

ROLE OF LOCAL SELF GOVERNMENT IN THE PROTECTION OF ENVIRONMENT

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ABSTRACT

This paper deal with Role of Local self government in the protection of environment. Local Self Government is the administration of local affairs undertakings by gathering of people who have been elected by individuals. Local self government suggests the transference of the ability to lead to the most reduced rungs of the political order. It is a type of democratic decentralization where the cooperation of even the grass root level of the society is ensured during administration. In the recent years local self government and non-government organisations has been a subject of extraordinary arrangement of social research and assessment with regards to improvement being looked through a procedure of decentralization of political power at the grass root level. The local self government organisations are relied upon to partake in every one of the exercises both organised and unorganised segments in the village setup. These nearby experts oversee, direct, control and screen an extensive variety of plans of constrained alleviation and change concerning local population especially identifying with wellbeing, local population education , welfare administrations, streets, peace and security of the local authorities and deal with a huge measure of capital, mobilized partly from local resources and partly from the governments concerned. Among different levels of environmental administration, the most effective is the local level for efficient management and utilization of natural resources. After the enactment of 73rd and 74th Amendments to the Constitution it appropriate to deliberate on the barriers and the way forward in shaping up effective environmental governance at the local level involving the Panchayat Raj Institutions.

METHOD: This research paper has been made in a analytical and descriptive form in a sense that the issues has been resolved into elements and constituent parts not only that but also the structure of the issue has been described and classified.

RESULT:

It deals with Role of local self government in environmental protection in India
It deals with policies of local self government in protection of environment.

KEYWORDS

Industrialisations, decentralisation, utilisation, resource level, poverty, welfare services democracy.

INTRODUCTION

Mahatma Gandhi had a version for “Gram Swaraj” and this was included as one of the directive principles of the state policy (Article 40: The state shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government) by the framers of our Constitution. Ever since the Constitution became operational, various states have experimented with different models of Panchayat Raj Institutions (PRIs). The progress and success of these models varied from state to state depending on the commitment of local leadership, the space given to such institutions to function, and prevalent ethos. However, this dream of Mahatma was in true sense fulfilled in 1992 when the Indian Parliament through the 73rd Amendment provided the constitutional backing for establishment and functioning of PRIs for rural self governance in the country. The 73rd and 74th Amendments to the Constitution together would always be remembered for creating leadership opportunities for millions of men and women at the grassroots level. This scale was simply unheard of in the annals of human history of democratic governance. At present, all over the country, states have delegated powers to PRIs in terms of Article 243 and the Eleventh Schedule of the Constitution. India has not looked back ever since the enactment of these two major Amendments in terms of democratic decentralization.

Aim of the Study:

To know about the role of Local self government in the protection of environment

MATERIAL AND METHODS

The secondary sources includes books relating to Role of local self government in the protection of environment. Material and methods includes books,ebooks,blogs, and articles etc.

RESULT OF THE STUDY

The result of the study deals with Role of local self government in environmental protection in India Local Self-government was more genuine and generous in the past than in the times. polices of local self government in protection of environment.Rural Local Bodies came into existence in 1992, consequent to the 73rd Constitution Amendment Act 1992.

MEANING OF LOCAL SELF GOVERNMENT

The term “ local government” or “local self government” means the government by freely elected local bodies which are endowed with power, discretion, and responsibility to be exercised and discharged by them, without control over their decision by any other high authority . V.venkata Rao points out that Local government is that part of the government which deals mainly with local affairs, administrated by authorities subordinate to the state government but elected independently of the state authority by qualified residents.

THE EVOLUTION OF LOCAL SELF-GOVERNMENT IN INDIA - HISTORICAL PERSPECTIVES

Local Self-government in India has a long and checkered history. In spite of the fact that the shape in which it exists today is vastly different from the framework which won in the old and medieval periods, Local Self-government was more genuine and generous in the past than in the times of the British run the show. On the off chance that each town had then a self-administering body, it implied that all individuals delighted in the upsides of Local Self-government, 'Panchayat has an antiquated flavor; it is a decent word. It actually implies a get together of five chose by the villagers. It speaks to the framework, by which the countless town republics in India were represented".

