

**GOVERNMENT OF INDIA  
PANCHAYATI RAJ  
LOK SABHA**

UNSTARRED QUESTION NO:6739

ANSWERED ON:07.05.2015

IMPLEMENTATION OF RD AND TH AMENDMENTS

Rajput Shri Mukesh;Subbareddy Shri Yerram Venkata

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

(a) whether the State Government including Andhra Pradesh have implemented the provisions relating to the Panchayati Raj made in the 73rd and 74th Amendments in the Constitution;

(b) if so, the details thereof State-wise;

(c) if not, the reasons therefor; and

(d) the time by which the said provisions are likely to be implemented in the three-tier Panchayats?

**Answer**

MINISTER OF STATE FOR PANCHAYATI RAJ (SHRI NIHAL CHAND)

(a) to (c): Panchayat is a State subject as per the Constitution of India. The 73rd Constitution Amendment Act (CAA) incorporated as Part IX of the Constitution of India mandates elected three tier Panchayats at the Village, Intermediate, and District levels 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 with reservation in seats and offices of chairpersons for Schedule Castes, Schedule Tribes and women. Broadly, the Panchayati Raj system operating in the country has been structured according to the relevant provisions in the Constitution. Similarly, Municipalities (Nagar Panchayat, Municipal Council or Municipal Corporation, as the case may be) are constituted by States in terms of the 74th Constitution Amendment Act incorporated as Part IXA of the Constitution.

As regards devolution of powers by States to Panchayats, under Article 243G of Part IX of the Constitution, State Legislature are to endow to the Panchayats with powers and authority to enable them to function as institutions of local self-governance. Article 243G allows discretion to the State in the matter of devolution of powers to Panchayats. States vary significantly in the extent to which they have devolved powers to the Panchayats to plan, implement and monitor schemes for economic devolvement and social justice.

(d) Mandatory provisions in the 73rd Constitution Amendment Act (CAA) i.e., setting up of three-tier Panchayat excepting in States with population below 20 lakhs, election to Panchayat every five years, reservation of seats for the Scheduled Castes, Scheduled Tribes and Women, setting up of State Election Commission and State Finance Commission have already been generally complied with by all States.