

System of Power Sharing

Introduction:

During the journey to democracy we got familiar with some of the basic political concepts, organizations and democratic rules. Now we shall concentrate ourselves on political processes in place of doctrines and institutions. The basic thing of political process is the effort of power sharing. So, to understand the democratic polity, the concern of power sharing will be the main theme of our studies. At first, we will study how democracy embeds different social groups in itself after endowing them with expression and recognition through this process. For this the democratic organisations take up different and comprehensive ways of power distribution. We will see it in the next unit. There, we will study federal system of governance as the most impressive system. In this context, we will analyse the theoretical and practical aspects of Indian federal system. We must also know how the architects of our constitution included uniformity in federal system to keep the national unity and integrity intact keeping the diverse social structure and socio-political situations of India in mind.

Afterwards, we will study local self-government, the lowest system of power decentralization. In order to do it, we will have a critical overview of the Panchayati Raj in Bihar.

In the previous chapter we saw that when the human groups based on caste, religion, colour, language etc. don't get proper recognition and share in power, their dissatisfaction creates social division, political instability, cultural hold and economic set-back. We have seen these thing clearly by the examples of Belgium and Srilanka in the previous chapter. We have also mentioned the events of conflict and collision in India on the basis of language, caste, religion and region. Belgium turned the growing tension among language and caste groups aside by involving them in power sharing. For this, Belgium made some amendments in its constitution with some special provisions so that different linguistic and caste group could get proper representation in power. On the contrary, in Srilanka the Sinhalese community which was regular in power neglected the Tamil Community. Consequently, the tension between the Sinhalese and the Tamil assumed the form of dire civil war. So it is very clear that power sharing among different social groups is very necessary because it provides expression in recognition for different social groups. Their interests and needs get respect. It reduces the possibilities of tension among different social groups. So this system of power sharing is the first condition of unity, integrity and validity of political society.

For a long time it has been considered that political power cannot be shared. The power of government should be centralised in the hands of a single person or group. If the power of government is decentralised, the capacity of decision is affected. So it will be impossible to make decision and implement it. But democracy refuted this assumption and accepting power sharing as its basic conception. The public is the source and consumers of all the powers in democracy. They themselves rule through the institution of public self-government. Everybody participates in general decisions. Different social groups and opinions get respect in democracy.

Diversity is an essential characteristic of human society. In the process of long term development of human civilization, the impact of different factors causes the formation of different human groups based on caste, colour and religion. There are differences in the opinions, interests, desires and assumptions of these different human groups. So there are natural competition and conflict among these groups to get recognition and nurture their desires, likeness, interests and needs. In spite of these diversities, it is necessary for them to live together naturally in society to fulfil their needs. So a particular system is necessary to solve such conflicts and change this emulsion into co-operation. This system is the system of power sharing and the system of agreement among all. If efforts are made to solve these emulations and conflicts among different human groups by the force of strength and violence, the strong group will suppress the other. They will not respect their desires and interests. The weaker group will have to obey the stronger group. So it will evoke dissatisfaction and fury among them. In this situation, different groups will not live together for a long time. To keep them satisfied such a political system is needed that there should be no permanent winner or loser. In a legitimate governing system, all the people are connected with the system through their participation. Democratic system of government is the only system in which all the people have power and right to participate in and share political powers. In an un-democratic government like monarchy, dictatorship, totalitarianism and others, there is no need and possibility for the citizens to share powers. Non-democratic systems generally neglect their internal groups and their diversities, differences and conflicts or suppress them whereas democratic systems develop their own process to tackle the emulation and social divisions of their various internal groups. It reduces the fear of conflict eruption.

No society can end its diversities and differences permanently but co-operation, harmony and stability in society can be created by sharing powers with them and respecting their differences, distinctions and diversities. Democratic systems are the best for this purpose because a lot of provisions for power sharing are made in modern democratic systems.

Let's come and see how it works in democracy.

In democracy, power is distributed among linguistic, religious and other social groups. The equal number of the French and the Dutch ministers in the community government of Belgium is an example. In a number of constitutions in the world, special arrangements are made for the socially weaker sections and women to give them shares in legislator and administration. Our Indian constitution is also one of them in which a number of special provisions have been made to ensure the power sharing among women. Similarly our constitution also provides some special facilities for the minority and weaker communities.

In democracy, some target groups like traders, industrialists, farmers, teachers and industrial workers share powers through the representation in different committees and influence the decisions of the government by putting pressure indirectly. When various groups are active, there can be no supremacy of a single group on society. If a single group makes pressure on the government to make policy for its interest, the other group opposes it. So the government also comes to know what the different groups want and how much share they should be given in powers.

Political party is the most vivacious form of power sharing. It is a strong medium to bargain which works with the aim of contesting elections and grasping political powers.

So different political parties compete for gaining powers. Their competition ensures that the power should not be in one hand or in the hands of one organised group for ever.

If we observe the history of political parties, we see that the political parties of different groups and ideology assume power turn by turn.

We see the power sharing directly when two or more parties contest election and form the government together. So the most up-to-date form of power sharing is seen in a coalition politics or in a coalition government, when the political parties of different ideologies, social groups and regional and local interests share powers together at a time at one level.

Different interests and visions are expressed in democracy by organised public movements besides political parties. Unlike pressure groups, different interest groups are involved in these struggles and movements or it is possible that they are struggling for some general interests.

