

Reading Materials

News Clippings on Local Bodies

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New Delhi, Dec. 13: For a six-year-old, Rs 66,000 crore is big money. But the Prime Minister's pet mission hasn't lived up to its billing.

The Jawaharlal Nehru National Urban Renewal Mission celebrated its sixth anniversary on December 3, but the project appears to have got entangled in a web of too much central monitoring and an over-ambitious drive to push for administrative reforms.

Just three months are left before the first phase ends on March 31, 2012, but less than a fifth of the projects has been completed. Of the 1,325 projects sanctioned, only 248 have been completed till now. The JNNURM — handled by the ministries of urban development and housing and urban poverty alleviation — was one of the ambitious schemes of UPA I, which announced the project on December 3, 2005.

"This mission is the single-largest initiative of the Government of India for a planned development of our cities," Manmohan Singh had said in his speech at project's launch. "It responds to the long-standing demand for tapping the vast potential and vitality of our cities."

The project, which now covers 71 cities, spans a whole range of works, including drainage, roads, flyovers, water supply, mass rapid transport system, solid waste management, housing and preservation of water bodies. The Centre bears 50 per cent for each project, while states have to stump up the rest. But the two central ministries have so far spent just a little over 50 per cent of the Rs 66,000 crore set aside.

Tamil Nadu has performed the best. Of the 171 projects sanctioned, it has completed 95. Gujarat and Andhra Pradesh, too, have performed well. Maharashtra, which was sanctioned 173 projects, the highest among all the states and Union territories, is one of the top laggards. It could complete only 10.

Bengal has fared better — with 12 completed projects out of 95 — though the 12.6 per cent success rate is hardly anything to crow about.

Nearly a dozen states and Union territories have not even managed to open their account. These include Assam (32 projects sanctioned), Odisha (22) and Bihar (19). Delhi has completed four projects of the 28 sanctioned.

The figures pertain to work carried out under the urban development ministry.

A central official said in states where the mission has been relatively successful, the credit lay with the state governments. "All the states which have done well have had a history of strong local bodies. The states also fast-tracked the reforms and thus managed to get more projects sanctioned," Nisha Singh, the joint secretary in charge of the project, said. The stress on reforms, however, appears to have hobbled most of the states.

The Centre had listed 23 administrative reforms, of which 13 were mandatory. To get assistance under the scheme, each state had to fulfil these conditions, which included establishing e-governance, geographical information system (GIS)-based house tax collection with at least 85 per cent efficiency, and adoption of a modern, accrual-based, double-entry accounting system.

Some experts said one reason for the dismal performance by most states was too many conditions for approving projects. Another reason, officials said, was alleged "micro-monitoring" by the Centre.

Each project has to go through at least three layers of scrutiny apart from independent appraisal by the National Institute of Urban Affairs. The projects have to be cleared by the Central Sanctioning and Monitoring Committee. At the state level, a steering committee has to screen the project. The third layer of scrutiny is at the municipal level. "This attitude of not trusting the states with their own project is discouraging," former Delhi chief secretary Rakesh Mehta said.

What eventually happens, some of the experts said, is projects get delayed because of such close monitoring.

Officials in the urban development ministry said the scrutiny was essential to curb corruption. "If we are giving money, we need to see to it that it is being implemented properly, even if it means nudging them like a parent," said a senior official.

Analysts said uniform specifications for every city was also partly responsible for the low success rate. For example, a city cannot purchase buses if they do not conform to the Centre's specifications. "Now, a high-capacity, wide bus may be good for Delhi, but need not necessarily work in hilly states. To have the same criteria for all is not such a good idea," an official said.

The other major hurdle is that the Centre provides for only 50 per cent of the funds. The municipal bodies, largely responsible for implementation of the projects, are usually financially weak and do not have enough money to fund the remaining amount.

"Dead" beneficiaries were also receiving old-age pension in Kolkata Municipal Corporation

No system for implementing the scheme is foolproof. The payment system through panchayats is not the best possible option when pradhans and officials themselves are exposed for misappropriating the pension fund of the beneficiaries who died long back.

The IGNOAPS is implemented in urban areas as well and this kind of complaints is also not uncommon. In a recent study (Social Audit of IGNOAPS in Kolkata Municipal Corporation, March 2011) conducted by the research team of the Institute of Social Sciences, Kolkata Branch in selected municipal wards of KMC under the instruction of honorable High Court of Kolkata in connection with a public litigation on disbursement of old age pension to the "dead" beneficiaries in a certain ward of KMC, gives a similar conclusion. In our study surveys were conducted among 781 or 25% of total beneficiaries spread across 20 wards randomly selected out of a total of 141 wards in the KMC. The samples were drawn from the sanctioned beneficiary list for the quarter of January-March 2010. It may be noted here that till March, 2010 old age pension in KMC was disbursed in cash which was introduced a few years back by replacing the system of payment through post offices on the ground that post office peons were charging some money from the beneficiaries illegally. Under the cash payment system, the ward councilors were to ratify the beneficiary list and the KMC personnel used to disburse the pension in cash to the beneficiaries in the presence of the elected councilors who had to identify each beneficiary.

