before the person authorised by the election commission for this purpose. In this oath or affirmation, he swears

a) to bear true faith and allegiance to the constitution of India.

b) To uphold the sovereignty and integrity of India.

3. He must be not less than 30 years of age in the case of Rajya Sabha and not less than 25 years of age in the case of Lok Sabha.

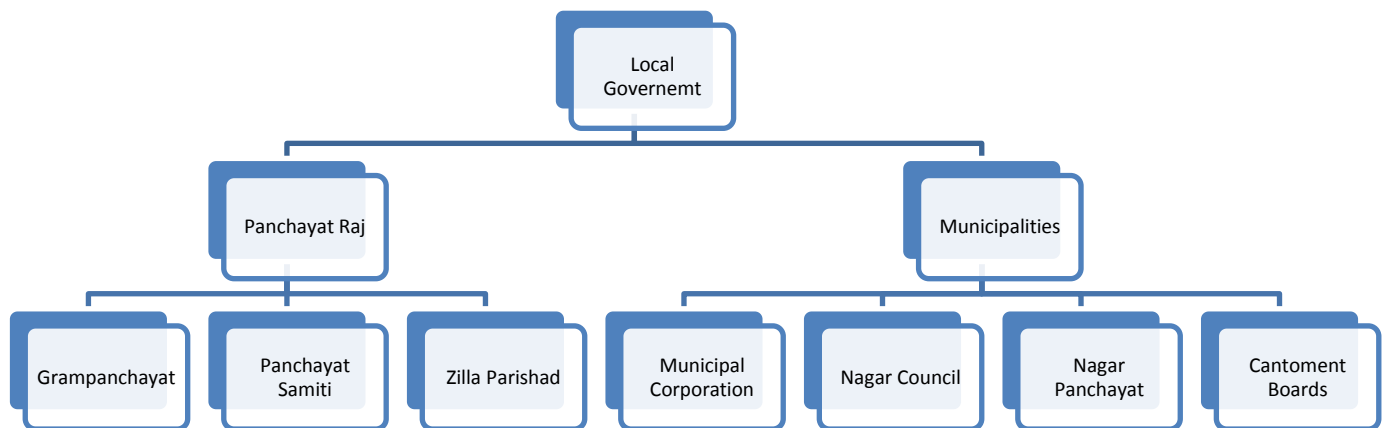
4. He must possess other qualifications prescribed by parliament.

Parliament has laid down the following additional qualifications in representation of people act (1951)

1. He must be registered as an elector for a parliamentary constituency.

2. He must be a member of a scheduled caste or scheduled tribe in any state or union territory, if he wants to contest a seat reserved for them. However, a member of SC or ST can also contest a seat not reserved for them.

Local self Government



○ In India, there are two major types of local self government,

1. Panchayat Raj

According to 73rd amendment in constitution at different level rural government commonly known as “Panchayat”. Panchayat concern with development of rural area.

2. Municipalities

According to 74th amendment in constitution at different level urban government commonly known as “Municipalities”. Municipalities concern with development of urban area.

Municipalities

Urban local government in Maharashtra State

There are different types of urban local bodies in Maharashtra

1. Municipal Corporations
2. Municipality
3. Nagar panchayat
4. Cantonment boards
5. Industrial township authority

Urban local government established according to the

Mumbai municipality act 1888, Mumbai regional Municipal Corporation act 1949

Nagpur urban palika act 1948, Maharashtra nagar parishada, nagar panchayat and industrial township act 1965

A. Municipal Corporations

Municipal corporations are created for the administration of big cities like Delhi, Mumbai, Kokatta, Hyderabad, Bengalore and others

In Maharashtra, there are 26 municipal corporation.

In Asia Cantonment, Pimpri-chichwad Municipal corporation is wealthy municipal corporation.

Parliament may establish of Municipal corporation in Union Territories.

In India, Mumbai and Delhi municipal corporation has **pra. Status**.

This municipal corporation has international market.

- The system of urban government was constitutionalised through the 74th constitutional Amendment Act of 1992.
- At the central level, the subject of ‘Urban Local Government’ is dealt with by the following three ministries:
 1. Ministry of Urban development, created as a separate ministry in 1985.
 2. Ministry of defence in case of cantonment boards.
 3. Ministry of Home affairs in case of Union territories.

Historic prospective for municipal corporations

The institutions of urban local government originated and developed in modern India during the period of British rule.

1. In 1687-88, the first municipal corporation in India was set up at Madras.
2. In 1726, the municipal corporations were set up in Bombay and Calcutta.
3. Lord Ripon’s Resolution of 1882 has been hailed as the ‘Magna Carta’ of Local Self government. He called as the father of local self government in India.

Number of members and population

status	Population	Members
A	12 to 15 lacks	115 to 145
B	6 to 12 lacks	85 to 115
C	3 to 6 lacks	65 to 85

If population exceeded to 24 lacks maximum member will be 221.

Composition

A municipal corporation has three authorities

1. The council

2. The standing committees
3. The commissioner

The council- it is the deliberative and legislative wing of the corporation.

It consists of Councillors directly elected by the people, as well as few nominated persons having knowledge or experience of municipal administration. The council is headed by Mayor. He is assisted by a deputy Mayor. In Maharashtra, Mayor and Deputy Mayor has 2.5 year duration.

The standing committees – these are created to facilitate the working of councils, which is too large in size. They deal with public works, education, health, taxation, finance and so on. They take decisions in their field.

The municipal Commissioner – he is responsible for implementation of the decisions taken by the councils and its standing committees. He is an IAS officer.

Elections

1. State election Commission is responsible to conduct free and fair election.
2. State election commission appoints Collector as the representative of Election commission.
3. Territorial constituency is called as Ward.
4. Members of municipal corporation is called “Councillor” or Nagarsevak.
5. Election is conducted on the principle of Adult franchise and confidential voting procedure.
6. According to 74th amendment act election would be conducted in every five years.

Reservation- For women 50 percent (2011), OBC- 27 percent, For SCs and STs reservation according to population.

Duration – Municipal corporation and its members has five years duration.

Eligibility to contest election

1. He/she is resident of that city/town.
2. He/she has completed 21 years age.
3. After 12 September 2001, there should not be 3rd child.
4. He/she does not hold any government position.
5. He/she have to all taxes related to the municipality.

Financial Recourses

1. Different taxes such as House tax, Water tax, Entertainment tax, construction tax etc.
2. Municipal corporation can sell own land for financial support.
3. State government provides funds for development works.

Powers and duties Municipal Corporation

Compulsory Functions

1. Supply of for domestic, industrial and commercial purposes
2. Public health, sanitation, conservancy and solid waste management.
3. Roads and bridges
4. Vital statistics including registration of births and deaths.
5. Urban planning including town planning.
6. Slum improvement and upgradation.
7. Protection of environment.
8. Public amenities including street lighting, parking lots, bus stops.

Voluntary functions

1. Promotion of cultural, educational and aesthetic aspects.
2. Provision of urban amenities and facilities such as parks, gardens, playgrounds etc.

B. Municipality

Municipalities are established for the administration of town and smaller cities. In Maharashtra, there are 223 Municipalities.

In India, Mumbai was first Municipality (1793).

Parliament may establish of Municipal corporation in Union Territories. They are also known by various others name like municipal council, municipal committee, municipal board, city municipality and others.

Number of members and population

Status	Population	Members
A	1 to 5 lacks	38 to 65
B	40 thousands to 1 lacks	23 to 38
C	25 thousands to 40 thousands	17 to 23

For establishment of Municipality, there should be other than agriculture employment greater than 35 percent.

Composition

A municipal corporation has three authorities

1. The council
2. The standing committees
3. The chief executive officer

The council- it is the deliberative and legislative wing of the corporation. it consists of Councillors directly elected by the people, as well as few nominated persons having knowledge or experience of municipal administration.

The council is headed by president/chairman. He is assisted by a deputy president/chairman.

In Maharashtra, president/chairman and Deputy president/chairman has 2.5 year duration.

The standing committees – these are crated to facilitate the working of councils, which is too large in size. They deal with public works, education, health, taxation, finance and so on. They take decisions in their field.

Chief executive officer – he is responsible for day-to-day general administration of the municipality. He is appointed by state government.

Elections

1. State election Commission is responsible to conduct free and fair election.

2. State election commission appoint Collector as the representative of Election commission.
3. Territorial constituency is called as Ward.
4. Election is conducted on the principle of Adult franchise and confidential voting procedure.
5. According to 74th amendment act election would be conducted in every five years.

Reservation - For women 50 percent (2011), OBC- 27 percent, For SCs and STs reservation according to population.

Duration - Municipal corporation and its members have five years duration.

