



ROLE PLAYED BY PANCHAYAT DURING COVID 19-AN ANALYSIS OF WORKING OF LOCAL SELF GOVERNMENT

TRISHA DUTTA & SWARAJ SHARMA

STUDENTS

B.A. LL. B

KIIT LAW SCHOOL, BHUBANESWAR, INDIA

ABSTRACT:

The local self-function governments in preserving the environment is the subject of this paper. The management of local affairs initiatives by a group of persons who have been chosen by the general public is known as local self-government. Regional autonomy suggests that transfer of leadership skills to the bottom part of the political ladder. Using democratic decentralization, it allows for administration is ensured with the assistance of even the most basic members of society¹. These local experts supervise, direct, control, and monitor a wide range of limited alleviation and change plans for the local population, particularly those relating to streets, peace, education of the local populace, welfare administrations, and security of the local authority. They also manage a sizable amount of capital that is motivated from both local resources and the relevant governments. For successful management and usage of natural resources, the local level of environmental administration is the most effective. It is appropriate to consider the challenges and the best course of action for establishing efficient environmental governance at the local level incorporating Panchayat Raj Institutions after the implementation of the 73rd and 74th Amendments to the Constitution². This paper also focuses on the working of Panchayat Raj Institutions during the time of Covid-19.

KEYWORDS: Panchayat Raj Institutions, local self-government, decentralization, local authorities.

¹ <https://www.ijlmh.com/paper/an-analysis-of-local-government/>

² https://www.granthaalayahpublication.org/journals-html-galley/37_IJRG20_B08_3693.html

INTRODUCTION:

One of the directives was "Gram Swaraj," which was created by Mahatma Gandhi. Policy guiding principles (Article 40: The state shall form rural panchayats and give them the authority and abilities that may be required for them to perform as units of self-government) by our Constitution's creators. Considering that the Constitution is experimented with various Panchayat Raj models since they became operational. In 1992, the Indian Parliament passed the 73rd Amendment, which gave PRIs the legal protection they needed to be established and act as the country's system for rural self-governance. Together, the 73rd and 74th Amendments³ to the Constitution will be recalled for giving millions of men and women local leadership chances. A democratic government of this scale had never existed before in the history of the human race. According to "Article 243 and the Eleventh Schedule of the Constitution", states currently provide PRIs authority across the entire nation. Since the passage of these two significant Amendments, India has not turned back in terms of decentralization.

RESEARCH METHODOLOGY:

The present study it's depended on secondary source of data. Books about the working of local self-government in environmental protection are among the secondary sources. Books, e-books, blogs, and other content are among the methods and materials used.

RESEARCH QUESTIONS:

1. Does our country's local government have a legal obligation to advance and safeguard human rights?
2. What are the biggest obstacles that local governments in your nation confront in promoting and enforcing human rights?
3. What was the role of Panchayats during the time of Covid-19 in different states?

LOCAL SELF GOVERNMENT:

The phrase "local government" or "local self government" refers to the administration of local affairs by duly elected local bodies that are given the authority, discretion, and responsibility to exercise and discharge them without external oversight. According to V. Venkata Rao, "local government is the area of the government that primarily deals with local issues. It is run by officials who report to the state government but are chosen independently of it by eligible citizens⁴."

We are aware that India has both a state and a federal government. However, there is still another significant local governing system. The Panchayati Raj System created the groundwork for the country of India's current system of local self-government (1992). However, the origins of Panchayati Raj may be traced back to independent and self-governing local communities. Evidence reveals that self-governing village bodies

³ <https://byjus.com/question-answer/the-73rd-and-74th-constitutional-amendment-acts-provided-for-reservation-of-of-the-seats-for/>

⁴ <https://unacademy.com/content/upsc/study-material/public-administration/evolution-of-local-self-government/>

known as "sabhas" existed during the Rig-Veda era (1700 BC). These organisations evolved throughout time to become panchayats (council of five persons). In practically every hamlet, panchayats were effective organs of local government. They lived through the past rise and fall of civilizations and the contemporary highly organised government.

