

SOS POLITICAL SCIENCE AND PUBLIC
ADMINISTRATION
M.A.PUB.ADMN.401
SUBJECT NAME:LOCAL
ADMINISTRATION

UNIT NAME:IV
TOPIC NAME:STATE CONTROL OVER
LOCAL BODIES IN M.P.

INTRODUCTION

- *Local Government is a creature of the State Government, exists and regulated by an Act passed by the State Legislature.
- * It is a State subject, item 5 in List II of the Seventh Schedule to the Constitution of India.
- *73rd and 74th Amendment have accorded constitutional status to both Rural and Urban Local bodies.
- * Article- 243, 243-A to 243-ZG deals with The Panchayat and The Municipalities. Local Bodies Panchayat Municipalities

LOCAL BODIES


RURAL LOCAL BODIES

The term 'Panchayat Raj' is relatively new, having originated during the British administration. 'Raj' literally means governance or government. Mahatma Gandhi advocated Panchayati Raj, a decentralized form of Government where each village is responsible for its own affairs, as the foundation of India's political system. His term for such a vision was "Gram Swaraj" or Village Self-governance. It was adopted by state governments during the 1950s and 60s as laws were passed to establish Panchayat in various.

URBAN LOCAL BODIES:


The origin of local self-government had very deep roots in ancient India. On the basis of historical records, excavations and archaeological investigations, it is believed that some form of local self-government did exist in the remote past. In the Vedas and in the writings of Manu, Kautilya and others, and also in the records of some travelers like Megasthenes, the origin of local self-government can be traced back to the Buddhist period. The Ramayana and the Mahabharata also point to the existence of several forms of local self-government such as Pura (guild), Nigama, Puga and Gana, performing various administrative and legislative functions and raising levies from different sources. Local government continued during the succeeding period of Hindu rule in the form of town committees, which were known as 'Goshthis' and 'Mahajan Samitees'

OBJECTIVES


- * To examine the nature of the state supervision and control;
 - * To identify the agencies and techniques of administrative control;
 - * To study the effectiveness of legislative and judicial control;
 - * To highlight the impact of state control on local autonomy;
 - * To analyze the role of audit in safeguarding the financial health of municipal bodies;
 - * To examine the extent to which 74th Constitutional Amendment has minimized or rationalized the state institutions;
 - * To identify the emerging pattern of relationship between state and municipal bodies;
 - * To pinpoint the overlapping powers of the Directorate and District authorities
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FORMS OF CONTROL


LEGISLATIVE CONTROL

- *Power to enact legislation ,Power to amend statute
 - *Look after the functioning of local bodies
 - *By approving orders issued by local bodies
 - *Make changes in organization, powers and functions Referring to legislative control over local bodies in U.S.A., Chief Justice Dillon remarks, “Municipal corporations owe their origin and derive their powers and rights wholly from the legislature.... As it creates, so it may destroy. It may destroy, it may abridge and control...they are...the mere tenants-at- will of the legislature.
 - *By debating the functioning of local bodies
 - * By appointing committees
 - * Control over rule making power of the state govt.
 - *By approving the orders issued by the govt.
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ADMINISTRATIVE CONTROL

- *Supersession and dissolution**
 - * Control over resolutions**
 - *Suspension/ removal of members**
 - *Power to make rules and frame bye-laws**
 - * Inspection and tours**
 - * Annual returns and other information**
 - * Appointment of certain officers**
 - *Emergency powers of state govt**
 - *To issue orders for guidance**
 - * Appellate powers**
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ADMINISTRATIVE CONTROL

- *Rules and regulations serving guide-lines
 - *Approval or rejection of bye-laws, schemes, resolutions, directions
 - * Appointments or removal or transfer of employees
 - * Advice, guidance, circulars, etc. to the departments
 - *Occasional inspection through inspectors
 - *Supersession of local bodies
 - * Suspension of resolution if not in public interest
 - *Dissolving the bodies and ordering for fresh elections
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JUDICIAL CONTROL

- * Local government usually control the judiciary
 - * Courts of law interpret local laws and may declare ultra vires those local Acts which are deemed to be in excess of the powers conferred on local bodies
 - * Financial control
 - * Control over funds and expenditures
 - * Grants-in-aid
 - * Approve budgets
 - * Audit the accounts
 - * Power to make rules regarding taxation
 - * Raise loans
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FINANCIAL CONTROL

- Control over fund and expenditure
 - Power of state govt. to make rules regarding taxation
 - Grants-in-aid
 - Control through budget
 - Control through audit
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The Local Self-Government Ministers' Conference (1948) recommended, That while there should be full scope for the exercise of popular will in matters of local administration, as in all branches of administration, government should have adequate powers of supervision and control to ensure efficient administration and to prevent maladministration or breakdown of essential services.



CRITICISM

- Encroaches legal, administrative and financial autonomy of local bodies
 - Against the principle of democracy
 - Control is more strict
 - It is punitive
 - It is restrictive
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