

# Documentation of Devolution of Functions, Functionaries and Funds To Panchayati Raj Institutions in Jharkhand

Draft Report

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## LIST OF ABBREVIATIONS

<b>PRI</b>	Panchayati Raj Institutions
<b>CAA</b>	Constitutional Amendment Act
<b>PESA</b>	Panchayat Extension to Rural Areas
<b>MoPR</b>	Ministry of Panchayati Raj
<b>DI</b>	Devolution Index
<b>JPRA</b>	Jharkhand Panchayati Raj Act
<b>FFC</b>	Fourteenth Finance Commission
<b>MGNREGA</b>	Mahatma Gandhi National Rural Employment Guarantee Act
<b>ICDS</b>	Integrated Child Development Scheme
<b>WCD</b>	Women and Child Development Department
<b>SSA</b>	Sarva Shiksha Abhiyaan
<b>NRHM</b>	National Rural Health Mission
<b>SBM</b>	Swachh Bharat Mission
<b>IAY</b>	Indira Awas Yojana
<b>PMGSY</b>	Pradhan Mantri Grameen Sadak Yojana
<b>GP</b>	Gram Panchayat
<b>GS</b>	Gram Sabha
<b>ZP</b>	Zila Parishad
<b>PS</b>	Panchayat Samiti
<b>JP</b>	Janpad Panchayat
<b>DPC</b>	District Planning Committee
<b>ITDA</b>	Integrated Tribal Development Agency
<b>GPDP</b>	Gram Panchayat Development Plan
<b>DRDA</b>	District Rural Development Authority
<b>BDO</b>	Block Development Officer
<b>PR&amp;RD</b>	Panchayati Raj and Rural Development
<b>PHED</b>	Public Health Engineering Department
<b>SMC</b>	School Management Committee
<b>SC</b>	Standing Committee
<b>VEC</b>	Village Education Committee
<b>VHSNC</b>	Village Health Sanitation Committee
<b>PHC</b>	Primary Health Center
<b>LS</b>	Lady Supervisor

<b>CDPO</b>	Child Development Project Officer
<b>SFC</b>	State Finance Commission
<b>ATR</b>	Action Taken Report

## 1. INTRODUCTION

This report seeks to provide insights on the nature, extent and scope of Devolution of Functions, Functionaries and Funds to Panchayati Raj Institutions in the eastern state of Jharkhand along with stating parallel evidences of the devolution paradigm functioning in the states of Chhattisgarh, West Bengal, Odisha and Rajasthan. Post documenting the existential status of devolution to rural local government, it puts forth a prospective series of steps to contribute to the scope of Devolution to PRIs in Jharkhand state. Commissioned by UNICEF Jharkhand, TARU leading Edge Pvt. Ltd executed the research assignment namely 'Documentation of Devolution of Functions, Functionaries and Funds (3Fs) to Panchayati Raj Institutions (PRIs) in Jharkhand'.

The assignment is set against the display of intentions and backdrop of steps taken by the state of Jharkhand towards devolution of powers and functions to the panchayats. The task required consultants to undertake desk-based stock of secondary data as well as analysis of quantitative and qualitative data from state department and line departments of five states i.e. Chhattisgarh, Odisha, West Bengal and Rajasthan, Directorate of Panchayat Raj, PRIs along with consultation with various non-government organizations, experts of local-self-governance in the states and bottom-up initiatives at various levels and likewise.

### 1.1. Preview of State Demographics

The State of Jharkhand was formed on 15<sup>th</sup> November 2000, the birth anniversary of the legendary Bhagwan Birsa Munda on the terms of ensuring all round social and economic development of the area and especially of the people belonging to the Scheduled Tribes. Jharkhand is a land locked territory bound by the state of Bihar in the north, West Bengal on the east, Orissa in the south and Chhattisgarh in the west. Administratively, the State is divided into 24 districts with 35 sub-divisions, 260 blocks and 32,615 villages and has a population of 329.66 million (Census 2011). About 76 % of the total population of the State resides in rural areas as against India's total rural population of 69% as per 2011 census. Furthermore, 59% of the total workforce is dependent on agriculture. The State accounts for about 37% of the country's mineral deposits and is the sole producer of coking coal, uranium and pyrite.



Figure 1: Jharkhand Map

Since the tribal population constitutes a significant portion of State's demography, agriculture and forestry is not only the source of livelihood for over 70 % of the State's population but it is a way of life for them. The State has a geographical area of 79.70 lakhs ha. About 23.6 lakh ha. (29.61%) is covered under forest and 38 lakh ha. is the area of cultivable land in the state.

## 1.2. Induction of PRI's in Jharkhand

The rural local governance system in India, popularly addressed as Panchayat received a constitutional invitation with enactment of 73<sup>rd</sup> and 74<sup>th</sup> Amendment Acts, 1992-93. These institutions were established to prepare such plans and execute such responsibilities as to achieve economic development and bring in social justice at the local levels. It made panchayats the third tier of government with reasonable substance and content in terms of powers and authority as well as creating adequate space for women and marginalised groups in the federal set-up.<sup>1</sup> It provided for formation of rural governments at the district, block and village levels and provides for transfer of responsibilities and tax powers from the state government to the rural bodies<sup>d</sup> or Panchayati Raj Institutions. Eleventh schedule of the CAA indicates a list of 29 subjects wherein the local governments are to function and exercise authority.

These institutional set-ups have been mechanized to achieve for decentralized democracy. Village has been categorized as the fundamental entity of functional democratic environment. Article 243A defines a gram sabha as being a body of voters (citizens) of a village within a panchayat. Under the constitutional pattern, gram sabhas provide the platform for citizens to participate in local governance beyond casting their vote and partake in decisions regarding their village and is the foundation for effective participatory self- governance or panchayat raj.<sup>e</sup>

### 1.2.1 Jharkhand Panchayati Raj Act, 2001

Following its Constitution as a newly formed state, Jharkhand has enacted its Panchayati Raj Act in accordance with the provisions of the 73<sup>rd</sup> Amendment to the Constitution and that of the PESA (Panchayat Extension to the Scheduled Areas) Act, 1996. On 10th May 2001, State Election

<sup>1</sup> Mahi Pal (2004) EPW-'Panchayati Raj and Rural Governance-Experiences of a decade' <sup>d</sup> [http://fincomindia.nic.in/writereaddata/html\\_en\\_files/oldcommission\\_html/predocs/speech/shikha%20jha.pdf](http://fincomindia.nic.in/writereaddata/html_en_files/oldcommission_html/predocs/speech/shikha%20jha.pdf) <sup>e</sup>NANDANA REDDY, DAMODAR ACHARYA, (May 5, 2007) EPW, 'Striking at the Roots of Democracy' <sup>f</sup> <http://www.jharkhandpanchayats.gov.in/>



Commission was constituted and state election commissioner was nominated. First, State Finance Commission was also constituted in 2004. In Jharkhand, out of 24 districts in the state; 16 districts- 13 districts fully and 3 districts partially have been incorporated under the PESA act<sup>2</sup>. In these 16 districts, 136 blocks covering 2070-gram panchayats have been taken under PESA act where the rules of the act are being implemented.

In order to strengthen Panchayati Raj Institutions (PRIs) as per the spirit of the Constitution and the Jharkhand Panchayat Raj Act, 2001, the Department of Panchayati Raj has under taken several schemes such as construction of Panchayat Bhawan (buildings), grants to Zila Parishad area, construction of Dak Bungalows, Office buildings, Bus stands in Zila Parishad areas, Training to PRIs Officials and Staffs, Grants to Gram sabhaetc is also being undertaken.<sup>3</sup>

### Composition of the Three- Tier System:

Panchayat system in the state follows a three-tier structure, namely Village level, intermediate level and district level.

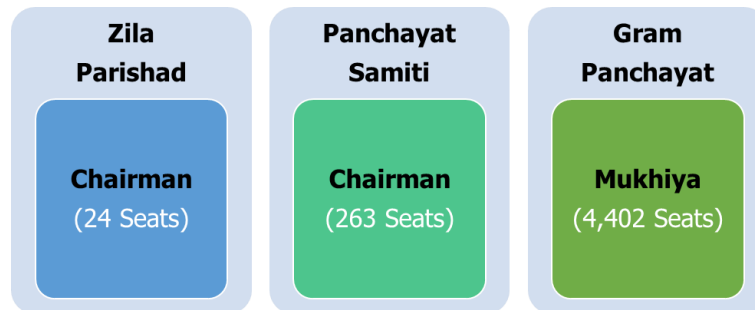


Figure 2: Composition of PRI system in Jharkhand

Source: Department of Rural Development, Government of Jharkhand, 2013-14

For discharging these functions and duties the Gram Sabha may constitute the standing committees as shown in below graphic.

<sup>2</sup> <http://pesadarpan.gov.in/documents/30080/45009/Jharkhand.pdf/7c90a28a-7b6b-43d0-be866834c42937bf>

<sup>3</sup> <http://www.jharkhandpanchayats.gov.in/>



Figure 3: Standing Committees

### 1.2.2 Local Governance in Tribal Areas

On the basis of the report of the Bhuria Committee report submitted in 1995, Parliament enacted, "The Provisions of the Panchayat (Extension to the Scheduled Areas) Act, 1996" popularly known as PESA Act, enshrined under article 244 (2). It extends Part IX of the Constitution with certain modifications and exceptions to the Fifth Schedule Areas notified in ten States viz. Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana. These Schedule areas in ten States extend in 108 districts (45 fully and 63 partly covered)<sup>4</sup>.