It was revealed in the study that about 7.43% (58) of the total 781 sample beneficiaries noted in the beneficiary list of the quarter of January-March were dead about 6 months to 10 years before the preparation of the list. They appeared in about 14 of the 20 sample wards. It was also revealed from the utilization certificate of the money received by KMC on this account that the pension dues of almost all of these 58 "dead" beneficiaries were disbursed during the last two installments of cash disbursement: (i) September-December 2009 and (ii) January-March 2010. Under the directive of Hon'ble High Court of Kolkata, the KMC has recently introduced the payment of pension through individual bank accounts only. It is to be seen now how far this new system becomes successful in reaching this all important benefit to these poor hapless people.

World Bank gives \$200 million to strengthen local bodies in Kerala

The World Bank on 4 July signed an agreement with the government of India for \$200million to strengthen the capacity of rural and urban local bodies in Kerala. Around 978 village panchayats and 60 municipalities in Kerala will be the direct beneficiaries of the Project. The Kerala Local Government and Service Delivery Project will fund improvements in local infrastructure to facilitate decentralization at the local level. "This project seeks to strengthen gram panchayats and municipalities so that they can better deliver essential services such as drinking water supply, roads, sanitation, health and education. Improving access to such services as well as their efficiency will help improve the quality of life of people across the state," Venu Rajamony, joint secretary, Department of Economic Affairs, ministry of finance stated. The loan to the municipalities and panchayats will also include additional discretionary funds as performance grant for the creation and maintenance of its capital assets. The credit is from the International Development Association (IDA), the World Bank's concessionary lending arm, which provides interest-free loans with 35 years to maturity and a 10-year grace period. There is no interest charge but a service charge payable by the recipient on the withdrawn credit balance shall be 0.75%per annum.

- Panchayati Raj Updates, July 2011

Cost Norms for Construction of Panchayat Ghars Revised

Under the scheme of Rashtriya Gram Swaraj Yojana (RGSY) the cost norms for construction of Panchayat ghars have been revised upward from Rs. 2.50 lakh to Rs. 10.00 lakh per Panchayat Ghar and the assistance will be given only for construction of new Panchayat Ghars.

- Panchayati Raj Updates, August 2011

SAP to e-enable panchayats in Rajasthan

SAP India, a Germany based enterprise application software company recently announced its first project to e-enable a gram panchayat in Rajasthan's Soda village. As a part of this initiative, SAP will set up a computer lab to foster basic computer literacy amongst the villagers and provide e-governance facilities in the local administrative offices. The assistance will be primarily in terms of doorsteps delivery of services, such as birth, marriage and death certificates, and automation of record management for better visibility on budgets, revenues, and government schemes." The ability and ease of access to right information on time can impact the feasibility of improving the socio-economic conditions in India," said Chhavi Rajawat, Sarpanch, Soda Village.

Panchayati Raj Updates,

E-Panchayats scheme to improve governance

September 2011

The Ministry of Panchayati Raj proposes to extend the benefits of information and communication technology (ICT) to all sections of the rural population of the country through e-Panchayat Mission Mode Project (MMP), the centrally sponsored scheme for e-governance in Panchayati Raj Institutions (e-PRIs). The - scheme will bring about improved governance and improved service delivery through the panchayats and enable greater accountability of Panchayati Raj Institutions to the community and other authorities. In this project an expenditure of Rs.48.66 crore has been made for preparation of Information and Services-Need Assessment, Detailed Project Report, Business Process Re-Engineering and Software Development. Under the aforesaid scheme, all village and block panchayats are proposed to be provided with ICT infrastructure, including broadband connectivity. Appropriate software applications will also be deployed so as to enable panchayats to meet the service needs of various stakeholders such as citizens, States/UTs and the Union government. Induction of ICT at the panchayats level on such a large scale will eventually result in building ICT culture at the level of the masses and enable rural public linkage to access the external world of knowledge and markets.

Panchayati Raj Updates, September 2011

Rules ready for panchayats

The Telegraph, Ranchi, Monday , May 16 , 2011

Elected five months ago, panchayat members of the state can finally look forward to carrying out development work in their respective areas with the state cabinet approving two sets of rules to guide the rural bodies.

Approved last week and set to be notified in the gazette in the next couple of days, the Jharkhand panchayat (mukhiya, upmukhiya, pramukh, uppramukh, zilla parishad chairman, vice-chairman ke shaktiya evam kritiya) niyamavali, 2011, and Jharkhand panchayat (baithak tatha kaam kaj sanchalan prakriya) rules, 2011, make the elected rural representatives directly responsible for implementation of all centrally and state sponsored development schemes.

Those heading the rural bodies will not only be responsible for drawing up annual development plans for their respective areas, but also for implementing government schemes related to agriculture, animal husbandry, fisheries, social forestry, rural housing, drinking water, roads, non-conventional energy, welfare, health, sanitation, poverty alleviation, education, sports and cultural activities, among others.