The end of monarchy and movements for transferring powers into the hands of the public in Nepal, Water war in Bolivia, struggle for the reservation of women and movement for right to information are the direct or indirect examples of power sharing.

In democracy, the whole power of the government is not invested only to a single part, but it is shared by different parts of components of the government. This sharing is done at a single level of the government. For example, the power is distributed among all the three parts of the government — legislature, executive and judiciary, and these parts share power by using them at a single level. Such a distribution of powers discards the possibilities of coagulation of power in one hand and its misuse. By this way every part has control over another. This is the system of control and balance. A lot of democratic countries in the world like America, India and others adopted this system.

At one level of government, such type of the distribution of power is called horizontal.

In other system of power sharing, power is distributed at different levels of government. Such distribution of power is called vertical.

This kind of system is a general government for the whole country. The governments are different at provincial and regional levels. The system of power sharing between the both is done according to constitution or written documents. The power is also shared to lower level — at central, state or regional level. It is called local self-government.

This distribution of power is generally known as federalism. It is the most popular form of power sharing in modern democracy. Federal system of government is contrary to totalitarianism in which there is only one level of government and the other units work under it. Provincial units have to toe the line of the central government.

We can mention the characteristics of the federal system of government as follows:

- In federal system of government, the power is distributed between the central and its different associate units.
- There is a dual government in federal system. One is the central government which has the subjects of national importance in its jurisdiction and the other is the state or regional government which has the subjects of local importance in its jurisdiction.
- The government at every level is autonomous and responsible to its people.

- The citizens also have dual recognition and constancy as they belong to their region as well as their nation. For example, one of us may be Bihari, Bengali or Marathi as well as Indian.
- The dual system of government is well managed by a written constitution.
- The right of the governments at different levels are clearly written in the constitution. So it is the main source of rights and powers for both the governments.
- No government can change the basic provisions of the constitution alone. For it, a special process is adopted and the consent of both the governments is necessary.
- There is a system of independent judiciary. It has the right to manage the process of the governments at different levels. It also solves the legal conflicts related to the distribution of rights and powers between the central and state governments.

Formation of federal system - Federal system is generally formed by two ways.

Many times several independent and sovereign states accept a common sovereignty together and form a federal state. The United States of America, Switzerland and Australia are the examples of federal states formed by this way.

In this type of federal system, the states have autonomy and feeling of their own recognition. So the states which join the federation have equal rights. They are more powerful than the central government because they generally assume the remaining rights.

On the contrary, when a big country is divided into several political units and local or provincial governments are formed but another government at the central level, it is also known as federal system of government. In this system, powers are distributed between the state and central governments. The federal system of government is formed on this pattern in India, Belgium and Spain.

In this type of federal system, the central government is more powerful than the state governments. The remaining power is invested to the central government.

Different states have equal rights but some of the states are endowed with special rights as per need, i.e., Jammu and Kashmir, Arunachal Pradesh and Sikkim have gained special privileges in India.

Thus federal system of government carries on dual aims to respect the regional and other diversities and save the unity and integrity of the nation. So federalism has no curtain and rigid rules. As a doctrine of governance, federalism assumes different forms in different situations. For example, federal system of government began in America, but when the other countries adopted this system, its form was changed. That is why the federal system in Germany, India and Switzerland differs from that of America.

The distribution of powers between the centre and the states in every federal government is done as per social and political needs and historical experiences. It also depends on the historical context in which the federation is established.

Let's come and see how a federal system is helpful in enhancing the values of national unity. At first, we will try to observe it in the context of our own country, India.

From geographical point of view, India is a vast country and from the view point of caste, religion, language and culture, it is full of diversities. Mainly twenty languages but hundreds of other languages are spoken here.

If we have to adopt a democratic system in such a country, it is necessary to recognise and sustain these diversities. A system should be developed for different regions and the people speaking different languages to share powers so that they may get opportunity for self-governance or autonomy. It is needed to distribute powers between the regional and the central governments and it is possible only in a federal system of government. India was under a foreign rule for a long time. So it was not very capable from social, economic and political point of view. If unitary governments were formed in several small states of India, they could not save themselves from imperial powers.

Moreover, Indian freedom Act 1947 gave right to the 563 estates present that time in India that they should join either India or Pakistan or remain free. In such a situation, a great number of states could join India only when there was a federal system of government in the country.

The development of federalism in India:

The congress party which led the national movements during freedom struggle was the supporter of federal system. Its own organisational structure was based on it. The base of constituent assembly formed in 1946 was federation because the state representatives were elected through communal electoral system by the legislative assembly and most of representatives of estates were nominated by their rulers.

Thus federal system of government was formed to enhance the values of national unity with the recognition of diversities.

Federal system of government in India:

Let's see whether the characteristics of federalism discussed above are present in Indian ruling system or not:

- As a first condition of federal system, dual system of governments has been formed in India — one for the whole nation called federal government or central government and another for the state called provincial or state government.
- The constitution clearly divided the working areas and rights between the central and state governments. Legislative powers have been mentioned in three lists.
- The issues of national importance such as like defence, foreign policy, means of communications, currency, banking etc. are put into the union list. Only the central government has right to legislate on these issues.
- The issues of regional importance such as jail, health, education, police etc. have been put into the state list. The state government can legislate on these issues.
- The issues which are important for both the state and the central government have been put into the concurrent list. Both the state and the central government can legislate on these issues. But when both the state and the central government legislate on the same issue or there is conflict over the legislation done by them, the legislation done by the central government is valid.
- The issues which do not fall under these three lists have been given to the central government and it has right to legislate on the remaining issues.