PESA legally recognizes the capacity of tribal communities to strengthen their own systems of self-governance or create new legal spaces and institutions that can not only reverse centuries of external cultural and political onslaught but can also create the opportunities to control their own destinies. The Gram Sabha of the village becomes the focal institution, endowed with significant powers. For instance, under section 4(d) of PESA: "every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution."

Jharkhand holds the 6th rank in terms of Scheduled Tribe (ST) population among the India states. It has thirty two Tribal Groups, major among them being Santhal, Munda, Oraon and Ho. Eight out of the thirty-two tribes of Jharkhand fall under Primitive Tribal Group (PTG). Their lives

<sup>4</sup> <http://pesadarpan.gov.in/documents/30080/45009/Chhattisgarh.pdf/419ec0ef-4a40-4ab4-97fd2d8c105a96e1>

are closely associated with the nature as they eke out their livelihoods from the natural environment – streams, trees, plants, animals etc<sup>5</sup>

Jharkhand is characterized with unique history of mobilization and assertion for ethnic identities and control over resources and self-determination. In the quest of governing the tribal territories the tribes evolved their own system of governance for the purpose of regulating the individual and communal behavior of the people in the society. Jharkhand is reported to the tribal groups having their traditional social institutions – called Traditional Self-Governance (TSG) institutions – with a strong concept of democratic participation and governance.<sup>6</sup> Out of 259 blocks in the state of Jharkhand, 112 fall under the Fifth Schedule areas (spread across 15 districts out of 24 districts).

### 1.2.3 PRI Elections in Jharkhand

Elections to PRIs were held in November- December 2010 for the first time since 73rd CAA came into force. Three departments, namely, Agriculture, Social Welfare and Primary Education have recently devolved functions to PRIs by Departmental Notification.<sup>7</sup> 2<sup>nd</sup> round of Panchayat elections were held in Jharkhand in 2015. The table below represents the total number of contestants and the details of reserved seats for women, ST and SC categories for the 2015 elections, as per the study conducted by Department of Planning cum Finance Commission of Jharkhand.

Table 1: Details of Panchayat Election conducted in 2015					
Sl. No.	Level	Total Contestants	Reserved for Women	Reserved for ST	Reserved for SC
1	Zila Parishad Member	545	281	179	66
2	Panchayat Samiti Member	5,423	2,823	1,810	650
3	Gram Panchayat Member	54,330	28,631	18,417	6,227
4	Gram Panchayat Member	4,402	2,084	2,324	250
<b>Total</b>		<b>64,700</b>	<b>33,819</b>	<b>22,738</b>	<b>7,193</b>

Source: Department of Rural Development, Government of Jharkhand

### 1.3. Theory of Devolution

Devolution has been characterised as being made up of three factors – political legitimacy, decentralisation of authority and decentralisation of resources (Donahue, 1997). Political legitimacy here means a mass demand from below for the decentralisation process which is able to create a political force for this decentralisation to take place. In many cases decentralisation is initiated by the upper tier of government without sufficient political mobilisation for it at the grassroots level and in such cases the decentralisation process often does not fulfil its objectives. Thus, political legitimacy arising from active mass participation at the lower level is the most

<sup>5</sup> [http://www.mdws.gov.in/sites/default/files/Tribal\\_Development\\_Plan.pdf](http://www.mdws.gov.in/sites/default/files/Tribal_Development_Plan.pdf)

<sup>6</sup> <http://grassrootsinstitute.in/files/inquiry.pdf>

<sup>7</sup> [http://fincomindia.nic.in/writereaddata%5Chtml\\_en\\_files%5Cfincom14/others/38.pdf](http://fincomindia.nic.in/writereaddata%5Chtml_en_files%5Cfincom14/others/38.pdf)

important factor in determining the extent and success of devolution. This requires an institutionalised democracy to be in place which provides for the free expression of people's will. The extent of this popular demand for devolution is determined by historical, cultural, societal and economic factors.

The next important factor is the decentralisation of authority required to be able to govern over the subregion or community along with the decentralisation of the control over resources to be able to exercise this authority in an effective manner. In many cases decentralisation of authority is not accompanied by the decentralisation of resources resulting in a weak devolution due to a lack of political legitimacy at the grassroots. Even though the CAA made detailed provisions for devolution of powers and funds to the PRIs, it did not address the problem of the conflict that would arise between a centralised system and a new local government system. In most places, the political mobilisation at the grassroots level was not strong enough to take advantage of the CAA to pressurise the state governments to devolve enough authority and funds to the Panchayats.

Indian Constitution has not described devolution but provided an outline of it. Human Development Report, 1993 published by the UNDP presents a core acceptable definition. It states that of the three forms of decentralisation namely, de-concentration, delegation and devolution, the strongest form of decentralization is devolution. It empowers decision-making powers to local authorities and allowing them to take full responsibility without reference back to government. This includes financial power as well as the authority to design and execute local development projects and programmes. The said statement points out three components of devolution namely

- Functional autonomy in respect of defined subjects for decision taking
- Financial autonomy on resource raising
- Implementation autonomy on schemes designed by them<sup>8</sup>

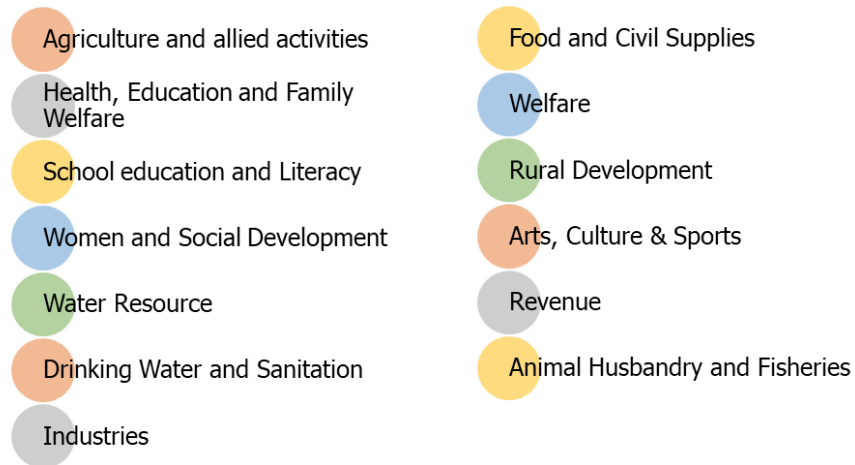
Along with the mention of power sharing with respect to 29 subjects stated in XI th schedule of the 73<sup>rd</sup> constitutional amendment article 243G, the procedures of financial resource sharing by both the State and the Central governments with the local self-governments have been initiated. The Fourteenth Finance Commission has provided to devolve funds directly to the Gram Panchayat. This amount is to be utilized by the panchayats to re-furbish the essential development services at the village level. In most of the states, State Finance Commissions have been formed and Action Taken Report i.e. directives of steps to be taken to strengthen the current status of panchayat bodies has been prepared. Although, concerted efforts have been executed by the state governments at the policy level to streamline the devolution theory, the systems still need to be worked upon.

### **1.3.1 Powers and Functions of Local Bodies**

Article 243-G vests powers in the State Governments to endow Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government. Panchayats are responsible for preparation of plans and their execution for economic development and social justice with regard to 29 subjects listed in the 11th Schedule of the Constitution. In majority, these subjects fall into the following categories:

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<sup>8</sup> Fourth State Finance Commission, West Bengal



### 1.3.2 Jharkhand's Ranking in Devolution Study

Starting 2006, Ministry of Panchayati Raj (MoPR), undertook preparation of Devolution Index (DI), through independent institutions. In the national study, the ranking of states is attributed according to the extent of enabling environment created by them under the framework of constitution for local governments to execute efficient functioning. The exercise has been an attempt to evaluate the scenario in terms of devolution of functions, funds and functionaries by different states and rank accordingly. The criteria identified in the research stand on two concepts - Operationalization of Local Democracy and Support Systems constituted for the same.

- a) The state of Jharkhand enacted the state Panchayati Raj act i.e. Jharkhand Panchayati Raj Act in 2001. The state has conducted two rounds of panchayat elections since. In Devolution Index study 2015-16, Jharkhand ranks 18, out of 26 states in tier wise devolution of policy, and in practice 10<sup>th</sup> rank. While, it has shown improvement in its ranking, it is imperative to assess its actual status on ground. And a better ranking of Jharkhand may actually be reflective of a sound roll out of policies in this state. It is in this context, a ground tooting is required.
- b) A glance through the methodology and sampling design adopted for this report (prepared by TISS, Mumbai) does not lend much confidence at certain areas.
- c) Further, as the ToR rightly points, there is ought to be much divergence in reported devolution status and those in practice.

Although, the state has experienced improvement since DI report 2014-15 and though they perform better in terms practice, is a statement on poor implementation to devolution related policies across states in India. And a better ranking of Jharkhand may actually be reflective of a sound roll out of policies in this state. It is in this context; a ground tooting was initiated.

## 1.4. Scope of Work

### 1.4.1 Objective

The assignment has been set against the backdrop of steps taken by the state of Jharkhand towards devolution of powers and functions to the panchayats. In accordance with the provisions of the JPR Act 2001, 13 of the 29 subjects have already been transferred to the local bodies. This assignment seeks to generate evidences and inputs for the state, to come up with

required guidelines for the panchayats for operationalisation of powers and undertake functions that have been mandated through its executive orders in past.