The first set of rules relate to powers and functions of the chiefs and deputy chiefs of gram panchayats, panchayat samitis and zilla parishads, while the second one is a guide to how the representatives should conduct themselves. While the chiefs of the three rural bodies — gram panchayats, panchayat samitis and zilla parishads — have been given ample powers, the rules also stipulate that the buck stops with them as far as funds utilisation was concerned.

Last year, the state spent close to Rs 2,000 crore on rural development.

The rules mandate the chiefs of the rural bodies would have to convene at least one meeting a month.

This apart, the mukhiya, pramukh and the zilla parishad chairmen are solely responsible for the execution of all resolutions adopted during the meetings.

The mukhiya, who is the chief of the gram panchayat, would also have to convene meetings of the gram sabhas in scheduled areas.

The meetings could be chaired by someone chosen by the gram sabha, but in non-scheduled areas, the mukhiya has to chair the meeting.

The gram sabha comprises all adult members of the village and is a crucial body in scheduled areas, with the powers to decide on key issues. The powers

were bestowed by the Panchayat (Extension to Scheduled Areas) Act or PESA. "Once the rules get notified, the newly constituted panchayat bodies will start functioning in every sense of the term, which will be a dream come true in Jharkhand after a wait of more than three decades," said Moti Lal Ram, deputy director of the panchayati raj department.

However, despite the handing over of powers, concerns remain.

"We thank the government for the new rule, but they do not give sufficient powers to the gram sabha. We fear the gram panchayats may overpower the gram sabhas in actual practice, which the villagers have to guard against," said Ashok Bhagat, the coordinator of Gram Swaraj Manch, which had long been demanding devolution of powers to the elected rural bodies.

The second set of rules is a strict code of conduct for the elected representatives.

During meetings, if a member utters defamatory words, levels personal accusations against a member or officer of other constitutional bodies including the state Assembly and Parliament or uses improper words, it could spell trouble.

Further, if a member of any of the three rural bodies intentionally disturbs the meeting or does not take his or her seat, they can be held guilty of disrupting proceedings and ordered to leave the meeting venue.

Printed copies of the rules would be circulated among the rural bodies soon.

The much awaited panchayat polls in Jharkhand were held in December last year, electing 53,207 rural representatives across 4,564 panchayats, 260 samitis and 24 zilla parishads, most of them were women.

**Ministry of Panchayati Raj 12-July, 2011
Committee Setup by the Panchayatiraj Ministry Rec-
ommends Definition of MFP in the IFA be Aligned
with the Definition Given in the FRA**

The Ministry of Panchayati Raj has requested the Ministry of Environment & Forest to take necessary steps for operationalising the relevant recommendations on the following recommendation of the MFP Committee set up by it to look in to the issues related with the ownership of the Gram Sabha, fair prices, institutional mechanism, value addition, etc. and suggest remedial measures including Ownership, Price fixation, Value addition and Marketing of Minor Forest Produce (MFP):

The definition of MFP in the IFA need to be aligned with the definition given in the FRA. Lack of alignment leads to denial of access to MFP on the ground. Further, ownership of the Gram Sabha, particularly with respect to high value MFP like bamboo and tendu, needs to be ensured. Sensitization of Forest Department officials in this regard also becomes essential.

It may be noted that for numerous forest dwellers across India, particularly people from Scheduled Tribes, Minor Forest Produce (MFP) has significant economic and social value. This important source of livelihood, however, is on the decline due to: MFP resource depletion, progressive loss of ownership/control of the people, issues related to efficiency and transparency of the State MFP agencies, deficient marketing, un-remunerative pricing, little or no local value addition and inequitable value sharing among the stakeholders. As per a Ministry view point, the MFP and Left Wing Extremism (LWE) have got entangled in various ways. Incidentally, 75% of MFP comes from 6 States of MP, Chhattisgarh, AP, Orissa, Jharkhand and Maharashtra, the States affected by LWE.

Ministry of Panchayati Raj 21-July, 2011
Amendment to Article 243 D of the Constitution of India for enhancing reservation for women in Panchayats

The Cabinet approved the proposal for moving an official Amendment to the Constitution (One hundred and Tenth Amendment) Bill, 2009 for enhancing reservation for women in Panchayats at all tiers from 1/3rd to at least 50%. The Constitution (One hundred and Tenth Amendment) Bill, 2009 was introduced in the Lok Sabha on 26.11.2009. The official Amendment proposes to add word 'rural' before the word 'population' as and where the same occur in 1st Proviso of Clause (2) (iii) of the Constitution (One hundred and Tenth Amendment) Bill, 2009. This Provision will apply to the total number of seats filled by direct election, offices of Chairpersons and seats and offices of Chairpersons reserved for Scheduled Castes and Scheduled Tribes.

Enhancement of reservation for women in Panchayats will facilitate more women to enter the public sphere and this will lead to further empowerment of women and also make Panchayats more inclusive institutions, thereby improving governance and public service delivery. The addition of word 'rural' before word 'population' occurring in the 1st Proviso of Clause (2)(iii) of the Bill will reflect appropriate demographic representation of categories of population for whom reservation is made.

