

## TOPICS:

- Panchayati Raj & Urban Local bodies

## PRELIMS MCQ's:

**Q.1) With regard to the Constitution (Seventy-Third Amendment) Act, 1992, which of the following statement is *incorrect*?**

- The chairperson of panchayats at the intermediate and district levels shall be elected indirectly
- To bring about uniformity in the structure of Panchayati Raj throughout the country, the Act makes it mandatory for all states to have a three-tier system
- The chairperson of a panchayat at the village level shall be elected in such manner as the State legislature determines
- All the members of panchayats at the village, intermediate and district levels shall be elected directly by the people

## **Q.1) Solution (b)**

### **73rd AMENDMENT ACT OF 1992**

The salient features of the act are:

**Gram Sabha :** The act provides for a Gram Sabha as the foundation of the panchayati raj system. It is a body consisting of persons registered in the electoral rolls of a village comprised within the area of Panchayat at the village level. Thus, it is a village assembly consisting of all the registered voters in the area of a panchayat. It may exercise such powers and perform such functions at the village level as the legislature of a state determines.

**Three-Tier System:** The act provides for a three-tier system of panchayati raj in every state, that is, panchayats at the village, intermediate, and district levels. Thus, the act brings about uniformity in the structure of panchayati raj throughout the country. However, a state having a population not exceeding 20 lakh may not constitute panchayats at the intermediate level.

**Election of Members and Chairpersons - All the members of panchayats at the village, intermediate and district levels shall be elected directly by the people. Further, the chairperson of panchayats at the intermediate and district levels shall be elected**

**indirectly**—by and from amongst the elected members thereof. However, the chairperson of a panchayat at the village level shall be elected in such manner as the state legislature determines.

**Source:** Chapter-34 “Panchayati Raj” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.2) At the Central level, the subject of ‘urban local government’ is dealt with which of the following ministries?**

1. Ministry of Defence
2. Ministry of Home Affairs
3. Ministry of Urban Development

**Select the correct code**

- a) 3 Only
- b) 2 and 3 Only
- c) 1 and 3 Only
- d) 1, 2 and 3

**Q.2) Solution (d)**

There are **eight types of urban local governments** in India—municipal corporation, municipality, notified area committee, town area committee, cantonment board, township, port trust and special purpose agency.

The system of urban government was constitutionalised through **the 74th Constitutional Amendment Act of 1992**. At the Central level, the subject of ‘urban local government’ is dealt with by the following three ministries:

- (i) Ministry of Urban Development, created as a separate ministry in 1985
- (ii) Ministry of Defence in the case of cantonment boards
- (iii) Ministry of Home Affairs in the case of Union Territories

**Source:** Chapter-35 “Municipalities” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.3) Which of the following committee recommended for constitutional status of Panchayati Raj institutions?**

- a) G V K Rao Committee
- b) Ashok Mehta Committee
- c) L M Singhvi Committee
- d) Narasimha Rao Committee

### Q.3) Solution (c)

#### L M Singhvi Committee

In 1986, Rajiv Gandhi government appointed a committee on 'Revitalisation of Panchayati Raj Institutions for Democracy and Development' under the chairmanship of L M Singhvi. It made the following recommendations.

(i) The Panchayati Raj institutions should **be constitutionally recognised**, protected and preserved. For this purpose, a new chapter should be added in the Constitution of India. This will make their identity and integrity reasonably and substantially inviolate. It also suggested constitutional provisions to ensure regular, free and fair elections to the Panchayati Raj bodies.

(ii) Nyaya Panchayats should be established for a cluster of villages.

(iii) The villages should be reorganised to make Gram Panchayats more viable. It also emphasised

the importance of the Gram Sabha and called it as the embodiment of direct democracy.

(iv) The Village Panchayats should have more financial resources.

(v) The judicial tribunals should be established in each state to adjudicate controversies about election to the Panchayati Raj institutions, their dissolution and other matters related to their functioning.

**Source:** Chapter-34 "Panchayati Raj" - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

### Q.4) Consider the following statements

1. The idea of establishment of 3-tier Panchayat-raj system was recommended by Ashok Mehta Committee
2. Andhra Pradesh was the first state to establish Panchayati Raj

#### Choose the correct code

- a) 1 only

- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

## Q.4) Solution (d)

### Balwant Rai Mehta Committee

In January 1957, the Government of India appointed a committee to examine the working of the Community Development Programme (1952) and the National Extension Service (1953) and to suggest measures for their better working. The chairman of this committee was **Balwant Rai G Mehta**.