Four significant committees were formed and worked on between 1957 and 1986 to conceptualize India's system of local self-government.

1. "Balwant Rai Mehta Committee⁵ (1957)": The word "democratic decentralization" first occurs in the committee's report, which was brought in by the committee in the month of November 1957.
 - Establishing a three-tier Panchayati Raj system with gramme panchayats at the village level (direct elections), panchayat Samitis at the block level, and Zila Parishads at the district level is among the key recommendations (indirect election). The District Collector will preside over Zila Parishad .
 - To be ensured is the transfer of authority and resources to these bodies.

The proposals were accepted by the current National Development Council. It did not, however, demand that these organisations be founded according to a specific, singular plan. Instead, it gave states the freedom to create their own patterns while ensuring that the country's main principles were adhered to.

The system was initially used in Rajasthan (1959), and then in Andhra Pradesh the following year. Some governments even went as far as to establish four-tier systems and judicial bodies known as Nyaya panchayats.

2. "Ashok Mehta Committee⁶ (1977-1978)": The committee was established by the then-governing Janata party to investigate Panchayati Raj organisations. The most crucial recommendations made by it, out of a total of 132, are:
 - A two-tier system will take the place of a three-tier system.
 - Elections should include political parties at all levels.
 - These institutions must be given mandatory taxing authority.
 - Planning at the state level needed to be delegated to Zila Parishad.
 - The state council of ministers will choose a panchayati raj minister.
 - Institutions under the Panchayati Raj should receive constitutional status.

Unfortunately, before these suggestions could be implemented, the Janata administration fell.

3. "G V K Rao Committee⁷ (1985)": The committee, which was "appointed by the Planning Commission, came to the conclusion that the institutions of local self-government were steadily losing control over growth, creating a system akin to "grass without roots."
 - Zila Parishad to be given top priority, and it should get all developmental programmes offered at that level.

⁵ <https://prepp.in/news/e-492-balwant-rai-mehta-committee-indian-polity-notes>

⁶ <https://unacademy.com/content/wbpsc/study-material/polity/ashok-mehta-committee/>

⁷ Drishti IAS. (n.d.). Not found. Drishti IAS. Retrieved November 11, 2022, from <https://www.drishtiiias.com/important-institutions/drishti-specials-important-institutions-national-institutions/panchayati-raj-institution>

- A position called DDC (District Development Commissioner) will serve as the Zila Parishad's CEO.
 - Elections will be held regularly
4. L M Singhvi Committee⁸: The Rajiv Gandhi administration established the Committee in 1986 with the goal of "Revitalizing Panchayati Raj institutions for Democracy and Development." Among its key suggestions are:
- PRI institutions receiving constitutional recognition.
 - There will be established Nyaya Panchayats for groups of villages.

Even though the bill for the 64th Constitutional Amendment was first presented in the Lok Sabha in 1989, Rajya Sabha refused to support it. The 73rd and 74th Constitutional Amendment Acts of 1992 were the first time the concept actually manifested, and they were only passed during the Narasimha Rao government.

FUNCTIONS OF LOCAL SELF GOVERNMENT

These local organizations' main goals are to advance social justice, infrastructure growth, and local economic development. The municipal government performs a number of duties, including:

- To construct essential infrastructure, such as roads, bridges, power plants, hospitals, and other facilities.
- To build and sustain community resources
- To advance agriculture's growth through effective management of irrigation and water systems, land development, and soil conservation
- Encourage education
- To upgrade medical facilities and raise public knowledge of health
- To encourage the village's small-scale industry
- To develop forestry, dairy, poultry, and animal husbandry sectors in society
- The local governmental entities are also in charge of carrying out a wide range of plans developed by the state government to improve rural and urban areas.
- To aid local government entities in understanding