- As said above, all the associate units in a federal system do not get equal rights. Even in the federation of India, some of the states like Jammu and Kashmir have got special privileges. It has its own constitution and several provisions of Indian constitution cannot be promulgated there without its consent. No Indian citizen except local inhabitants can own land or house there. Some special provisions have also been made for some other Indian states like Arunachal Pradesh, Sikkim, Manipur, etc. There are some regions also which cannot be independent states or dissolved into any other existing states due to their geographical or other reasons. The central government has right to govern there. So they are called territorial states. Chandigarh, Lakshdeep etc. are territorial states.
- Indian constitution is rigid because the provisions of the distribution of powers between centre and state cannot be changed easily or without the consent of the states. The approval of two-third majority of both the houses of the parliament and at least half of the state legislative assemblies is necessary for any kind of change.
- There is an independent and uppermost judiciary which has right to explain the constitutions, decide the conflicts between the centre and the states and declare them illegal or against the constitution.
- The centre and the states have power to impose taxes, manage resources and collect revenues to govern and discharge their responsibilities.

Execution of Federal System:

We have discussed above the constitutional and institutional provisions of Indian federal system, but only written provisions constitution are not enough for its execution. The execution of federal theories is directed by political and cultural ideology and historical realities. If there is culture or feeling of mutual belief, co-operation, respect and restraint among federal units, the execution of federal system is easily carried on. The success and failure of federal system is also directed by the presence of political parties and their efforts and attitude of power sharing. If a unit, state, linguistic community or ideology wants its monopoly on powers or makes efforts for it, repugnance and dissatisfaction thrive among other units, states or linguistic communities which are not in favour of this effort or on which the power is being imposed or which as shareholders of powers are neglected. In such a situation, the disappointed units can protests, demand for separation or indulge in violence. It can be resulted in civil war or disintegration. A number of countries in the world had to have this type of experience.

Let's take examples of some of the countries in the world where federal system was adopted to respect the regional and linguistic diversities and analyse how much useful this system proved as an effective agency of power sharing.

The Union of Soviet Socialist Republic rose as a great power of the world but it was disintegrated into several countries after 1989.

The main reasons of the disintegration of the Soviet Union were congelation of powers and attitudes of excessive centralization. The main axis of the Soviet political system was the communist party. It neglected the desires and interests of Uzbekistan and other regions of different languages and cultures. The effort of Russian dominance on them also provoked their disintegrative attitude. The other nations and races had complaint that the

language and culture of Russia, the biggest republic of the union were being imposed on them. The citizens of Russian origin were dominant in power sharing. In 1986, though the Russians were 52 percent of the total population, but their percentage in the central committee was 85, in the central cabinet 88 and in the army 88 occupying high ranking. The number of the Russian citizens was increasing in different republics and they were more urbanised and prosperous than the local people.

Federalism in West Indies

The Union of West Indies was formed in 1958. But it was dissolved in 1962 due to the weaknesses of the central government and political rivalry among federal units. But by the treaty of Chaguaramas, there independent islands made some joint institutions like Parliament, Supreme Court, Currency and Common market named Caribbean Community. They had a common executive and the heads of the member countries were its members. Thus the units there could remain neither as nations nor as separate units.

Federation in Nigeria

If different regions and communities of a country have no faith in one another, the federal system does not succeed. We can understand it through the example of Nigeria. The federal system was established in Nigeria in 1950 but the three main racial groups of Nigeria— The Yoruba, the Ibo and the Hausa Fulani made efforts to increase their supremacy and an environment of fear and conflicts among other racial groups were created. So a military rule was established there. In 1999, democracy was established there the second time but religious conflicts remained intact. It was also a problem before the union of Nigeria who would have control over the revenue gained by oil resources.

So the republics raised their voice to share more and more powers and their negligence at last disintegrated in Soviet Union in 1989.

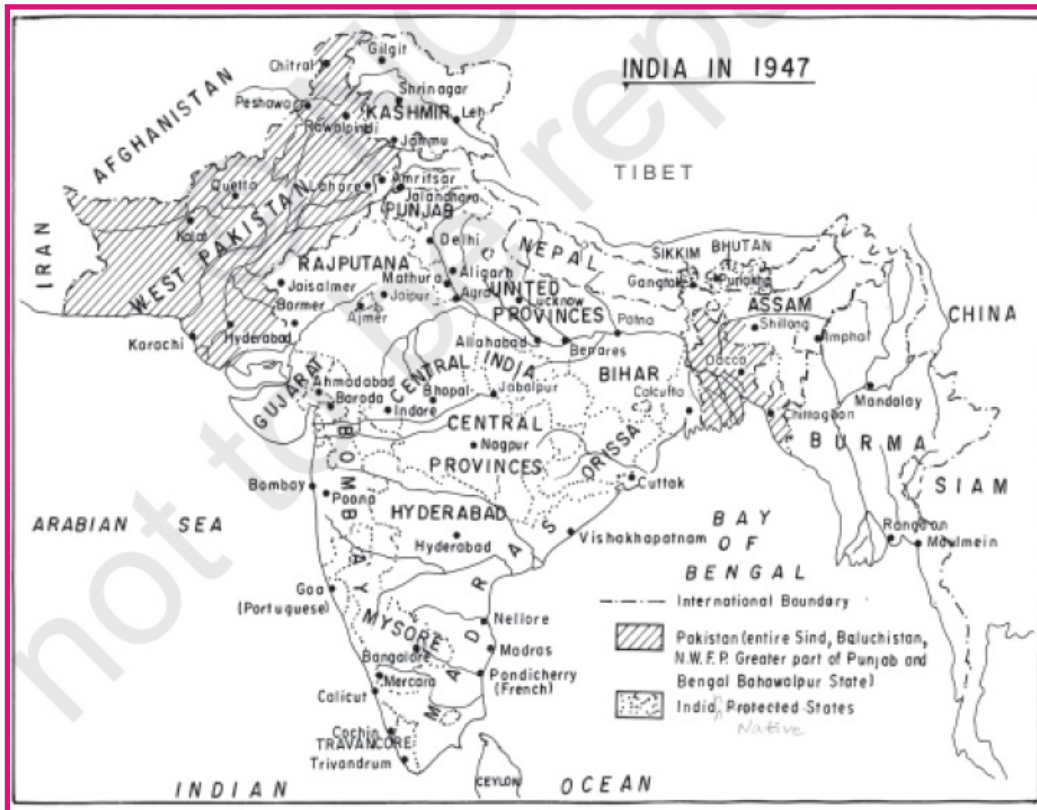
Similarly, some other states like Czechoslovakia, Yugoslavia and Pakistan had to suffer disintegration.