Eligibility to contest election

1. He/she is resident of that city/town.
2. He/she has completed 21 years age.
3. After 12 September 2001, there should not be 3rd child.
4. He/she does not hold any government position.
5. He/she has to pay all taxes related to the municipality.

Financial Recourses

1. Different taxes such as House tax, Water tax, Entertainment tax, construction tax etc.
2. State government provides funds for development works.

Powers and duties of Municipality

○ Compulsory Functions

1. Supply of water for domestic, industrial and commercial purposes
2. Public health, sanitation, conservancy and solid waste management.
3. Roads and bridges and its maintenance.
4. Vital statistics including registration of births and deaths.
5. Provision of market and control on it..
6. Primary education
7. Fire .

8. Give license to construction of building and collect tax

Voluntary functions

1. Secondary education
2. Provision of libraries and health services.
3. Provision of urban amenities and facilities such as parks, gardens, playgrounds etc.
4. Construction of theater for play.

C. Nagar Panchayat

Nagar panchayats are established for the administration of semi-urban and semi-rural area. According to provision of 74th amendment act of 1992, article 243 Q provision of establishment of Nagarpanchayat. In Maharashtra, there are 18 Nagar panchayats.

In Maharashtra, Dapoli was first Nagar Panchayat.

Criteria for establishment of Nagarpanchayat

1. Population more than 10,000 to less than 25,000.
2. Distance between village and municipal corporation should be less than 20 km.
3. In village, 50 % people is engaged with non agriculture occupation .

Number of members and population

Population	Members
10000 to 25000	9 to 20

Composition

A municipal corporation has three authorities

1. The council
2. CO

The council- it is the deliberative and legislative wing of the corporation. it consists of Councillors directly elected by the people, as well as few nominated persons having knowledge or experience of municipal administration.

The council is headed by president/chairman. He is assisted by a deputy president/chairman.

In Maharashtra, president/chairman and Deputy president/chairman has 2.5 year duration.

CO – he is responsible for day-to-day general administration of Nagar panchayat. He is appointed by state government.

Elections

1. State election Commission is responsible to conduct free and fair election.
2. State election commission appoint Collector as the representative of Election commission.
3. Territorial constituency is called as Ward.
4. Election is conduct on the principle of Adult franchise and confidential voting procedure.
5. According to 74th amendment act election would conduct in every five years.

Reservation - For women 50 percent (2011), OBC- 27 percent, For SCs and STs reservation according to population.

Duration - Nagar Panchayat and its members has five years duration.

Eligibility to contest election

1. He/she is resident of that city/town.
2. He/she has completed 21 years age.
3. After 12 September 2001, there should not be 3rd child.
4. He/she does not hold any government position.
5. He/she have to all taxes related to the municipality.

Financial Recourses

1. Different taxes such as House tax, Water tax, Entertainment tax, construction tax etc.
2. State government provides funds for development works.

Powers and duties of Naga Panchayat

Compulsory Functions

1. Supply of for domestic, industrial and commercial purposes
2. Public health, sanitation, conservancy and solid waste management.

3. Roads and bridges and its maintenance.
4. Vital statistics including registration of births and deaths.
5. Provision of market and control on it..
6. Primary education
7. Fire .
8. Give license to construction of building and collect tax

Voluntary functions

1. Provision of libraries and health services.
2. Provision of urban amenities and facilities such as parks, gardens, playgrounds etc.

D. Cantonment boards

Cantonment board is established for municipal administration for civilian population in the cantonment area. It is set up under the provisions of the cantonment act 2006 – a legislation enacted by the Central Government. It works under the administrative control of the defense ministry of the central government. At present 2016, there are 62 cantonment boards in India. In Maharashtra, there are 7 cantonment board. Dehu, Pune camp, Khadki, Devlali Nashik, Kamthi nagapur, Ahmednagar, Aurangabad.

Number of members and population

Category	Civil population
I	Above 50000
II	10,000 to 50,000
III	2500 to 10000
IV	Below 2500

Composition

A cantonment board consists of

- Partly elected members and

- Partly nominated members.

The elected members hold office for a term of five years while the nominated members continue so long as they hold in the station. The cantonment board is headed by president/chairman. He is assisted by a deputy president/chairman.

President – Defense officer

Deputy president- Elected representative

The **category I** cantonment board consists of the following members

1. A military officer commanding the station.
2. An executive engineer in the cantonment.
3. A health officer in the cantonment.
4. A first class magistrate nominated by the district magistrate.
5. Three military officers nominated by the officer commanding the station.
6. Eight members elected by the people of the cantonment area.
7. Chief executive officer of the cantonment board.

Elections

For the election of members of the Cantonment Board elections are held. Khadki being Category I Cantonment, the Khadki Cantonment Board has eight elected members. The relevant legal provisions contained in the Cantonments Act, 2006

Vacancies arising by efflux of time in the office of an elected member of a Board shall be filled by an ordinary election to be held on such date as the Central Government may, by notification in the Official Gazette, direct.

A casual vacancy shall be filled by a casual election the date of which shall be fixed by the Central Government by notification in the Official Gazette, and shall be, as soon as may be, after the occurrence of the vacancy.

Provided that no casual election shall be held to fill a vacancy occurring within six months of any date on which the vacancy will occur by efflux of time, but such vacancy shall be filled at the next ordinary election

Reservation- For women 50 percent (2011), OBC- 27 percent, For SCs and STs reservation according to population.

Duration- Cantonment board is continuing body and its elected members have five years duration.

A Vice-President may resign his office by notice in writing to the President and, on the resignation being accepted by the Board, the office shall become vacant

A Vice-President may be removed from his office, at a special meeting convened for the purpose on a requisition for the same by not less than one-half of the elected members of the Board holding office, by a resolution passed by a majority of not less than two-thirds of the total number of elected members then holding office and attending and no member, other than an elected member, shall have the right to vote on the resolution.

Eligibility to contest election

1. He/she is resident of that city/town.
2. Save as hereinafter provided, every person, not being a person holding any office of profit under the Government, whose name is entered on the electoral roll of a cantonment shall be qualified for election as a member of the Board in that cantonment.
3. No person shall be qualified for nomination as a member of a Board if he subject to any of the disqualifications specified in sub-section (2) of Section 28.
4. No person shall be qualified for being chosen whether by election or nomination as, and for being a member of a Board, if he -
 1. Has been dismissed from the service of the Government and is debarred from re-employment therein, or is a dismissed employee of a Board;
 2. Is debarred from practicing as a legal practitioner by order of any competent authority;
 3. Holds any place of profit in the gift or at the disposal of the Board, or is a police officer, or is the servant or employer of a member of the Board; or
 4. Is interested in a subsisting contract made with, or in work being done for, the Board except as a shareholder other than a director in an incorporated company; or
 5. Is an officer or employee, permanent or temporary, of a Board, or of any other local authority; or
 6. Is a member of any other local authority; or
 7. Has, by the authority referred to in clause (f) of Section 31, been found to have been guilty of any of the corrupt practices specified in sub-section (2) of section 30 unless a period of five years has elapsed since the date of the decision of the authority; or
 8. Fails to pay any arrears of any kind due by him otherwise than as an agent, receiver, trustee or an executor, to the Board within thirty days after the notice in this behalf has been served upon him; or
 9. Is disqualified under any other provision of this Act:

Provided that

1. Any lease or sale or purchase of immovable property or any agreement for the same or

2. Any agreement for the loan of money or any security for the payment of money only or
3. Any newspaper in which any advertisement relating to the affairs of the Board is inserted; or
4. The sale to the Board of any articles in which he regularly trades or the purchase from the Board of any articles, to a value in either case not exceeding twenty five thousand rupees in the aggregate in any year during the period of the contract or work.

Financial Recourses

1. Different taxes such as House tax, Water tax, Entertainment tax, construction tax etc.
2. State government provides funds for development works.

Powers and duties cantonment boards

Compulsory Functions

1. Supply of for domestic, industrial and commercial purposes
2. Public health, sanitation, conservancy and solid waste management.
3. Electrification
4. Roads and bridges and its maintenance.
5. Vital statistics including registration of births and deaths.
6. Provision of market and control on it..
7. Primary education
8. Fire .
9. Give license to construction of building and collect tax

Voluntary functions

1. Provision of libraries and health services.
2. Provision of urban amenities and facilities such as parks, gardens, playgrounds etc.

Rural local government

A. Grampanchayat

Composition

- For plane surface area, one grampanchayat for 600 population
- For Hilly region, one Grampanchayat for 300 population.
- At some time, there will be one grampanchayat with union of 2 or 3 villages, is called group Grampanchayat.
- Gramsevek is appointed as a secretary. He is an government officials.

