“73rd Constitutional Amendment Act & Gram Sabha”

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Abstract

Panchayats have been the backbone of the Indian Village Since the beginning of recorded history. Mahatma Gandhi the father of the Nation, in 1946 had aptly remarked that the Indian Independence must begin at the bottom and every village ought to be a Republic or Panchayat having Powers. Mahatma Gandhiji’s dream has been translated into reality with the introduction of the three-tier Panchayati Raj system to ensure Peoples participation in rural reconstruction. The passage of the 73rd constitutional Amendment Act.1992 marks a new era in the federal democratic Set up of the country and provides constitutional status to the Panchayati Raj Institutions. The Gram Sabha must act as a rural parliament.

KEYWORDS: 73rd constitutional amendment act in India, gram sabha

INTRODUCTION:

73rd Constitutional Amendment Act is a land-mark in the Constitutional history of India & is also called as India’s second Independence.

73rd Constitutional Amendment Act is a sequence of the global movement. It is not for local activities of the citizenry. It is meant to globalize the local activities for benefit of the grass roots. To protect the people and their environment at the grass root level from the exploitation by the “Big”, powers are given to them.

Decentralization of power is not a mere incident in the political History of India. It is a global movement to release the individual energy for constructive purpose to usher in growth and development.

OBJECTIVES OF THIS STUDY

* There will enhance the awareness and knowledge of the officials as well as non officials.
* The Awareness knowledge & importance of the Village and Urban Communities on the salient features of the 73rd constitutional Amendment Act & Gram Sabha.
* To find out how many time arrange & response of Gram Sabha.
* Women’s members presently in Gram Sabha.
* Over all presently and performance in Gram Sabha.
* To Investigate the Socio-Economic profile and overall development.
* To find out the outcome in terms of development whether Panchyat Leaders are successful and satisfied with their role in decision making.

METHODOLOGY
The study involves a survey method along with focus group discussion and interviews member’s of Gram Panchayats, elected Members at different tiers of the Panchayat. The questionnaire has been framed to conduct this study involving Gade Pimpalgaon, Waybhatwadi, Ghatsavli, Shidod etc. Gram Panchayat’s in Maharashtra State (India).

The Methodology of this study is qualitative and Multiple qualitative Methods. I propose a Methodology that will include the following. Direct observations, Indirect observations, Interviews, & textual analysis.

I considered different kinds of documents. Such as Research Journals, Text Book, files, Statistical records, records of the official proceedings of the Panchayat Meetings (Minutes) and records of the agendas, News paper, Magazines, Electronic Media Debates, Internet etc.

BACKGROUND

73rd Constitutional Amendment is one of the most important step in Panchayt Raj & decentralization of democracy.

In 1989, when Rajivji Gandhi was P.M. of India, this bill was presented for the first time it remains un complete.

After that when P.V. Narsihmaraoji was P.M. of India the bill as presented on 22-Dec-1992 in Loksabha. This bill was passed in Loksabha on same day & passed in Rajya Sabha on 23-Dec-1992. 17 State legislative Assemblies gave permission to it. This bill get president’s assent on 20-Apr -1993. And this bill became the act.

SALIENT FEATURES OF THE ACT

1) Constitutional status -

With this Amendment the 9th part of our constitution is extended. All the necessary provisions for Panchayati Raj system are included in article 243(A) to 243(o) & 11th schedule with 29 subject.

2) Three-Tier system -

Constitutional Sanctioned Three – Tier of Government at local level i.e. Gram Panchayat, Panchayat Samiti & Zilla Parishad (District level).

This Act Provided three tier P.R.system for all the states having the population more than 20 lacks.

3) State Election Commission –

State election commission is set up to hold P. R. election regularly with an interval of five years. (if it is not dissolved)
4) State Finance Commission –
State finance commission is appointed to make recommendations regarding financial power’s of the P.R.

5) Reservation System –
To provide reservation for S.C., S.T. & Women (Not less than 1/3 of total seats). But current position Reservation of 50% seats for women at all levels of the Panchayati Raj bodies to all the positions.

6) District planning Committee -
To Constitute District planning Committee to prepare draft development plan for the district as a whole.

7) Provision of 11th Schedule -
In the Constitution with 29 subjects for Panchayti Raj institutions to implement programmers & to take decisions.