The committee submitted its report in November 1957 and recommended the establishment of the scheme of '**democratic decentralisation**', which ultimately came to be known as Panchayati Raj. The specific recommendations made by it are:

1. **Establishment of a three-tier panchayati raj system**—gram panchayat at the village level, panchayat samiti at the block level and zila parishad at the district level. These tiers should be organically linked through a device of indirect elections.
2. The village panchayat should be constituted with directly elected representatives, whereas the panchayat samiti and zila parishad should be constituted with indirectly elected members.
3. All planning and development activities should be entrusted to these bodies.
4. The panchayat samiti should be the executive body while the zila parishad should be the advisory, coordinating and supervisory body.
5. The district collector should be the chairman of the zila parishad.
6. There should be a genuine transfer of power and responsibility to these democratic bodies.
7. Adequate resources should be transferred to these bodies to enable them to discharge their

These recommendations of the committee were accepted by the National Development Council in January 1958. The council did not insist on a single rigid pattern and left it to the states to evolve their own patterns suitable to local conditions. But the basic principles and broad fundamentals should be identical throughout the country.

**Rajasthan was the first state to establish Panchayati Raj.** The scheme was inaugurated by the prime minister on October 2, 1959, in Nagaur district. Rajasthan was followed by Andhra Pradesh, which also adopted the system in 1959.

**Source:** Chapter-34 “Panchayati Raj” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

## Q.5) According to the Seventy-Third Amendment Act, 1992

1. The minimum age prescribed for any person to be a member of Panchayat is not less than 18 years
2. Matters related to disqualifications of members of Panchayat Raj shall be referred to Governor of a State

**Which of the above statement[s] is/are correct?**

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

## Q.5) Solution (d)

**Disqualifications** - A person shall be disqualified for being chosen as or for being a member of panchayat if he is so disqualified, (a) under any law for the time being in force for the purpose of elections to the legislature of the state concerned, or (b) under any law made by the state legislature.

However, no person shall be disqualified on the ground that he is less than 25 years of age if he has attained the **age of 21 years**. Further, **all questions of disqualifications shall be referred to such authority as the state legislature determines.**

**State Election Commission**- The super-intendence, direction and control of the preparation of electoral rolls and the conduct of all elections to the panchayats shall be vested in the state election commission. It consists of a state election commissioner to be appointed by the governor. His conditions of service and tenure of office shall also be determined by the governor. He shall not be removed from the office except in the manner and on the grounds prescribed for the removal of a judge of the state high court. His conditions of service shall not be varied to his disadvantage after his appointment.

**Source:** Chapter-34 “Panchayati Raj” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

## Q.6) Organisation of village panchayats is mentioned in

- a) Directive Principles of State Policy
- b) Fundamental Rights
- c) Seventy-Fourth Amendment Act
- d) None of the above

## Q.6) Solution (a)

### 73rd AMENDMENT ACT OF 1992 - Significance of the Act

This act has added a new Part-IX to the Constitution of India. It is entitled as 'The Panchayats' and consists of provisions from Articles 243 to 243 O. In addition, the act has also added a **new Eleventh Schedule to the Constitution**. This schedule contains 29 functional items of the panchayats. It deals with Article 243-G.

The act has given a practical shape to **Article 40** of the Constitution which says that, "The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government." This article forms a part of the **Directive Principles of State Policy (Gandhian Principles)**

The act gives a constitutional status to the panchayati raj institutions. It has brought them under the purview of the justiciable part of the Constitution. In other words, the state governments are under constitutional obligation to adopt the new panchayati raj system in accordance with the provisions of the act. Consequently, neither the formation of panchayats nor the holding of elections at regular intervals depend on the will of the state government any more.

### 74th AMENDMENT ACT OF 1992 is related to Urban Local Government

**Source:** Chapter-34 "Panchayati Raj" - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

## Q.7) Consider the following statements

1. Lord Mayo is known as the father of local self-government in India
2. A Panchayat reconstituted after premature dissolution continues only for the remainder period.
3. According to 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment Act, validity of any law relating to the delimitation of constituencies cannot be questioned in any court

**Which of the statements given above is/are correct?**

- a) 1 and 2 only
- b) 2 only
- c) 2 and 3 only
- d) 3 only

## Q.7) Solution (c)

- **Lord Mayo's** Resolution of 1870 on financial decentralisation visualised the development of local self-government institutions. **Lord Ripon's Resolution of 1882 has been hailed as the 'Magna Carta' of local self-government. He is called as the father of local-self government in India.**
- **Bar to Interference by Courts in Electoral Matters** -The act bars the interference by courts in the electoral matters of municipalities. It declares that the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies cannot be questioned in any court. It further lays down that no election to any municipality is to be questioned except by an election
- petition presented to such authority and in such manner as provided by the state legislature
- **Duration of Panchayat:** Every Panchayat shall continue for five years from the date of its first meeting. But it can be dissolved earlier in accordance with the procedure prescribed by State Law. Elections must take place before the expiry of the above period. In case it is dissolved earlier, then the elections must take place within six months of its dissolution. **A Panchayat reconstituted after premature dissolution (i.e., before the expiry of the full period of five years) shall continue only for the remainder of the period.** But if the remainder of the period is less than six months it shall not be necessary to hold elections.