Number of Members

Number of members of Grampanchayat is decided on the basis of Population. Collector has rights to decides the number of members

In Maharashtra, Grampanchayat, number of members vary from 7 to 17.

In India, number of member of Grampanchayat vary from 5 to 31.

Population	Members
600 to 1500	7
1501 to 3000	9
3001 to 4500	11
4501 to 6000	13
6001 to 7500	15
7501 to onward	17

Elections

1. State election Commission is responsible to conduct free and fair election.
2. State election commission appoints Collector as the representative of Election commission.
3. Tehshildar have rights of delimitation of constituencies.
4. From each ward atleast 2 and maximum 3 members will be elected.
5. Members of Gampanchayat is called “Panch”
6. Election is conduct on the principle of Adult franchise and confidential voting procedure.

Reservations

Collector is final authority to allocation of reservations.

For Women 50 percent seats are reserved. (110th Amemdment 2011), For OBC, 27 % seats are reserved, For SCs and STs reservation is on the basis of population.

Duration

Duration of Grampanchayt is 5 years. State Government has rights to readjust the duration of Grampanchayat.

Member of Grampanchayat have term of 5 years.

Zilla Parishad can demand to state government to dissolve the Grampanchayat.

Grampanchayat dissolved if more than half members give resignation.

After dissolved, there should be mandatory to take election before 6 months.

Resignation

Members and Upsarpanch to Sarpanch

Sarpanch to Sabhapati, Panchayat Samiti.

Financial resources

- Funds from centre government and state government.
- Grampanchayat take taxes such as watertax, Home tax,health tax, electricity tax , Market tax etc.

Powers and Duties of Grampanchayat

- Roads and bridges and its maintenance
- Health and sanitation including hospitals, primary health centre, dispensaries.
- Rural electrification including distribution of electricity.
- Minor irrigation, water management and water shed management.
- Drainage facility
- Rural housing.
- Khadi, village and cottage industries.
- Agriculture including agriculture extension.
- Collect House tax, water tax, health tax, electricity tax.
- Organise Gram Sabha
- Give numbers to the land at village level.
- Women and child development.
- Social welfare including PH, SCs,STs.

B.Panchayat Samiti

Maharashtra Jilla Parishad and panchayat samiti act 1961 according to article 56, provision of Panchayat samiti for a tahshil. Normally, a panchayat samiti consist of 75 to 175 villages. But in the case of 100 percent urbanization of tahshil, panchayat samiti is not formed in this case.

In Maharashtra, there are 358 tahshil but 351 panchayat samitis.

100 percent urban tahshil 1. Thane 2. ulhasnagar, 3. Pune, 4. Nagpur, 5. Borivali, 6. Kurla, 7. Andheri

Composition

Generally, one member is elected from 20,000 populations. The samiti is elected for five years and is headed by a chairman and deputy chairman elected by the members of the panchayat samiti. BDO (Block development officer) is the secretary and chief administrative of the panchayat samiti

Number of Members

Number of members of panchayat samiti is decided on the basis of Population.

Collector has rights to decides the number of members

In Maharashtra, Panchayat samiti, number of members vary from 12 to 25.

State legislature have authority to decide numbers of members for panchayat samiti.

Elections

1. State election Commission is responsible to conduct free and fair election.
2. Territorial constituency is called as “Gan”
3. Every 20,000 population elect one panchayat samiti member.
4. State election commission appoints Collector as the representative of Election commission.
5. In tehshil, no of members is double the no of zilla parishad member in that tehshil.
6. Election is conduct on the principle of Adult franchise and confidential voting procedure.

Reservations

- Collector is final authority to allocation of reservations.
- For Women 50 percent seats are reserved. (110th Amemdment 2011), For OBC, 27 % seats are reserved, For SCs and STs Reservation is on the basis of population.

Eligibility to contest election

1. He/she is citizen of India.
2. He/she has completed 21 years age.
3. He/she have the name in electoral roll in District electoral roll.
4. After 12 September 2001, there should not be 3rd child.
5. He/she does not hold any government position.
6. He/she have toilet at home.

Duration

Duration of Panchayat samiti is 5 years. State Government have rights to readjust the duration of Panchayat Samiti. Member of panchayat samiti have term of 5 years.

Panchayat samiti dissolved if more than half members gives resignation. After dissolved, there should be mandatory to take election before 6 months.

The duration of sabhapati is two and half years.

Resignation

Members and Upsabhapati to sabhapati

Sabhapati to President, Zilla parishad.

Financial resources

- Funds from centre government and state government.

Powers and Duties of Panchayat Samiti

- Prepare a draft of development work and submit to Zilla parishad, for the purpose of creating new development plan.
- Implements developments plan of Zilla parishad at Taluka level.
- Help to grampanchyat in its development planning.
- Minor irrigation, water management and water shed development.
- Observed and control the activity of Block Development officer.
- Animal husbandry, dairying and poultry.
- Every three months, submit report to the zilla parishad.

C.Zilla Parishad

- Maharashtra Jilla Parishad and panchayat samiti act 1961 according to article 6, provision of Zilla parishad for a district.
- From 1st May 1962, zilla parishad were working in Maharashtra.
- In Maharashtra, there are 36 district but 34 zilla parishad.
- In Maharashtra, there are no zilla parishad in Mumbai and Mumbai upnagar
- State legislature have authority to eshtablished zilla parishad.

Composition

- Generally, one member is elected from 40,000 population.
- The Zilla is elected for five years and is headed by a chairman and deputy chairman elected by the members of the zilla parishad.
- Sabhapati of panchayat samit is the member of zilla parishad but he does not have right to vote.
- Deputy CEO, is the secretary of the Zilla parishad.

Number of Members

- Number of members of zilla parishad is decided on the basis of Population.

- Collector has rights to decides the number of members
- In Maharashtra, Zilla Parishad, number of members vary from 50 to 75.
- State legislature have authority to decide numbers of members for Zilla Parishad.

Elections

1. State election Commission is responsible to conduct free and fair election.
2. Territorial constituency is called as “Gat”
3. Every 40,000 population elect one zilla parishad member.
4. State election commission appoints Collector as the representative of Election commission.
5. Election is conduct on the principle of Adult franchise and confidential voting procedure.

Reservations

Collector is final authority to allocation of reservations.

For Women 50 percent seats are reserved. (110th Amemdment 2011), For OBC, 27 % seats are reserved, For SCs and STs reservation is on the basis of population.

Eligibility to contest election

1. He/she is citizen of India.
2. He/she has completed 21 years age.
3. He/she have the name in electoral roll in District electoral roll.
4. After 12 September 2001, there should not be 3rd child.
5. He/she does not hold any government position.
6. He/she have toilet at home.

Duration

- Duration of Zilla Parishad is 5 years. State Government have rights to readjust the duration of Zilla Parishad.
- Member of Zilla Parishad have term of 5 years.
- Panchayat samiti dissolved if more than half members gives resignation.
- After dissolved, there should be mandatory to take election before 6 months.
- The duration of President is two and half years.

Resignation

Members and Deputy President to President

President to Regional commisioner.

Financial resources

- Zilla Parishad gets 75 percent Funds from state government for development work.
- Zilla parishad gets 70 percent funds from the revenue.
- State government give 70 percent amount from the land revenue.
- Taxes such as water tax, Entertainment tax, Yatra Tax, Market etc.

Powers and Duties of Zilla Parishad

- Agriculture including agriculture extension.
- Minor irrigation, water management and water shed development.
- Animal husbandry, dairying and poultry.
- Health and sanitation including hospital, primary health centers and dispensaries.
- Welfare of weaker sections
- Women and child development.
- Khadi, village and cottage industries.
- Small scale industries including food processing industries.
- Observation and control Panchayat samiti and Grampanchayat.
- Social welfare including welfare of the handicapped and mentally retarded.
- Education relating primary and secondary schools.
- Technical training and vocational education.
- Roads, bridges and other means of communication and its maintenance.

73rd constitutional amendment act of 1992

Evolution of Panchayat Raj

○ Balwant Rai Mehta Committee

In January 1957, the govt. of India appointed committee to examine the working of the Community Development Program(1952), 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 known as Panchayat Raj.

The special recommendation made by it are

1. Establishment of a three-tier panchayat raj system- gram panchayat at village level, panchayat samiti at block level, zilla parishad at disctrict level. These tiers should be organically linked through a device of indirect election.