Along with, to document the empirical situation of the devolution of 3Fs in the state and state solutions realign the policy guidelines to the realities on ground and move further towards achieving local democracy.

### **1.4.2 Terms of Reference**

The documentation exercise of devolution achieved and the prospects ahead, has mainly addressed following, as reproduced from ToR:

- Documenting similar categorisation of roles/functions assigned to PRIs-monitoring, execution, supervision, regulatory, identification of beneficiaries etc. in other states.
- Gap analysis of provisions laid down in the Jharkhand Panchayat Raj Act (JPRA), 2001 w.r.t devolution of 3Fs to the PRIs and the devolution done by different departments through executive orders. Assessment of Funds, Functions and Functionaries that can be devolved to each tier of PRIs (both numbers & narrative) in Primary, Secondary and Tertiary Sectors and recommendation for improvement.
- Mapping of role of the Panchayat as an institution with various committees at the local level and the role of the Panchayat in managing institutions at the local level to be examined with special focus to GP Planning and the status of GP development plans.
- Review and suggest mechanisms in the State for improving the basic services provided by local governments in the light of substantive funds being made available to the local governments under the Fourteenth Finance Commission and explore funding options from Own source of revenue, State finance commission etc.
- Mapping and segregation of functions across various tiers of Panchayati-raj in select sectors like education, health, employment generation (specifically MGNREGA) and the mechanisms of intertier co-ordination.
- Assess the initiatives for own fund mobilisation, capacity building of Panchayat level functionaries, infrastructure and mechanisms for transparency and improving accountability.
- Comparative analysis of devolution of 3Fs across PESA and Non PESA districts, with special reference to improvement of basic health services for children and women.
- Facilitate consultation with the departments having devolved their powers through administrative orders and incorporate departmental priorities in the functioning of the panchayats.

## 2. APPROACH AND METHODOLOGY

### 2.1 Approach to the Study

The inception meeting initiated the study, and detailed out the scope of the assignment in terms of the expectations from the task and the focus points for the consultant. Primarily, the highlights include<sup>9</sup>-

- It is pertinent to have a cross-state comparison in respect to devolution of Functions, Funds and Functionaries to Panchayati Raj Institutions (PRIs) executed by other neighboring states- Rajasthan, Chhattisgarh, West Bengal and Odisha
- Mapping of devolution of 3Fs to three tiers of PRIs in select key sectors like education, health, livelihoods, water & sanitation, MGNREGA should be focused upon.
- The opinion of different departments who have so far devolved 3Fs to PRIs and all other department's view on devolution of 3Fs to PRIs should be taken. In this regard, a letter from PRI division was sent to all departments to support the research team of TARU for data collection and gathering of information related to devolution
- The sample size was reduced as it didn't contribute much towards improving the data quality. The study pertains to devolution status which is a policy subject matter and would probably be same across GPs. Hence, it was agreed on reducing the sample size.

### 2.2 Understanding of the Task

In the light of the above stated scope of the assignment and our own sectoral understanding of the PRI domain and its evolution over the period, the strategic import of the task may be noted as the following:

- a) The state of Jharkhand has constantly remained in the bottom half in the ranking of states on '**Devolution Index report**' prepared in recent years. While, it has shown improvement in its ranking in the report brought out for 2015-16, it is
- b) Imperative to assess its actual status on ground. A glance through the sampling design adopted for this report (prepared by TISS, Mumbai) does not lend much confidence. Further, as the ToR rightly points, there is ought to be much divergence in reported devolution status and those in practice.

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<sup>9</sup> Refer Annexure-3 'Minutes of Meeting'

- c) Enactment of Jharkhand Panchayati Raj Act (JPRA), 2001 has been for more than 15 years by now. It was hence quite appropriate to assess the actual status of devolution of 3Fs as recommended in the act, deviations if any from laid down guidelines. And more importantly identify the bottlenecks in its implementation and highlight and develop on best practices from other states.
- d) PRIs across India, as in Jharkhand, are expected to be playing significant role in implementation of a range of schemes such as ICDS, IAY/PMAY, MGNREGS, SSA, PMGSY, SBM, NRHM, where there is significant investment involved both in infrastructure and services. Much of this investment is ultimately aimed at improving the socio-economic conditions of the rural population and particularly the poorest among them. Given the poverty status of state, it thus becomes very important to see and understand actual level and type of involvement of PRIs in these schemes.
- e) Further to the above, PRIs and specifically GPs are now receiving a significantly higher financial grant from finance commissions. The latest Finance Commission (XIVth FC) in its recommendation<sup>10</sup> has proposed for a 'basic grant' of over 1800 thousand crores to the GPs over the five-year period (2015-20). This amount is proposed to be distributed exclusively amongst GPs using formula set by SFC if existent. Similarly, an amount to the tune of 20 thousand crores as 'Performance Grant' have been recommended by FFC, for distribution among GPs, subject to their performance achievements. In this backdrop, it was interesting to see how much above-mentioned amount has reached the GPs and what amount has been spent by these bodies. Further, if there have been any deviations to these recommendations, what are the impediments to them? Outcome of this assignment is thus of immense significance in this quest.
- f) PRIs as local governance bodies are still new to the state of Jharkhand where the second of the elections were held in 2015. Hence it was expected that there may be issues around GP-level capacities, participatory planning processes, overall functioning of PRIs, implementation of schemes and monitoring systems. These challenges may be impeding factors to the entire schema of devolution. Hence, a formal identification of such challenges will enable in appropriate recommendations to the state for more effective devolution process.

## 2.3 Approach to the Task

Underpinnings of the proposed Approach.

Our approach to the task has been characterized by the following:

- a) **Extensive Review of Secondary Literature:** Extensive and thorough review of available secondary literature was pre-requisite to taking up this task. In fact, this is the foundation of our research. The ToR also required consultants to compare the existing status of devolution with respect to laid out act (and policy) provisions and guidelines. It therefore becomes imperative for the adopted approach to base itself around these. As a case in point, and regarding Fourteenth Finance Commission (FFC) recommendations, it was prudent on research team to be well versed with its recommendations made for local governments (PRIs to be specific).
- b) **Differentiating Policy and Practice:** Due recognition to the existing dichotomy between policy and practice. In this respect, we considered the following, subsequently reflected in engagement with various stakeholders, information collection etc.



- Comparing state policies vis-à-vis national level policies and acts e.g. recommendations of Finance commission reports, Model Panchayat guidelines, Jharkhand Panchayats Act 2001, Acts and policies in other states,
- To understand what all functions, fund and functionaries have been devolved- in policy and practice

<sup>10</sup> Source: Letter of Communication from MoPR to State PR Departments on Issue of Guidelines for Implementation of Recommendations of FFC, 8<sup>th</sup> October 2015.

<http://www.jharkhandpanchayats.gov.in/documents/6183151/0/foutteen%20finance%20comission%20%28FFC%29.pdf>

- It is well recognized, as also highlighted in the ToR that all policies may not actually translate in to practice. To illustrate it further, for example, functions may have been transferred in the state but the PRIs may not actually be able to discharge those functions.
- Comparing Status between PESA and Non PESA PRIs:** A significant aspect in our task approach has been to capture information (and subsequently analyse them) from the lens of PESA/Non PESA status of PRI bodies. This reflects in research tools designed by us. Further, the team, which anyways is, has been well versed with the provisions of the act and applied its knowledge while engaging with various stakeholders and assessment of data collected. The idea was to establish correlation of PESA status of PRI body to its performance status on parameters of devolution, and identify attributing factors.
  - Mapping 3 Fs within:** As part of information analysis, the consultants have tried to assess if all the 3 Fs i.e. function, fund and functionary are commensurate with each other. These has been with respect to entire range of functions that have been devolved. This helped us understand if devolved functions are matched with adequate (and timely) fund and functionary allocations.
  - Assessing Other Enabling and Support System:** For a policy to effectively translate in to practice, it requires to be backed with other enabling conditions/ support systems. This could be in terms of capacity building of PRI staff, required infrastructure support etc. It is our own study during the assignment on preparation of 'Status of Panchayati Raj Report, 2010-11' for the neighbouring state of Bihar identified existing capacity gaps among PRIs as a major bottleneck, reportedly primary reason for withdrawal of several functions from the PRI ambit.
  - Documenting Policy and Practices from other States:** Review of secondary literature is expected throw up examples from other states in the context of devolution of 3 Fs. These have been brought up to highlight policy and practices in these states and identify aspects worth emulation in Jharkhand context.
  - Studying linkages with other local institutions and parallel bodies:** This has been another key aspect our approach, as such linkages and its nature have a lot of bearing on very spirit of devolution.

- h) **Focus on identifying scope of augmenting own source revenue:** FFC in its report has laid substantive focus on encouraging panchayats, backed by favourable state policies, to augment their own source revenue. Reports and studies in past have identified multiple reasons that afflict its realization across states. Some of these are: Recommendations of different State Finance Commissions and experts to the states to encourage expansion of own source domain of PRIs have not been duly heeded, states have not been proactive through its policy reviews on revising rates for own sources-often the guidelines are complete or comprehensive, PRIs have not been mobilized enough to levy taxes, required support in terms of manpower, administrative support is often found missing, local political interests, transfer of assets to local PRIs are some of the major reasons. Interaction with PRI members and staff during the assignment will lay adequate focus on this aspect.