Hence the origination of Local Self-government isn't unfamiliar to the virtuoso of the general population of India. Lines and realms have risen and fallen, yet Local Self-governments have survived. In the security and coherence of Indian town life and association is to be looked for the mystery of the great things accomplished by India in the past. A plenty of artistic and epigraphical confirm is accessible to hold up under observer to the presence and working of the provincial foundations of those days in South India. Similarly, units of Local Self-government, for example, Sabhas, Urs, Nagarams, Nadus and Mandalams existed under the Chola, Pallava, Pandya and Vijayanagara kingdoms.

The beginning of the Local Self-government in India can be followed to the Vedic Age, when people groups' congregations called the 'Sabha' had existed. Coming to verifiable circumstances one can witness models of Local Self-government both in the rustic and urban set up. The specialist of the State was acknowledged just in specific circles, while different circles were left to be managed by different associations in the public eye like, societies of vendors, and different gatherings. This rule was connected to town groups and they therefore delighted in a lot of independence

LOCAL SELF-GOVERNMENT UNDER THE BRITISH RULE

Following the fall of the Mughal domain and the foundation and union of the British Rule in India the Local Self-government under went an ocean change. With the development of new and snappier methods for interchanges, towns set up nearer contacts with the outside

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ROLE OF PANCHAYATS

But the history of Panchayati Raj starts from the self-sufficient and self-governing village communities. In the time of the Rig veda (1700 BC), evidence suggests that self-governing village bodies called 'sabhas' existed. With the passage of time, these bodies became panchayats. Panchayats were functional institutions of grassroots governance in almost every village. They endured the rise and fall of empires in the past, to the current highly structured system. Later, the conceptualisation of the system of local self-government in India took place through the formation and effort of four important committees from the year 1957 to 1986. It will be helpful if we take a look at the committee and the important recommendations put forward by them.

1. Balwant Rai Mehta Committee (1957)

Originally appointed by the Government of India to examine the working of two of its earlier programs, the committee submitted its report in November 1957, in which the term 'democratic decentralization' first appears.

The important recommendations are:

- Establishment of a three-tier Panchayati Raj system – gram panchayat at village level (direct election), panchayat Samiti at the block level and Zila Parishad at the district level (indirect election).
- District Collector to be the chairman of Zila Parishad.
- Transfer of resources and power to these bodies to be ensured.

2. Ashok Mehta Committee (1977-1978)

The committee was constituted by the Janata government of the time to study Panchayati Raj institutions. Out of a total of 132 recommendations made by it, the most important ones are:

- Three-tier system to be replaced by a two-tier system.
- Political parties should participate at all levels in the elections.
- Compulsory powers of taxation to be given to these institutions.
- Zila Parishad to be made responsible for planning at the state level.
- A minister for Panchayati Raj to be appointed by the state council of ministers.

3. G V K Rao Committee (1985)

Appointed by the Planning Commission, the committee concluded that the developmental procedures were gradually being taken away from the local self-government institutions, resulting in a system comparable to 'grass without roots'.

- Zila Parishad to be given prime importance and all developmental programs at that level to be handed to it.
- Post of DDC (District Development Commissioner) to be created acting as the chief executive officer of the Zila Parishad.
- Regular elections to be held

Types of Urban Local Government

There are eight types of urban local governments currently existing in India:

1. Municipal Corporations.
2. Municipality.
3. Notified area committee.
4. Town area committee.
5. Cantonment board.
6. Township.
7. Port trust.
8. Special purpose agency.

The elections held in the local government bodies

- All seats of representatives of local bodies are filled by people chosen through direct elections.
- The conduct of elections is vested in the hands of the State election commission.
- The chairpersons at the intermediate and district levels shall be elected indirectly from among the elected representatives at the immediately lower level.

- At the lowest level, the chairperson shall be elected in a mode defined by the state legislature.
- Seats are reserved for SC and ST proportional to their population.
- Out of these reserved seats, not less than one-third shall be further reserved for women.
- There should be a blanket reservation of one-third seats for women in all the constituencies taken together too (which can include the already reserved seats for SC and ST).
- The acts bar the interference of courts in any issue relating to the election to local bodies .

