

**GOVERNMENT OF INDIA  
PANCHAYATI RAJ  
LOK SABHA**

UNSTARRED QUESTION NO:1571  
ANSWERED ON:13.12.2013  
PANCHAYATI RAJ ACT  
Rawat Shri Ashok Kumar

**Will the Minister of PANCHAYATI RAJ be pleased to state:**

- (a) whether the Panchayati Raj Act has been implemented in all the States/UTs in the country within the stipulated time as envisaged in the Act;
- (b) if so, the details thereof, State/UT -wise;
- (c) if not, the reasons therefor along with the name and number of such States/UTs and the action taken/being taken by the Government in this regard;
- (d) whether the Government has issued directions to the States for disposal of important issues like transfer of certain powers/subjects including minor forest products to Gram Sabhas in the scheduled areas; and
- (e) if so, the details thereof?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO)

(a) to (c) As per Article 243B of the Constitution, three tier Panchayats at the Village, Intermediate and District levels are to be constituted in all States to which Part IX of the Constitution is applicable. However, Panchayats at the Intermediate level may not be constituted in a State having a population not exceeding 20 lakh. Broadly, the Panchayati Raj system operating in the country has been structured according to the relevant provisions in the Constitution.

(d) & (e) Under Art.243G of the Constitution the Legislature of the State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government.

This includes 29 subjects contained in Eleventh Schedule of the Constitution. Eleventh Schedule includes Minor Forest Produce. However, since it is left to the State Governments to devolve powers to the Panchayats, the extent of devolution varies from State to State. For areas under Fifth Schedule, The Panchayat (Extension to Scheduled Areas) Act, 1996 requires that a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with the ownership of Minor Forest Produce [section 4 (m) (ii)]. The extent of devolution under the PESA Act has been reviewed from time to time.