⁸ <https://pratibha.eenadu.net/jobs/lesson/upsc/civil-services-exam/english-medium/lm-singhvi-committee/1-1-1-1-2-3-4455-4963-20040006100>

HOW ARE ELECTIONS FOR LOCAL SELF GOVERNMENT CONDUCTED?⁹

- Direct elections are used to fill every position on local bodies for representatives.
- The State election commission is in charge of overseeing elections.
- The elected members at the level below will be utilized to elect the district and intermediate level chairs.
- The chairperson shall be chosen at the lowest level according to a procedure established by the state legislature.
- Not fewer than one-third of these allocated seats must be additionally set aside for women.
- Additionally, “there should be a general one-third seat allocation for women in each of the constituencies combined (which can include the already reserved seats for SC and ST)”.

WHAT ARE SOME OF THE PROBLEMS THAT LOCAL SELF GOVERNMENT CONFRONTS?

Functional difficulties: The state government has the authority to transfer functions to local governments. States frequently fail to delegate sufficient duties to local governmental entities for a variety of reasons, which has a negative impact on the efficacy and efficiency of the system. For instance, state governments have been known to set up alternative organizations to carry out projects in the fields of agriculture, health, and education, weakening jurisdictions that belong to local entities by law. Many local organizations also lack the infrastructure needed to carry out their mandates. In order to consolidate and integrate the development strategies created by the panchayats and local authorities, the 74th amendment mandates the creation of a District Planning Committee in each district. However, it was discovered that nine districts do not have functioning district planning committees.

Financial issues: Devolving functions is useless unless sufficient funding is provided to carry out these responsibilities. Local self-government spending as a proportion of GDP is only two percent after over 25 years of decentralization, which is incredibly low when compared to other significant growing economies like China (11 percent) and Brazil (seven percent). Most local governments, whether urban and rural, struggle to raise enough money internally and are consequently heavily reliant on outside financing sources. According to studies, between 80 and 95 percent of money comes from outside sources, notably loans and grants from the state and federal governments.

Functional challenges: State government representatives frequently place restrictions on the ability of local organizations to carry out their mandate¹⁰. Additionally, local government secretariats are woefully understaffed and underqualified, making it impossible for them to give the elected body the necessary support. Through the hiring of new employees and the training of current employees, their capacities must be further reinforced. Although local bodies are permitted to hire workers, a lack of resources makes this impossible.

⁹ <https://www.nextias.com/current-affairs/13-05-2022/election-of-local-bodies>

¹⁰ <https://timesofindia.indiatimes.com/readersblog/civil-services-preparation/critical-challenges-faced-by-local-institutions-in-terms-of-their-functionality-29069/>

To ensure that power actually belongs to the people, not merely on paper but also in practice, India's local governance system needs to be strengthened in all three areas.

Does our country's local government have a legal obligation to advance and safeguard human rights?

All levels and branches of government are subject to obligations under international human rights law. Local governments are leading the charge to ensure that everyone has access to human rights, even while national and regional governments also have significant roles to play in the promotion and protection of human rights.

Local governments have the closest relationships with citizens. They formulate and enact policies that directly impact lives while responding to requests, claims, and complaints from residents. Their crucial role in resolving the political and social issues of the pandemic was underscored by the COVID-19 pandemic. The responsibility of local governments in determining constituent needs and upholding human rights through regional laws, policies, and initiatives is further highlighted by the global trend toward decentralization.

PROBLEMS IN THE SYSTEM OF LOCAL SELF GOVERNMENT

The failure to comprehend the purpose, notion, and main objectives that panchayat representatives are meant to accomplish is a mandate of rural local authorities for some and an organizational body for others¹¹. This ambiguity could reduce the process' effectiveness by creating uncertainty and ambiguity.

In some cases, a lack of technological expertise causes output levels to drop off quickly. The e-panchayat idea was launched by the authorities in the 360-gram Zilla Parishad. However, many areas lack necessary resources and have subpar broadband internet connectivity. Providing civil services online, maintaining gram panchayat resources, and enabling open access to gram panchayat software and data are the main objectives of such an e-governance programme.