For further reading-

<http://www.tn.gov.in/fsfc/Const%20Amend%2073.htm>

<http://www.sanchitha.ikm.in/node/682>

**Source:** Chapter-34 "Panchayati Raj" & Chapter-35 "Municipalities" - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

## Q.8) Which of the following does not fall under the compulsory provisions of Seventy-Third Amendment Act, 1992

- a) Fixing tenure of five years for panchayats at all levels

- b) Constitution of a State Finance Commission after every five years to review the financial position of the panchayats
- c) Holding fresh elections within six months in the event of supersession of any panchayat
- d) Authorizing panchayats to levy, collect and appropriate taxes, duties, tolls and fees

## Q.8) Solution (d)

### Compulsory Provisions

1. Organisation of Gram Sabha in a village or group of villages.
2. Establishment of panchayats at the village, intermediate and district levels.
3. Direct elections to all seats in panchayats at the village, intermediate and district levels.
4. Indirect elections to the post of chairperson of panchayats at the intermediate and district levels.
5. 21 years to be the minimum age for contesting elections to panchayats.
6. Reservation of seats (both members and chairpersons) for SCs and STs in panchayats at all the three levels.
7. Reservation of one-third seats (both members and chairpersons) for women in panchayats at all the three levels.
8. **Fixing tenure of five years for panchayats at all levels and holding fresh elections within six months in the event of supersession of any panchayat.**
9. Establishment of a State Election Commission for conducting elections to the panchayats.
10. **Constitution of a State Finance Commission after every five years to review the financial position of the panchayats.**

### Voluntary Provisions

1. Giving representation to members of the Parliament (both the Houses) and the state legislature (both the Houses) in the panchayats at different levels falling within their constituencies.
2. Providing reservation of seats (both members and chairpersons) for backward classes in panchayats at any level.

3. Granting powers and authority to the panchayats to enable them to function as institutions of self-government (in brief, making them autonomous bodies).
4. Devolution of powers and responsibilities upon panchayats to prepare plans for economic development and social justice; and to perform some or all of the 29 functions listed in the Eleventh Schedule of the Constitution.
5. **Granting financial powers to the pachayats, that is, authorizing them to levy, collect and appropriate taxes, duties, tolls and fees.**

**Source:** Chapter-34 “Panchayati Raj” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.9) The Constitution (Seventy-Third Amendment) Act, 1992, which aims at promoting the Panchayati Raj Institutions in the country, provides for which of the following?**

1. Constitution of District Planning Committees.
2. State Election Commissions to conduct all panchayat elections.
3. Establishment of State Finance Commissions.

**Select the correct answer using the codes given below:**

- a) 1 only
- b) 1 and 2 only
- c) 2 and 3 only
- d) 1, 2 and 3

**Q.9) Solution (c)**

**Article 243 ZD-** Constitution of **District Planning Committees** comes under **74<sup>th</sup> CAA, 1992**. Hence the 1<sup>st</sup> Statement is wrong

**Article 243 K- State Election Commission-** The super-intendence, direction and control of the preparation of electoral rolls and the conduct of all elections to the panchayats shall be vested in the state election commission. It consists of a state election commissioner to be appointed by the governor. His conditions of service and tenure of office shall also be determined by the governor. He shall not be removed from the office except in the manner and on the grounds prescribed for the removal of a judge of the state high court. His conditions of service shall not be varied to his disadvantage after his appointment.

**Article 243 I - State Finance Commission**

The state legislature may (a) authorise a panchayat to levy, collect and appropriate taxes, duties, tolls and fees; (b) assign to a panchayat taxes, duties, tolls and fees levied and collected by the state government; (c) provide for making grants-in-aid to the panchayats

from the consolidated fund of the state; and (d) provide for constitution of funds for crediting all moneys of the panchayats.

**Finance Commission** - The governor of a state shall, after every five years, constitute a finance commission to review the financial position of the panchayats. It shall make the following recommendations to the Governor:

1. The principles that should govern:

(a) The distribution between the state and the panchayats of the net proceeds of the taxes, duties, tolls and fees levied by the state.

(b) The determination of taxes, duties, tolls and fees that may be assigned to the panchayats.

(c) The grants-in-aid to the panchayats from the consolidated fund of the state.

2. The measures needed to improve the financial position of the panchayats.

3. Any other matter referred to it by the governor in the interests of sound finance of the panchayats.

The state legislature may provide for the composition of the commission, the required qualifications of its members and the manner of their selection.

The governor shall place the recommendations of the commission along with the action taken report before the state legislature. The Central Finance Commission shall also suggest the measures needed to augment the consolidated fund of a state to supplement the resources of the panchayats in the states (on the basis of the recommendations made by the finance commission of the state).