Qualifications needed to be a member of the Panchayat or Municipality

Any person who is qualified to be a member of the state legislature is eligible to be a member of the Panchayat or Municipality. This means that unlike the state legislature, a person needs to attain only 21 years of age to be a member of panchayat/municipality.

The duration of the Local Government bodies

- The local governing bodies are elected for a term of five years.
- Fresh elections should be conducted before the expiry of the five-year term.
- If the panchayat/municipality is dissolved before the expiry of its term, elections shall be conducted within six months and the new panchayat/municipality will hold office for the remainder of the term if the term has more than six months duration.
- And for another five years if the remaining term is less than six months.

NGO ROLE IN LOCAL SELF GOVERNMENT

In India, the extent of improvement isn't tight yet wide, as it incorporates not only the financial advancement but rather the development on social front, personal satisfaction, strengthening, ladies and tyke improvement, training and attention to its natives. The errand of improvement is so immense and entangled that simply actualizing government designs isn't adequate to settle the issue. To accomplish this, a comprehensive vision and community endeavors including different offices, organizations and even NGOs is required. Attributable to such an incredible need, the quantity of NGOs in India is expanding quickly and, at introduce, there are around 25,000 to 30,000 dynamic NGOs in India.

NGOs or Non Governmental Organizations have more advantages of working in country zones when contrasted with administrative associations since NGOs are more adaptable, NGOs are particular to a specific area and also these are submitted towards serving people in general and group all in all. As the undertaking of improvement is monstrous, numerous NGOs are assuming indispensable part in the provincial advancement of India in a joint effort with the administration. NGOs in country advancement of India expanded.

NGOs in India

Since antiquated circumstances, social administration has been a basic piece of Indian culture. Not long after Independence, various NGOs had risen in India. Mahatma Gandhi even argued to break down the Indian National Congress and change it to a Lok SabhaSangh (Public Service Organization). In spite of the fact that his supplication was rejected, however the devotees of Mahatma Gandhi began numerous deliberate offices to take a shot at different social and in addition monetary issues of the nation. This was the primary period of NGOs in India. The second period of NGO advancement began in 1960 when it was felt that simply the administration programs were not adequate to finish the undertaking of improvement in provincial territories. Numerous gatherings were framed whose part was to work at grass root levels. In addition, positive state approaches had radically influenced the arrangement of NGOs and their parts around then. Throughout the years, the part of NGOs in rustic advancement of India expanded. At show as well, their part essentially changes with the adjustment in the strategies of the legislature through various plans.

In the 6th five-year design (1980-1985), another part for NGOs in the provincial improvement had been recognized by the administration. In the seventh five-year design (1985-1990), the Indian government visualized a dynamic part of NGOs in creating confident groups. These gatherings should indicate how the town assets alongside human asset, ability, neighborhood information that is significantly underutilized could be utilized for their own advancement. As NGOs were working in close association with nearby individuals so bringing such a change was not an extreme errand for them

Inferable from this, in the eighth five-year design, more significance to NGOs for rustic improvement in India had been given. Under this plan, an across the country NGO arrange had been made. The part of these organizations was the provincial improvement requiring little to no effort.

In the ninth five-year design, it has been recommended that NGOs would assume a huge part in the improvement on the general population private organization display. More degree has been given to NGOs by the legislature for country improvement through the rural advancement arrangements and in addition their usage instruments. Similarly as with each five-year design, the part of NGOs in the rustic improvement of India is developing, so NGOs are currently drawing in experts from various fields. NGOs go about as organizers and implementers of formative designs. They help in assembling the nearby assets to be utilized for improvement. NGOs help in building a confident and feasible society. These offices assume the part of go between amongst individuals and government. NGOs are really the facilitator of improvement, training and professionalization.