## 2.4 Research Tools

- a) **Review of Secondary Literature** - Playing by the tune of the assignment, a large portion of the study involves extensive rallying of literary texts. Framework of which had been developed.
- b) **Semi - structured Discussion Checklist** – To cater to our stakeholder interactions, (to capture both qualitative and quantitative information). Each of the stakeholder category had this tool specifically developed for them.
- c) **Panchayat Data sheet:** This primarily helped in collecting quantitative information from various PRI bodies and capture information such as those related to finances, no. of functionaries, meetings, list of functions devolved etc.

## 2.5 Information Collection and Stakeholders

### Stakeholder Representation for Jharkhand

The stakeholders are divided into three groups - primary, secondary and tertiary. The Gram Sabha members at the village level/ Panchayat, line department/ extension workers form the primary stakeholder groups. Similarly, at the block level and district level, officials of Government and line departments, BDO, ZP/DRDA, panchayat elected representatives are under the purview of the secondary stakeholder groups. The State level officials of the department of Panchayat, the UNICEF are coming under the tertiary stakeholder group. The stakeholders from whom the data gathered/ generated are mentioned in the following table: **Stakeholders for Data Collection Group**

**Table 2: Data Collection Group**

Group	Status
Primary	<p>At the GP-level (in each of the 10 GPs)</p> <ul style="list-style-type: none"> <li>• Representatives of the GP □ Representatives of the GS</li> <li>• Representatives of the Standing Committees</li> <li>• GP-level staff</li> <li>• Line department extension workers/ functionaries transferred to Panchayat</li> </ul>
Secondary	<p>At the District-level (in proposed districts)</p> <ul style="list-style-type: none"> <li>• AEO, ZP/DRDA (if still existing not merged with ZP)</li> <li>• DPRDO</li> <li>• DPC and District Planning Officer</li> <li>• Nodal officers in charge of MGNREGS and Drinking Water Supply</li> <li>• Line department officials of other departments like agriculture, animal husbandry, Minor Irrigation, horticulture (to assess convergence and decentralization aspects) □ NIC centers at district levels</li> </ul>
Tertiary	<p>At the State-level</p> <ul style="list-style-type: none"> <li>• PRDD, RDD, WCD, Education Deptt., Health</li> <li>• UNICEF Staff and representatives</li> <li>• NIC centers at the state</li> <li>• SIRDS, Nodal Training Institutes for PRIs</li> </ul>

### 2.5.1 Stakeholder Representation for Stakeholder Consultation in other States

Across the proposed 4 states i.e. Rajasthan, Odisha, West Bengal and Chhattisgarh, to understand the Nature of Panchayati Raj Institutions; Policy, Planning and Implementation Practices in devolution of 3Fs, we have identified the major stakeholder departments/ groups from whom the data will be gathered/ generated:

- PME Officer, UNICEF
- Department of Health & Family Welfare
- Department of Women and Child Development

- PHED Department
- Department of Panchayati Raj and Rural Development
- Department of School Education
- Agency/Institute who has experience of working at the GP level.

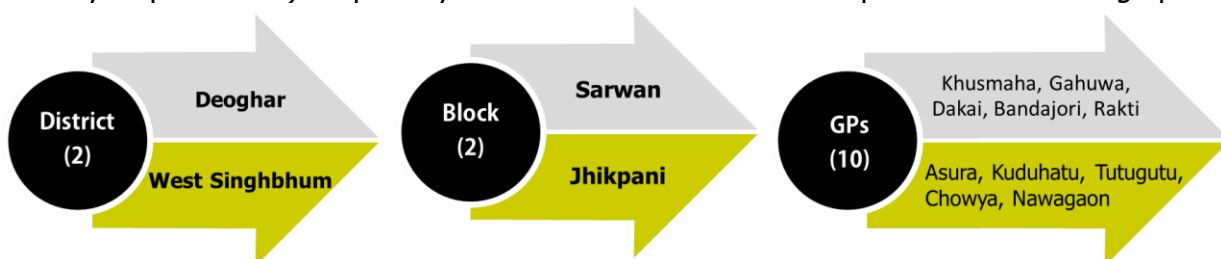
## 2.5.2 Purposive Information Collection

Primary information collection for the study was phased to occur in two; State-level data collection and Gram Panchayat Level data collection. Four states were identified by the assignment commissioning body apart from Jharkhand wherein detailed discussions at multi-stakeholder platforms were initiated.



**Figure 4: Areas of Information Collection**

During the inception meeting on 11.04.2017 and subsequent discussion with UNICEF and Department of Rural Development, it was decided that the sample size of GPs in the state of Jharkhand can be reduced as it won't contribute much towards improving the data quality. Hence, we revised the sample size (Total number of districts: 2, Total number of GPs: 10, 5 panchayats per district) for primary data collection in Jharkhand is presented in below graphic:



**Figure 5: Data Collection in Jharkhand**

The distribution caters to inclusion of both PESA and non-PESA districts for a holistic understanding. One district is identified as PESA district; West Singhbhum and another as non-PESA; Deoghar. In each of the above-mentioned sample units i.e. district and GP, the research team interacted with all relevant stakeholders as described in stakeholder list in earlier section.

## 3. STATE LEVEL FINDINGS ON DEVOLUTION OF 3Fs

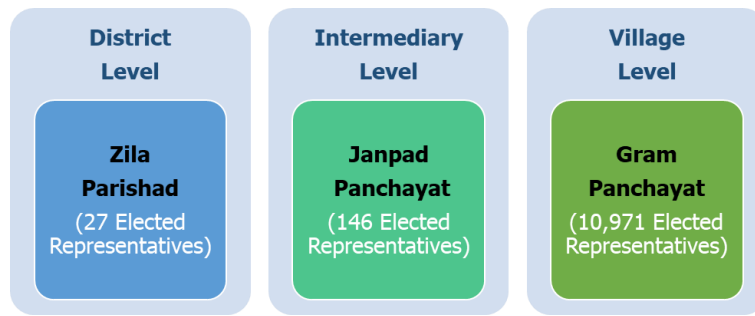
### 3.1 Chhattisgarh

Chhattisgarh state was formed from the sixteen southeastern districts of Madhya Pradesh in November 2001. After its disintegration, as per the Madhya Pradesh Re-organisation Act 2000, sections 78 and 79, to institutionalize the Local system of governance, the state borrowed the legislative arguments of Panchayati Raj from the parent state, as a transitory arrangement. Locally referred to as Chhattisgarh Panchayati Raj Adhinyam 1993 and then renamed as Chhattisgarh Panchayat Raj (Sanshodhan) Adhinyam, 2017 [G0: 3769/D.85/21-A/Praru./CH.G/17; Dated-17/04/2017]. Since then, the state has been an avid implementer of the Act.

In terms of the Devolution policy or status of roles, responsibilities and financial powers to local governing bodies, a comprehensive activity mapping or study putting the current scenario in perspective hasn't been carried out despite initial efforts of Panchayat and Rural Development Department. Although the State government had initiated a few minor modifications in the statutory provisions of the MP Panchayat Raj Act 1993, in form of Government Orders defining Own Source Revenue collection, educational qualification for people contesting elections, Standing Committee formation and meeting process and guidelines for participatory planning via Gram Panchayat Development Plan have been issued to strengthen the grassroots institutions the existing scenario governing the Functional and Fiscal domain of the Panchayats in the State, by and large, is a replica of the MP model as it existed at the time of formation of the new State.

#### 3.1.1 PRI Structure

Since the introduction of three-tiered Local Government structure in undivided MP state, Chhattisgarh has had panchayats at the village, block and district level. Three - tiered structure of governing local bodies and number of elected representatives is presented in below graphic.

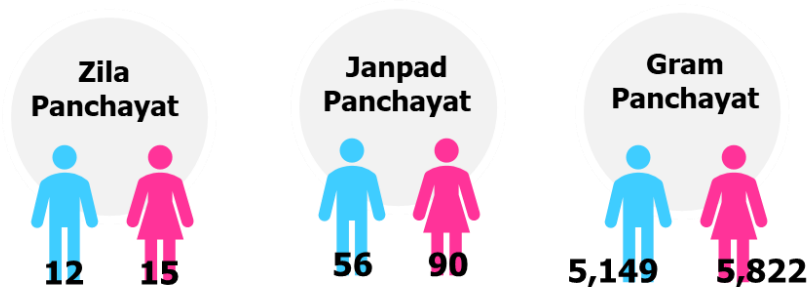


**Figure 6: Chhattisgarh PRI Structure**

Source: State Level Consultation & Administrative Report 2016-17

### Elected Representatives:

Major amendments have been brought out by the state machinery from 2004 and the state elections for the Panchayat have been conducted thrice since state formation i.e. in 2005, 2010 and 2015. Woman representation is presented in below graphic.



**Figure 7: ERs of Chhattisgarh PRIs**

Source: Administrative Report 2016-17

The state incorporates 55% of women elected representatives in Panchayats.

### 3.1.2 Devolution of 3Fs; Indicator Matrix

In principal, the state has actively devolved Functions from the 3F's concept with 22 subjects partially or fully stationed in either of the three-tier's kitty of Panchayats, but only little can be said regarding Funds and Functionaries. Interestingly, the role to be played by panchayats was greater when Chhattisgarh state was formed, but eventually departments such as Health withdrew the resources and administrative powers from local bodies due to capability restrictions of Gram Panchayats. Majority of the role for Panchayats for the devolved subjects is thus limited to Monitoring. Also, although the powers/functions/roles/responsibilities have been mentioned in the directives issued by the state, no clear demarcations on the components of what it entails or how to go about it have been framed. The gap also exists in illustrating reporting or feedback mechanisms to be followed by panchayats.

