

**GOVERNMENT OF INDIA
PANCHAYATI RAJ
LOK SABHA**

UNSTARRED QUESTION NO:3098
ANSWERED ON:11.12.2014
EMPOWERMENT TO GRAM SABHA
Kulaste Shri Faggan Singh

Will the Minister of PANCHAYATI RAJ be pleased to state:

- (a) whether there has been a provision to empower gram sabha to utilise resources of those scheduled areas which had not been covered under the Panchayati Raj Act;
- (b) if so, the relevant laws/provision thereof and the utility of those laws; and
- (c) the action taken/proposed to be taken by the Government in this regard and the time-limit set thereof?

Answer

MINISTER OF STATE FOR PANCHAYATI RAJ (SHRI NIHAL CHAND)

(a) to (c) : There is no Panchayati Raj Act at the Central level and every State has its own specific Panchayati Raj Act. Part IX of the Constitution of India provides a framework for a three tiered structure for local governance in all rural local bodies except the Scheduled Areas. Provisions of Part IX of the Constitution were extended to the Fifth Schedule Areas by the enactment of The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996. Sixth Schedule of the Constitution provides for a separate system of administration and provisions of Part IX of the Constitution are not applicable therein. Section 4 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act empowers Gram Sabhas to utilize resources available in the area to the benefit of the local communities as also to safeguard and preserve the traditions of their people, community resources and customary mode of dispute resolution. The Act is being implemented in 10 States of the Country having Fifth Schedule Areas, namely, Andhra Pradesh, Chhattisgarh, Himachal Pradesh, Gujarat, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana, empowering communities in the Scheduled Areas. The Act has been under implementation since 1996 and the concerned States have been involved in making legislation, rules and regulations as per its provisions. The implementation of the Act is an ongoing process and no specific time limit has been set in this regard.