At present, out of the total elected representatives of Panchayats numbering approximately 28.18 lakh, 36.87% are women. With the proposed Constitutional Amendment, the number of elected women representatives is expected to rise to more than 14 lakh. Having more elected women representatives would benefit the entire population of the States and UTs where Panchayati Raj is in existence.

Ministry of Panchayati Raj had moved a Bill for amendment to Article 243D of the Constitution on 26.11.2009 after approval of the Cabinet for enhancing reservation for women in (i) the total number of seats to be filled by direct election, (ii) offices of chairpersons and (iii) in seats and offices of chairpersons reserved for SCs and STs, to 50% in all tiers of Panchayats. The proposed official amendment, as indicated above, in the original Amendment Bill will be moved in the Lok Sabha at the earliest.

All States / UTs are parts thereof to which Part IX of the Constitution applies would be covered (Part IX does not apply to Nagaland, Meghalaya and Mizoram, tribal areas of Assam and Tripura and hill areas of Manipur).

Background

The Constitutional Amendment Bill for enhancing reservation for women in Panchayats at all tiers from one third to one half was introduced in Lok Sabha on 26.11.2009 with the approval of Cabinet in its meeting on 27.08.2009. The Bill was referred to Parliamentary Standing Committee on Rural Development by Hon`ble Speaker on 21.12.2009. The Committee has recommended that word `rural` be added before word `population` occurring in Clause 2 (iii) of the original Amendment Bill in order to maintain better demographic representation to SCs and STs class. In view of this, it has been decided to make official amendment accordingly in the Bill already under consideration of Lok Sabha.

Ministry of Panchayati Raj 04-August, 2011 Participation of Women in Panchayati Raj System

As per information available, the following States have made legal provision for 50% reservation for women in Panchayati Raj Institutions: Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Kerala, Maharashtra, Orissa, Rajasthan, Tripura and Uttarakhand.

Under Article 243D (4) of the Constitution of India, not less than 1/3rd of the seats of Chairpersons of District Panchayats shall be reserved for women. The State of Panchayats Report 2008-09 sponsored by the Ministry of Panchayati Raj shows that in 2010 the percentage of women members in District Panchayats was 35.80%. However, the figures of percentage of women Chairpersons of District Panchayats is not available separately.

A Nation wide study on Elected Women Representatives (EWRs) commissioned by Ministry of Panchayati Raj in 2007-08 had concluded that the earlier notions of women being mere proxies for male relatives have gradually ceded space to the recognition that given the opportunity to participate in the political system, women are as capable as their male counterparts. EWRs have used their office not only to mainstream gender issues but also to address the developmental needs of the community as a whole and also issues such as health, sanitation, early childhood care, drinking water etc., that have a special impact on the lives of women.

Ministry of Panchayati Raj04-August, 2011

Centrally Sponsored Schemes Routed through Panchayats

The role of Panchayats varies across different Centrally Sponsored Schemes (CSSs), which are administered by different Union Ministries. Among the major CSSs, National Rural Employment Guarantee Programme, Indira Awas Yojana, Total Sanitation Campaign, Accelerated Rural Water Supply Programme, National Programme of Nutritional Support to Primary Education (Mid-Day Meals), National Horticulture Mission, Macro Management of Agriculture, Micro Irrigation etc. are the schemes, which provide for roles and responsibilities for Panchayats. Ministry of Panchayati Raj has issued detailed advisory in this regard to Central Ministries for delineating roles and responsibilities to Panchayati Raj Institutions in implementing CSSs.

The Backward Regions Grant Funds (BRGF) Programme is the main scheme administered by the Ministry of Panchayati Raj, which is an Additional Central Assistance (ACA) Scheme and not a CSS. The Panchayats, the Municipalities and other local bodies are the planning and implementing entities of this programme.

The role of the State Government in operationalizing CSS is determined by the respective scheme guidelines and the extent to which States have devolved funds, functions and functionaries (3Fs) to Panchayats, as Panchayat is a State subject and as per Article 243G States are to endow power and authority to Panchayats to enable them to function as institutions of self-government and plan and implement schemes for socio-economic development and social justice, including matters listed in the Eleventh Schedule.

Ministry of Panchayati Raj05-August, 2011

Nyaya Panchayat Bill

Government is contemplating to introduce the Nyaya Panchayat Bill. The Draft Bill prepared by the Ministry of Panchayati Raj seeks to establish Nyaya Panchayats in every Gram Panchayat or a cluster of Gram Panchayats, for providing a system of fair and speedy justice, both civil and criminal, to the citizens at their doorsteps, outside the formal judicial system. The Draft Bill is currently at the stage of inter-ministerial consultations.

Ministry of Panchayati Raj 11-August, 2011

Slow Devolution of Power from States to Panchayats

As per Article 243G of the Constitution, States are to endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and to plan and implement schemes for economic development and social justice, including those in relation to matters listed in the Eleventh Schedule. Within the Constitutional Framework, Panchayats are a State subject and States pass legislations suitable in their context. While some States, notably, like Kerala, Karnataka, West Bengal and Maharashtra have devolved considerable powers and functions to the Panchayats, in other States/UTs the process of devolution has been slow. However, devolution of 3Fs is a continuous process.