For the intact form of Indian union, the credit of the execution of Indian federal system goes to its democratic characteristics. The Union of India also had to face several tensions, problems and challenges. To hold up its diversities and differences, the republic of India also made many efforts to share powers among them. Indian federal units were reformed to strengthen the federal system. Some states were formed to bring one linguistic community under one geographical region and some were formed to underscore the cultural, geographical or racial diversities and respect them. The states like Nagaland, Uttarakhand and Jharkhand are related to language.

Language Policy:

A great many languages are spoken in India. Linguistic discrimination was the main reason of political instability in Srilanka. Indian constitution accepted Hindi as its national language because it is the language of the forty percent of the population. Efforts are also made for the use, conservation and enhancement of other languages as well. The use of English also continued due to demand of non-Hindi speaking states in spite of prohibition from using English as an official language according to the constitution.

There broke out a public movement in Tamilnadu for this purpose. The government solved this problem by allowing the use of English as well as Hindi as official language.



India in 1947

At what extent the decentralization of powers is helpful in enhancing the values of national unity. The Union of India validates the recognition of different region by decentralizing powers, still it gives more power to the centre. The architects of the constitutions were in favour of federal system to take in the diversities but they also wanted a powerful central government to check the destructive attitudes and accelerate the social and political change. They also needed the required support of the states for doing so. Planning and co-ordination were also needed to solve some problems like poverty, illiteracy, economic inequality, etc. So we can see the powerful position of the central government by this way.



India Political 2013

The parliament has control over the existence and stability of geographical borders of a state. It can change the border or name of any state. But to check the misuse of this power, the opportunity to express its opinion has been provided to the legislator of the affected states.

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Linguistic diversity of India

How many languages are there in India? The answer of this question depends on how you count the languages. We can get the authorised newest information about it from the data of 1991 census. In this census, more than 1500 languages were recorded as mother tongues. Some of these languages were grouped with the main languages such as Bhojpuri, Magahi, Bundelkhandi, Chhatisgarhi, Rajasthani, bhili and other similar languages are added to Hindi. In spite of this type of grouping, there were 114 main languages and 22 of the them were put into the 8th schedule of the constitution known as scheduled languages. Rest of the languages are non-scheduled languages. From the view point of language, India is the most diverse country of the world. It is very clear from the list given along with that no one language is the mother tongue of the majority of Indians. Only 0.20 per cent of the people accepted Hindi, the largest speaking language as their mother tongue. Only 11 percent of the people knew Hindi as a second or third language.

Observe this list carefully. Don't memorise it. Do these activities:

- Draw a bar or pie chart on the basis of this information.
- Draw a map demonstrating linguistic diversities of India. Colour the different areas with different colours and show which language the people speak in those areas.
- Find out three languages which are spoken in India but not mentioned in this list.

Scheduled Languages of India	
Language	Ratio (%) of speakers
Asamia	1.6
Bangla	8.3
Bodo	0.1
Dogri	0.2
Gujrati	4.9
Hindi	40.2
Kannad	3.9
Kashmiri	0.5
Konkani	0.2
Maithili	0.9
Malyalam	3.6
Manipuri	0.2
Marathi	7.5
Nepali	0.3
Odiya	3.4
Punjabi	2.8
Sanskrit	0.01
Santhali	0.6
Sindhi	0.3
Tamil	6.3
Telagu	7.9
Urdu	5.2

The languages mentioned in the schedule 8 of the India constitution have been written in the first column of this chart. The ratio percent of the population speaking these languages has been given in the column second. These data based on the 1991 census except Kashmiri and Dongri because the census was not done in Jammu and Kashmir in 1991.

- There are some emergency provisions in the constitution which makes the centre very powerful. When these provisions get implemented, they change the federal system into centralised system. The powers during emergency are centralised legally. The parliament gets the power of making laws even on the subjects which fall under the state jurisdiction.
- Even in a normal situation, the central government has very impressive financial powers and responsibilities. The centre has control over the main resources of income. The planning commission formed by the central government keeps a watch on the resources of the state and their management. Besides it, the central government uses its privileges and provides loan and grants to the state.
- The governor sends any bill passed by the state legislator to the president for approval. He can also send recommendation to the president to dismiss the state government and dissolve the assembly.
- The central government can legislate on the subjects coming under the state list in some special classes.
- Indian administrative system is monotonous. The selected officers in this service work in the state but the state can neither take any disciplinary action against them nor put them out of the service.

