

POST GRADUATE DEPARTMENT OF LABOUR LAW AND ADMINISTRATIVE LAW

THIRD SEMESTER –OPTIONAL PAPER –V

SUBJECT: LOCAL SELF GOVERNMENT

Objectives of the course

With the introduction of the Constitution seventy third and seventy fourth amendments, India is moving towards the ideal of direct democracy endowing the local bodies with powers of administration in matters of regional and local importance. This change has added new vistas of Indian democracy and it offers an opportunity to translate the Gandhian concept of Gram Swaraj into practice. Necessarily, a person specializing in administrative law has to be equipped with the knowledge on the working of early systems, the present constitutional scheme, the legislative powers of the State transferring responsibility to local bodies and on the increasing regulatory and financial powers of the local bodies. The nature of the democratic functioning of these elected bodies and the scope of administrative control as well of the judicial control over them are challenging areas for students of administrative law to evaluate and help formulation of new and pragmatic working methods. The course shall comprise of 5 units to be spread out to a period of one semester.

Syllabus

1. Historical Perspectives

The concept of Local Self Government- Early period - Gram Swaraj: the Gandhian concept- Constitutional Schemes-Directive Principles - Structure and powers of local bodies-Reports of Commission and Local Bodies.

2. Constitution and Functioning

Election to Local Bodies - Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha- Institutional and Judicial Control

3. Legislative and Quasi-legislative Powers

Direct democracy and grass root planning - Municipalities and corporation - Gram Sabha- Rule making power of the State Government - Regulations and Bye-laws

4. Financial Powers

The concept of financial powers - Levying taxes-Licensing power-Financial resources and powers

5. Judicial and Quasi-judicial Powers

The Concept-Judicial and Quasi-judicial powers of the Local Bodies- Gram Nayalaya Act

PRESCRIBED BOOKS AND JOURNALS

Friedman, The State and the Rule of Law in a Mixed Economy

Neville L. Brown and J.F. Garner, French Administrative Law

Dicey, Introduction to the Law of the Constitution,

Ivor Jennings, Law and the Constitution

Schwartz & Wade, Legal Control of Government

Davis, Discretionary Justice

K.K.Consideration

Jain & Jain, Principles of Administrative Law (1986), Tripathi, Bombay

De Smith, Judicial Review of Administrative Action (1995)

Indian Law Institute, Government Regulation of Private

W. Thornhill (ed.), The Growth and Reform of English Local Self-government (1971),

Weidenfeldand Nierlson, London

Radhakumud Mookerji, Local Government in Ancient India (1985), Daya Publishing Delhi.

M. Venketarangaiya & M. Pattabhiram, Local Government in India (1969) Allied, New Delhi.
