

**INTERNATIONAL JOURNAL OF LEGAL AFFAIRS AND
EXPLORATION**

Volume 3 | Issue 3

2025

Website: www.ijlae.com

Email: editor@ijlae.com

UNDERSTANDING ROLE OF CIVIL SOCIETIES IN LOCAL GOVERNANCE

N.Kaviya Sri

Law Student, School of Excellence in Law

ABSTRACT

Civil societies in India can trace their origin to the religious institutions which provided with food and shelter, some provide with education. The civil societies are now commonly referred as the non-government organizations. The non-government organizations have seen an increase in the registered organizations. The functions have also varied from what they were in the past the function now includes variety of other things including hospitals, schools and policy influencing and educating people on the government policy for them. The BOODAN movement is the best example of the success of NGOs where people donated lands to others with no land. NGO's therefore are a lifeline in developing countries as it helps its people know their rights and also the benefits available to them. In the country of such vast population it is not possible for the government to help them achieve full penetration of the schemes and idea, the Indian government and planning commission realized this way before and included them in the planning commission's report. The role of grassroot organization can be best understood through the Bangladesh which through its Grameen bank loan to small group has brought about a change in the country but influenced other NGOs around the world positively and therefore there is an inclusion of NGOs in the policy matters. The paper main focus is on the third tier of the government due its most proximity with the people. The paper aims to study the influence of the NGOs in rural development, policy influencing, accountability.

Keyword: NGO's, grassroot organization, local governments.

INTRODUCTION

Civil societies are mostly referred as non-governmental organizations (NGO) largely. The Indian government runs on a three-tier system where the third-tier local governments are the

closet to the people. The local government or the panchayat raj are constitutional bodies ¹as amended by the 73rd ²and 74th amendment³.

The policies of the centre and state government are implemented through local governments. Indian government as understood the importance of NGOs in helping them make people understand their rights and help them get benefits of their policies. Such organizations help the government by educating and helping the government in implantation.

NGOs normally have an impact in the local government because the subjects such as road, water, electricity etc. that are basic rights and necessities of the people come under local governments subjects⁴.

It has to be understood that the government has passed no legal regulation informing the impact or the role that a civil society has on the policy making or the regular activities but the government at large understands the role these organizations play while educating and helping governments in policy making and implementation because of their direct contact with the people.

Local governments refer to all kind of third tier governments but NGOs impact in the rural area is larger because of the rural development plans and also the rural populations illiteracy in both their rights and freedoms guaranteed by the law of the land.

HISTORY OF CIVIL SOCIETIES IN INDIA

NGOs in the world have been existent way before the recognition of them came by because of the united nation (UN). They are the world wide first non-profit organizations the UN declaration⁵has section dedicated to what NGOs are but these institutions existed even before the declaration.

India NGOs can be seen has two periods before independence and after independence in the first period many Christian conventions and church tried to help people come out of poverty to help them grow.

¹ Constitution of India.

² 73rd constitutional amendment Act,1992 inserted new part IX- Article 243- 243O and also inserted 11th schedule containing 29 subjects.

³ 74th constitutional amendment Act,1992 inserted part IX- A Article 243P- 243ZG and also inserted 12th schedule.

⁴ XI and XII schedules of Indian constitution

⁵ Article 79 of the UN CONSTITUTION

The Societies Registration Act (SRA) 1860⁶ was also passed to recognise these organisations and then with mahatma Gandhi entrance in the early 1910 the outlook of the Indian freedom movement changed the growth of the swaraj movement mobilization of self-governance and Gandhi is own encouragement to the idea gram Sabha lead and his idea that responsibility should come with the rights and freedom led to the wide growth of these non-profit institutions⁷.

The religious institutions have been a large number since the beginning these not only included institutions like the temple, church, mosque etc. which indulge in the idea of educating many to help the growth of students who aren't able to afford it but also include intuitions like the Akshay Patra an arm of the ISCON temple that provide free mid-day meal food for many kids around the country⁸. Then their organizations like the RSS that grew in this period. This is time that private institutions also came because of the emergency where the public gathered in together for their rights and freedoms leading to formation of the new NGOs.