The two articles 33 and 34 of the constitution enhance the power of the central government when there is a 'military rule' in the region. In this situation the parliament has right to legally validate any action taken by the central or state officer to maintain peace. Thus we find that through some special provisions it has been tried to administer the powerful centralised system and enhance Unitarianism in federation.

Centre-state relationship :

The co-operation and conflict in federal system — On the one hand, the centre is very powerful and on the other hand, the identity of the state is also intact and valid. So the relationship between the state and the centre is the touchstone to examine the execution of federal system. A single political party had supremacy in the centre and state in our country for a long time. During this period the relationship between the centre and the state remained normal. But when there were government of different parties in the centre and the state, the central government ignored the rights of the states. So the states started opposing the powers of the central government and demanded more autonomy and powers for the states. In those days, the central government often dissolved the governments of opposition parties by misusing the constitutional provisions. In the decade 1980, the central government dismissed the elected government of Jammu and Andhra. It was an action opposite to the constitution. The role of the governors in Indian federal system has always been a matter of debate especially when there were the governments of different parties in the centre and the state. The governors were appointed by the central government, so their decisions and recommendations are often taken as interference in the state affairs.

But the situation changed after 1990. The supremacy of the congress party reduced and the coalition politics came into existence in the centre. When not a single party got clear cut majority, the main national parties have to form coalition government with the help of several regional parties. So a new culture of power sharing and respecting the autonomy of states grew up. A great decision of the Supreme court also enforced this attitude. Due to this decision, it became difficult for the central government to dismiss the state government arbitrarily.

Decentralization in India:

In a vast and diverse country like India, the governance could not be done by decentralised system at only two levels. So the power was decentralised to the third and lower levels so that the powers taking from the centre and state should be given to local governments.

Thus it was feeling behind the decentralisation that the people should have power to do the work which can be done at local level. They should be connected with the process of decision on the issues, needs and development related to local life. Local people are more familiar with the local problems than the state or central government is, because they have impact on their daily life. Through the participation in local decisions people get habituated of the democratic participation.

The presence of local institutions has strengthened the roots of democracy by creating environment and broad forum for the participation of people in governance. The presence of a large number of women was ensured in local bodies due to the provision of reservation for women in the Panchayats and Municipalities. Social structure has also been changed due to reservation for schedule castes and tribes and democracy became meaningful by providing shares for the socially and economically deprived people.

In spite of it, there are a lot of problems which do not let the activities local governance run smoothly. Most of the states have not provided sufficient rights and resources for the local governments. The election of the Panchayat is conducted regularly but the meetings of the Gram Sabhas are not held systematically. The experiences of the performance of the local bodies in the last decades show that they have less freedom to do their activities effectively.

A glimpse of the Panchayati Raj System in Bihar:

The roots of autonomy are very old in Bihar. The republic of Lichchavi was the best example of local autonomy. The institutions like 'Sabha' and 'Samiti' (assembly and committee) are mentioned in the Vedas. That the village is the basic unit of local administration has been a unique characteristic of our cultural heritage. Our father of nation, Mahatma Gandhi, also used to say that the soul of India lives in villages. Appreciating the values of Gandhism and heritage of the country in Indian constitution, local self-government has been enshrined in the article 40 of the directive principles of the state policy. Through this article, the states have been given the accountability to form the Gram Panchayats and make them able to function as a unit of self-government by endowing them with powers and authority.

The Panchayati Raj System at the national level was formally started in Nagore district of Rajasthan on 2nd October, 1959 on the basis of the recommendations of Balwant Rai Mehta Committee. The Panchayati Raj system in Andhra Pradesh was also started in 1959. After that the other states of the country began to form the Panchayati Raj Institutions.

Balwant Rai Mehta Committee recommended three-tier structure of the Panchayati Raj System

1. Panchayat at the village level
2. Panchayat Samiti or regional committee at the block level
3. Zila Parishad at the district level.

Since local self-governance is the matter of the state, the states formed the Panchayati Raj on the recommendations of the committee according to their own needs. So there is lack of uniformity in the Panchayati Raj Systems. To maintain the uniformity of the Panchayati Raj System in the

country the bill for the 73rd amendment in the constitution was placed in the parliament in 1991 which was passed on December 22-23, 1992 by the Lok Sabha and Raja Sabha. As a result, Panchayati Raj bill was included as new chapter in the constitution. A new article 243 comprising 13 articles was also included. A new schedule (11th schedule) was also included by this amendment in which 29 issues have been mentioned which fall under the jurisdiction of the Panchayati Raj. The Panchayati Raj system was established in order to awaken democratic consciousness. It is also expected that it will bring social change and the unfinished work of social justice will be completed.

The three-tier form of the Panchayati Raj in Bihar

- (a) The Gram Panchayat
- (b) The Panchayat Samiti
- (c) The Zila Parishad

Duration — Five years

A. The Gram Panchayat

The Gram Panchayat in Bihar is the lowest of the autonomous institutions in rural areas but it occupies the most important place. The state government forms the Gram Panchayat on the basis of average population about 7000. A Gram Panchayat is divided into 15-16 wards having about 500 population each. A ward member is selected by each voter. The head of the Gram Panchayat is Mukhia and there is a post of Up-Mukhia to assist him. A Panchayat Sewak is appointed in each Panchayat who works as a Secretary.