2. The village panchayat should be constituted with directly elected representatives, whereas the panchayat samiti and zilla parishad should be constituted with indirectly elected members.
3. All planning and development activities should be entrusted to these bodies.
4. The panchayat samiti should be executive body while zilla parishad should be the advisory body, coordinating and supervisory body.
5. The district collector should be the chairman of the zilla parishad.
6. There should be a genuine transfer of power and responsibility to these democratic bodies.
7. Adequate resources should be transferred to these bodies to enable them to discharge their functions and fulfill their responsibilities.

These recommendations of the committee were accepted by the National Development Council in January 1958. The Council did not insist on a single rigid pattern and left it to the states to evolve their own pattern and left it to local conditions.

Rajasthan was the first state to establish panchayat Raj. The scheme was inaugurated by the prime minister on October 2, 1959, in Nagaur district.

Rajasthan followed by Andhra Pradesh, which also adopted the system in 1959. thereafter, most of the states adopted the system.

Though most of the states created Panchayat Raj institutions by mid 1960, there were differences from one state to another with regard to the number of tiers, relative position of samiti and parishad, their tenure, composition, functions, finances and so on.

For example, Rajasthan adopted three-tier system, while Tamil Nadu adopted the two-tier system. West Bengal, on the other hand, adopted the four-tier system.

Further in the Rajasthan-Andhra Pradesh pattern, panchayat samiti was powerful as the block was the unit of planning and development while Maharashtra-Gujarat pattern, zilla parishad was powerful.

Some states also established nyaya panchayats, that is, judicial panchayat to try petty civil and criminal cases.

Ashok Mehta Committee

In December 1977, the Janata Government appointed a committee on panchayat 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 panchayat raj system in the country.

The main recommendations were :

1. The three-tier system of panchayat raj should be replaced by the two-tier system, that is zilla parishad at 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. A district should be the first point for decentralisation under popular supervision below the state level.
3. Zilla parishad should be the executive body and made responsible for planning at the district level.
4. There should be an official participation of political parties at all level of panchayat election.
5. The Panchayat raj institutions should have compulsory powers of taxation to mobilise their own financial resources.
6. There should be a regular social audit by a district level agency and by a committee of legislators to check whether the funds allotted for the vulnerable social and economic groups are actually spent on them.
7. The state government should be supersede the panchayat raj institutions. In case of an imperative supersession, elections should be held within six months from the date of supersession.
8. The nyaya panchayats should be kept as separate bodies from that of development panchayats. They should be presided over by a qualified judge.
9. The chief electoral officer of a state in consultation with the chief election commissioner should organised and conduct the panchayat raj elections.
10. Development functions should be transferred to the zilla parishad and all development staff should work under its control and supervision.
11. The voluntary agencies should play an important role in mobilising the support of the panchayat raj institutions.
12. A minister for panchayat raj should be appointed in the state council of ministers to look after the affairs of the panchayat raj institutions.
13. Seats for SCs and STs should be reserved on the basis of their population.

14. A constitutional recognition should be accorded to the panchayat raj institutions. This would give them the requisite status (sanctity and stature) and an assurance of continuous functioning.

Due to collapse of the Janata Government before the completion of its term, no action could be taken on the recommendations of the Ashok Mehta Committee at the central level.

L M Singhvi Committee

- In 1986, Rajiv Gandhi government appointed a committee to prepare a concept paper on ‘ Revitalisation of Panchayat Raj Institutions for Democracy and Development’ under the chairmanship of L M Singhvi. It made following recommendations:

1. The Panchayat raj institutions should have constitutionally recognised, protected and preserved. For this purpose, a new chapter should be added in the constitution of India. It also suggested constitutional provisions to ensure regular, free and fair elections to the Panchayat Raj Bodies.
2. Nyaya Panchayats should be established for a cluster of villages.
3. The villages should be reorganised to make Gram Panchayats more viable. It also emphasised the importance of the Gram Sabha and called it as the embodiment of direct democracy.
4. The village panchayats should have more financial resources.
5. The judicial tribunals should be established in each state to adjudicate controversies about elections to the Panchayat raj institutions, their dissolution and other matters related to their functioning.

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.

This committee suggested for the strengthening of the Panchayat Raj System. It made the following recommendations :

1. The Panchayat raj bodies should be constitutionally recognized.
2. A three-tier system of Panchayat Raj with panchayats at village level, block and district level.
3. Zilla parishad should be the pivot of the panchayat raj system. It should act as the planning and development agency in the district.

4. The Panchayat Raj bodies should have a fixed tenure of five years.
5. The maximum period of super session of a body should be six months.
6. A planning and co-ordination committee should be set-up at the state level under the chairmanship of the minister planning. The president of Zilla Parishads should be its members.
7. A detailed list of subjects for Panchayat Raj should be prepared and incorporated in the constitution.
8. Reservation of seats in all the three-tiers should be on the basis of population. There should also be reservation for women.
9. A state finance commission should be set-up in each state. It would lay down the criteria and guidelines for the devolution of finances to the Panchayat Raj Institutions.
10. The district collector should be the chief executive officer of the Zilla Parishad.

Gadgil committee

- The committee on policy and programmes was constituted in 1988 by the congress party under the chairmanship of V.N. Gadgil. This committee was asked to consider the question of “how best panchayat raj institutions could be made effective.”
- In this context, the committee made following recommendations:
 1. A constitutional status should be bestowed on the Panchayat Raj institutions.
 2. A three tier system of Panchayat Raj with Panchayat at village level, block and district level.
 3. The term of Panchayat Raj institutions should be fixed at five years.
 4. The numbers of Panchayats at all three levels should be directly elected.
 5. Reservation for SCs, STs and women.
 6. The Panchayat Raj bodies should have the responsibility of preparation and implementation of plans for socio-economic development. For this purpose, a list of subjects should be specified in the constitution.
 7. The Panchayat Raj bodies should be empowered to levy, collect and appropriate taxes and duties.
 8. establishment of a state Finance commission for the allocation of finances to the panchayats.

9. Establishment of a State Election Commission for the conduction of elections to the panchayats.

The above recommendations of the Gadgil committee became the basis for drafting an amendment bill aimed at conferring the constitutional status and protection to the Panchayat Raj Institutions.

P B Patil state level committee

- Establishment - 18th June 1984
- Report Submitted - June 1986
- Total recommendations -18

Important recommendations:

1. Elect Sarpanch from the people either from the elected Gram Panchayat members.
2. Establish district planning commission and appoint a officer for it.
3. Give broad and more financial power to the Panchayat Raj bodies.
4. Give membership of District planning commission to Elected members of Panchayat Raj.
5. Reservation for SCs and STs according to population.
6. Reservation for the women at Zilla parishad – $\frac{1}{4}$ ^{seats} of total members.
7. The Mumbai Gram Panchayat Act, 1958 and the Maharashtra Panchayat Samiti and Zilla Parishad Act, 1961 collaboration.
8. MP and MLA must not be member of Zilla Parishad.
9. At state level, establish state development agency.
10. Differentiate grampachayat A,B,C,D on the basis of population.
11. For Panchayat Raj, there should be independent manpower system.

Constitutionalisation

- **Rajiv Gandhi Government-** the Rajiv Gandhi Government introduced the 64th constitutional Amendment Bill in the Lok Sabha in July 1989 to constitutionalise Panchayat Raj Institutions and make them more powerful and broad based. Although, the Lok Sabha passed the bill in August 1989, it was not approved by Rajya Sabha.
- **V P Singh Government** – The National Front Government, soon after assuming office in November 1989 under the Prime Ministership of V P Singh, announced that It would take steps to strengthen the panchayat raj institutions. But due to fall of the government resulted in the lapse of the bill.

- **Narsimha Rao Government** – the congress government under the prime ministership of P V Narasimha Rao once again considered the matter of the constitutionalisation of the panchayat raj bodies. It drastically modified proposals in this regard to delete controversial aspect and introduced a constitutional amendment bill in the Lok Sabha in September 1991.

This bill is finally emerged as the 73rd Constitutional Amendment Act 1992

22 december 1992 – passed bill in Lok sabha

23 December 1992 passed bill in Rajya Sabha

20 April 1993, signature of The President and came into force on 24th April, 1993.

Up to 24 April 1994, there should be compulsory to implement all states in India.

24 April celebrate as the PanchayatRaj Day in all over India.

73rd Amendment Act of 1992

Significance of the act

The act has added a new Part-IX the constitution of India.

This part is entitled as ‘the panchchayats’ and consists of provisions from Articles 243 to 243 O.

In addition, the act has also added a new Eleventh schedule to the constitution.

The act gives practical shape to Article 40 of the constitution which says that “the state shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.” this article forms a part of the Directive Principles of the State policy.

This act gives a constitutional status to the Panchayat Raj institutions. It has brought them under the purview of the justiciable part of the constitutions. In other words, the state governments are under constitutional obligation to adopt the new panchayat raj system in accordance with the provision of the act.