The ministry of Panchayati Raj (MoPR) has encouraged States to devolve 3Fs to Panchayats in various ways. MoPR has issued advisories on (i) roles and responsibilities of Panchayati Raj Institutions (PRIs) in CSSs/ACAs; (ii) devolution of Panchayat Finances; (iii) manpower of Panchayats; and (iv) devolution of Functions, Funds and Functionaries to PRIs through Activity Mapping. MoPR also incentivizes State Governments to devolve the 3Fs to the Panchayats by awarding the State ranked highest on the Devolution Index prepared under the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS). MoPR assists States/UTs in undertaking Activity Mapping exercises. Best practice in devolution by the States are also shared through regular fol-

Ministry of Panchayati Raj 11-August, 2011

Funds for Development of Backward Regions

low-up by MoPR.

The Government of India launched the Backward Regions Grant Fund (BRGF) Programme in 2006-07 for providing financial resources for supplementing and converging existing developmental inflows in 250 identified backward districts so as to bridge critical gaps in local infrastructure and other development requirements that are not being adequately met through existing inflows. Under the Development Grant component of BRGF, the Panchayats, the Municipalities and other local bodies prepare and implement the local

plans by adopting decentralized and participatory approach.

Untied development grants under the Backward Regions Grant Fund (BRGF) Programme are released to the State Governments for utilization by the Panchayats, Municipalities and other local bodies for bridging critical gaps in local infrastructure and meeting other local developmental needs, based on demands raised in the Gram/Area Sabhas. While claiming grants, the States/districts are required to furnish District Plans duly approved by the District Planning Committees and Utilisation Certificates, Progress Reports and Audit Reports against the grants received earlier.

The Ministry has identified the following main reasons for under utilisation of funds by the States.

- (i) Delay in release of funds by the States to the local bodies.
- (ii) Procedural delays in preparation and implementation of Plans.
- (iii) Delay by the States in reporting the progress in utilization of the grant.

The Government has taken the following steps for ensuring expeditious utilization of grants:

- (i) Penal interest is to be paid for delayed transfer of BRGF funds from the Consolidated Fund of the States to the implementation entities (IEs). Penal interest will be credited to the accounts of the IEs.
- (ii) Approval of the State High Power Committee level has been done away with. The District Plans will now be approved at the District level only.
- (iii) The States are being pursued to ensure early submission of the District Action Plans.
- (iv) The Ministry has devised PlanPlus software for facilitating online plan preparation and reporting the execution status.
- (v) The Ministry holds Review Meetings and Video Conferences with the BRGF States and, in some cases, with the districts too, to sort out implemen-

Ministry of Panchayati Raj 12-August, 2011 Autonomy to Panchayats

tation issues

and to speed up implementation.

Within the Constitutional framework, 'Panchayats' is a State subject. Under Article 243G, State legislatures may endow Panchayats with powers and authority to enable them to function as institutions of self-government and plan and implement schemes for economic development and social justice including on matters listed in the Eleventh Schedule. As per Article 243A a

Gram Sabha may exercise such power and perform such functions as the legislature of a State may, by law, provide. States vary in the extent to which they have devolved powers to the Panchayats. Ministry of Panchayati Raj (MoPR) has constantly urged the Union Ministries and States/UTs to devolve functions, funds and functionaries (3Fs) to the Panchayati Raj Institutions (PRIs) and strengthen Gram Sabhas. MoPR has issued advisories to the States on Panchayat finances, manpower for the Panchayats, effective devolution of the 3 Fs through Activity Mapping and effective functioning of the Gram Sabhas.

Under the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA), the Gram Sabhas in the Scheduled Areas are empowered to safeguard community resources and the customary way of life. Gram Sabhas have been given the right to be consulted with respect to land alienation, resettlement and rehabilitation and grant of mining licences for minor minerals. In addition, the Gram Sabhas have been given ownership of Minor Forest Produce (MFP), control over sale and manufacture of intoxicants, control over money-lending, power to restore alienated land and control over functionaries in the social sector. While the nine PESA States have amended their Panchayati Raj Acts in accordance with PESA, several subject laws relating to mining, forests, money-lending, excise, etc. remain inconsistent with PESA. MoPR has given detailed guidelines on 21.05.2010 to the PESA States on effective implementation of PESA. MoPR has issued a detailed advisory dated 19 January, 2009 to Central ministries and States on the role and responsibilities of the Panchayats and Gram Sabhas in CSSs. The Backward Regions Grant Fund (BRGF) administered by MoPR as an Additional Central Assistance (ACA) to States is planned and implemented by the Panchayats and Urban Local Bodies. The BRGF provides untied funds for meeting development needs that are identified through decentralized, participatory planning in which the Gram Sabhas have a key role. No funds are provided directly to the Panchayats by MoPR. Apart from periodically reviewing the working of the PRIs with the State Governments, MoPR prepares State of the Panchayat Reports (SoPRs). Under the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS), MoPR assesses the extent of devolution of 3 Fs by the States as per a Devolution Index, prepared through an independent agency. From 2011-12, the scheme has been expanded to include the assessment of Panchayat performance.