There is a provision to reserve seats for the schedule caste, schedule tribe and backward class on the basis of population in each Panchayat. According to the Panchayati Raj bill 2006, 50% of the total seats are reserved for women in Bihar. The head of the Gram Panchayat is Mukhia. Mukhia or Up-Mukhia can resign himself or can be dismissed. He can willingly send his resignation to the District Panchati Raj Officer. If two-third of Gram Panchayat members pass the vote for no-confidence motion, the Mukhya or the Up-Mukhiya can be dismissed.

General duty of the Gram Panchayat :

- i. To prepare annual planning and annual budget for the development of the Panchayat
- ii. To help in natural calamity.
- iii. To remove encroachment from public property.
- iv. To organise voluntary labourers and help in community activity.

The powers of the Gram Panchayat:

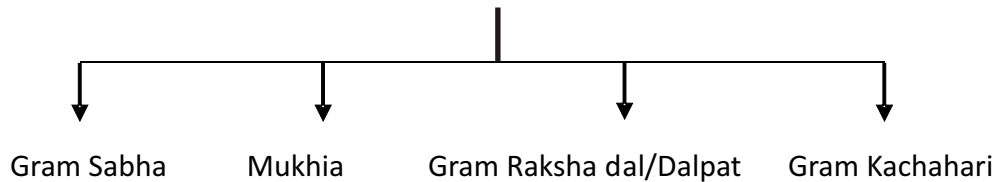
- i. The powers to acquire and keep property, to sort out any dispute and issue tender.
- ii. Imposition of taxes (annual taxes) i.e. water tax, sanitation tax, tax on fairs and hats, tax on vehicle registration, tax on trade and employment.
- iii. Right to receive grant from cumulative fund on the recommendation of state finance commission.

The source of income of the Gram Panchayat :

- i. Taxation : Holding, trade, business, occupation and employment
- ii. Fees and rent : Registration of vehicles, religious places, hats and fairs, water supply, light, streets and other places, lavatory and urinals.

- iii. Financial grants: the state government gives grant to the Panchayats from the cumulative fund on the recommendations of the state finance commission.

Main parts of the Gram Panchayat



Gram Sabha :

It is the executive body of the Panchayat. All men and women above 18 years residing in the Gram Panchayat area are its members. The meeting of the Gram Sabha will be held at least four times in a year. The Mukhia will call the meeting and preside over it.

Gram Rakshadal:

It is policing system of the village. The youths aged 18 to 30 years can join it. The Dalpati is its leader. It is responsible for peace and safety in the village.

Gram Kachahari:

it is the court of the Gram Panchayat which has been allotted judicial responsibility. The executive and judiciary of the Gram Panchayat in Bihar have been kept aloof from each other. There will be a gram Kuchahari in each Panchayat which has a directly elected Sarpanch and some Panchs who are elected as per 500 population. The tenure will be five years. The Sarpanch will be in charge of the gram Kachahari. The Gram Kachahari has to take up both the civil and criminal cases. The Sarpanch can hear the cases of maximum 10 thousand rupees. There are a Nyay Mitra and Nyay Sachiv in the Gram

Kachahari. The post of Nyay Mitra and Nyay Sachiv should be created by Bihar government. The Nyay Mira assists in the affairs of the Sarpanch and the Nyay Sachiv keeps the papers.

C. Panchayat Samiti:

The Panchayat Samiti is the second or middle level of the Panchayati Raj system. It is really a link between the Gram Panchayat and the Zila parishad. About 5000 people of a certain area elect the member of the Panchayat Samiti. Besides it, the Pramukh of the Samiti which comes under the area of the Panchayat Samiti is elected indirectly. The candidates of Pramukh or Up-Pramukh are the directly elected members and they are also elected by them. The Pramukh is the head of the Panchayat Samiti. He calls in the meeting and preside over it. He observes the activities of the Panchayat Samiti and have control over the Block Development Officer.

The Block Development Officer is the ex-officio secretary of the Panchayat Samiti. He calls in the meeting by the order of the Pramukh. He executes the decisions of the Panchayat Samiti and spends money from its fund. He looks into the matter of the Panchayat and performs other important activities.

The function of the panchayat Samiti : The Panchayat Samiti discusses the annual planning of all the Gram Panchayats and presents consolidated planning to the Zila Parishad.

It performs such activities that the state government or the Zila Parishad allots. Besides it, community development work and management of relief at the time of natural calamity are its main responsibilities.

The Panchayat Samiti performs most of its responsibilities through its permanent committees.

A. Zila Paishad

The Zila parishad is the third tier of the Panchayati Raj System in Bihar. The member of the Zila Parishad is elected on the population of 50,000 each. Like Gram Panchayat and Panchayat Samiti, there is also provisions of reservation for schedule casts, schedule tribes, backward class and women. All the Panchayat Samitis of the district comes under the jurisdiction of the Zila Parishad.

The tenure of the Zila Parishad is five years. All the Pramukhs of the Panchayat Samitis of the district are its members. Every Zila Parishad has a Chairman and a Vice-Chairman. The members of the Zila Parishad elect them from themselves to strengthen and empower the Panchayati Raj System. At the end of every five years, the State Finance Committee is formed to review the financial conditions of the Panchayats.