**Source:** Chapter-34 "Panchayati Raj" & Chapter-35 "Municipalities" - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.10) With regard to urban local bodies in India, which of the following is *incorrect*?**

- a) Notified area committee is an entirely nominated body
- b) Mayor is the chief executive authority of a Municipal corporation
- c) Mayor is elected for a period of one year renewable term
- d) Notified area committee is neither an elected body nor a statutory body

**Q.10) Solution (b)**

## **Municipal Corporation :**

Municipal corporations are created for the administration of big cities like Delhi, Mumbai, Kolkata, Hyderabad, Bangalore and others. They are established in the states by the acts of the concerned state legislatures, and in the union territories by the acts of the Parliament of India. There may be one common act for all the municipal corporations in a state or a separate act for each municipal corporation.

A municipal corporation has three authorities, namely, **the council, the standing committees and the commissioner.**

The **Council** is the deliberative and legislative wing of the corporation. It consists of the Councillors directly elected by the people, as well as a few nominated persons having knowledge or experience of municipal administration. In brief, the composition of the Council including the reservation of seats for SCs, STs and women is governed by the 74th Constitutional Amendment Act.

**The Council is headed by a Mayor. He is assisted by a Deputy Mayor. He is elected in a majority of the states for a one-year renewable term.** He is basically an ornamental figure and a formal head of the corporation. His main function is to preside over the meetings of the Council.

The standing committees are created to facilitate the working of the council, which is too large in size. They deal with public works, education, health, taxation, finance and so on. They take decisions in their fields.

The **municipal commissioner is responsible for the implementation of the decisions taken by the council and its standing committees.** Thus, he is the chief executive authority of the corporation. He is appointed by the state government and is generally a member of the IAS.

## **Municipality :**

The municipalities are established for the administration of towns and smaller cities. Like the corporations, they are also set up in the states by the acts of the concerned state legislatures and in the union territory by the acts of the Parliament of India. They are also known by various other names like municipal council, municipal committee, municipal board, borough municipality, city municipality and others.

Like a municipal corporation, a municipality also has three authorities, namely, the council, the standing committees and the chief executive officer.

The council is the deliberative and legislative wing of the municipality. It consists of the councillors directly elected by the people.

The council is headed by a president/chairman. He is assisted by a vice-president/vice-chairman. He presides over the meetings of the council.

Unlike the Mayor of a municipal corporation, he plays a significant role and is the pivot of the municipal administration. Apart from presiding over the meetings of the Council, he enjoys executive powers.

The standing committees are created to facilitate the working of the council. They deal with public works, taxation, health, finance and so on.

The chief executive officer/chief municipal officer is responsible for day-to-day general administration of the municipality. He is appointed by the state government.

### **Notified Area Committee :**

A notified area committee is created for the administration of two types of areas—a fast developing town due to industrialisation, and a town which does not yet fulfil all the conditions necessary for the constitution of a municipality, but which otherwise is considered important by the state government. Since it is established by a notification in the government gazette, it is called as notified area committee. Though it functions within the framework of the State Municipal Act, only those provisions of the act apply to it which are notified in the government gazette by which it is created. It may also be entrusted to exercise powers under any other act. Its powers are almost equivalent to those of a municipality. But unlike the municipality, it **is an entirely nominated body**, that is, all the members of a notified area committee including the chairman are nominated by the state government. Thus, it is neither an elected body nor a statutory body.

**Source:** Chapter-35 “Municipalities” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

### **Q.11) In India, a Metropolitan Planning Committee (MPC)**

1. Is constituted under the provisions of the Constitution of India.
2. Has the sole responsibility for implementing Government sponsored schemes in the metropolitan area
3. MPC prepares draft development plan with regard to nature of investments to be made in the Metropolitan area by agencies of the Government of the concerned State and Government of India as well

**Which of the statements given above is/are correct?**

- a) 1 and 3 only
- b) 1 only
- c) 2 only

d) 1, 2 and 3

## Q.11) Solution (a)

**Article 243ZE -Metropolitan Planning Committee-** Every metropolitan area shall have a metropolitan planning committee to prepare a draft development plan. The state legislature may make provisions with respect to the following:

1. The composition of such committees;
2. The manner of election of members of such committees;
3. The representation in such committees of the Central government, state government and other organisations;
4. The functions of such committees in relation to planning and coordination for the metropolitan area;
5. The manner of election of chairpersons of such committees. The act lays down that two-thirds of the members of a metropolitan planning committee should be elected by the elected members of the municipalities and chairpersons of the panchayats in the metropolitan area from amongst themselves. The representation of these members in the committee should be in proportion to the ratio between the population of the municipalities and the panchayats in that metropolitan area. The chairpersons of such committees shall forward the development plan to the state government.