The NGO movement in the country also include the BOODAN movement⁹ where lands were donated to the landless people voluntarily and the central social welfare board was set up in 1953 these became the first of its kind of non-government organization that was opened by the government of India. When the panchayat raj was started many agricultural corporations and unions were set up.

The Indian government official website of Niti Aayog as of this date has 243571 registered NGOs as of august 2024¹⁰. According to reports there is an NGO for every 400 people in India. There are nearly 3.3¹¹million NGOs in India which focuses on all aspects of the governments working. Their NGOs like people union for rights that engage in getting people legal rights in court. Extensive working as been done by such NGOs to provide for the welfare of the people.

THE ROLE OF NGOS IN PANCHAYAT RAJ

Rural development

⁶ The Societies Registration Act, 1860

⁷ Available at: <https://www.adb.org/sites/default/files/publication/28966/csb-ind.pdf>

⁸ Available at:

<https://www.icnl.org/wp-content/uploads/Legal-Framework-for-Civil-Society-in-India-Dadrawala-vf.pdf>

⁹ Available at:

<https://web.archive.org/web/20110611090656/http://www.mkgandhi-sarvodaya.org/bhoodan.html>

¹⁰ Available at: <https://ngodarpan.gov.in/#>

¹¹ Available at: <https://www.icnl.org/resources/civic-freedom-monitor/india>

The NGOs role in rural parts on India can be understood by understanding its role in the rural development. The development of rural India after independence was not easy there was a large population really less funds, and growth did not mean economically but also social development, education, child development and awareness to its citizen. The task of development was so very challenging complicated and governments resources and plans were not enough for the growth of the rural areas. The government needed the help of the NGO's it was the sixth five-year plan¹² of the planning commission where the NGO's role was even discussed in grassroots mobilization, implementation of programs and resource mobilization to people and its also gave feedback to the government on what plans of the government were helpful and which plans were not.

The seventh five-year plan¹³ the Indian government gave a much more active role to the NGO's it asked them to help with human resources, skill, local knowledge to their own development. The NGO was not very successful in this aspect. Understanding the need for a national wide connect the eight five-year plan¹⁴ made a scheme and develop rural areas in low cost. The ninth five-year plan¹⁵ made a public private partnership for better implementation of agricultural development policies.

Policy influencing

The public policy in independent India was more centralized and it was opaque and bureaucratic exercise but the inclusion of local governments has made the system a little better and there are three types of influences that civil societies show in the public policy. Policy of inclusion where a particular segments voices are not heard or they have become used to hear only the voice of dominant section of the society. Civil societies provide them with a voice so that they can be heard by the government and they are also politically visible and have a voice to be included. Policy implementation civil societies have been most successful in this area whereby they help women, tribal, children of poor and workers to get benefits of the policies that already exist for them. They also develop an understanding of the policy is benefit and any of the faults with it quickly and help the people navigate through the flaws. Policy reform this has been recent part of civil societies actions. Any policy formulation on development issues that include modernization, which may cause problem to the marginalized community and

¹² SIXTH FIVE YEAR PLAN 1980 -1985

¹³ SEVENTH FIVE YEAR PLAN 1985-1990

¹⁴ EIGHT FIVE YEAR PLAN 1990-1995

¹⁵ NINTH FIVE YEAR PLAN 1995-2000

undermine the livelihoods of them. So, any project that cause troubles to the natural resources are to be included like Narmada Bacho Andholan¹⁶.

Accountability

Civil societies assure accountability of public agencies, officials and institutions. Accountability means how they are answerable to the public and what decisions and the process of those decisions can they take. They have two methods to make them accountable one is through judiciary they with the help of grassroot organizations and national level campaign have asked the law-and-order machinery's action against the oppressed and the weaker sections exploitation. Second is by monitoring the performance of the institutions in fulfilling their ongoing mandate and by accessing data and doing a proper people orientated research to find the fruitfulness of such promises made and being fulfilled.

Even after the constitutional mandate of local self-governance and devolution of decision-making authority and governance of resources to local bodies in rural and urban areas have been facing resistance from public and political interests. Despite the constitutional bodies, higher tiers of executive and administration continue to take decisions about use of resources. The civil societies have focused on creating awareness making people understand their right on use of public resources. Citizens voices in making public services of the local bodies and their relevant interventions.