The provisions of act can be grouped into two categories-

A. Compulsory provisions

B. Voluntary provisions

A. Compulsory Provisions

1. Organisation of Gram Sabha in a village or group of villages.
2. Establishment of panchayats at the village, intermediate and district level.

3. Direct elections to all seats in panchayats at the village, intermediate and district level.
4. Indirect elections to the post of chairperson of panchayats at the intermediate and district level.
5. 21 years to be the minimum age of contesting elections to the panchayats.
6. Reservations of the seats (both members and chairperson) for SCs and STs in panchayats at all three level.
7. Reservation of one-third seats (both members and chairpersons) for women in panchayats at all the three levels.
8. Five year tenure of five years for panchayats at all levels and holding fresh elections within six months in the event of supersession of any panchayat.
9. Establishment of State Election Commission for conducting elections to the panchayats.
10. Constitution of the State Finance Commission after every five years to review the financial position of the panchayat.

B. Voluntary Provision

1. Giving representation to the members of the Parliament (both the houses) and the state legislature (both the Houses) in the panchayats at different levels falling within their constituencies.
2. Providing reservation of seats (both members and chairpersons) for the backward classes in the panchayats at any levels.
3. Granting powers and authority to the panchayats to enable them to function as institutions of self-government (in brief, make them autonomous body)
4. Devolution of powers and responsibilities upon panchayats to prepare plans for economic development and social justice; and to perform some or all of the 29 functions listed in 11th schedule.
5. Granting financial powers to the panchayats, that is, authorising them levy, collect and appropriate taxes, duties, tolls and fees.

Salient features of 73rd amendment act of 1992

1. Provides constitutional status to panchayat raj institutions. (Article 243)
2. **Gram Sabha (243 A)** – The act provides for a Gram Sabha as the foundation of the panchayat 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 registered voters in the area of a panchayat.

3. **Three tier structure (243 B)** – the act provides for a three –tier system of panchayat raj in every state, that is, panchayat at village level, intermediate and district level.

4. Election of members and chairpersons (243 C): all the members of panchayats at the village level shall be elected directly by the people. Further the chairperson of panchayats at the intermediate level and district levels shall be elected indirectly-by and from amongst the elected members thereof. However, the chairperson of the panchayat at village level shall be elected in such manner as the state legislature determines.

5. Reservations of the seats (243 D) – the act provides for the reservations seats for the SCs and STs in every panchayat i.e. at all three levels in proportion of their population to the total population to the total population in the panchayat area. For women 33% and for OBC 27%

6. Duration of Panchayats (243E) – the act provides for a five-year term of the office to the panchayat at every level.

7. Disqualifications (243F)- A person shall be disqualified for being chosen as or for being a member of panchayat if he is so disqualified

a) Under any law for the time being force for the purpose of elections to the legislature of the state concern.

b) Under any law made by the state legislature.

8. Powers and functions (243G) – the state legislature may endow the panchayats with such powers and authority as may be enable necessary to enable them to function as institutions of self-government. Such a scheme may contain provisions for the devolution of powers and responsibilities upon panchayats at the appropriate level 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.

9. Finances (243H) – the state legislature may

a) Authorise a panchayat to levy, collect and appropriate taxes, duties, tolls and fees.

b) Assign to a panchayat taxes, duties, tolls and fees levied and collected by the state government.

c) Provide for making grants-in-aid to panchayats from the consolidated fund of the state.

d) Provide for constitution of funds for crediting all moneys of the panchayats.

10. Finance commission (243 I) – the governor of a state shall, after five years, constitute a finance commission to review the financial positions of the panchayats.

11. **Audit of Account (243 J)** – the state legislature may make provisions with respect to the maintenance of accounts by the panchayats and the auditing of such account.

12. **State Election Commission (243K)** - the superintendence, direction and control of the preparation of electoral rolls and conduct all elections to the panchayats .

13. Application to Union Territories (243 J) – the President of India may direct that provisions of this act shall apply to any territory subject to such exceptions and modifications as he may specify.

14. **Exempted states and areas (243M)** – the act does not apply to the states of Jammu and Kashmir, Nagaland, Meghalaya and Mizoram and certain other areas.

These areas include

- a) The scheduled areas and the tribal areas in the states.
- b) The hill area of Manipur for which District council exists.
- c) Darjeeling district of West Bengal for which Darjeeling Gorkha Hill Council exists.

15. **Continuance of Existing Laws and Panchayats (243N)**- all the state laws relating to panchayats shall continue to be in force until the expiry of one year from the commencement of this act.

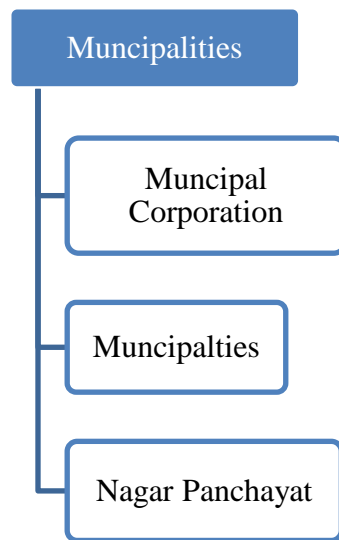
16. **Bar to Interference by courts in electoral matters (243O)** – the act bars the interference by courts in the electoral matters of panchayats. It declares that the validity of any law relating to the delimitation of constituencies cannot be questioned in any court. It further lays down that no election to any panchayat is to be questioned except by an election petition presented to such authority and in such manner as provided by the state legislature.

Eleventh Schedule

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, dairying and poultry.
5. Fisheries.
6. Social forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
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.
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. Markets 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 the Scheduled Tribes.
28. Public distribution system.
29. Maintenance of community assets.

Urban Local bodies



The term ‘Urban Local Bodies’ in India signifies the governance of an urban area by the people through their elected representatives.

There are eight types of Urban bodies

1. Municipal Corporations
2. Municipality

3. Notified area Committee
4. Town area Committee
5. Cantonment Board
6. Township
7. Port trust
8. Special Purpose Agency

The system of urban government was constitutionalised through the 74th constitutional Amendment Act of 1992.

At the central level, the subject of 'Urban Local Government' is dealt with by the following three ministries:

1. Ministry of Urban development, created as a separate ministry in 1985.
2. Ministry of defence in case of cantonment boards.
3. Ministry of Home affairs in case of Union territories.

Historic Prospective

The institutions of urban local government originated and developed in modern India during the period of British rule.

1. In 1687-88, the first municipal corporation in India was set up at Madras.
2. In 1726, the municipal corporations were set up in Bombay and Calcutta.
3. Lord Ripon's Resolution of 1882 has been hailed as the 'Magna Carta' of Local Self government. He called as the father of local self government in India.

Constitutionalisation

In August 1989, the Rajiv Gandhi government introduced the 65th constitutional amendment Bill i.e. Nagarpalika Bill in Lok Sabha. The bill aimed at strengthening and revamping the municipal bodies by conferring a constitutional status on them. The bill was passed in Lok Sabha but defeated in Rajya Sabha.

PV Narasimha Rao's government also introduced the modified municipalities Bill in the Lok Sabha in September 1991. It finally emerged as the 74th Constitutional Amendment Act of 1992 and came into force on 1 June 1993.

22 December 1992 – passed bill in Lok Sabha

23 December 1992 passed bill in Rajya Sabha

20 April 1993, signature of The President and came into force on 1 June, 1993.

Up to 31 May 1994, there should be compulsory to implement all states in India.

74rd Amendment Act of 1992

Significance of the act

The act has added a new Part-IX-A the constitution of India. This part is entitled as ‘the municipalities’ and consists of provisions from Articles 243 P to 243 ZG. In addition, the act has also added a new Twelfth schedule to the constitution. This act gives a constitutional status to the Municipalities. It has brought them under the purview of the justiciable part of the constitution. In other words, the state governments are under constitutional obligation to adopt the new system of municipalities in accordance with the provision of the act.

Salient features of 74th amendment act of 1992

1. Provides constitutional status to Municipalities. (Article 243)

2. **Three types of Municipalities (243 Q) –**

- a. A Nagar Panchayat – for a transitional area, that is, an area in transition from a rural area to an urban areas.
- b. A Municipal Council – for a smaller urban areas.
- c. A Municipal corporation – for a large urban area.

3. Composition (243 R) – all members of municipality shall be elected directly by the people of the municipal area.

For this purpose, each municipal area be divided into the territorial constituencies to be known as wards.

The State legislature may provide the manner of election of the chairperson of a municipality.

It may also provide for the representation of the following persons in a municipality.