It has been noticed that despite the Constitutional stipulations, the functioning of the Panchayats is hampered due to inadequate devolution of 3Fs. Ca-

capacities of the Panchayats as well as Gram Sabhas need to be strengthened considerably in terms of infrastructure, manpower, ICT etc. Under schemes like BRGF and Rashtriya Gram Swaraj Yojana (RGSY), MoPR provides support for various capacity building activities. States are also incentivized under the PEAIS to devolve 3 Fs to Panchayats.

Ministry of Panchayati Raj 12-August, 2011

E-Panchayats

Ministry of Panchayati Raj (MoPR) has formulated “e-Panchayat Mission Mode Project (MMP)” for implementation of e-governance in Panchayats as a Centrally Sponsored Scheme under the umbrella of National e-Governance Programme (NeGP). The scheme aims at supporting all the State Governments for making effective use of IT in Panchayats in the process of planning at grassroots level, bring out transparency in the working of the PRIs and also help in increased accountability of these institutions. Internet connectivity is to be provided to the Panchayats by the respective States/UTs by utilizing funds from various schemes, such as Central Finance Commission Grants, State Finance Commission Grants, Backward Region Grant Fund (BRGF), Mahatma Gandhi National Rural Employment Guarantee Schemes, etc.

As on 31 March, 2011, 1,19,245 Village Panchayats have been provided internet connectivity. It is targeted to provide internet connectivity to all Panchayats by 2012.

The total approved cost for the project is Rs.130.39 crore, spread over a period of 5 years (2008-09 to 2012-13), against which the expenditure so far has been Rs.48.66 crore.

Ministry of Panchayati Raj has proposed to provide basic computer literacy to 25,000 Panchayat functionaries under the e-Panchayat MMP during year 2011-12, in collaboration with the Department of Electronics and Accreditation of Computer Courses (DOECC), an autonomous body under the Department of Information Technology (DIT).

Ministry of Panchayati Raj 12-August, 2011

Women Reservation in Panchayats

As per provisions contained in Article 243 D of the Constitution, 1/3rd of the Seats of Panchayati Raj Institutions and 1/3rd offices of the Chairperson at all level of Panchayati Raj Institutions covered by Part IX of the Constitution are reserved for women. The following states have made legal provision for 50% reservation for women among members and Sarpanches: Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Kerala, Maharashtra, Orissa, Rajasthan, Tripura and Uttarakhand. A statement giving the position about the Elected Women Representatives in all States and UTs as per the State of Panchayat Report 2007-08 commissioned by the Ministry of Panchayati Raj is given in Annexure.

The Government has approved the proposal for enhancing reservation of women in Panchayats from the present one-third to 50%. Accordingly, a bill for amendment of the Constitution of India had been introduced in the Parliament. As per the recommendation of the Parliamentary Standing Committee, the Government has approved that reservation for Schedule Castes and Schedule Tribes shall be on the basis of the percentage of rural population and not total population. An amendment to the pending Bill is proposed to be introduced.

There is at present no proposal for providing quota for OBCs and Minority women within the proposed reservation in the Bill.

The reservation in favour of backward class of citizens rests with the State Legislatures under Article 243 (D) (6). Part IX of the Constitution does not have any provision for reservation on the basis of religion. Hence there is no scope to provide for reservation under these categories for women by amendment.

Ministry of Panchayati Raj 18-August, 2011

District Planning Committees

Under Article 243ZD of the Constitution, the District Planning Committee (DPC) shall be constituted at the District level in every State to consolidate the Plans prepared by Panchayats and Municipalities in the district and to prepare a draft development plan for the district as whole. The composition and functions to be assigned to the DPCs are decided by the State Legislature.

While preparing the draft development plan, DPCs have to take into consideration (i) matters of common interest between the Panchayats and the Municipalities including spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation and (ii) the extent and type of available resources whether financial or otherwise. The Planning Commission has issued guidelines for preparation of district plans in August, 2006. A comprehensive Manual for Integrated District Planning has also been prepared in 2008. Moreover, Ministry of Panchayati Raj has issued guidelines dated 29.5.2009 to the States in this regard.

Grants to Panchayats are given under Backward Regions Grant Funds(BRGF), Thirteenth Finance Commission, etc. The formula and procedure for distribution among the Panchayats varies from scheme to scheme.

Ministry of Panchayati Raj 19-August, 2011
Annual Plan Outlay for Peais Enhanced by Rs. 21.00 Crore

The annual plan outlay for Panchayat Empowerment and Accountability Incentive Scheme (PEAIS) has been enhanced from Rs.10.00 crore per annum till 2010-11 to Rs. 31.00 crore for the fiscal year 2011-12. Ministry of Panchayati Raj has revised PEAIS to incentivize Panchayati Raj Institution along with incentivizing States/UTs as well.

