

BCM SCHOOL BASANT AVENUE

CLASS- XI ARTS

SUBJECT – POLITICAL SCIENCE

TOPIC: LOCAL GOVERNMENTS, CONSTITUTION AS A LIVING DOCUMENT ANSWER KEY

DATE : 23.08.2023

1. The main differences between the local government before the 73rd Amendment and after that amendment are:

- Constitutional Status: Before the amendment, local governments were not mentioned in the Constitution. The 73rd Amendment added Part IX to the Constitution, which deals with Panchayats, making them a constitutional institution.
- Devolution of Power: The amendment mandated the devolution of certain powers and responsibilities to Panchayats, ensuring grassroots democracy.
- Reservation for Weaker Sections The amendment introduced provisions for reservations of seats for Scheduled Castes, Scheduled Tribes, and women in Panchayats.
- Regular Elections:** The amendment made regular elections mandatory for Panchayats and set the tenure at five years.

2. Gram Sabha vs. Gram Panchayat:

- Gram Sabha: It is the general body of all the adults in a village who are registered as voters. It has the authority to participate in the decision-making process related to local governance, including the approval of development projects and budgets.
- Gram Panchayat: It is the elected executive body at the village level. It is responsible for implementing the decisions made by the Gram Sabha, managing local development activities, and handling administrative functions.

3. **Three-Tier Structure of Panchayati Raj:**

- **Gram Panchayat (Village Level):** Responsible for local administration and implementation of programs. One of its functions is providing basic amenities and services.
- **Panchayat Samiti (Intermediate Level):** Coordinates activities of Gram Panchayats within a block. One of its functions is the implementation of government schemes at the block level.
- **Zila Parishad (District Level):** Coordinates and supervises the functioning of Panchayat Samitis and promotes economic development and social justice at the district level. One of its functions is resource allocation for various development programs.

4. **Main Features of Municipalities after the 74th Amendment Act:**

- **Constitutional Recognition:** Municipalities were added to the Constitution under Part IXA.
- **Three Types:** Municipalities are classified into Nagar Panchayats for smaller areas, Municipal Councils for medium-sized areas, and Municipal Corporations for larger urban areas.
- **Ward Committees:** The amendment introduced provisions for the establishment of ward committees to ensure local participation in governance.
- **Reservation:** Seats are reserved for Scheduled Castes, Scheduled Tribes, and women in municipalities.
- **Finance Commission:** The amendment mandated the establishment of State Finance Commissions to recommend financial arrangements for municipalities.

5. Functions of Urban Local Self-Government:

- **Urban Planning:** Formulating and implementing development plans for the city's growth.
- **Public Services:** Providing essential services like water supply, sanitation, and waste management.
- **Infrastructure Development:** Developing and maintaining roads, bridges, and public facilities.
- **Regulation and Licensing:** Enforcing regulations for construction, trade licenses, etc.

6. The Finance Commission of a state is constituted by the President of India. Its functions include recommending the distribution of tax revenue between the state and local governments, ensuring adequate financial resources for local bodies, and reviewing the financial position of these bodies.

7. Yes, a constitution is often considered a living document because it can be amended or interpreted to adapt to changing societal needs and circumstances. It remains relevant by accommodating new laws, values, and developments over time.

8. Three Procedures under Article 368 for Amending the Indian Constitution:

- **Simple Majority:** Amendment bills can be passed by a simple majority in each house of Parliament.
- **Special Majority:** Some amendments require a special majority, which includes a two-thirds majority in both houses of Parliament.
- **Special Majority + Ratification:** Certain amendments related to federal provisions also require the ratification of half of the state legislatures.

9. The main provisions of the 42nd Amendment Act, of 1976 included changes related to the Preamble, citizens' fundamental duties, and the President's power to declare emergencies.

10. Kesavananda Bharati Case: This landmark case in 1973 involved a challenge to the validity of the 24th Amendment Act, which sought to curtail the scope of judicial review. The Supreme Court held that while the Parliament has the power to amend the Constitution, it cannot alter its basic structure. This case established the "basic structure doctrine," which limits the extent to which the Constitution can be amended.