Although, Gram Panchayats technically are responsible for monitoring all the development programmes/schemes being implemented by center-state; their role is being challenged at two

levels; bypassing of their inputs, comments, considerations by the line department officials, second being lack of conformity to their ideas and intentions per se.

Subsequently, drawn from the discussions and documents shared, the Indicator Matrix in terms of devolution of 3Fs w.r.t 5 departments can be sketched as follows:

### Devolution of Functions

**Table 3: Devolution of Functions to Chhattisgarh PRIs**

S .No	Department	GP Level	Janpad Level	Zila Level
1.	Health & Family Welfare	<ul style="list-style-type: none"> <li>• Land selection for construction of health centres</li> <li>• Supporting and monitoring immunization activities Monitoring the sub-health sectors and primary health centres</li> <li>• Suggesting names of ASHA members</li> </ul>	<ul style="list-style-type: none"> <li>□ Facilitating activities related to health and family welfare Monitor the ASHAs</li> </ul>	
2.	School Education	<ul style="list-style-type: none"> <li>• Construction of Primary schools with separate toilets for girls and boys</li> <li>• Ensuring education/school facility at primary level by organizing house-visits, community meeting etc</li> <li>• Painting and maintenance of Primary schools</li> <li>• Providing and ensuring utilization of educative materials and equipment eg. black-board, playful equipment etc</li> <li>• Accepting scholarships and distribution</li> <li>• Distribution of books and uniforms Maintenance and evaluation of mid-day meals</li> </ul>	<ul style="list-style-type: none"> <li>• Observation and maintenance, paint of Secondary schools</li> <li>• Monitoring of book-bank and library</li> <li>• Evaluation of Primary and Secondary schools Collection of GP education plan and preparing a block level education plan</li> <li>• Appointment of Shikshakarmis class 3 and monitoring them</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring of all district schools</li> <li>• Appointment of class 2 and 3 shikshakarmis</li> <li>• Preparing District level school education plan</li> <li>• Cadre management Monitoring of all education related activities taken up by GP and Janpad.</li> </ul>

		<ul style="list-style-type: none"> <li>Monitoring of Primary school staff and teachers and reviewing their performance report for salary release</li> </ul>		
S .No	Department	GP Level	Janpad Level	Zila Level
		<ul style="list-style-type: none"> <li>Getting disabled and girls to attend primary school Preparing an Annual Action Plan for Primary education</li> <li>Supporting other Govt. schemes related to education eg SSA</li> </ul>		



3.	Women & Child Development Department	<ul style="list-style-type: none"> <li>Looking after the local nutrition needs</li> <li>Selection of village area for construction of anganwadi centres</li> <li>Infrastructure development</li> <li>Observation and evaluation of anganwadi centres</li> </ul>	<ul style="list-style-type: none"> <li>Appointment of Anganwadi workers and helpers</li> <li>Observation and evaluation of anganwadi centres</li> </ul>	<ul style="list-style-type: none"> <li>Facilitating home-center facility to orphans Swings for children</li> <li>Nurseries for children</li> <li>Women awareness centres</li> <li>Excursions Chhattisgarh Government Women Fund Scheme</li> <li>Observation and evaluation of anganwadi centres</li> </ul>
4.	Panchayati Raj & Rural Development Department	<ul style="list-style-type: none"> <li>Construction of basic infrastructure in village; roads, footpaths Streetlightning</li> <li>Maintenance of community resources</li> <li>Water-supply Sanitation</li> <li>Sewage and solid-waste management</li> <li>Maintenance of burial grounds</li> <li>Identification of beneficiaries for various schemes</li> </ul>		

Source: State Level Consultation

### Devolution of Functionaries

Devolution of functionaries for Panchayat Institutions has been the state's concern since formative years. As per the PRIA study on 'Status and Functioning of PRIs', published in 2012, the state was to induce functionaries in the system after Activity Mapping, a pending process. Though, state government has given some powers to the ZPs and JPs to recruit personnel in the department like health (ANM/ Mitandin), education (Siksha Karmi), Women and Child Development (Sahyogini), and also are to look after their remuneration. The role of GPs and Gram Sabhas has been limited to monitor and report on their performance, a role that is being surpassed by review of witnessing the field (primary data).

### Devolution of Funds

In terms of direct transfer of funds, no department has opened a Panchayat Window in Chhattisgarh. Following the 1998 order, each department whose functions were devolved, have been earmarking few schemes relating to these functions and devolved funds relating to these schemes into the budget heads. However, it has to be ascertained whether this allocation actually matches the range of functions devolved to Panchayats in the State.

Fiscal resources are allocated to local rural bodies as per the recommendations of State Finance Commission and also various other central and state schemes. The 14<sup>th</sup> Finance Commission has juxtaposed an exemplary tradition of sending in direct funds to Gram Panchayat bank accounts. This money is provided in two – the Basic Grant and the Performance Grant. Within which 90% is to be basic and 10% performance based. The system suggests utilization of grant by the panchayat bodies to support and strengthen and improvise the quality of basic services within the devolved functions by State.

Likewise, the Action Taken Report (ATR) of 2<sup>nd</sup> SFC (2012-13 to 2016-17) is a part of implementation policy, though 3<sup>rd</sup> SFC report is under review, no mandate has been subsequently formed to put it into action. Budget under Panchayat Directorate for 2016-17.

**Table 4: Fund Allocations during 2016-17; Chhattisgarh PRIs**

S. No	Scheme	Funds allocated (in Lakhs)
1.	Rural Development Authority	6,403.60
2.	Infrastructure development (bhawan )	675.00
3.	Chief Minister Rural Development Scheme	57,000.00
4.	Chief Minister Panchayat Empowerment Scheme	1,800.00
5.	Zila Panchayat Vikas Nidhi	4,500.00
6.	Panchayat Directorate	142.91
7.	Basic Services of Gram Panchayat	30,000.00
8.	Basic work of Zila Panchayat	570.00
9.	Panchayat's window from collected entertainment tax	330.00
10.	14 <sup>th</sup> FC	88,682.00
11.	Hamar Chhattisgarh	1,500.00

Source: Administrative Report 2016-17

## Participatory Planning

Gram Panchayat Development Plan (GPDP) is a strategic attempt by the central ministry to improvise on the idea of participatory planning. Eligibility for funds is nodal around preparation and presentation of GPDP for all the states. Likewise, Chhattisgarh Panchayati Raj Department has designed a manual around GPDP for Gram Panchayats to implement. The exercise is extensive and is an attempt to diagnose the basic priority needs to achieve 'social and economic

security'. As GPDP is an annual exercise, currently in Chhattisgarh, trainings have been held and manual on how to engage in participatory planning has been distributed. For the 2016-17, 9929 panchayats are on Plan Plus, 468 panchayats have uploaded their plans, for 268 panchayats the plans have been manually prepared but are yet to be included; while 19 panchayats are in process of organizing gram sabha meetings and for 26 have prepared the plan but are yet to get the approval. 3085 panchayats have commenced implementation of GPDP.

Also, as per the stakeholder feedback, as a practice, most of the decision making is still dictated from the top and very little discretion is exercised by the panchayats in choosing their discourse of development. GPDP has the potential to augment the rooted culture of participatory development.

### **Own Source Revenue**

By Law, there are 6 taxes to be imposed by Gram Panchayats these include market fees, village assets like buildings, ponds, phone and tv towers; with other optional sources as tonga, bullock carts, water tanks, rickshaws, animal center etc.

### **Audits**

Along with the traditional systems of auditing like Local Fund and by Auditor General, the state is placing structures of Internal Auditing. The High-Power Committee is having discussions around constituting a cadre of Sahayak; 1 per 5 GP, then 1 per 25- GP and 1 at Janpad Level, to institutionalize a system of Internal Auditing. This is to bring in transparency and strengthen the PRI.

### **Standing Committees**

The state provides for inclusion of at least two technical/subject experts to be a part to the Standing Committees. By lawful provision, 5 Standing Committees are to exist at GP level, with minimum of 5 Standing Committees at Janpad and District level, and more committees can be formed at the discretion of Collector at both Janpad and Zila. As per primary data, functioning of Standing Committees in the state has been irregular. Specifically, at the Gram Panchayat level, the role of committees is very limited.

### **Capacity Building and Auditing**

The State Institute of Rural Development provides demand based training sessions, after carrying out a need- based assessment. The training schedule of elected representatives can be broadly viewed as-

- 1) Fixed/compulsory Orientation course conducted under 6 months of office acquisition (duration – 5 days)
- 2) Annual Refresher Course; carried out yearly (duration – 3 days), 2<sup>nd</sup> refresher carried out for 2 days
- 3) Scheme specific trainings are organized as and when it is required
- 4) Subject experts are empaneled for the trainings

In the state to provide for the training infrastructure there is presence of 1 Extension Training Center and 5 Panchayat Training Centres.

Soft-wares such as PRIA soft and Plan Plus are used by the three-tier panchayat system to upload the plans and update accounts.

## State Finance Commission

The XIth schedule of the 73<sup>rd</sup> Constitutional Amendment made provisions for the creation of institutional framework for inclusion of Panchayats as constitutional governing bodies, this had a clause of formation of State Finance Commission. The first SFC for the bifurcated state of Chhattisgarh was constituted in August

2003 and the Second SFC was constituted in July, 2011. The Third State Finance Commission has been conceptualized and is functional since 2016. Although, the state accepted the recommendations of the Second SFC, no ATR has been framed around it yet.