The Matter’s listed in 11th schedule are as follows -
1) Agriculture & extension.
2) Land improvement.
3) Watershed development.
4) Animal husbandry, Poultry and Diary.
5) Fisheries, Social forestry & small scale industries.
6) Rural Housing, Khadi, Drinking water and Sanitation.
7) Community Health etc.

IMPORTANCE OF GRAM SABHA

Gram Sabha is the core of 73rd constitutional Amendment.
Gram Sabha has been a general body of village development framed after provisions of Constitution. About the nature of this body, it has been observed that “Gram Sabha may exercises such powers and perform such functions at the village level as the Legislature of a State may, by law, provide. Thus, all villagers above the age of 18 years have an inherent right to determine their own destiny. Gram Sabha is the forum where the marginalized poor can influence decisions affecting their lives.

The Gram Sabha must act as a rural parliament or the General body for making final decisions & the Gram Panchayat as an executive committee.
The Gram Sabha has key role in Gram Panchayats.
NUMBER’S OF GRAM SABHA

DURING A YEAR THE GRAM SABHA SHOULD MEET FOR 6 TIME’S.
1) IST GRAM SABHA = AFTER THE BEGINNING OF FINANCIAL YEAR
   (APRIL / MAY)
2) IIND = 15 AUGUST (INDEPENDENCE DAY)
3) IIIRD = 02 OCT. (MAHATMA GANDHI JAYANTI)
4) IVTH = 26 JAN. (REPUBLIC DAY)
5) VTH ACCORDING TO THE CONVENIENCE
6) VITH OF GRAM PANCHAYAT.

MAHARASHTRA STATE SURVEY ON PROPER WORKING OF GRAM SABHA

*According to the survey of Daily Sakal (26 Jan 2009) with the help of 84 reporters in 84 villages.

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* Survey of – Waybhatwadi, Ghatsavli, Shidod etc. Gram Panchayats in Maharashtra state (India).

IMPORTANT FINDINGS OF SURVEY

1) Intimation of Gram Sabha is given very rarely.
2) Less presently of women.
3) In many villages there was no presence of women for Gram Sabha.
4) Signatures of Gram Sabha (without taking / meeting) were taken during the flag hosting ceremonies.
5) Gram Sabha is adjusted due to the corum.
6) The Gram Sabha is not held in I.S.O. nominated Talwade village in Sindhurga District.
7) Only 20 to 25 people were present for Gram Sabha in the Pune District villages like Chakan, Maval, Wadgaon etc where the population is more than 10,000/-.
8) Only 55 people were present the most literate village, Kalmath in kokan.
9) Villages bi-cot the Gram Sabha in Rahtal in Thane District.
10) No interest is taken in the development of school, Education and Education committee.

SUGGESTIONS

1) Collector should take responsibility of Gram Sabha, if it is not taken.
2) Video Shooting of Gram Sabha is compulsory.
3) Social Audit of Gram Sabha is must.
4) On the day of Gram Sabha free Income Certificate, Cast, Birth/Death, 7/12, 8A Certificate should given.
5) To create literacy activities and decrease % of illiteracy.
6) Sarpanch should Elected from Gram Sabha.
7) Gram Sabha should give new leadership to new peoples.
8) Gram Sabha should be taken on festivities like Dasra, Pola (Pongal), Jatra(Fair) etc.
9) Awareness through print and electronic Media, Training to the elected Panchayat representatives.
10) Participations of the community in the preparations of need base action plans, their execution and monitoring.
11) To strengthen the Gram Sabhas and Gram Panchyats.
12) Availability of qualified (trained) personnel, at various level, to assists Panchayati Raj institutions in day –to- day working.

CONCLUSION

73rd Constitutional Amendment gave Opportunities to the weaker sections of society like S.C. S.T. O.B.C. & Women to participate in rural power & decisions making.

Gram Sabha get more rights and Decentralization of power became very fast.
But after 62 years planning we are unable to provide Drinking Water, Road, Electricity, Primary Education, Health Care etc. to the village people.
So to change this situation & to make all round development that is Socio-Economic, Cultural, Psychological & to make India knowledge rich country, the strict implementation of 73rd Constitutional Amendment is compulsory & Gram Sabha should be more & more Powerful.

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