1. Person having special knowledge or experience in municipal administration without the right to vote in the meetings of municipality.
2. The members of the Lok Sabha and the state legislative assembly representing constituencies that comprise wholly or partly the municipal area.
3. The members of Rajya Sabha and the state legislative council registered as electors within the municipal area.

4. The chairperson of committees (other than wards committee)

4. Ward Committees (243 S) – there shall be constituted a wards committee, consisting of one or more wards, within the territorial area of municipality having population of three lakh or more.

The state legislature may make provision with respect to the composition and territorial area of the wards committee and the manner in which the seats in a wards committee shall be filled.

It may also make any provision for the constitution of committees in addition to the wards committees.

5. Reservations of the seats (243 T) – the act provides for the reservations seats for the SCs and STs in every Municipality in proportion of their population to the total population to the total population in the municipal area.

It provides for the reservation of not less than one-third of the total numbers of seats for women.

State legislature may provide for the manner of the reservation of offices of the chairpersons in the municipalities for SCs and STs and also for backward classes.

6. Duration of Municipality (243U) – the act provides for a five-year term of the office to the Municipality.

7. Disqualifications (243V)- A person shall be disqualified for being chosen as or for being a member of municipality if he is so disqualified

a) Under any law for the time being force for the purpose of elections to the legislature of the state concern.

b) Under any law made by the state legislature.

8. Powers and functions (243W) – the state legislature may endow the municipalities with such powers and authority as may be enable necessary to enable them to function as institutions of self-government.

Such a scheme may contain provisions for the devolution of powers and responsibilities upon municipalities at the appropriate level 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.

9. Finances (243X) – the state legislature may

- a) Authorise a municipality to levy, collect and appropriate taxes, duties, tolls and fees.
- b) Assign to a municipality taxes, duties, tolls and fees levied and collected by the state government.
- c) Provide for making grants-in-aid to municipalities from the consolidated fund of the state.
- d) Provide for constitution of funds for crediting all moneys of the municipalities.

10. Finance commission (243 Y) – the governor of a state shall, after five years, constitute a finance commission to review the financial positions of the municipalities.

11. Audit of Account (243 Z) – the state legislature may make provisions with respect to the maintenance of accounts by the municipalities and the auditing of such account.

12. State Election Commission (243ZA) - the superintendence, direction and control of the preparation of electoral rolls and conduct all elections to the municipalities.

13. Application to Union Territories (243 ZB) – the President of India may direct that provisions of this act shall apply to any territory subject to such exceptions and modifications as he may specify.

14. Exempted states and areas (243 ZC) – the act does not apply to the states.

These areas include

- a) The scheduled areas and the tribal areas in the states.
- b) Darjeeling district of West Bengal for which Darjeeling Gorkha Hill Council exists.

15. District Planning Committee (243 ZD)

Every state shall constitute at the district level, a district planning committee to consolidate the plans prepare by panchayats and municipalities in the district and to prepare a draft development plan for the district as a whole.

- The state legislature may provisions with respect to the following
 - a. The composition of such committees.
 - b. The manner of election of members of such committees
 - c. The functions of such committees in relation to district planning.
 - d. The manner of the election of the chairpersons of such committees.

The act lays down that four-fifth of the members of a district planning committee should be elected members of the district panchayat and municipalities in the district from amongst themselves.

16. Metropolitan Planning committee (243 ZE)- every metropolitan area shall have metropolitan planning committee to prepare a draft development plan.

The state legislature may make provisions with respect to the following:

- a. The composition of such committees.
- b. The manner of election of members of such committees
- c. The representation in such committees of the central government, state government and other organizations.
- d. The functions of such committees in relation to planning and coordination for the metropolitan area.
- e. The manner of the election of the chairpersons of such committees.

17. Continuance of Existing Laws and Municipalities (243ZF)- all the state laws relating to municipalities shall continue to be in force until the expiry of one year from the commencement of this act.

16. Bar to Interference by courts in electoral matters (243ZG) – the act bars the interference by courts in the electoral matters of municipalities. It declares that the validity of any law relating to the delimitation of constituencies cannot be questioned in any court. It further lays down that no election to any municipality is to be questioned except by an election petition presented to such authority and in such manner as provided by the state legislature.

Twelfth Schedule

1. Urban planning including town planning.
2. Regulation of land use and construction of building.
3. Planning for economic and social development.
4. Roads and bridges
5. Water supply for domestic, industrial and commercial purpose.
6. Public health, sanitation, conservancy and solid waste management.
7. Fire services
8. Urban forestry, protection of the environment and promotion of ecological aspect.
9. Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded
10. Slum improvement and upgradation
11. Urban poverty alleviation

12. Provision of urban amenities and facilities such as parks, gardens and playgrounds.
13. Promotion of cultural, educational and aesthetic aspects.
14. Burials and burial grounds, cremations and cremation grounds and electric crematoriums
15. Cattle ponds, prevention of cruelty to animals
16. Vital statistics including registration of births and deaths
17. Public amenities including street lightening, parking lots, bus stops.
18. Regulation of slaughter houses and tanneries.

Unit III

Defining Good governance

Good is a term used with great flexibility; Depending on the context, good governance has been said at various times to encompass: full respect of effective participation, human rights, the rule of law, multi-actor partnerships, and accountable processes, political pluralism, transparent and institutions, an efficient and effective public sector, legitimacy, access to knowledge, information and education, political empowerment of people, equity, sustainability, and attitudes and values that foster responsibility, solidarity and tolerance.

Origin and emergence of the concept of good governance

- “Good governance” was initially expressed in a 1989 World Bank publication.
- In 1992, the Bank published a report entitled, Governance and Development, which explored the concept further and its application.
- In 1997, the Bank redefined the concept “good governance” as a necessary precondition for development.

Good governance is to promote and sustain holistic and integrated human development. The central focus is to see how the government enables, simplifies and authorises its people, regardless of differences of caste, creed, class, and political ideology and social origin to think, and take certain decisions which will be in their best interest, and which will enable them to lead a clean, decent, happy, and autonomous existence.

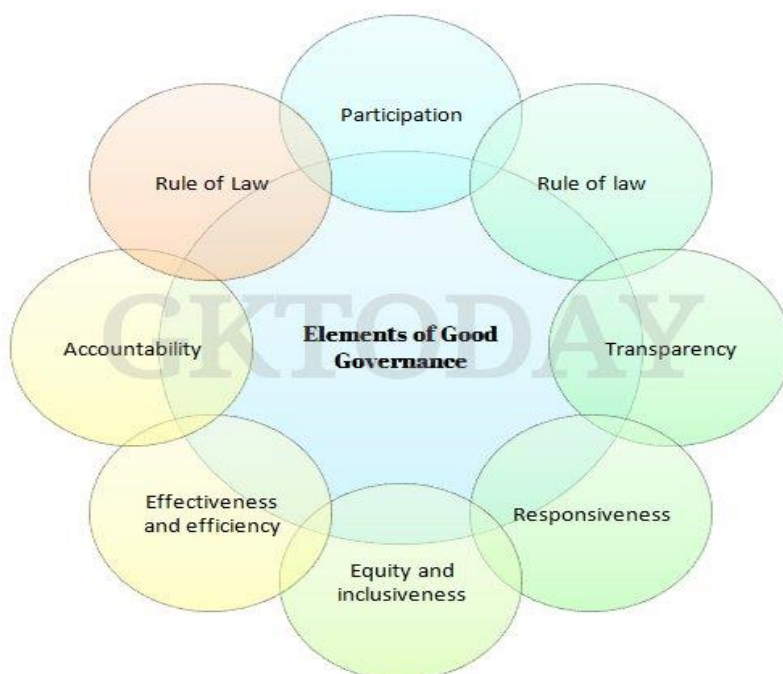
“Good” about governance

Good Governance manages and allocates resources to respond to combined problems of its citizens. Hence states should be assessed on both the quality and the quantity of public goods provided to citizens. The policies that supply public goods are guided by principles such as human rights, democratization and democracy, transparency, participation and decentralized power sharing, sound public administration, accountability, rule of law, effectiveness, equity, and strategic vision.

The Human Development Report issued insists on “good” governance as a democratic exigency, in order to rid corruption, provides rights, the means, and the capacity to participate in the decisions that affect their lives and to hold their governments accountable for what they do.

Basic features or elements of good governance

Good governance has 8 major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and fixture needs of society.



Participation

Good governance requires that civil society has the opportunity to participate by both men and women during the formulation of development strategies. This aspect of governance is an essential element in securing commitment and support for projects and enhancing the quality of their implementation. Participation needs to be informed and organized. This means freedom of association and expression and an organized civil society should go hand in hand.