Under PEAIS, States that rank high on a Devolution Index (DI) prepared through a study conducted by an independent agency are given awards annually. Some States/UTs, including Bihar have not qualified for awards under PEAIS so far, because they have not got a high rank on the DI. The Ministry has continuously urged States of devolve more funds, functions & functionaries (3Fs) to PRIs, by issuing advisories, incentivization and reviews.

Ministry of Panchayati Raj 19-August, 2011
Cost Norms for Construction of Panchayat Ghars Revised Ghars

Under the scheme of Rashtriya Gram Swaraj Yojana (RGSY) grants have been provided for construction / upgradation of Panchayat Ghars and Training & Capacity Building. From the current year, however, the cost norms for construction of Panchayat ghars have been revised upward from Rs. 2.50 lakh to Rs. 10.00 lakh per Panchayat Ghar and the assistance is given only for con-

struction of new Panchayat Ghars. The scheme of RGSY is demand based. A mid-course evaluation of RGSY was commissioned in 2010, which covered several aspects of the programme in 6 States viz. Andhra Pradesh, Assam, Madhya Pradesh, Orissa, Rajasthan and West Bengal.

The key findings and recommendations of the Evaluation Report are:

- Outreach of Capacity Building training needs improvement through collaboration with non-government bodies, academic institutions etc.
- A pool of trainers / resource persons should be developed at the States, Districts and Block levels.
- The SIRDs and ETCs need to be strengthened in terms of Human Resources.
- Training Needs Assessment of ERs and Functionaries should be carried out at regular intervals.
- Exposure visits to beacon Panchayats should be made mandatory.
- Monitoring and supervision mechanism needs to be set up at MoPR, State and District levels.

The report has been forwarded to States for further action. The working of the three tier Panchayati Raj Institutions (PRIs) and implementation of RGSY and other schemes is being regularly reviewed through interactions with State Government Officers and periodic visits to States by Senior Officers. MoPR has also empanelled National Level Monitors for monitoring the implementation of its programmes in various States and UTs.

Ministry of Panchayati Raj 19-August, 2011
Huge Employment Generation Potential in Panchayats

There are 240634 Gram Panchayats in the country. Considering their large number and shortage of manpower, there is huge employment generation potential in the Panchayats.

Panchayati Raj being a state subject, it is for the States to arrange for staffing in the three tier Panchayati Raj Institutions (PRIs). The Union Government does not share the expenditure in this behalf. However, to improve the functioning of Panchayats and better implementation of schemes, schemes such as the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Backward Region Grant Fund (BRGF) etc. provide for engagement of staff by the PRIs on contract basis. Many States have availed these provisions.

Ministry of Panchayati Raj 26-August, 2011

E-Panchayats

The Ministry of Panchayati Raj proposes to extend the benefits of information and communication technology (ICT) to all sections of the rural population of the country through e-Panchayat Mission Mode Project (MMP), the centrally sponsored scheme for e-governance in Panchayati Raj Institutions (e-PRIs). The scheme will bring about improved governance and improved service delivery through the Panchayats and enable greater accountability of Panchayati Raj Institutions to the community and other authorities. In this project an expenditure of Rs. 48.66 crore has been made for preparation of Information & Services Need Assessment (ISNA), State Detailed Project Report (DPR), Business Process Re-Engineering (BPR) and Software Development.

Under the aforesaid scheme, all Village and Block Panchayats are proposed to be provided with ICT infrastructure, including broadband connectivity. Appropriate software applications will also be deployed so as to enable Panchayats to meet the service needs of various stakeholders such as citizens, States/UTs and the Central Government. Induction of ICT at the Panchayats level on such a large scale will eventually result in building ICT culture at the level of the masses and enable rural public linkage to access the external world of knowledge and markets.

Ministry of Panchayati Raj 26-August, 2011

Nyaya Panchayats

Government proposes to establish Nyaya Panchayats in every Gram Panchayat or a cluster of Gram Panchayats, for providing a system of fair and speedy justice, both civil and criminal, to the citizens at their doorsteps, outside the formal judicial system. The Nyaya Panchayats are proposed to be constituted through the election of the Nyaya Panchas by people residing in the area to which the jurisdiction of the Nyaya Panchayats extends. Provisions are proposed for the reservation for women, Scheduled Castes and Scheduled Tribes to ensure their representation in the Nyaya Panchayats. The Draft Bill defines the civil, criminal and additional jurisdiction of Nyaya Panchayats. In the Draft Bill, conciliation is proposed as a primary means of dispute resolution. Further, Nyaya Sahayaks, who will assist the Nyaya Panchayat in performing their function of dispute resolution, have been proposed. Nyaya Panchayats are

proposed as separate and independent dispute resolution bodies, distinct from the Gram Panchayats. The draft Nyaya Panchayat (NP) Bill was circulated to Ministry of Law & Justice, several other Ministries/ Departments and all States/UTs. Based on comments received, some modifications were made in the Draft Bill. The Draft NP Bill is again being circulated for inter-ministerial consultations.