In preparing the draft development plan, a metropolitan planning committee shall

(a) Have regard to—

- (i) the plans prepared by the Municipalities and the Panchayats in the Metropolitan area;
- (ii) matters of common interest between the Municipalities and the Panchayats, including coordinated spatial planning of the area, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation;
- (iii) the overall objectives and priorities set by the Government of India and the government of the state;
- (iv) **the extent and nature of investments likely to be made in the Metropolitan area by agencies of the Government of India and of the Government of the State and other available resources whether financial or otherwise;** and

(b) consult such institutions and organisations as the Governor may specify.

2<sup>nd</sup> statement is wrong, since MPC helps in draft planning and not in implementing Government sponsored schemes in the metropolitan area.

For instance, **Integrated Child Development Services Scheme (ICDS)** is a Centrally Sponsored Schem. The fulcrum of ICDS is community awareness and participation. **Community** is assisting in the implementation of the scheme by providing buildings locally grown vegetables, fuel, organizing health check up, immunization and conducting health and nutrition education camps. In some places the community has come forward to donate toys, uniforms, utensils and furniture also for use in Anganwadi centres. The participation from community has enhanced after setting up Balavikas Samithis in each of the villages. Members of women self-help groups also assist in the implementation of the programme. The programme is implemented through a **network of community level Anganwadi Centre**. The programme approaches a holistic child health comprising health, nutrition, and education components for pregnant women, lactating mothers, and children less than six years of age

For further reading-

[http://dwcd.kar.nic.in/dwcd\\_english/prg\\_child.html](http://dwcd.kar.nic.in/dwcd_english/prg_child.html)

**Composition of MPC:** The MPC consists of chief minister, urban development minister, special invitees in the form of economists etc.18 members of the 35- member body needs to get elected .They will be elected from amongst the elected members of BBMP and municipalities, and presidents and vice-presidents of zilla, taluk and grama panchayats falling under metropolitan area.

<http://timesofindia.indiatimes.com/city/bengaluru/Metropolitan-Planning-Committee-issue-Karnataka-HC-notice-to-State-Election-Commission/articleshow/29565446.cms>

**Source:** Chapter-35 “Municipalities” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.12) With regard to Specialized purpose agency, a type of urban local body, consider the following**

1. These are area-based urban bodies
2. These are single purpose bodies
3. They function as subordinate agencies of the local municipal bodies
4. They can be established either as statutory bodies or through an executive resolution

Which of the above statement[s] is/are correct?

- a) 1 and 2 only
- b) 2 and 4 only
- c) 2, 3 and 4
- d) 2 and 3 only

**Q.12) Solution (b)**

**Special Purpose Agency** - In addition to these seven area-based urban bodies (or multipurpose agencies), the states have set up certain agencies to undertake **designated activities or specific functions** that 'legitimately' belong to the domain of municipal corporations or municipalities or other local urban governments. In other words, these are **function-based and not area-based**. They are known as '**single purpose**', 'unipurpose' or 'special purpose' agencies or 'functional local bodies'. Some such bodies are:

1. Town improvement trusts.
2. Urban development authorities.
3. Water supply and sewerage boards.
4. Housing boards.
5. Pollution control boards.
6. Electricity supply boards.
7. City transport boards.

These functional local bodies are established as **statutory bodies by an act of state legislature or as departments by an executive resolution**. They function as autonomous bodies and deal with the functions allotted to them independently of the local urban governments, that is, municipal corporations or municipalities and so forth. Thus, **they are not subordinate agencies of the local municipal bodies**.

**Source:** Chapter-35 "Municipalities" - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.13) In the areas covered under the Panchayat (Extension to the Scheduled Areas) Act, 1996, what is the role/power of Gram Sabha?**

1. Gram Sabha has the power to prevent alienation of land in the Scheduled Areas.
2. Gram Sabha has the ownership of minor forest produce.

3. Recommendation of Gram Sabha is required for granting prospecting licence or mining lease for any mineral in the Scheduled Areas.

**Which of the statements given above is/are correct?**

- a) 1 only
- b) 1 and 2 only
- c) 2 and 3 only
- d) 1, 2 and 3

**Q.13) Solution (b)**

**Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)**

The provisions of Part IX of the constitution relating to the Panchayats are not applicable to the Fifth Schedule areas. However, the Parliament may extend these provisions to such areas, subject to such exceptions and modifications as it may specify. Under this provision, the Parliament has enacted the

At present, nine states have Fifth Schedule Areas. These are: Andhra Pradesh, Chhatisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Rajasthan. All the nine states have enacted requisite compliance legislations by amending the respective Panchayati Raj Acts.

