

## **1. 30th Anniversary of the 73rd and 74th Amendments**

**Prelims Syllabus:** Governance - Policies

**Mains Syllabus:** GS-II Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein.



### **Why in News?**

- The year 2023 marks the 30th anniversary of the 73rd and 74th Amendment to the Indian Constitution. But still India's local government requires many technical, administrative and financial fixes.

### **What are the 73rd and 74th Constitutional Amendments?**

#### **73rd Constitutional Amendment Act:**

- Panchayati Raj Institution was constitutionalized through the 73rd Constitutional Amendment Act, 1992.
- This act has added a new Part-IX to the Constitution of India and consists of provisions from Articles 243 to 243 O.
- In addition, the act has also added a new 11th Schedule to the Constitution and contains 29 functional items of the panchayats.

#### **74th Constitutional Amendment Act:**

- Urban local governments were constitutionalized through the 74th Amendment Act during the regime of P.V. Narsimha Rao's government in 1992. It came into force on 1st June 1993.

- It added Part IX -A and consists of provisions from Articles 243-P to 243-ZG.
- In addition, the act also added the 12th Schedule to the Constitution. It contains 18 functional items of Municipalities.

## **What is the Status of Democratic Decentralisation in India?**

### **Positive Aspects:**

- **Empowerment of Local Communities:** Democratic decentralisation has given more power to local communities to participate in decision-making processes and to implement development projects according to their specific needs and priorities.
  - ✓ This has led to greater participation of citizens in governance and decision-making processes.
- **Accountability and Transparency:** Decentralisation has also led to greater accountability and transparency in governance.
  - ✓ Local governments are more directly accountable to citizens, and decision-making processes are more transparent and open to public scrutiny.
- **Promotion of Diversity and Inclusivity:** Democratic decentralisation has allowed for greater representation of marginalised communities in decision-making processes.
  - ✓ This has led to more inclusive policies that address the needs and interests of all citizens, regardless of their social, economic, or cultural background.

### **Challenges Related to Decentralisation in India:**

- **Uneven Distribution of Power and Resources:** Decentralisation has been implemented unevenly across different states and regions of India, leading to disparities in the distribution of power and resources.
  - ✓ Some states and regions have been more successful in implementing decentralisation than others, which has led to uneven development outcomes.
- **Ceremonial Status to Mayor:** The 2nd Administrative Reform Commission noted the Mayor in the Urban Local Government in most states enjoys primarily a ceremonial status.
  - ✓ In most cases, the Municipal Commissioner, appointed by the State Government has all the powers and the elected Mayor ends up performing the role of the subordinate.
- **Infrastructural Loopholes:** Many Gram Panchayats (GPs) lack a building of their own and share spaces with schools, anganwadi, and other entities.
  - ✓ While some have their own building, they lack basic facilities such as toilets, drinking water, and electricity.

- ✓ Although Panchayats have internet connections, they are not always functional. Panchayat officials have to visit Block Development offices for any data entry purposes, which delays the work.

### Way Forward:

- **Strengthening Local Government Institutions:** The institutional framework for local governance in India needs to be strengthened by providing them with more autonomy, resources and powers.
  - ✓ This can be done by revising laws, regulations and procedures that constrain the functioning of local governments
- **Capacity Building:** Local government officials and elected representatives need to be trained and equipped with the necessary skills and knowledge to effectively carry out their roles and responsibilities.
  - ✓ This can be achieved through training programs, exchange visits and mentoring.
- **Community Participation:** The success of democratic decentralisation depends on active participation of citizens in decision-making and implementation of local development plans.
  - ✓ Community participation can be enhanced through awareness campaigns, public meetings and consultations.

