73rd Amendment Act, 1992

The Constitution (73rd Amendment) Act, 1992 mandates provisions for:

- Establishment of a three-tier structure (Village Panchayat, Panchayat Samiti or intermediate level Panchayat and Zilla Parishad or district level Panchayat).
- To provide 3-tier system of Panchayati Raj for all States having population of over 20 lakh.
- Establishment of Gram Sabhas at the village level.
- Regular elections to Panchayats every 5 years.
- Proportionate seat reservation for Scheduled Castes and Scheduled Tribes.
- Reservation of not less than 33% seats for women.
- Constitution of State Finance Commissions to make recommendations regarding the financial powers of the Panchayats.
- Constitution of District Planning Committee to prepare draft development plan for the district as a whole.

Powers and Responsibilities

The Constitution (73rd Amendment) Act, 1992 vests power in the State Government to endow Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government such as:

- Preparation of plants and their execution for economic development and social justice in relation to 29 subjects listed in the XI Schedule of the Constitution.
- Authority to Panchayat to levy, collect and appropriate taxes, duties, tolls and fees.
- Transfer of taxes, duties, tolls and fees collected by the States to Panchayats.

Gram Sabha

In the Panchayati Raj set up, the Gram Sabha, the general assembly of villagers, has a key role for effective functioning of Panchayats. In the Gram Sabha meeting, the rural poor, the women and the marginalised people would now get an opportunity to join in decision making on matters affecting their lives. Active functioning of the Gram Sabha would ensure a participatory democracy with transparency, accountability and achievement.

- Gram Sabha should meet a least in each quarter preferably on Republic Day, Labour Day, Independence Day and Gandhi Jayanti.
- Decide developmental work to be undertaken by Panchayats based on needs assessment.
- Suggest remedial measures for economy and efficiency in the functioning of the Panchayats.
- Question and scrutinise the decisions of Panchayats in the meeting of Gram Sabha.
- Discuss the Annual Financial Statement of Gram Panchayats.

The Constitution (73rd Amendment) Act, 1992 envisages empowered Panchayats as institutions of self-government at the village level capable of:

- Planning and executing village level public works and their maintenance.
- Ensuring welfare of the people at the village level including health, education, communal harmony, social justice particularly gender and caste based discrimination, dispute resolution, welfare of children, especially the girl child.
The Constitution (73rd Amendment) Act, 1992 also envisages empowered Gram Sabhas as the Parliament of the People at the grassroots level to whom the Gram Panchayats are solely accountable.

The Provisions of the Panchayats (Extension to the Scheduled Areas ) Act, 1996

This Act extends Panchayats to the tribal areas of eight States, namely Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan. This has come into force on 24th December, 1996. Except Rajasthan and Bihar all States have passed laws to give effect to the provisions contained in the Act, 40 of 1996.

Under the Act, Gram Sabha has been vested with powers for :-

- Ownership of Minor Forest Produce
- Development plans approval
- Selection of beneficiaries under various programmes
- Consultation on land acquisition
- Manage minor water bodies
- Control mineral leases
- Regulate/Prohibit sale of intoxicants
- Prevent alienation of land and restore unlawfully alienated land of STs
- Manage village markets
- Control money lending to STs
- Control institutions and functionaries in all social sector.

Training and awareness generation programme

The Ministry of Rural Development extends limited financial assistance to the States in their effort to train and create awareness among the elected members of Panchayats and functionaries. The State Governments are being asked to conduct such training courses. The Ministry has also been providing financial assistance through the Council for Advancement of People’s Action & Rural Technology (CAPART) to the non-governmental organizations for conducting training and awareness generation programmes on Panchayati Raj. This Ministry also commissions research and evaluation studies related to Panchayati Raj from voluntary organizations /institutions.