**Objectives of the Act**

1. To extend the provisions of Part IX of the Constitution relating to the panchayats to the scheduled areas with certain modifications
2. To provide self-rule for the bulk of the tribal population
3. To have village governance with participatory democracy and to make the gram sabha a nucleus of all activities
4. To evolve a suitable administrative framework consistent with traditional practices
5. To safeguard and to preserve the traditions and customs of tribal communities
6. To empower panchayats at the appropriate levels with specific powers conducive to tribal requirements
7. To prevent panchayats at the higher level from assuming the powers and authority of panchayats at the lower level of the gram sabha

**Features of the Act**

1. A state legislation on the Panchayats in the Scheduled Areas shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources.
2. A village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs.
3. Every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level.
4. Every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution.
5. Every Gram Sabha shall—
  - (i) approve of the plans, programmes and projects for social and economic development before they are taken up for implementation by the Panchayat at the village level; and
  - (ii) be responsible for the identification of beneficiaries under the poverty alleviation and other programmes.
6. Every Panchayat at the village level shall be required to obtain from the Gram Sabha a certification of utilisation of funds for the above plans, programmes and projects.
7. The reservation of seats in the Scheduled Areas in every Panchayat shall be in proportion to the population of the communities for whom reservation is sought to be given under Part IX of the Constitution. However, the reservation for the Scheduled Tribes shall not be less than one-half of the total number of seats. Further, all seats of Chairpersons of Panchayats at all levels shall be reserved for the Scheduled Tribes.
8. The state government may nominate such Scheduled Tribes which have no representation in the Panchayat at the intermediate level or the Panchayat at the district level. But such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat.
9. The Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before resettling or rehabilitating persons affected by such projects in the Scheduled Areas. However, the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the state level.
10. Planning and management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level.

11. The recommendations of the Gram Sabha or the Panchayats at the appropriate level shall be mandatory for **grant of prospecting licence or mining lease for minor minerals (and NOT any mineral)** in the Scheduled Areas.

12. The prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be mandatory for grant of concession for the exploitation of minor minerals by auction.

13. While endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institutions of self-government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with –

(i) the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant

(ii) the ownership of minor forest produce

(iii) the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe

(iv) the power to manage village markets

(v) the power to exercise control over money lending to the Scheduled Tribes

(vi) the power to exercise control over institutions and functionaries in all social sectors

(vii) the power to control local plans and resources for such plans including tribal sub-plans

14. The State Legislations shall contain safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha.

15. The State Legislature shall endeavour to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas.

16. Any provision of any law (relating to Panchayats in the Scheduled Areas) which is inconsistent with the provisions of this Act shall cease to be in force at the expiry of one year from the date on which this Act receives the assent of the President. However, all the Panchayats existing immediately before such date shall continue till the expiry of their term, unless dissolved by the State Legislature sooner.

**Source:** Chapter-34 “Panchayati Raj” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.14) With regard to the affirmative provisions provided in 73<sup>rd</sup> Constitutional Amendment Act, which of the following is *incorrect* ?**

- a) The act provides for the reservation of not less than one-third of the total number of seats for women
- b) The act provides for the reservation of not less than one-third of the total number of seats for SCs and STs in panchayats at all the three levels.
- c) The State Legislature can make provisions for reservation of seats (both members and chairpersons) for backward classes in panchayats at any level.
- d) None

**Q.14) Solution (b)**

**73rd Constitutional Amendment Act:**

**Reservation of Seats-** The act provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat (i.e., at all the three levels) in proportion of their population to the total population in the panchayat area. Further, the state legislature shall provide for the reservation of offices of chairperson in the panchayat at the village or any other level for the SCs and STs.

**The act provides for the reservation of not less than one-third of the total number of seats for women** (including the number of seats reserved for women belonging the SCs and STs). Further, not less than one-third of the total number of offices of chairpersons in the panchayats at each level shall be reserved for women.

The act also authorises the legislature of a state to make any provision for reservation of seats in any panchayat or offices of chairperson in the panchayat at any level in favour of backward classes.

**74<sup>th</sup> Constitutional Amendment Act:**

**Reservation of Seats** The act provides for the reservation of seats for the scheduled castes and the scheduled tribes in every municipality in proportion of their population to the total population in the municipal area. Further, it provides for the **reservation of not less than one-third of the total number of seats for women** (including the number of seats reserved for woman belonging to the SCs and the STs).

The state legislature may provide for the manner of reservation of offices of chairpersons in the municipalities for SCs, STs and women. It may also make any provision for the reservation of seats in any municipality or offices of chairpersons in municipalities in favour of backward classes.

**Source:** Chapter-34 “Panchayati Raj” & Chapter-35 “Municipalities” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.15) Which of the following is not true with regard to State Election Commission?**

- a) Preparation of electoral rolls and the conduct of all elections to the panchayats is vested in the State Election Commission
- b) The State Election Commissioner is appointed by the Governor of that State
- c) The State Election Commissioner is removed by the President based on the recommendation of the Parliament
- d) None

**Q.15) Solution (d)**

**State Election Commission** The super-intendence, **direction and control of the preparation of electoral rolls and the conduct of all elections to the panchayats shall be vested in the state election commission.** It consists of a **state election commissioner to be appointed by the governor.** His conditions of service and tenure of office shall also be determined by the governor. He shall not be removed from the office except in the manner and on the grounds prescribed for the **removal of a judge of the state high court.** His conditions of service shall not be varied to his disadvantage after his appointment. A judge of a high court can be removed from his office by the president on the recommendation of the Parliament. This means that a state election commissioner cannot be removed by the governor, though appointed by him.