Ministry of Panchayati Raj 25-November, 2011
Empowerment of Panchayats

The Central Government provides funds to the State Governments under the Backward Regions Grant Fund (BRGF) to redress regional imbalances in development in 250 backward districts in the country with a strategy that aims to promote the performance and capacity of Panchayats in planning, decision making, implementation and monitoring. In addition to the BRGF, the following schemes for empowerment of Panchayats are being implemented:

(1) Rashtriya Gram Swaraj Yojana: Funds are released to States for training and capacity building of Panchayati Raj Institutions in districts uncovered by the BRGF.

(2) Rural Business Hubs: This Scheme aims to assist the Panchayats to empower rural labour productivity by providing forward backward linkages with technical assistance in Public-Private-Partnership.

(3) Panchayat Mahila Evam Yuva Shakti Abhiyan: It aims to enable women and youth Panchayat leaders to come together to articulate their problems as women Panchayat Leaders.

(4) e-Panchayat: For computerizing the databases, accounts and other functions of the Gram Panchayats for accountability and transparency.

(5) Panchayat Empowerment & Accountability Incentive Scheme: To recognize and incentivize the efforts of Panchayats with respect to transparency, accountability and efficiency and of States with respect to devolution of funds, functions and functionaries to Panchayats.

Ministry of Panchayati Raj 25-November, 2011
Role of Gram Sabha in Implementing Forest Rights Act

As per the Forest Rights Act, 2006 (FRA), the Gram Sabha has been assigned substantial role for implementation of the provisions of the Act. Under the Forest Rights Act, 2006, the Gram Sabha has been assigned the following

roles for implementing the provisions of the Act:

(i) To initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under the Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and then pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.

(ii) To recommend developmental projects managed by the Government which involve felling of trees not exceeding seventy-five trees per hectare, and which require diversion of forest land, under Section 3 (2) of the Forest Rights Act, 2006.

(iii) To consider the resettlement or alternative packages prepared by the State Governments for providing a secure livelihood to the affected individual forest rights holders and communities whose forest rights recognized under the Act in the critical wildlife habitats of National Parks and Sanctuaries are subsequently modified or resettled for the purposes of creating inviolate areas for wildlife conservation for providing free informed consent to the proposed resettlement and to the alternative package

(iv) To protect the wild life, forest, biodiversity, adjoining catchments areas, water sources, other ecological sensitive areas, preserve the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers from any form of destructive practices affecting their cultural and natural heritage etc. [Section 5];and

(v) To pass a resolution against any higher authority by giving a notice of not less than sixty days to the State Level Monitoring Committee and the State Level Monitoring Committee does not proceed against such authority for enabling the Court to take cognizance of any offence under Section 7 of the Act [Section 8].

As per the information received from the Ministry of Tribal Affairs, as on 31st October, 2011, the claims for recognition of forest rights under the Act have been received by the Gram Sabhas in the following States:

Andhra Pradesh	Assam	Bihar	Rajasthan
Chhattisgarh	Gujarat	Himachal Pradesh	Tamil Nadu
Jharkhand	Karnataka	Kerala	Tripura
Madhya Pradesh	Maharashtra	Orissa	Uttar Pradesh
Uttarakhand	West Bengal		

The Gram Sabhas in these States have also passed resolutions on such claims and forwarded the same to the Sub-Divisional Level Committees for preparation of the record of forest rights.

Ministry of Panchayati Raj 01-December, 2011 12:48 IST
PPP Mode for Panchayati Raj Institutions

In order to meet the requirement of Capacity Building and Training (CB&T) of over three million Elected Representatives and Functionaries associated with the three tiers of Panchayati Raj Institutions (PRIs) in the country, while continuing its efforts to strengthen the traditional training institutions, the Ministry of Panchayati Raj has been exploring the option of outsourcing the training programmes to suitable agencies as well. As a first step in the direction of outsourcing, the Ministry organized a PRI CB&T Business Meet on 7th January 2010. More than 230 participants, representing over 100 Service Providing Organisations attended the event. Also, over 40 officials represented 23 States/UT-specific Panchayati Raj Departments / Organisations. Since then, the Ministry has been encouraging States to consider adopting the option of outsourcing for PRI CB&T to deliver under its programmes. The Ministry has published a Reference Guide for Outsourcing PRI Capacity Building & Training Related Activities. As of now, Kerala, Andhra Pradesh, Rajasthan, Maharashtra, Odisha, Punjab, Jharkhand, Haryana and Uttar Pradesh have engaged the services of Service Providing Agencies (SPAs) for undertaking various CB&T activities.

Besides, there is a Central Sector Scheme called Rural Business Hubs (RBHs) being implemented by this Ministry, which is based on the principle of Public-Private-Panchayat-Partnership. This Scheme is applicable in all the BRGF districts and all the districts in the North Eastern Region. Till date, 76 number of schemes have been sanctioned.



Regional Training Institute Kolkata
Indian Audit and Accounts Department