### 3.1.3 Innovations

The Chhattisgarh Panchayat Raj Department has formulated and adopted certain resolutions to make the Panchayat structure more effective. Certain innovative legislatures issued by the state department includes:

- 1) Presence of flush toilet in the house of person contesting elections
- 2) Minimum eligibility criteria for contenders for Panchayat Elections:
  - 5<sup>th</sup> standard examination for the post of Panch
  - 8<sup>th</sup> standard or equivalent examination for office bearer above Panch
- 3) Respect for the elected candidates - By statute, none below the class II Gazetted Officer, can call in an enquiry for the Sarpanch.
- 4) Encroachment of public areas will lead to disqualification of candidature

### Panchayat Samagra Vikaas Scheme:

The chief minister Panchayat Samagra Vikaas scheme is to focus on development of village based assets that become a source of revenue generation for panchayats. It includes:

- Construction of Mini-Stadiums in every Panchayat, for youth to develop a healthy lifestyle
- Construction and maintenance of Samudayak Bhawans/Community Centres; as places of common community meetings, meetings for helping youth in taking leadership roles etc.
- Construction of shops for Village Commercial Complex for Village – based Enterprise Development. Identification of beneficiaries for distribution of shops is done by Gram Sabha
- Nirmala Ghat – To create a safe environment for the women in villages, all the common bathing places/ghats have on their corners, walled structures constructed for the women to use for clothes changing purposes.
- Bringing in convergence with SBM, all anganwadi centres have child-friendly toilets constructed.
- Ongoing development - In the GP bhawan, toilets for the third gender to be constructed
- Radio sets are made available at GP bhawan for people to collectively participate in listening the Prime Minister's, 'Mann kiBaat' programme, every last Sunday of the month and State Chief Minister's, 'Raman ke Gudd' every 2<sup>nd</sup> Sunday of the month

### Hamar Chhattisgarh

A state sponsored scheme; Hamar Chhattisgarh was flagged on 1<sup>st</sup> July 2016. The objective of the scheme being to lend exposure to representatives of panchayats on the thematic of development. By default, the elected representatives and other panchayat functionaries, although are aware about the development schemes and practices of their residing areas, they should get a flavor of the macro developmental projects being implemented in other places.

Therefore, they are to visit the state capital and communicate their learnings to the village populace. As per the scheme target, 1Lakh 70 thousand panchayat representatives are to benefit from this. Participation of 11,000 Gram Panchayat, 146 Janpad Panchayat and 27 Zila Panchayat will be ensured under the scheme mandate.

As per the Administrative Report 2016-17, the beneficiaries under the scheme till December 2016 include:

**Table 5: Beneficiaries of Hamar Chhattisgarh Scheme**

Category	Participation Numbers
Total number of Panchayat representatives	31,660
Total number of female representatives	11,340
Total number of male representatives	20,320

## 3.2 West Bengal

The state of West Bengal has generated exemplary evidences of institutionalizing an efficient model of local governance. It naturally carries with itself a legacy of empowering the rural model of development with the help of Gram Sansad (the first level of democratically elected local body) and has kept up the good score in terms of devolution practice. As suggested by Mr. D.K. Pal of PR& RD Department, "West Bengal has always had the objective of strengthening the panchayat institutions, so that decision –making can always rest as per their interests."

As per the primary data, the eastern state has invested primarily in rearing an enabling environment for panchayat systems to develop themselves and practice efficiency. Also, has been in the top ladder and role model for other states, for the concerned subject. To date, the perceived problems related to the PRIs include a lack of fiscal decentralization to the PRIs, lack of untied and own source revenues and expenditure authority, limited capacity especially at the GP level for meeting public service demands.

PRI governance in Bengal has evolved through a series of acts; The Village Chaukidari Act (1870), The Bengal Local Self-Government Act (1885), The Bengal Village Self-government Act (1919), The West Bengal Panchayat Act (1957), The West Bengal Zila Parishads Act (1963) and The West Bengal Panchayat Act (1973) which established the three-tier system and use of party symbol in local elections.

The bulk of reforms have been taken up by the state government around 2003-2004-2005. Along with the national document on a perspective plan for rural governance, the state has prepared a visionary roadmap for itself in 2009. Thus, making its Panchayati Raj institutional approach a model to look at.

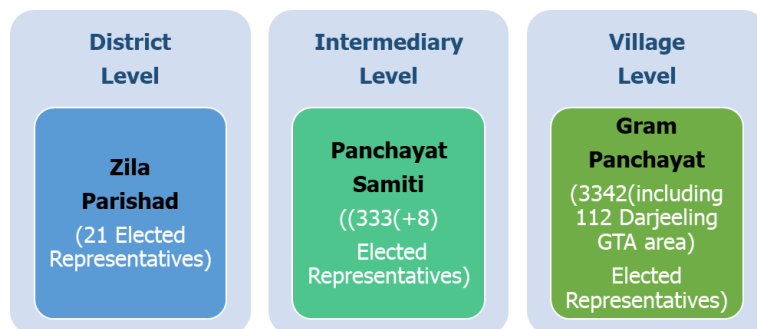
### 3.2.1 PRI Structure

Although the West Bengal Panchayat Act states prevalence of a three-tier panchayat framework, the fundamental unit is composed of the Sansad or legislative bodies at village level. In addition, there is a fourth tier, the gram sansads (GS, village level parliament) and their gram unnayan samities (GUS, village development committees), which are active participants in setting budget priorities and carrying out projects in some GPs.<sup>10</sup>

Structure of governing local bodies and number of elected representatives is presented in below graphic.

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<sup>10</sup> <http://scholarworks.gsu.edu/cgi/viewcontent.cgi?article=1095&context=icepp>



**Figure 8: West Bengal PRI Structure**

Source: State Level Consultation

### Elected Representatives

As per the 8th Panchayat General Elections cycle held in the state in 2013:

**Table 6: Composition of Elected Representatives; West Bengal**

Category	Gram Panchayat	Panchayat Samiti Parishad	Zila Parishad
Elected representatives	49055	9283	832
Elected women representatives	24471	4632	415
Elected SC representatives	12267	2188	208
Elected ST representatives	2968	566	54

Source: State Level Consultation

### 3.2.2 Devolution of 3Fs

In West Bengal, 28 subjects have been transferred to Panchayats, this is illustrated in detail by the Activity Mapping (since redrafted) worked out by P & RD Department, focusing on 5 target departments

Status of Devolution of Functions to different tiers of Panchayats:

**Table 7: Status of Devolution of Functions to PRIs; West Bengal**

S.No	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
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1.	Health & Sanitation	<ul style="list-style-type: none"> <li>Lifting of materials from State headquarters and supply to different blocks</li> <li>Compilation of reports and returns from Blocklevel and analysis for monitoring crucial public health indicators</li> <li>Developing IEC materials</li> <li>Fund allotment, monitoring and supervision of immunization program including pulse polio</li> <li>Development of infrastructure for Institutional delivery</li> </ul>	<ul style="list-style-type: none"> <li>Maintenance of BPHC &amp; PHC</li> <li>Local Purchase of non-medical items required by the PHCs as may be authorized by H&amp;FW department.</li> <li>Compilation of monthly reports from Sub-centers and GPs, and analysis for monitoring crucial public health indicators</li> <li>Planning and organization for IEC activities Implementation of immunization programme Promotion of</li> </ul>	<ul style="list-style-type: none"> <li>Maintenance of Sub Centres</li> <li>Local Purchase of nonmedical items required by the subcenters as may be authorized by H&amp;FW department</li> <li>Involving Self-Help Groups in monitoring community health Disease surveillance to pre-empt outbreak, preventive measures against spread of communicable diseases</li> <li>Mobilization of people for immunization</li> <li>Promoting planned family norms and practices Awareness camp for family</li> </ul>
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S.No	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
		<ul style="list-style-type: none"> <li>Organizing sterilization camp for eligible couple</li> </ul>	Institutional delivery Organizing training of Traditional Birth Attendants (Dai)	planning and sterilization



2.	School Education	<ul style="list-style-type: none"> <li>• Identification of school less mouzas / hamlets in district for preparation of status report</li> <li>• Preparation of action plan for organizing SSK / MSK in district</li> <li>• Supervision / monitoring and report collection through DISE</li> <li>• Release of fund for salary of teachers of SSK / MSK</li> </ul>	<ul style="list-style-type: none"> <li>• Collection of proposals for new SSK / MSK from GPs and sending the plan to ZP for approval</li> <li>• Construction of SSK /MSK from SGRY / RIDF / Untied fund/OSR etc</li> <li>• Collection of information through EMIS &amp; DISE and analysis of information</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of school less mouzas / hamlets for opening SSK / MSK and sending proposal to PS</li> <li>• Construction of SSK/MSK through own fund / SGRY / Untied fund / local contribution and fund received from PS</li> <li>• To supervise attendance of teachers and students, quality of mid-day-meal, distribution of books</li> </ul>
3.	Welfare of Women and Children	<ul style="list-style-type: none"> <li>□ Monitoring &amp; Supervision of Anganwadi centres and convergence of activities</li> </ul>	<ul style="list-style-type: none"> <li>• Supervision of construction of</li> <li>• Anganwadi Centers</li> </ul>	<ul style="list-style-type: none"> <li>• Recommendation of sites for Anganwadi Centers and construction of Anganwadi Centers</li> <li>• Convergence of ICDS activities and reporting of functioning of Anganwadi Centers in the convergence meeting at GP level</li> </ul>
4.	Drinking water	<ul style="list-style-type: none"> <li>• Formulating major water supply schemes (Pipe water supply)</li> <li>• Technical approval of schemes beyond the competence of Panchayat Samitis</li> <li>• Execution of schemes beyond the competence of Panchayat Samitis</li> </ul>	<ul style="list-style-type: none"> <li>• Selection of location &amp; beneficiaries for pipe water scheme in consultation with GPs Seeking technical approval from ZillaParishad for projects beyond the competence of Panchayat Samitis</li> <li>• Execution of schemes</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of schemes and locations</li> <li>• Construction of wells, tanks, Tube Wells (Ordinary Hand Pump)</li> <li>• Repair of TWs and periodical chlorination of open wells and disinfection of Tube wells</li> </ul>

