

**GOVERNMENT OF INDIA
PANCHAYATI RAJ
LOK SABHA**

UNSTARRED QUESTION NO:3139

ANSWERED ON:19.08.2004

NON TRANSFER OF POWERS TO PANCHAYATS IN DAMAN AND DIU

Patel Shri Dahya Bhai V.

Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether the Panchayats in the Union Territory of Daman and Diu have not been given full powers as per Constitution (73rd Amendment) Act, 1992;

(b) if so, whether the non transfer of powers to panchayats in Daman and Diu have resulted in the slowing down of development process in this Union Territory; and

(c) if so, the steps taken by the Union Government to give full powers to the panchayats in the Union Territory of Daman and Diu?

Answer

THE MINISTER OF PETROLEUM AND NATURAL GAS AND MINISTER OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR):

(a) and (b) After the Panchayat Regulations came into force in Daman & Diu in 1994, out of the 29 subjects listed in Schedule XI of the Constitution, the UT Administration of Daman & Diu fully transferred five functions in Daman & Diu and in addition nine functions were partially transferred. Along with these functions, a total staff of 266 functionaries was also transferred. The Administrator had taken a review of all the 29 subjects in Schedule XI of the Constitution with the concerned officials of the Union Territory in July, 2004. The Administration of Daman and Diu is contemplating further devolution of powers with respect to certain other functions. The Chief Executive Officer, Panchayat has been asked to undertake an activity mapping of those functions which can be transferred to the District Panchayat through an amendment in their proposed regulation. The UT Administration has informed that considerable devaluation of powers on 14 functions has taken place in Daman & Diu. Significant transfer of functionaries has also been done and the total volume of funds transferred is also substantial at Rs. 16.70 crore. There has been no slow down in the development process as adequate funds have been placed at the disposal of the Panchayati Raj Institutions. UT Administration have also proposed comprehensive amendments to the existing Panchayat Regulations governing the functions and powers of the Panchayati Raj Institutions in the Union Territory so that all the subjects mentioned in the XI Schedule to the Constitution are considered for transfer to the PRIs.

(c) Union Government has constituted a Group of officials under the Chairpersonship of Additional Secretary, Ministry of Panchayati Raj and including representatives of the Ministry of Home Affairs and Ministry of Rural Development to review Panchayati Raj in the Union Territories and suggest improvements. The Officials Group would consult with the Government of India representatives of the Union Territories and elected representatives in the Panchayats and Lok Sabha as well as Think Tanks/NGOs familiar with the subject. The Group will submit their report to their Ministers concerned to enable them to resolve outstanding issues in time before the Round Table scheduled to be held at Chandigarh in early October, 2004 at which Panchayati Raj in the Union Territories is to be discussed.