POLICIES BY LOCAL SELF GOVERNMENT IN ENVIRONMENTAL PROTECTION

Rural Bodies can be effective in conservation efforts because of the tremendous power bestowed upon them. The 73rd Constitution Amendment Act of 1992 led to the creation of rural local bodies in 1992. Despite being present since "1950, it is the 73rd Amendment", which provided these entities a plethora of authority and duties. This decentralization approach has made the "Village Republics" stronger. Village Panchayats can benefit from the environmental maxim "Think globally, act locally." It's possible that the rural areas' appearance will alter if these Gram Panchayats protect their "unreserved woodlands." The availability of drinking water, animals, and bird populations would all grow as forest cover increased, as would the ground water table. Every state's forest department guards the reserved woods. However, unreserved forests and unclassified wastelands belong to the Panchayat.

¹¹ https://idronline.org/idr-explains-local-government-in-india/?amp&gclid=Cj0KCQiA37KbBhDgARIsAlzce15AupDrauelRr6W4_uUaPzGcu6kHDC95HczlM1ISj10up6aRfwWic8aAh9tEALw_wcB

The Panchayats are in charge of creating a set of rules and guidelines for raising cattle. The expansion of agriculture, a topic that Panchayats must address, may be achieved by requiring particular crop-growing practices (native crops). Panchayats have jurisdiction over everything.

Initiatives at the State/UT level during COVID-19 in India

Although social movements to encourage more responsive governance, such as the activism that resulted in “India's Right to Information (RTI) Act (2005)”, emerged in Rajasthan, one of the poorer states, both Rajasthan and Odisha have had varying degrees of success in raising the general quality of governance as well as uneven development outcomes overall “Drèze & Sen, 2013”.

JHARKHAND:

- Gram Panchayats have implemented a total lockdown at the Gram Panchayat level.
- Creation of “Corona volunteers - Production and distribution of face masks” - Ban on entry of outsiders at the village level¹².
- Upholding social distance through the suggested MoHFW norm in society and at the market.
- The establishment of a quarantine centre at the general practitioner level
- Awareness generation camps conducted by the “Jal Skahi and ANM in the villages”.

BIHAR:

- Under the direction of the Chief Secretary of Bihar, a video conference was arranged with all DMs, DPROs, BDOs, and Gram Panchayat Mukhiya about the preventative measures that should be implemented throughout the state.
- The identification of those who have recently travelled outside the country or abroad.
- Placing the person with the suspicious symptoms under a home quarantine.
- The establishment of an isolation center.
- Community awareness-building regarding COVID-19 prevention through three days of nonstop loudspeaker announcements¹³.
- Directions were also provided to ensure that the necessary amount of necessities were available at the village level so that no one would experience any difficulties.
- Creating awareness in the village near the Nepal border.
- Directions were given on how to use the State Finance Commission's fund to buy gloves, masks, sanitizers, etc. for ERs.

¹² https://www.researchgate.net/publication/355284890_IMPACT_OF_RURAL_LOCAL_SELF-GOVERNANCE_AND_SOCIAL_WORK_ACTIVITIES_AT_ALGUNDA_PANCHAYAT_OF_GIRIDIH_DISTRICT_JHARKHAND

¹³ <https://www.panchayat.gov.in/documents/20126/0/COVID-State+initiatives+at+the+GP+Level+03042020.pdf/12505a82-3c8f-c75a-fdae-5cbddd0ae58c?t=1585975029688>

HARYANA:

- “Dy. CM Mr. Dushyant Chautal spoke to the emergency rooms of Gram Panchayats.Mukhiya in regards to the state's preventative measures”.
- Identification of people who have recently travelled domestically or internationally.
- Placing individuals under quarantine who may have symptoms at their places.
- The location and establishment of isolation center’s.
- Community awareness-building regarding COVID-19 prevention through three days of nonstop loudspeaker announcements.
- Directions were also provided to ensure that the necessary amount of necessities were available at the village level so that no one would experience any difficulties.
- For the food crisis, a WhatsApp helpline number has been established.
- Various sarpanches made donations to the state relief fund.
- The 125 migrant workers were sanitized, and rations were provided to them.

