

**GOVERNMENT OF INDIA  
RURAL DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:396  
ANSWERED ON:21.11.2000  
PANCHAYAT ELECTIONS  
RAMDAS ATHAWALE

**Will the Minister of RURAL DEVELOPMENT be pleased to state:**

- (a) whether the election of Panchayats and local bodies are not being held due to pending court cases in various States including Andhra Pradesh, Bihar and Delhi;
- (b) if so, the details thereof;
- (c) whether the Union Government have taken or propose to take any steps to remove these obstacles in consultation with the Law Ministry; and
- (d) if so, the details thereof?

**Answer**

MINISTER OF RURAL DEVELOPMENT ( SHRI M.VENKAIHA NAI DU )

- (a) to (d):- While elections to Panchayats have not been held in Andhra Pradesh, Assam, Bihar, Pondicherry and Punjab, owing to pending court cases, those in the NCT of Delhi have not taken place as the State Panchayati Raj Act has been suspended since 1990.
2. In Andhra Pradesh, a Stay Order was obtained by the State Government from the Hon`ble Supreme Court in respect of the orders of the Hon`ble High Court of Andhra Pradesh. The Hon`ble High Court had struck down the Ordinance promulgated by the State Government for postponement of elections to Intermediate and District Panchayats and had directed the State Government to hold elections to these Panchayats before 30th June, 2000. Elections to Gram Panchayats (which were due in October, 2000) have not been held since the Hon`ble High Court of Andhra Pradesh (passing Orders on a Petition) struck down the provisions relating to reservation for Backward Classes.
3. The Hon`ble High Court of Assam (passing Orders on a Petition) directed the State Government to dispose of the representation of the Petitioner seeking direction for not holding Panchayat elections in an Autonomous Council Area. The State Government has yet to dispose of the Petition. Panchayat elections in Bihar were not held as certain provisions of the Bihar Panchayati Raj Act were struck down by the Hon`ble High Court at Patna. The State Government filed SLPs in the Hon`ble Supreme Court who have, in a recent order, clarified that there is no stay on the conduct of the elections.
4. Panchayat elections in the Union Territory of Pondicherry have not been held due to the pendency of a clarification petition filed by the UT Administration in the Hon`ble High Court at Chennai with regard to reservation for Backward Classes.
5. Elections to Intermediate and District Panchayats in Punjab have not taken place in view of the State Government having filed an SLP in the Hon`ble Supreme Court in respect of the Orders of the High Court of Punjab and Haryana striking down certain provisions of the Punjab Panchayati Raj Act.
6. Steps have been taken, in consultation with the Union Law Ministry, towards disposal of the pending court cases and the matter has also been taken up, from to time, by the Government of India with the State Governments for early conduct of Panchayat elections.