Rule of law

Good governance requires a fair, predictable and stable legal framework enforced impartially. Full protection of human rights, especially minorities should be covered. Impartial law enforcement requires a judiciary to be independent and police force should be impartial and incorruptible.

Transparency

Transparency in government is an important precondition for good governance, and those decisions taken and their enforcement are done in a manner that follows rules and regulations. Transparency ensures that enough information is provided and that it is provided in easily understandable forms and media.

Responsiveness

Good governance requires the institutions to serve all stakeholders in a given time-frame. There are several actors and viewpoints and the different interests in society needs mediation. The best interest of the community should be analysed and achieved which requires a broad and long-term perspective on what is needed and how to achieve the goals of sustainable development.

Equity and inclusiveness

A society's wellbeing depends on ensuring that all men and women have opportunities to improve or maintain their well-being. This requires all groups, especially the most vulnerable, should have opportunities to improve or maintain their standards of life.

Effectiveness and efficiency

Good governance means Processes and institutions produce results that meet needs while making the best use of resources. The concept of efficiency covers the sustainable use of natural resources and the protection of the environment.

Accountability

It is a key requirement of good governance. Both Public and private sector and civil society organizations must be accountable to the public and to their institutional stakeholders. An organization or an institution is accountable to those who will be affected by its decisions or actions. Accountability can be enforced only with transparency and the rule of law.

Significance of good governance

Kautilya in his treatise **Arthashastra** propounded the qualities of good governance by the ruling king as follows: In the happiness of his subject lies his happiness, in their welfare his welfare, whatever please himself he shall not consider good.

India follows republic, democratic and secular form of governance, and the values that are enshrined in our constitution. The term “governance” means a political unit for the functioning of policy-making for both the political and administrative units of Government. Good governance is based on the conviction that man has the ethical and rational ability, as well as the absolute right, to govern himself with motive and just. The concept of good governance is associated with capable and real administration in democratic set up.

In practical terms, there are three particular features of good governance that makes it significance in the working of the government.

- First, the empowerment and capacity of government to frame and implement policies and discharge functions.
- Second, the form of political will.
- Third, the process by which authority is exercised in the management of country’s economic and social resources for development.

It also reflects the attitudes of the people towards the functioning of the so many agencies of the government. “Good” governance promotes gender equality, sustains the environment, enables citizens to exercise personal freedoms, and provides tools to reduce poverty, deprivation, fear, and violence. The UN views good governance as participatory, transparent and accountable. It encompasses state institutions and their operations and includes private sector and civil society organizations.

Good governance is significant in public institutions to conduct and manage public affairs and resources to guarantee human rights in free of abuse and corruption, and with due regard for the rule of law.

It is significant because it promises to deliver on the promise of human rights: civil, cultural, economic, political and social rights. Good governance is thus, a function of installation of positive virtues of administration and elimination of vices of dysfunctionalities.

It makes the government work effective, credible and legitimate in administrative system and citizen-friendly, value caring and people-sharing.

Attributes of poor governance:-

Bad governance is being increasingly regarded as one of the root causes of all evil and suffering within our societies. It is the complete opposite of good governance and involves abuse of human rights, corruption, lack of transparency, lack of responsiveness, and lack of accountability. In an attempt to stop bad governance, development researchers and practitioners have focused on “good governance” as both a means of achieving development and a development objective in itself.

First of all, the World Bank has defined “good governance” as “epitomized by predictable, open and enlightened policy making; a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions; and a strong civil society participating in public affairs; and all behaving under the rule of law.” (World Bank, 1994). It’s characterized by participation, consensus orientation, rule of law, transparency, accountability, responsiveness, effectiveness and efficiency, equity and inclusiveness. Bad Governance- is the inability of a public institution to manage public affairs and public resources; Failure of a government to meet the needs of society while making the best use of all resources at their disposal. (MidjkAn: 2014). It is characterized by corruption, crime, no freedom of expression etc. in public organizations. The different characteristics of bad governance are explained below.

Corruption: refers to the misuse or the abuse of public office for private gain (World Bank, 2000, UNDP, 1999). Klitgaard had this to note about corruption.

Corruption exists everywhere—in the private as well as the public sector, in rich countries and poor—is salutary, because it helps us avoid unhelpful stereotypes. But to contextualize the discussion is not to end it. In fact, noting that corruption is widespread may convey its own unhelpful subliminal messages. Corruption can come in various forms and a wide array of illicit behavior, such as bribery, extortion, fraud, nepotism, graft, speed money, pilferage.

Attributes of Poor Governance:-

- 1) **Abuse of human rights:** Human rights recognize the inherent value of each person, regardless of background, where we live, what we look like, what we think or what we believe. (Albin-Lackey: 2013). In the presence of bad governance, human rights are not respected. A few people in higher government positions take advantage of those at the lower regardless of their rights.
- 2) **No freedom of expression:** This is closely linked to abuse of human rights, in that when people’s freedom of expressions is not respected, their views will equally not be heard. Citizen are not really allowed to comment on government affairs. In such a case, communication process is top-down, meaning that the public only receive instruction and command on what to do but can never make suggestions.

- 3) **High level of Centralization:** When the governing system is highly centralized, a very small number of people make decisions that affect the whole nation. For example, Zambia's policy and constitution making processes, processes involve a few people in decision making process leaving the public views unheard.
- 4) In bad governance there is **no transparency and accountability**, this means that the decisions that the government makes are not according to the rules and regulation because government institutions as well as private sector and others are not answerable to the people.
- 5) Bad governance is coordinated by aggression that is **violence, deception, cheating against the wills of many citizens** who are not using deceitful methods to benefits their interests. Bad governance is characterized by corruption, crime, no freedom of expression etc. in public organizations. "Corruption creates instability and unpredictability in governance", (Albin-Lackey, 2013). From the clear picture of view you can notice that bad governance is not likely to provide good services to its citizens because it does not have elements that attributes to good governance.
- 6) Poor management of economies, persisting fiscal imbalances, disparities in the pace and level of development across regions and across districts;
- 7) Denial of basic needs of food, water and shelter to a substantial proportion of the population;
- 8) Threat to life and personal security in the face of inadequate State control on law and order;
- 9) Marginalization, exclusion or even persecution of people on account of social, religious, caste or even gender affiliations;
- 10) Lack of sensitivity in many facets of the working of State machinery, particularly those that have an interface with the public;
- 11) Lack of credibility – the gap between the intent and the actions – of some institutions in society;
- 12) Inadequate system of incentives/disincentives for people (particularly for a civil servant), subversion of rules, evasion of taxes and failure in getting timely justice;
- 13) Existence of a significant number of voiceless poor with little opportunities for participating even in institutions of local self-governance, despite a visible movement towards decentralisation through the Panchayati Raj institutions; and

14) Deterioration of physical environment, particularly in urban areas.

Steps taken for Good Governance in India:-

A number of steps have been taken for improving the quality of governance in India:

- 1) **Democratic decentralization & People Participation:-** Good Governance can be ensured and strengthened by democratic decentralization and active participation of people in the process of governance. The introduction of democracy in free India made it imperative for the country to provide for a system of democracy at grass-root level. It was sought to be achieved by the introduction of local self-governments in rural and urban areas of the country. The local governments have been in operation since the early years of independence yet during 1990s an attempt was made by the 73rd and 74th Constitutional amendments to give a wider representative base and more powers to these institutions. These amendments provided constitutional status to grass root institutions in rural and urban areas have been landmark achievements that ensure the involvement of people in the process of governance.
- 2) **Right to Information (2005):-** In this age of Information and Technology, information is the most potent tool of empowerment of an individual as well as that of a nation as it can prove to be an effective instrument in ensuring good governance. It has the great potential to ensure good governance in the country. It can, in fact become the panacea for all the ills plaguing the bureaucratic, political spheres and can usher in a genuine era of transparency and accountability. The
- 3) **National Rural Employment Guarantee Act (NREGA), 2005:-** which has now been renamed as the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is a step towards implementing the provision of Right to Work. It is the largest social welfare scheme of its kind in the world. It has been recognized as an inalienable human right by guaranteeing 100 days unskilled work to every rural household whose adult members volunteer to do unskilled. It reflects the requirements of citizens and is an excellent example of the importance of critical linkage between governance and development. It validates the view that development and good governance are mutually complimentary. Good governance facilitates development, and in turn development ensures the furtherance of good governance. Every fifth rural household in India benefits from the scheme. Wages given under MGNREGA per day have almost doubled from Rs. 65 to 128 since the launch of the scheme. In 2012-2013, the scheme provided employment to more than 4.8 crore households.
- 4) **Right to Education (RTE) Act, 2009:-** Illiteracy is the major hurdle in the way of Good Governance. Literate citizens are the real asset of a state as they can contribute immensely in the progress of governance. The state has also been mandated to make additions to the infrastructure of the existing schools, to open new schools, if needed, to ensure the minimum educational qualifications of the present teachers, to increase their

number to ensure the teacher-student ratio of 1-30, to provide quality education and to ensure the reservation of 25 per cent seats in the unaided private schools for the underprivileged students. Besides, the RTE has been made justifiable. More important, all the expenses are to be met by the Government of India. Further, the bid 12 Act makes it the fundamental duty of parents and guardians to provide opportunities for education to their children/wards in the 6 to 14 years age group. The government is trying to target such children through a Sarva Shiksha Abhiyan and a series of measures and facilities – such as free mid-day meals, uniforms, and textbooks. Also, as per Act, “the state shall endeavor to provide early childhood care and education for all children until they complete the age of six years.”