After availing the constitutional validity, it is difficult to dissolve the Panchayati Raj Institutions arbitrarily. In the situation of dissolution, election is necessary in 6 months. The election commission is responsible for preparing the set of rules and conducting and controlling the process of election. The election commission for the Panchayat election was appointed by the governor. In the light of the Panchayati Raj bill, 2006, 50% of the total seats was reserved for women. Besides it, there is also a provision of reservation for the schedule castes, schedule tribes and backward class.

Urban administrative system in Bihar

There has been a glorious history of local self-government in the cities and towns of Bihar. It is mentioned in the Manusmriti and the Mahbharata. The Greek scholar 'Magasthenese' has mentioned in detail the municipal organisation in Patliputra, the capital of the Maurya Empire in his book 'Indica'. Chanakya, the Prime Minister of Chandragupta also described the municipal administration of Patliputra. After the independence, the municipal administration has been completely recognised and improved.

The urban administration system like the Gram Panchayat has been in vogue in Bihar from the earliest times. Indian Parliament first validated the municipal administration system in 1992 by passing the 74th amendment bill in constitution. The jurisdiction of the municipality has been mentioned in the 12th schedule of the constitution.

Since Bihar has no metropolis, there are three institutions in our state for the local administration in cities:

- i. Nagar Panchayat
- ii. Nagar Parishad, and
- iii. Municipal Corporation

1. Nagar Panchayat:

The Nagar Panchayat is formed to govern the villages which are transforming into towns. It is formed in a town having the population of 12,000-40,000 and the three-fourth of the population should be engaged in the activities other than agriculture. The members of the Nagar Panchayat are directly elected by the voters of the wards. The state government also nominates some of the members. The number of members is 10-37. The tenure is five years. There is a Chairman and a Vice-Chairman who are elected from among the members. The Chairman performs all the activities of the Nagar Panchayat. The Vice-Chairman performs the duties in the absence of the Chairman.

2. Nagar Parishad:

The Nagar Parishad is formed in the towns larger than the Nagar Panchayat having the population of 2,00,000-3,00,000 and the three-fourth of the population should be indulged in the activities other than agriculture. The density of the town should be 400 people per kilometre.

Parts of the Nagar Parishad : There are four parts of the Nagar Parishad

- i. Council
- ii. Committees
- iii. Chairman and Vice-Chairman; and
- iv. Executive Officer

i. Council: The Council is the main agency of the Nagar Parishad. Its members are called councillor or Commissioner. The number of members is 10 to 40.

80% percent of the members are elected and the rest 20% are nominated. The tenure of the Councillors is 5 years. The state government can dissolve the council. Its meeting is held once a month. The members of the Council elect a Chairman and a Vice-Chairman among themselves.

ii. Committees : There are several committees to execute the Nagar Parishad properly. The Nagar parishad appoint the committees. There are 3 to 6 members in these committees. These committees are on different issues as Education Committees, Public health committees, etc. These committees advise the Nagar Parishad and perform other activities.

iii. Chairman and Vice-Chairman: There are a Chairman and a Vice-Chairman in each Nagar Parishad in Bihar. Both of them are elected by the members of the Nagar Parishad. Their tenure is of five years. But they can be removed before the completion of their tenure. The Chairman is the head of the Nagar Parishad. He keeps watch on all its activities. He implements the rules of the Nagar Parishad. He is considered the first citizen of this town. The Vice-Chairman performs all the activities in the absence of the Chairman.

iv. Executive Officer: There is a post of Executive Officer in each Nagar Parishad. The state government appoints him. He is the main officer who administrates the Nagar Parishad.

There are some other officers and staffs in the Nagar Parishad as medical officers, school inspectors, junior engineers, tax daroga, etc. All of these help and advise the Executive Officer.

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Functions of the Nagar Parishad:

We have seen that the Nagar Parishad is an important unit under the urban governing system and so it has to perform a lot of activities. The nagar parishad has to do two types of functions: Compulsory and Voluntary. The compulsory functions are those which the Nagar Parishad is compelled to do but it does the voluntary functions willingly or as per the need.

The compulsory functions of the Nagar Parishad area as follows:

1. To make the town clean
2. To manage light for roads and streets
3. To manage drinking water
4. To build and repair roads
5. To keep the drains clean
6. To manage for Primary education as opening and running schools
7. To take steps for vaccination and protection from epidemic diseases
8. To open hospitals for humans and cattle
9. To safeguard from fire
10. To manage for cremation-ground
11. To register birth and death and keep account of them

Voluntary functions:

1. To construct new roads
2. To make streets and drains
3. To make the slum areas fit to settle
4. To make houses for poor
5. To manage electricity
6. To organise exhibition
7. To make park, garden and museum
8. To establish library and auditorium

Source of Income of the Nagar Parishad:

The Nagar Parishad imposes and collects many types of taxes, such as holding tax, water tax, light tax, drain tax, market tax, entertainment tax and so on. Besides them, the Nagar Parishad collects *Chungi* on the goods which are brought to the town for sale from other areas.

The Nagar Parishad collects annual tax from the bullock cart, horse-carriage, cycle, rickshaw, etc. The state government also gives grants to the Nagar Parishad. It is also a source of its income.