The state legislature may make provision with respect to all matters relating to elections to the panchayats.

**Source:** Chapter-34 “Panchayati Raj” - Indian Polity by M. Laxmikanth (4<sup>th</sup> Edition)

**Q.16) Travel and Tourism Competitive Index is released by**

- a) World Economic Forum
- b) Airbnb
- c) World Bank
- d) None of the above

**Q.16) Solution (a)**

The Index measures the set of factors and policies that enable the sustainable development of the travel and tourism sector, which in turn, contributes to the development and competitiveness of a country.

India has moved 12 places up in this ranking from 52nd to 40th position in 2016 among 136 countries.

India has moved from 65rd position to 52nd position in 2015. In all, in last three years India has cumulatively improved its ranking by 25 places which is a significant achievement.

India's jump in rankings is attributed to the pro-active steps in terms of development of tourism infrastructure, easing of entry formalities for tourists by introducing the e-visa facilities in November 2014.

**Q.17) Consider the following statements about Kyasanur Forest disease**

1. It is a vector borne disease
2. It is also known as Mad Cow disease
3. It is endemic to South Asia

Select the correct statements

- a) 1 and 2
- b) 2 and 3
- c) 1 and 3
- d) All of the above

**Q.17) Solution (c)**

What is Kyasanur forest disease?

Kyasanur forest disease (KFD) is a tick-borne viral hemorrhagic fever endemic to South Asia. The disease was first reported from Kyasanur forest near Sagar in Shivamogga district of Karnataka in India in 1957. Its outbreak then was among monkeys, killing several of them. Hence, the disease is locally known as 'monkey fever'. It is caused by a virus belonging to the family Flaviviridae, which also includes yellow fever and dengue fever. The disease is carried by ticks, rodents, birds, etc and it affects monkeys and human beings. It is a vector borne disease. KFD is common in states like Goa, Karnataka (in Shimoga) and Kerala (in Wayanad and Malappuram). It was also reported from parts of Bandipur National Park (Chamarajnagar) and parts of the Nilgiris. The disease mostly occurs between November to March.

How Humans contract Kyasanur forest disease?

The virus is transmitted to humans through the bite of nymphs of the tick or when humans come into contact with an infected animal.

**Q.18) Consider the following statements about Belmont Forum**

1. India and China are the only Asian countries to be members of the Belmont Forum
2. Ministry of Environment, Forest and Climate Change represents India as a member of the Belmont Forum

**Select the correct statements**

- a) Only 1
- b) Only 2
- c) Both 1 and 2
- d) Neither 1 nor 2

**Q.18) Solution (d)**

The Belmont Forum, created in 2009, is a high level group of the world's major and emerging funders of global environmental change research and international science councils. It was primarily created with an aim to identify study and deliver international environmental research priorities, for the society, in an accelerated way through transnational research collaboration and alignment of international resources. The Belmont forum has major funding agencies from Australia, Austria, Brazil, Canada, China, European Commission, France, Germany, India, Japan, Norway, South Africa, UK, and USA as its members. Ministry of Earth Sciences (MoES) represents India as a member of the Belmont Forum.

The Belmont Forum has joined together with International Council for Science (ICSU), International Social Science Council (ISSC), United Nations Environment Programme (UNEP), United Nations Educational, Scientific and Cultural Organizations (UNESCO) and United Nations University (UNU) to develop a 10-year initiative with an aim to integrate the existing knowledge and improve the understanding of the impacts, vulnerabilities and risks of environmental change through development of joint projects among member countries. For this the Belmont forum member countries have entered into a Memorandum of Understanding (MoU) and identified a few Collaborative Research Action (CRA) points which will provide opportunities for the international research community to add value to their existing investments, by developing transnational projects. Following Cabinet approval, MoES also signed the MoU with the Belmont Forum member countries on 27th February

2013, to support Indian Scientists for international collaborative research through joint calls in the area of global environmental change and extreme hazardous events. Two CRA on Freshwater Security and Coastal Vulnerability were taken up in 2012; while CRA on Food Security and e-infrastructure will be considered during 2013.

China is a member.