- 5) **National Health Mission** is another initiative undertaken with a view to ensure good governance by providing health care to the people. Under it a sub mission The National Rural Health Mission (NRHM) 2005, was launched to provide effective rural health care with special focus on 18 poor performing states on different health indicators. It aims at increasing public spending on health, and promoting equity efficiency, quality and accountability in the public health system. Similarly National Urban Health Mission (NUHM) was launched in 2013 as being the other sub-mission under the overarching National Health Mission to meet the healthcare challenges of the urban poor. It implemented in 779 cities and towns with over 50,000 population. It aims to cover 7.75 crore people. Meant for the urban poor, it primarily targeted the urban slum population of 68 million (6 crore) as revealed by the 2011 Census. The mission comes at a time when poverty in India is becoming urbanised. By 2030, urbanisation rate will touch 50 per cent. Urban poverty at present is around 25 per cent and although nationally rural poverty is higher, the gap is closing. So the National Health Mission could be a landmark initiative to provide healthcare services to the people in rural and urban areas for ensuring the objectives of good governance.
- 6) **The National Food Security Bill 2013:-** Also known as Right to Food Act, for wiping out hunger and malnutrition from the country, is another step to establish good governance in India. It provides a large majority of its people, the deprived and the disadvantaged, a legal right to demand food from the state. It provides for food subsidy to two-thirds of the population and enables them to satisfy their Urban Health Mission Gets Cabinet Nod,. The landmark legislation aimed at providing cheap food grain to nearly 82 crore people in the country. A single category of beneficiaries entitled to 5kg foodgrain per person per month. It protects entitlement of Antyodaya households at 35 kg per household per month. It provides food security allowance in case of non-supply of foodgrain. It also ensures Rs. 6,000 maternity allowance for women besides nutritional food.
- 7) **Governance Knowledge Centre (GKC) in 2005:-** The Department of Administrative Reforms & Public Grievances, as part of its mandate to document and disseminate good-governance initiatives, has launched a Web Portal, namely, Governance Knowledge Centre (GKC) in 2005. The portal is intended to be a knowledge repository and a platform for sharing of ideas and views on governance and is primarily targeted at civil servants and those interested in the practice of and research on governance and public

management. The knowledge shared by practitioners and researchers would facilitate a better comprehension of the nuances of administrative and management practices and pave the way for taking up appropriate interventions aimed at improving governance standards.

- 8) **The Department of Administrative Reforms and Public Grievances** has proposed a framework for good governance in the form of a Code of Governance. The main components of this Code are: (i) improving service delivery; (ii) development of programmes for weaker sections and backward areas; (iii) technology and system improvement; (iv) financial management and budget sanctity; (v) accountability and transparency; (vi) public service morale and ethics and (vii) incentivizing reforms.
- 9) **The Direct Benefits Transfer Scheme, launched in January 2013**, leverages the Aadhaar system to usher in greater transparency and improve targeting, eliminate wastage and enhance efficiency. Using broadband and information technology, the Unique Identification Authority of India has issued more than 500 million Aadhaar Cards across the country which is enabling people to receive Direct Benefit transfers. The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011 envisages the citizens to receive time-bound services.
- 10) **E-governance:-** It is a powerful tool of good governance. The National e-Governance Plan has the vision to “Make all Government services accessible to the common man in his locality, through common service delivery outlets and ensure efficiency, transparency & reliability of such services at affordable costs to realize the basic needs of the common man”. A network of more than 100,000 Common Service Centres for electronic delivery of public services to citizens in rural areas has been rolled out. The citizen-centric e-Governance services have been implemented in different states under the e-District Project. It has helped to change the outlook of the masses towards administration. The greater usage of internet has helped to integrate all areas of our country into the mainstream. All India Service Rules, administrative structure and working have guided with a view to promote efficiency and transparency in the administration which would certainly help to establish good governance in India.

Questions

1. What do you mean by democracy? Explain its types.
2. Define Democracy. Write down the merits and demerits of democracy
3. Write down the characteristics of democracy
4. Explain principles of Democracy
5. What do you mean by decentralization? Explain its features.
6. Write in details the fundamental rights in India?
7. Discuss the outcomes of democracy
8. Discuss the challenges to democracy
9. Write down powers and functions of Election commission of India
10. Why Election commission of India is called as Independent Election commission of India?
11. Explain the electoral system in India.
12. Explain the election procedure/electoral process in India.
13. Explain the election machinery in the state.
14. Explain the system of election of Parliament.
15. What do you mean by local self government?
16. Write down the powers and duties of Urban local bodies (Municipal Corporation, Municipality, Nagarpanchayat)
17. Write down the power duties of Rural local bodies (Grampanchayat, Panchayat Samiti, Zilla Parishad)
18. Explain the salient features/important features of 73rd Amendment Act of 1992.
19. Explain the compulsory and voluntary provisions of 73rd Amendment Act of 1992.
20. Explain the salient features/important of 74th Amendment Act of 1992.
21. Write down the recommendation made by Balawant Rai Mehta Committee.
22. What do you mean by Good Governance? Explain its elements.
23. What are attributes of poor governance?
24. What are the steps taken for Good Governance in India.?

Define

1. Fundamental Right – The *Fundamental Rights* are defined as the basic human rights of all citizens. It guarantees civil liberties such that all Indians can lead their lives in peace and harmony as citizens of India.
2. Rights- **Rights** are legal, social, or ethical principles of freedom or entitlement; that is, rights are the fundamental normative rules about what is allowed of people or owed to people, according to some legal system, social convention, or ethical theory.
3. Democracy - Aristotle definition of democracy, It is *the rule of mob and condemns it*.
Seelay defined it as *a government in which everyone has a share*.

4. Decentralization - “Decentralization refers to tire systematic effort to delegate to the lowest levels all authority except that which can only be exercised at central points.”
5. Governance – Governance is a method or system of government or management.
6. Election –it is process the selection of a person or persons as a representative for office by vote.
7. **Social division**:- Division of the society on the basis of language, region, caste, colour or race and sex. It signifies linguistic and regional diversity.
8. **The black power**- It was a movement started by black people in 1966 against racialism and the practice of apartheid. It was a militant movement advocating even violence if necessary to end racism in the US.
9. **Overlapping differences**: Social differences which overlap other differences are known as overlapping differences e.g., difference between the blacks and whites became a social division in US because the Blacks tend to be poor homeless and discriminated against.
10. **Cross-Cutting Differences**: If social differences cross cut one another, it is known as cross cutting differences. In another way in this situation groups that share a common interest on one issue are likely to be in different sides on a different issue.
11. **Homogenous Society**:- Homogenous society signifies absence of significant ethnic differences. It is a society that has similar kinds of people or inhabitants.
12. **Migrants**: Anybody who shifts from one region or country to another region within a country or to another country for the purpose of work or other economic opportunities.
13. **Minority**: It refers to community who are less than half of the total population of the country. The idea of minority at national level is totally different from what it is at state level.
14. Grampanchayat - A **gram panchayat** (village council) is the grassroots-level of panchayati raj formalised local self-governance system in India at the village or small-town level, and has a sarpanch as its elected head
15. **Panchayat samiti** **panchayat samiti** are rural local governments (panchayats) at the intermediate(block) level in panchayat raj institutions.
16. Zilla parishad- The **Zila Panchayat** or **District Council** or **Zilla Parishad** or **District Panchayat**, is the third tier of the Panchayati Raj system at the District level governance.
17. Municipal Corporation - A **municipal corporation** is the legal term for a local governing body for the administration of big cities
18. Municipality – Municipalities are established for the administration of towns and smaller cities.
19. Nagar Panchayat – NagarPanchayat are established for the administration of the semi-urban and semi-rural area.
20. Cantonment board – Cantonment board is established for municipal administration for civil population in the cantonment area.