They have important role of service delivery of education and health where the intervention of the government is less or it doesn't have enough resource to build the same. They also have the duty of capacity building therefore make the people educated about their rights, train them to make them as skilled laborers. Promoting functional groups (FGs) and village development forums (VDFs), strengthening and guiding working committees (WCs) to integrate with the Panchayat system. preparing for a micro planning of panchayat development by working with the committee. Decentralization through studies, publications and seminars. Panchayat raj representatives' development programmes and promoting networking between local government institutions themselves for better understanding and growth. Creating awareness on the importance of voting between youth, students and ensuring benefits of development

¹⁶ Available at: <https://righttolivelihood.org/the-change-makers/find-a-laureate/medha-patkar-and-baba-amte-narmada-bachao-andolan/>

programmes to reach others. Making gram Sabha a social audit unit and enhancing the panchayat by undertaking income for panchayat and corpus buildings.

Efforts are taken for ensuring community participation in the Grama Sabhas¹⁷, Panchayat council and working committee meetings. Leadership development in the primary level functional groups was given high emphasis. Panchayats are facilitated to prepare a micro-planning document every year and ensure its subsequent implementation. The programme made efforts to strengthen the relationship initiated already with the institutions working on Panchayat affairs.

With Rajiv Gandhi National Institute of Youth Development (RGNIYD)¹⁸, the Panchayat team is involved in national level research project on 'Understanding Knowledge, Attitude and Practice of youth in Panchayat Raj Institutions'. In association with District Rural Development Agency¹⁹ (DRDA) of Tamil Nadu, the programme has taken up training program on 'Role of NGOs in Development' to ten batches of panchayat presidents.

The Programme also works jointly with the DRDA to demonstrate National Rural Employment Guarantee Scheme (NREGS)²⁰ in village Panchayats in Tamil Nadu. Along with National Institute of Rural Development (NIRD).

The success of the NGO movement is closely linked to building strong relationships with stakeholders and actively engaging with target groups. However, these organizations often struggle to accurately identify pertinent issues and develop viable proposals for funding agencies and government sponsors. Many NGOs are actively seeking opportunities to improve their skills and capabilities in creating suitable projects that can attract funding from donor agencies. As a result, effective, action-oriented grassroots organizations frequently lack the necessary resources to meet the expectations of funding sources. Given the current developmental needs, it is crucial to guide these NGOs toward a sustainable development approach that aligns with national priorities, especially in localizing the Sustainable Development Goals (SDGs) within rural development. Furthermore, mentoring is essential for NGOs working with rural local bodies to achieve targeted development. In this regard, the National Institute of Rural Development (NIRD)²¹, a leading institution in rural development

¹⁷ Available at: https://www.tnrd.tn.gov.in/panchayatraj_inst/grama_sabha.html

¹⁸ Available at: <https://www.rgnyd.gov.in/>

¹⁹ Available at: https://rural.gov.in/sites/default/files/DRDA_RTI_0.pdf

²⁰ Mahatma Gandhi National Rural Employment Guarantee Act, 2005

²¹ Available at: <http://nirdpr.org.in/>

training, acknowledges the need for training programs designed to enhance the competencies of emerging grassroots organizations in areas such as problem identification, project preparation, proposal writing, resource mobilization, and effective resource management to successfully achieve the SDGs.

THE BANGLADESHI GRASSROOT MOVEMENT

Grassroot movements are collective actions of people. these refer to individual small groups whose main goal is of community empowerment and sustainability in their societies. The movement tries to assist in economic, social political and environmental problems. The nation's most popular grassroot initiative refers to the Grameen bank²².

The Grameen bank were started in the year 1976 to help the people with the micro credit financing and credit. Most of these loans were given to women and mostly all of them were paid and they need no collateral pushing women of weaker section taking loan.

The working of Grameen bank resulted in a catalyst move as it changed the social barriers and revolutionized the society within the country, the success of these grassroot movement pushed more such NGOs and other grassroot institutions to grow and their influence in policy and decision making of the local government has seen upward trajectory.

The NGOs in Bangladesh have influence on these matters of the government. NGOs in Bangladesh have helped women at rural areas. They help them by educating them, raising awareness among them. They make them educate to help them have a better say in their own lives, they take equal participation in all aspects of the society. The local governments ask these NGOs to educate the girls in not only literacy education but also self-confidence and self-improvement classes.