3. Municipal Corporation:

As we know there are three types of institutions for the local governance in the towns. The municipal corporations are established in big cities. That is to say that the corporation is established in a town having more than 3 lacs population. The municipal corporation was first established in Madras (Chennai) in 1688. But the Corporation in Bihar was first established in Patna in 1952. Every municipal corporation is divided into many parts according to population. They are called Wards. The number of Wards depends on the existing population of the city. The rules of reservation are followed in the allocation of wards and reservation for schedule castes, schedule tribes and extreme backward classes is also maintained. 50% seats are reserved for women in the municipal corporation of Bihar. There could be 37-75 wards in a corporation of Bihar. Patna Municipal Corporation consists of 72 wards, Gaya Corporation 35 Wards, Bhagalpur 51 words, Muzaffarpur and Darbhanga 48 wards, etc. Bihar Sharif 46 and Arah Municipal Corporation consists of 45 wards.

Main parts of the municipal corporation:

The main parts of Municipal Corporation in Bihar are as follows:

- i. Corporation Council
- ii. Powerful Local Committee
- iii. Advisory Committee
- iv. Town Commissioner

i. Corporation Council :

A municipal corporation is divided into several wards and the people of each ward elect their representatives. They are called ward parishads or ward councillors. Their tenure is five years. Besides elected members, some representatives of particular interests such as chamber of commerce, trade union and registered graduates are also the members of the council. All elected members as well as nominated members elect several co-opted members. Besides them, the M.P., Local MLAs and MLCs are its invited members. The meeting of corporation council is held every month. The main function of the corporation council is to make work rule, take decision and impose taxes.

Mayor and Deputy Mayor : The corporation council elects a Mayor and a Deputy Mayor from among its elected members. They assume their office for five years. The Mayor is the speaker of the corporation council and presides over its meeting. He is the first citizen of the city and so he welcomes the guest coming to the city. The Deputy Mayor performs all the activities of the corporation council in the absence of the Mayor.

ii. Powerful Local Committee:

It is the second main part of the corporation. Mayor and Deputy Mayor are the members of this committee. The Mayor presides over this committee. Almost all the activities of the corporation council are performed by the powerful committee. This committee appoints some of the staffs and has control over the town commissioner.

iii. **Advisory Committees :**

There are also some advisory committees in the Municipal Corporation such as Education Committee, market and part committees etc. These Committees give advice to the corporation council.

iv. **Town Commissioner :**

This Officer of the municipal corporation is appointed by the government of Bihar. He is often an officer from Indian Administrative Services. He is the main administrator of the Municipal Corporation and keeps a watch on the activities of all staffs. He also appoints some staffs. The town commissioner performs the activities according to the decisions taken in powerful permanent committee and corporation council.

Main functions of the municipal corporation:

The Municipal Corporation performs many activities for local needs and facilities of the citizens. Some of the main functions of the municipal corporation are as follows:

1. To construct drains, urinals, lavatories etc. and keep a watch on them.
2. To clean garbage and dirt.
3. To make arrangement for drinking water.
4. To construct and clean streets, bridges and parks.
5. To establish hospitals for humans and animals and make efforts for checking epidemic diseases.
6. To establish and make arrangements for elementary level government schools, libraries, museums etc.
7. To establish and look after various welfare centres as mother centre, infant centre, old age home etc.
8. To check the dangerous trades and to make arrangement for killing the dangerous animals and mad dogs.
9. To establish and make arrangement for dairy.

10. To make arrangement for extinguishing fire.
11. To set up recreation centre.
12. To make arrangement for the registration of birth and death.
13. To do census in the city.
14. To set up new markets.
15. To make arrangements for city buses.
16. To watch the cremation and burial ground.
17. To set up cottage industry and co-operative godowns.

Main income source of the Municipal Corporation:

The main sources of the income of the Municipal Corporation are the followings:

1. The Municipal Corporation imposes many types of taxes as holding tax, water tax, laboraty tax, taxes on animals and small vehicles, etc.
2. Time to time financial grants given by the governor of Bihar

Questions

Objective Questions :

I. Choose the right option

1. Which is not a characteristic of a federal state?

(a) Written constitution	(b) Power distribution
(c) Unitary ruling system	(d) Supreme Judiciary

2. The example of federal government is

(a) America	(b) China
(c) Britain	(d) None of the above

3. How many lists are there in India to distribute rights between the centre and states?
- (a) Central list, State list
 - (b) Central list, State list, Concurrent list

II. Which of the following statements are true:

1. Power sharing is right because
 - (a) It tucks the diversities in itself
 - (b) It weakens the unity of the country
 - (c) It delays the decision
 - (d) It minimises the collision among different communities
2. Federalism is favourable to democracy
 - (a) Federal system limits the power of central government
 - (b) Federalism ensures cordiality and faith among the people living under this ruling system. They will not have fear that the language, culture and religion of one group will be imposed on another.

III. Some arguments have been given below in favour of Local Self-government. Arrange them in preferential order:

1. The government can complete its plans or lower expense by including local people.
2. Local people know about the needs, problems and preferences of their locality.
3. It is difficult for common people to make contact with their state or national legislator representatives.
4. The planning made by local people is more acceptable than made by government officers.

Very Short Answer Questions:

1. Give meaning of the federal state.
2. Write two characteristics of federal government.

Short Answer Questions:

1. What do you mean by power sharing?
2. What is the importance of power sharing in democracy?
3. What are the different ways of power sharing?

Long Answer Questions:

1. How do the political parties do power sharing?
2. Who are the shareholders of power in a coalition government?
3. How do pressure groups share power by influencing the governor?

Answer in 50 words in favour of one of the following statements:

- Every society needs share in powers, whether it is small or there is no social division in it.
- Large countries having regional divisions need power sharing
- The society having divisions at regional, linguistic and caste level needs power sharing.