A noteworthy issue that NGOs are facing in India is their reliance upon government assets or outer gifts. With this reliance, NGOs are less adaptable in completing their assignment as a large portion of the undertakings rely on reserves. In addition, the structures of NGOs have turned out to be bureaucratic in nature prompting a diminished adequacy in the general advancement.

At that point the customary reasoning of rustic individuals, their poor comprehension, and low level of training for understanding new innovation and endeavors, absence of mindfulness are individuals related obstacles that NGOs are confronting. Towns likewise need foundation offices like water, power, instructive establishments, correspondence offices that prompts their moderate advancement.

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A major problem that NGOs are facing in India is their dependency upon government funds or external donations. With this dependency, NGOs are less flexible in carrying out their task as most of the tasks depend upon funds. Moreover, the structures of NGOs have become bureaucratic in nature leading to a decreased effectiveness in the overall development.

Then the traditional thinking of rural people, their poor understanding, and low level of education for comprehending new technology and efforts, lack of awareness are people related hurdles that NGOs are facing.

Villages also lack infrastructure facilities like water, electricity, educational institutes, communication facilities that leads to their slow development. Apart from these, there are certain problems like economics such as high cost technology, underprivileged rural industries, social and cultural differences, conflicts between different groups, administrative problems like political interference, lack of motivation and interest act as hurdles on the way to rural development in India. But in spite of all the hurdles, NGOs will keep on working for rural development in India. NGOs selectively utilized the local talent, train the individuals and use this for rural development. But the complete success of the rural development actually depends upon the willingness and active participation of rural people in the development processes and efforts.

POLICES OF LOCAL SELF GOVERNMENT IN PROTECTION OF ENVIRONMENT

Rural Local Bodies, owing to the enormous power vested in them, can be successful in conservation efforts. Rural Local Bodies came into existence in 1992, consequent to the 73rd Constitution Amendment Act 1992. Though were in existence from 1950, it is the 73rd Amendment, which gave enormous powers and responsibilities to these bodies. This process of decentralisation has strengthened the “Village Republics”.

The environmental dictum, “Think globally and act locally” can be well applied to Village Panchayats. If these Village Panchayats protect their “unreserved forests”, there is the likelihood of a change in the appearance of the rural areas. Increase in forest cover would lead to a successive increase in the ground water table, availability of drinking water, wildlife and bird populations. Reserved forests are protected by Forest Departments of every state. But unclassified wastelands and unreserved forests are belong to the Panchayat.

The Panchayats have the authority to evolve a code of conduct and regulations for rearing livestock. Agriculture, also a subject to be dealt with by Panchayats, may be increased by enforcement of certain disciplines in growing crops (native crops). It is all within the jurisdiction of Panchayats.

FUNCTION

These local bodies can also play a part in the prevention and control of pollution in their respective areas. In as much as these local bodies are responsible for approval of layouts and building plans, they can enforce moves for prevention of pollution. Establishment of factories, industries and workshops can be done only with the approval of local bodies. When applicants approach the local bodies for approval, the local bodies should process applications in compliance and enforce strict measures in order to prevent pollution.

Out of 30 lakh PRI functionaries, there are 10 lakh women representatives in these bodies. Women have been faring well in the running of these institutions. This process of “Empowerment of Women” through local bodies has known many success stories. Women participate in large numbers in the Grama Sabha meetings. The Government of India has succeeded in organizing women through Self-Help Groups.

The functioning of these Self-Help Groups has opened the eyes of planners and administrators. The savings that they make, and their activities have paid rich dividends. The potential of this workforce has at last been identified, channelised and utilised. Moreover, women, who form one half of the population of our country, now form 1/3 of the total functionaries in PRIs. These women can be further motivated to take up the responsibility to transform society and conserve the environment.

In addition to these functionaries of Panchayats, there is another effective organ in the form of the village administration - 'the Grama Sabha'. All voters in the village panchayat are members of the Grama Sabha of the village. It meets once in a quarter and on other occasions as per the need of the time. The Panchayat President is also the Chairman of the Grama Sabha. All the members participate in the meetings and issues common to the village as a whole are discussed and conclusions arrived at. It is also a forum where specific issues detrimental to the village are discussed openly. Such meetings can always be used as a platform for infusing environmental conservation practices.