			(DTW / Mark-II / Tara Hand Pump) beyond the	
S.No	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
			competence of Gram Panchayats <input type="checkbox"/> Handing over scheme to GP / User Committee for day to day maintenance	

5.	Panchayati Raj and Rural Development	<ul style="list-style-type: none"> <li>• Manage or maintain any institution for promotion of livelihood, education, health, communication, tourism or work of public utility including auditorium, dispensary, diagnostic clinic, bus stand, guest house, ecopark, constructed by it or vested in it for control and management</li> <li>• Management of road side land Fixing and collection of toll, fee, rate as user charges</li> <li>• Power to acquire, hold and dispose of immovable property with the approval of State Govt.</li> <li>• Construction &amp; upgradation of roads / culverts exceeding Rs.10.00 lakhs</li> <li>• Construction of bridge</li> </ul>	<ul style="list-style-type: none"> <li>• Management and maintenance of any institution for promotion of livelihood, education, health, communication, tourism or work of public utility including hat, market, auditorium, bus stand, eco-park, guest house, constructed by it or vested in it for control and management</li> <li>• Fixing and collection of toll, fee, rate as user charges</li> <li>• Power to acquire, hold and dispose of immovable property with the approval of State Govt.</li> <li>• Construction &amp; upgradation of roads / culverts amounting to Rs. 2.00 – 10.00 lakh</li> </ul>	<ul style="list-style-type: none"> <li>• Maintenance of community assets such as public tanks, ghats, public channels, reservoirs, wells, streets, drains, culverts, lamp posts etc.</li> <li>• Construction and maintenance of sarais, dharmasalas, rest houses, cattle sheds, cart stands, and protection and repair of buildings or other property vested in it</li> <li>• Fixing and collection of toll, fee, rate as user charges Power to acquire, hold and dispose of immovable property with the approval of State Govt.</li> <li>• Construction &amp; upgradation of roads / culverts not exceeding Rs. 2.00 lakhs</li> </ul>
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Source: Executive Order No. 6102/PN/O/ dated 07.11.2005 and No. 3969/ PN/O/ dated 25.07.2006 and No. 4769/PN/O/ dated 29.10.2007

### Devolution of Functionaries

The concept of functional devolution also established the need of devolution or appointment of staffs/officials with the three-tiers as per the need, to provide technical assistance to the elected panchayat officials.

**Table 8: Functionaries of PRIs; West Bengal**

Panchayat Level	Functionaries
<b>Gram Panchayat</b>	<ul style="list-style-type: none"> <li>• Pradhan</li> <li>• Upa-Pradhan</li> <li>• Sanchalaks of Upa-samitis</li> <li>• General Members (directly elected members + ex-officio members) Gram Panchayat Employees:                             <ul style="list-style-type: none"> <li>• Executive Assistant</li> <li>• Secretary</li> <li>• Nirman Sahayak</li> <li>• 2 Sahayaks</li> <li>• GP Karmee</li> </ul> </li> </ul>
<b>Panchayat Samiti</b>	<ul style="list-style-type: none"> <li>• Sabhapati</li> <li>• Sahakari Sabhapati</li> <li>• General Members(directly elected members + ex-officio members)</li> <li>• Executive Officer</li> <li>• Joint Executive Officer</li> <li>• Secretary</li> <li>• Deputy Secretary</li> <li>• Block Informatics Officer</li> <li>• Samiti Education Officer</li> <li>• Various Departmental Officers at Block Level (whose service is placed in PS)</li> <li>• Other Staff of PS &amp; Staff at Block Level (whose service is placed in PS)</li> </ul>
<b>ZilaParishad</b>	<ul style="list-style-type: none"> <li>• Sabhadhipati</li> <li>• Sahakari Sabhadhipati</li> <li>• Karmadhyakshas of 9 Sthayee Samitis</li> <li>• General Members [Directly Elected Members + Ex-Officio Members]</li> <li>• Executive Officer</li> <li>• Additional Executive Officer</li> <li>• Secretary</li> <li>• Deputy Secretary</li> <li>• Financial Controller</li> <li>• Parishad Accounts &amp; Audit Officer</li> <li>• Additional Deputy Secretary</li> <li>• Various Departmental Officers at District Level (whose service is placed in ZP)</li> <li>• Other Staff of PS &amp; Staff at District Level (whose service is placed in ZP)</li> </ul>

Source: State Level Consultation

- Forest Department has placed 18 forest officials of the rank of DFO in 18 Zila Parishads

- District Land and land Reforms Officer is also ex-officio Additional executive Officer (Land Reforms), Zila Parishad
- the services of one Sub-Inspector and one Chief Inspector placed at the disposal of each Panchayat Samiti and Zila Parishad respectively
- Agri-Irrigation / Agri-Mechanical wings have placed engineers with the all three tiers
- General Managers of the District Industries Centres and the Industrial Development Officers act as officers of ZP and PS respectively
- Services of ANMs and Health Supervisors placed with the GPs

### **Financial Devolution**

For West Bengal, the fiscal system is heavily dominated by the State Government. As per the World Bank study, the State Government raises 96 per cent of all revenues. Only about 6 per cent of total revenues of GPs is derived from Own Source of Revenue (OSR) and 94 per cent comes from grants and transfers, of which 70 per cent from Central Government and 24 per cent from State Government (Third SFC Report). The revenue sources of the Panchayats consist of:

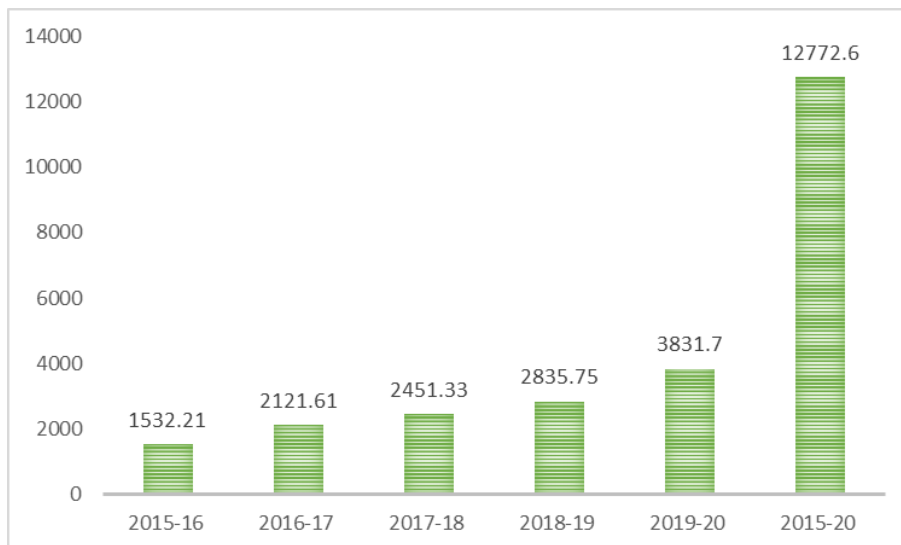
- Own revenue
- Inter-governmental transfers in the form of tax shares, costs of assigned schemes and grants in-aid,
- Loans from financial institutions and Government
- public contributions/donations

### **Own Revenue Sources**

GPs can collect tax on land and building levied on the 'annual value' of the land and buildings. GPs can also impose conservancy rate, drainage rate and general sanitary rate and fees for grazing cattle on vested land, for use of burning ghat, registration of shallow or deep tube well, license on dogs, birds and domestic animals, etc. PSs and ZPs do not have tax powers. All the three tier Panchayats can collect tolls for use of roads, bridges, ferries vested in them or under their management, rates as water rate, lighting rate and fees for arranging sanitary arrangements at the places of worship, pilgrimage, fairs and melas, fees for registration of running trade and income from assets generated by them. Since some of the tolls, rates and fees are overlapping, the general rule is that the Panchayat at a certain tier will not levy a toll, rate or fee if the same has already been imposed by the Panchayat at any other tier. Panchayat bodies are given share of Entertainment Tax including Luxury Tax. Of the total amount released by the Government, 50 per cent goes to the GPs, 20 per cent to PSs and 30 per cent to ZPs.

