STUDY NOTES · BASIC CONCEPT

# What are the different provisions of Panchayati Raj Act, 1992?

Polity & Governance

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**What are the different provisions of Panchayati Raj Act, 1992?**

**Constitutional Status**

- Inserted Part IX in the Constitution (Articles 243 to 243-O).
- Added the 11th Schedule listing 29 subjects for Panchayats.
- Gave constitutional recognition to rural local self-government.

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**Three-Tier Panchayati Raj Structure (Article 243B)**

Mandatory establishment of Panchayats at:

- Gram Panchayat – Village level
- Panchayat Samiti / Block Panchayat – Intermediate level
- Zila Parishad – District level

(Exception: States with population below 20 lakh may skip the intermediate level.)

**Gram Sabha (Article 243A)**

- Gram Sabha consists of all registered voters of a village.
- It is the foundation of the Panchayati Raj system.
- Powers include:
    - Approval of plans and programmes
    - Social audit of schemes
    - Selection of beneficiaries
    - Questioning Panchayat functioning

**Composition of Panchayats (Article 243C)**

- Members elected directly by the people.

- Chairpersons elected:
- Directly by people OR
- Indirectly by elected members (state discretion).

**Reservation of Seats (Article 243D)**

(a) SC/ST Reservation : Seats reserved in proportion to population. Applies at all three levels.

(b) Women Reservation

- Minimum 1/3rd seats reserved for women.
- Includes:
- SC/ST reserved seats
- Chairperson positions
- Many states have enhanced it to 50%.

**Tenure of Panchayats (Article 243E)**

- Fixed term of 5 years.
- Elections:
    - Before expiry of term, or
    - Within 6 months if dissolved earlier.

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**State Election Commission (Article 243K)**

- Independent constitutional authority.
- Responsible for:
- Conduct of Panchayat elections
- Preparation of electoral rolls
- Ensures free, fair, and regular elections.

**Powers, Authority & Functions (Article 243G)**

State legislatures may devolve powers related to 29 subjects in the 11th Schedule, including:

- Agriculture & irrigation
- Rural housing
- Drinking water
- Health & sanitation
- Education
- Poverty alleviation
- Roads & infrastructure

**Financial Provisions (Article 243H & 243I)**

1. State Finance Commission (SFC) : Constituted every 5 years.
2. Recommends: Distribution of state revenues, Taxes, duties, tolls for Panchayats, Grants-in-aid
3. Central Finance Commission : Provides direct grants to Panchayats.

**Planning at District Level (Article 243ZD)**

- District Planning Committee (DPC):
- Consolidates plans of Panchayats and Municipalities.
- Prepares district development plan.
- Ensures bottom-up planning.

**Audit of Accounts (Article 243J)**

Panchayat accounts to be audited as per state law.

**Judicial Safeguards (Article 243O)**

- Courts cannot interfere in Panchayat elections.
- Election disputes resolved only through:
- State-prescribed legal mechanisms.
- Prevents judicial delays in democratic processes.

**Applicability & Exceptions (Article 243M)**

Not applicable to:

1. Scheduled Areas & Tribal Areas (unless extended via PESA Act, 1996)
2. Nagaland, Meghalaya, Mizoram (special customary laws)

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