In short, the 30 lakh representatives who participate in running the decentralised democratic institutions should be attuned to perform their duties within the provisions of the Constitution of India. By nurturing the local bodies, India can look towards eradicating poverty, eliminating rural unemployment and reducing inequalities among the citizens. These basic democratic institutions can become the pillars of sustainable development by assisting in reviving natural ecosystems and conserving the environment.

SCHEMES FOR ENVIRONMENTAL PROTECTION BY GOVERNMENT

The Ministry of Environment, Forest and Climate Change is implementing National River Conservation Programme, sub-schemes of Conservation of Natural Resources and Eco-Systems, National Afforestation Programme & Green India Mission, National Coastal Management Programme, National Mission on Himalayan Studies under Climate Change Program under the Central Sector & Centrally Sponsored Schemes of Government of India.

These schemes act as remedial measures for conservation of environment and sustainable development of various ecosystems. The umbrella Scheme on Conservation of Natural Resources and Eco-systems through its different sub-schemes formulated for protection of corals, mangroves, biosphere reserves, wetlands and lakes conserve the natural resources and these eco-systems of the country. The sub-scheme of National Plan for Conservation of Aquatic Ecosystems aims at conservation of all aquatic eco-systems including lakes and wetlands of the country. National Afforestation Program and Green India Mission contribute towards regeneration of degraded forests and their adjoining areas in the country. National River Conservation Program facilitates in improving water quality of polluted stretches of rivers by preventing pollution loads reaching the rivers through various pollution abatement works. National Coastal Management Programme ensures livelihood security to fishing and other local communities to conserve and protect coastal stretches and promotes coastal development based on scientific principles.

National Mission on Himalayan Studies aims at focusing on conservation of Himalayan Ecosystem and sustainable development of the Indian Himalayan Region. The Ministry also

monitors implementation of United Nations Convention to Combat Desertification (UNCCD) and has been carrying out enabling activities and other obligations of the Convention. The program aims at networking and forging strategic partnerships among relevant Scientific Institutions and stakeholders for enhancing knowledge data base and scientific inputs in reporting and revising desertification and land degradation.

Important Environment and Biodiversity Acts Passed by Indian Government

- Fisheries Act 1897
- Indian Forests Act 1927
- Mining And Mineral Development Regulation Act 1957
- Prevention of Cruelty To Animals 1960
- Wildlife Protection Act 1972
- Water (Prevention and Control of Pollution) Act 1974
- Forest Conservation Act 1980
- Air (Prevention and Control of Pollution) Act 1981
- Environment Protection Act 1986
- Biological Diversity Act 2002
- Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006

Not only this, there are a few International schemes and projects that India has signed drafted with its neighbours, Nepal and Bangladesh related to illegal wildlife species trade and conservation of tigers and leopards. Apart from this, there are plenty of other legal, administrative and financial steps that Government of India has taken for effective wildlife conservation in the country. And apparently the success of its some projects and schemes related to Indian Rhinos, tigers and poaching have earned it immense confidence to continue working towards a prosperous and intact wildlife.

RECOMMENDATIONS

- 1) Awareness should be given to people in Rural areas about local self government
- 2) The lead should be taken by local bodies, encouragement by the state governments given to local bodies

CONCLUSION

To conclude, local self-government is one of the most innovative governance change processes our country has gone through. The noble idea of taking the government of a country into the hands of the grass root level is indeed praiseworthy. However, like any system in the world, this system is also imperfect. Problems of maladministration and misappropriation of funds are recurring. But this shall not stand in the way of efficient governance; and if these ill practices are

rooted out, there would be no comparisons around the world to our system of local self-government. In the Panchayati Raj set up, there are several mechanisms and agencies through which information regarding public good and welfare can be communicated to the villagers. These can be used to create the much-needed awareness about the conservation of the ecology and the environment. All this depends on the lead taken by local bodies, encouragement by the state governments given to local bodies, the honesty and sincerity of the non-officials who administer the local bodies, and corruption-free controlling authorities.

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