**Members** – <https://belmontforum.org/belmont-forum-members>

**Source:** <http://pib.nic.in/newsite/PrintRelease.aspx?relid=160551>

**Q.19) Consider the following statements about “BRS Conventions”**

1. Basel Convention is concerned with Control of Transboundary Movements of Hazardous Wastes and their Disposal
2. Rotterdam Convention is concerned with Prior Informed Consent Procedure for certain hazardous Chemicals and Pesticides in international trade
3. Stockholm Convention is concerned with Persistent Organic Pollutants (POPs)

**Select the correct statements**

- a) 1 and 2
- b) 2 and 3
- c) 1 and 3
- d) All of the above

**Q.19) Solution (d)**

The term “BRS Conventions” is a collective term for three different conventions viz. Basel, Rotterdam and Stockholm Conventions. The purpose of clubbing these conventions was to ensure that a topic of common concern for the three Conventions is discussed. The thirteenth meeting of the Conference of the Parties to the Basel Convention (BC COP-13), the eighth meeting of the Conference of the Parties to the Rotterdam Convention (RC COP-8) and the eighth meeting of the Conference of the Parties to the Stockholm Convention (SC COP-8) were held from 24 April to 5 May 2017.

The theme of the meetings and the high-level segment was “A future detoxified: sound management of chemicals and waste”.

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was created to protect people and the environment from the negative effects of the inappropriate management of hazardous wastes worldwide. It is the most

comprehensive global treaty dealing with hazardous waste materials throughout their lifecycles, from production and transport to final use and disposal.

The Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous Chemicals and Pesticides in international trade provide Parties with a first line of defence against hazardous chemicals. It promotes international efforts to protect human health and the environment as well as enabling countries to decide if they want to import hazardous chemicals and pesticides listed in the Convention.

The Stockholm Convention on Persistent Organic Pollutants (POPs) is a global treaty to protect human health and the environment from highly dangerous, long-lasting chemicals by restricting and ultimately eliminating their production, use, trade, release and storage.

The BRS Secretariat has its origins from the omnibus decision taken in 2013, when the conferences of the parties to the three individual conventions agreed to the matrix-based management approach and organization of the secretariats of the Basel and Stockholm conventions and the UNEP-part of the Secretariat of the Rotterdam convention. The need for the BRS Secretariat to increase its support to countries, strengthen regional centres and address the sound management of hazardous chemicals and wastes within its mandate was further highlighted at the 2015 COPs.

Source: <http://pib.nic.in/newsite/PrintRelease.aspx?relid=161203>

**Q.20) Which of the following countries imposed blanket ban on metal mining?**

- a) Guatemala
- b) El Salvador
- c) Honduras
- d) Nicaragua

**Q.20) Solution (b)**

El Salvador has made history after becoming the first country in the world to ban metal mining.

Locate the country in your Atlas. Also the neighbouring countries and water bodies.

**Q.21) Which of the following statements is/are correct?**

1. Albedo is reflectivity of an object in space

2. Lowering of albedo will result in decrease in temperature of the planet

Select the correct code:

- a) Only 1
- b) Only 2
- c) Both 1 and 2
- d) Neither 1 nor 2

**Q.21) Solution (a)**

Astronomers define the reflectivity of an object in space using a term called albedo. This is the amount of electromagnetic radiation that reflects away, compared to the amount that gets absorbed. A perfectly reflective surface would get an albedo score of 1, while a completely dark object would have an albedo of 0. Of course, it's not that black and white in nature, and all objects have an albedo score that ranges between 0 and 1.

Here on Earth, the albedo effect has a significant impact on our climate. The lower the albedo, the more radiation from the Sun that gets absorbed by the planet, and temperatures will rise. If the albedo is higher, and the Earth is more reflective, more of the radiation is returned to space, and the planet cools.

Read More - <https://www.skepticalscience.com/earth-albedo-effect.htm>

Source: <http://www.thehindu.com/opinion/editorial/coping-with-summer/article17763218.ece>

**Q.22) 900-year-old World Heritage Site Rani ki Vav beat 10 other iconic heritage structures across the country to bag an award for the “Cleanest Iconic Place” at the Indian Sanitation Conference (INDOSAN) 2016. It is located in**

- a) Rajasthan
- b) Madhya Pradesh
- c) Gujarat
- d) Maharashtra

**Q.22) Solution (c)**

Source: <http://indianexpress.com/article/india/india-news-india/gujarat-world-heritage-site-rani-ki-vav-bags-cleanest-iconic-place-award/>

**Q.23) Container Corporation of India Ltd. (CONCOR) is under the Ministry of**

- a) Railways
- b) Shipping
- c) Road Transport and Highways
- d) Commerce and Industry

**Q.23) Solution (a)**

Container Corporation of India Ltd. (CONCOR), is a Navratna Public sector undertaking under the Indian Ministry of Railways. Incorporated in March 1988 under the Companies Act, CONCOR commenced operations in November 1989 taking over an existing network of seven inland container depots (ICDs) from Indian Railways.

**Source:** [http://www.business-standard.com/article/news-cm/container-corporation-of-india-provides-performance-update-117040500309\\_1.html](http://www.business-standard.com/article/news-cm/container-corporation-of-india-provides-performance-update-117040500309_1.html)