Bangladesh is more disaster-prone country, NGOs there help with disaster management with partnering the local governments they help in disturbing reliefs, they build houses and help with cash to the affected person and they also help in environment preservation at local level.

NGOs have now started to involve themselves in matters of budget formation and taxation they help in conducting seminars, helping to identify the needs of people, mediating between the people and the government and collection of taxes. They arrange mock budgetary session for the help of the governments.

²² Available at: <https://grameenbank.org.bd/>

NGOs have a big hand in the election process both in raising awareness of election and voting rights and conducting free and fair elections. They increase social awareness through political education, meetings, citizens charter and by conducting seminars and meetings. They have very positive impact on the elections where other actors have found a gap in this matter NGO's impact can't be ignored.

The NGOs have some credit for developing a culture especially at the rural level, they try and educate that voting right and free and fair elections are right of every Bangladeshi citizen. They also try to conduct debates and help political parties in election and motivate people to go and vote in the elections.

At local level, NGOs play a role in training the less educated and unaware about their official duties and their capacity once they are elected for the position. There exists meeting like gram Sabha in Bangladesh called the ward public meetings and union council public meeting such meetings are successful due to people's participation and NGOs influence people to participate in such community meeting and arranging open budget sessions. They also act as dispute resolution between the locals and the local representatives and government and are as effective as any alternative method of resolution can be.

SUGGESTIONS

1. Strong partnerships:

The panchayat should take initiative to conduct meetings with all representatives of civil society members in its jurisdiction and include them in health, infrastructure and educational campaigns and projects.

2. Transparency:

They should make information of gram Sabha and every other information except the items mentioned under section 8 of the RTI act should be made available and civil society must help in people know of their right to participation and right to information and help them through the process and help a community to bring a community report.

3. Feedback:

Create online portals and implement some kind of channel through meetings or grievance redressal day to help better communication between the public and panchayat raj.

4. Help in grassroot organization growth:

The local leaders who are not trained and lack the educational support to know their duties properly should be helped by the civil societies by creating special training programmes for them to grow.

5. Diverse representation:

Include all the people from all categories and sets of the society for an actual real representation of everyone's opinion to make it inclusive and help build focus groups that target specific unrepresented communities and help them voice their problems out.

6. Capacity building workshop:

Hold meeting on what is good governance and help every group in the society participate in them to get a better ecosystem and leadership skills to be grown in all sectors of the society and help the panchayat institutions leaders learn these skills. Teaching them skills like budgeting, planning, implantation and execution.

7. Technological development:

To make greater impact on the growing population and youth the panchayat raj institutions must work with greater access to internet, digitalization of records, easier ways for accessing and reading about policies implementation of the government.

8. Grievance system:

There should be a grievance system in place for the people to report issues and seek resolutions and there should be a higher authority appointed to see if these institutions work properly or not and to make grievance.

CONCLUSION:

The Panchayat Raj institutions were formed by the 73rd and 74th Constitutional Amendments. Civil societies in India have long existed even before independence. They have been institutions based on religion, independent institutions who have played a major role in the

growth of the country's development in governance. India has nearly 1.4 million registered NGOs, that is 1 NGO for every 400 people. NGOs in India have guaranteed Indian citizens their legal rights like Right to Information, abolishment of bonded labourers, etc. in discussion of their role in local governments, it is identified that they play a part in people's participation, growth of Gram Sabha. They help the local governments to form budgets, provide necessary help to people in form of training, education, awareness programs. The inclusion of NGOs in governance came only in the 6th 5-year plan. Bangladesh grass root Movement has been a way forward for all developing nations in showing the impact grass root organisations can have on citizens. The impact on rural women development, people's participation and governance policies have reflected in Bangladesh's rural development. NGOs in India need better funding. Their dependence on government funding and private players affects the impact it can create on the rural development. For Indian rural development, NGOs need to have more strict policy formulations. Their role in Panchayat raj institutions have to be more defined and evolved for a greater growth achievement. In conclusion, NGOs role in local governance today has evolved from where it started pre independence, but without further corrections and better uses of the resources present before the government in the form of NGOs, they will not be able to achieve the growth Indian rural population is capable of.