MAHARASHTRA

- Gram Panchayats continued to maintain social distance.
- SHGs were preparing and distributing masks to the residents.
- Sarpanches are delivering food grains to the doorsteps of the locals.
- Villagers were given soap, sanitizers, and antibiotics.
- Community water pumps were being tied with soap
- Essential kit supplied with the aid of business people and government representatives.

KERALA

- Airport Security: Each foreign-bound passenger would receive a health card. It required them to list their travel information and health status. Before heading to immigration, they would need to have the information checked and stamped at a designated desk. The ambulance and emergency response services of district hospitals are connected to each of Kerala's five airports. Passengers with fever, coughs, or sore throats must be taken as soon as possible to the nearby hospital, which will then notify the district medical office. This office immediately notifies the person's family members about the passenger's isolation.If the travelers exhibit no symptoms, they are permitted to return home under tight external supervision¹⁴.
- Regional Initiatives: Following the discovery of the first case, panchayat-level, a directive on infection control and home isolation procedures was distributed to organizations throughout the state. All local bodies were instructed to compile a list of individuals travelling from areas where the virus had been detected as well as those who had come into contact with them, according to a circular published by the local self-government department. There were numerous helplines established up.

¹⁴https://www.researchgate.net/publication/347181749_Role_of_local_selfgovernments_in_control_of_COVID-19_in_Kerala_an_exploratory_study

- Awareness Guide: The campaign emphasizes fundamental respiratory and hand hygiene, involves covering one's lips and nose with a tissue or a bent elbow while sneezing or coughing. It has been recommended that people refrain from shaking hands with and interacting closely with anyone who may be affected. Depending on risk, standard preventative technique also involves the use of personal protective equipment.
- Police chiefs in the Rumor-Busting District have already started taking strong measures against those bogus story about the viral outbreak that was going around on social media.
- Border security: Travelers entering Kerala by road have been screened by a team of physicians and other medical personnel. They assess body temperatures using non-contact infrared thermometers and hand out leaflets regarding Covid-19 safety measures.

ANDAMAN & NICOBAR

All communities have established Community-Based Disaster Management Response Forces (CBDRF). Gram Panchayats to distribute food and essentials and to spread awareness.

The Ministry of Panchayati Raj provides advice to the panchayat on a variety of tasks, such as cleaning and disinfecting villages, maintaining the safety of community health workers, and using monies provided by the national government to panchayats for COVID relief¹⁵. Panchayats around the nation have responded differently and engaged in varied activities as a result of disparities in state recommendations and local government capacity.

CONCLUSION

In conclusion, local self-government is one of the most innovative attempts at governance change that our country has ever made. Putting a country's government in the hands of its citizens at the local level is undoubtedly good. But like any other system in the world, this system has flaws as well. Financial mismanagement and bad administration are ongoing issues. There are numerous channels and organisations within the Panchayati Raj system for informing the people about the public benefit and welfare. These can be used to raise awareness about the need to preserve the ecology and the surroundings. All of this depends on local governments taking the initiative, state governments supporting local governments, the integrity and sincerity of the non-officials managing the local governments, and corruption-free regulating authorities. Local government entities serve the public first and were the first to raise the alarm during every pandemic. Serving the basic necessities of the people is another aspect of the guardian position. The lack of resources is currently the biggest issue facing the majority of local governments; during a pandemic, this problem will worsen and have more dangerous local effects than the coronavirus. Through job loss, the epidemic widens the difference between affluent and poor among men and women, and it further energises these inequities.

¹⁵ https://www.granthaalayahpublication.org/journals-html-galley/37_IJRG20_B08_3693.html

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