### **14th Finance Commission**

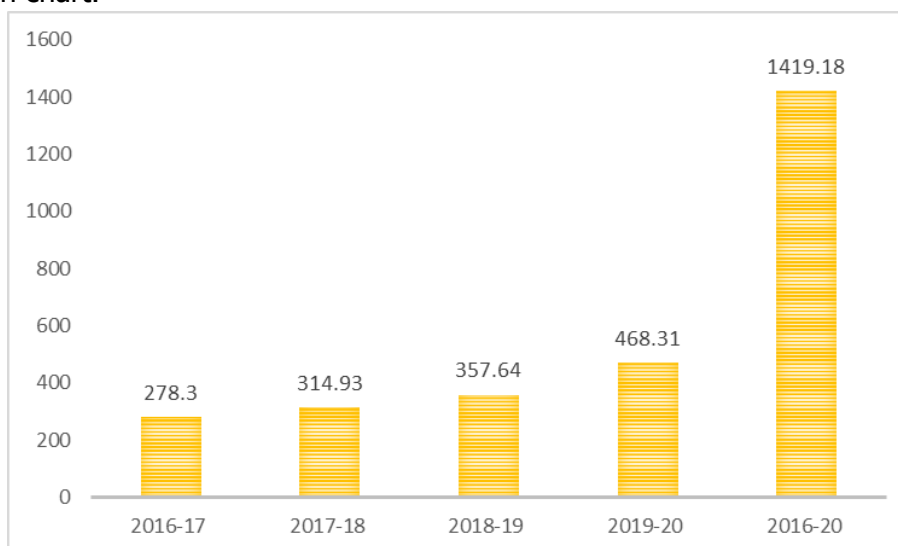
In respect of West Bengal, the actual amount recommended has gone up from Rs 3793 crore recommended by the Thirteenth Finance Commission during 2010-11 to 2014-15 to Rs 20831 crore (Basic and Performance grant) during 2015-16 to 2019-20, an increase of 449%. Basic Grant allocations as per Fourteenth Finance Commission is presented in below column chart:



**Figure 9: FFC Basic Grant Allocation to GPs; West Bengal**

Note: Amount in Rs. Crore; Source: Secondary data

Stipulated Performance Grant allocations as per Fourteenth Finance Commission is presented in below column chart.



**Figure 10: FFC Performance Grant Allocation to GPs; West Bengal**

Note: Amount in Rs. Crore; Source: Secondary data

### State Finance Commission

The state of West Bengal institutionalized the system of constituting State Finance Commissions. In the current scenario, Fourth SFC is functional in the state with ATR published till Third SFC. A major recommendation of Third SFC adopted by Government of West Bengal states that the GOWB will increase untied funds flowing to local self-governments to 5 percent of state own net tax revenue— approximately Rs. 800 crore, with annual increases of 12 percent.

While the GOWB has issued strong support for many of the 3rd SFC recommendations to increase revenue mobilization and grant funding for the PRIs, it is unclear how much of the increased sharing will actually happen in the coming years.<sup>11</sup>

**Table 9: SFCs commissioned in West Bengal**

S. No	SFC Number	Notification no. of Constitution	Report submitted published to government	ATR published to government
1.	First	1023-FB dt.30.05.1994	27.11.1995	22.07.1996
2.	Second	1770-FB dt.14.07.2000	06.02.2002	15.07.2005
3.	Third	4000-FB dt.22.02.2006	31.12.2008	16.07.2009

Source: State Finance Commission Reports

### Standing Committees

West Bengal, in its Panchayati Raj Structural Framework, accommodates 5 Upa-samitis (Standing Committees) at Gram Panchayat Level and 9 Standing Committees at each Panchayat Samiti and Zila Parishad level.

These committees are to function in the areas of Finance Establishment, Planning & Development; Public Health & Environment; Education, Information, Culture & Sports; Forestry & Land; Child & Women Development, Social Welfare & Relief; Agriculture, Irrigation & Cooperatives; Fishery & Animal Resources; Food & Supply; Small Industry, Electricity & Unconventional Energy at PS & ZP Level.

For Gram Panchayat, the five Upa-samitis include- Finance & Planning; Women & Child Development; Agriculture & Animal Resource Department; Public Health & Education and Industry & Infrastructure.

### Capacity Building

The state of West Bengal has a total of 27 Training Institutions for PRIs. For training at PS & ZP Level being facilitated by B.R. Ambedkar Institute of Panchayats & Rural Development and 5 Extension Training Centres mainly specialized for training at GP Level. The Society for Training & Research on Panchayats & Rural Development (1 TOT Centre & 20 DPTRCs) which is also focused on training for GP Level.

West Bengal enables institution based face-to-face residential training and refresher training for elected representatives and Functionaries of PS & ZP Levels in BRAIPARD, and GP Level in ETCs & DTCs. Satellitebased training for elected representatives and Functionaries of ZP & PS Levels. Training for elected members of GPs at Block Level. Special training of SC/ST/BC/Minority Women members at DPTRCs. Exposure visits to leading PRIs in and outside State. Mobile training and Hand-Holding Support at GP Level is also rendered.

<sup>11</sup> <http://scholarworks.gsu.edu/cgi/viewcontent.cgi?article=1095&context=icepp>

## Accounts and Audits

In West Bengal, Examiner of Local Accounts is the primary Auditor of local bodies. Based on the Eleventh Finance Commission recommendations, CAG was entrusted with Technical Guidance and

Supervision/Support (TGS) over the maintenance of accounts of the local bodies and their audit, including providing technical guidance to the Director of Local Fund Audit (DLFA). Introduction of double entry system in maintenance of accounts with computerization of accounts have been initiated. Internal systems of auditing have also been put in place. Grassroots level accountability has assumed additional importance in West Bengal in view of the allocation of funds to the Gram Unnayan Samitis.

### 3.2.3 Innovation

#### Planning & Budgeting

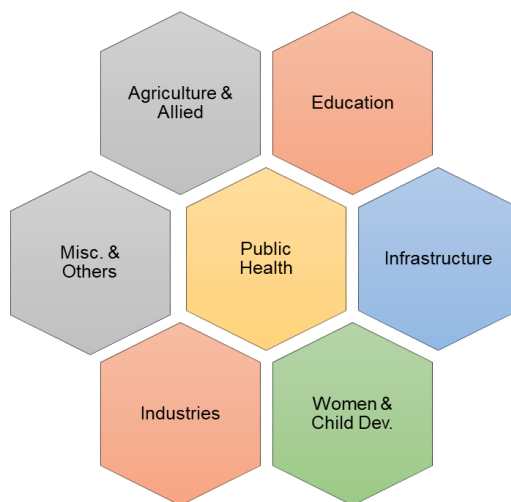
Participatory planning procedures have been formulated and evolved by the Panchayat and Rural Development Department, with characteristic features to establish decentralized decision-making.

Gram Sansad Plan based Sub-Committee wise integrated GP Plan through participatory process under DFID supported SRD Programme in 1077 backward GPs between 2005-06 and 2010-11. Intense GP Development Plan & Budget in 1000 advanced GPs under the World Bank supported ISGP Project since 2010-11. GP Development Plan & Budget through participatory process in the remaining GPs since 2011-12 – continuing with greater push through the current initiative popularly known across the country as GPDP.

Community-based, community-managed, community-owned participatory planning process under leadership of GPs themselves. Thrust on Human Development issues e.g. Education, Public Health, Nutrition, Sanitation, Women's, Empowerment, Child Rights etc. and Natural Resource Management, Expansion of Livelihood opportunities. Thrust on participation of people in not just planning but in implementation and monitoring as well. Thrust on 7 Sector-based and Sub-Committee wise Integrated GP Planning.

GPFT (Gram Panchayat Facilitation Team) is formed comprising all Elected Representatives & all Employees of the GP, all line department employees operating at the GP level and 5-7 community volunteers including SHG from each ward. Environment Building at neighborhood through folk arts, wall writings, Social & Natural Resource Mapping, Transect Walk, Structured Question Survey etc. Voluntary actions with focus on no cost and low-cost activities (e.g. bringing out of school children to schools, repairing local lanes, repairing school building Seven Sectors of GP Planning):





**Figure 11: Themes of Community Planning**

Goals are set by GPFT with focused analysis of the findings of Situational Analysis - Identification, Quantification & Prioritization of Problems, Resources & Potentials. Envisioning session at GP Level with what can and should be done, based on available resources - with holistic thinking towards achieving economic development and social justice on sustainable basis and contextualizing Sustainable Development Goals with Local geographies.

GP Plan and Budget is a single documentation exercise. Draft Plan and Budget is placed in the meetings of all Gram Sansads and finally at Gram Sabha meeting. Draft GP Plan & Budget is approved by the GP itself in a special meeting convened for this purpose within 31st January. There is provision for Supplementary Planning and Budgeting – in exceptional circumstances. Implementation starts on the first day of the financial year.

### Other Innovations

- Legal reforms – putting in place various rules & procedures – Administrative Rules and Financial Rules for each tier
- Improving financial management through ICT based applications developed by the state in 2004 in functioning in Panchayats
- Strengthening rural decentralization – decentralized planning; the Gram Panchayat Facilitation Team
- Capacity building, Self- evaluation; usage of satellite based training system and interactive training material like audio-visuals
- District Council – Acts as watch dog and monitor for all Panchayats of the district. Role may be compared with that of Public Accounts Committee. Leader of the opposition in ZP is Adhyakhsha of District Council. Upadhyakhsha and 5 other members are elected by the members of ZP in meetings. AEO / ZP is the member Secretary and DPRDO, PDAAO & Exe Engr. of ZP are other members. Empowered to visit any Panchayat, Books of Accounts, registers, report returns, and field visit for development works / scheme undertaken.
- Like the Gram Sansad, Downward Accountability has been introduced at Block and District level.

- Block Sansad constituted at Panchayat Samiti Level comprising all members of all GPs and all members of PS – holding two meetings in a year (half yearly and annual) to review its works and guide and advise for planning, budgeting and development works.
- Similarly, Zilla Sansad constituted at District level comprising all Pradhans of all GPs, all Sabhapatis, Saha-sabhapatis and Karmadhyakshays of all Panchayat Samitis and all members of ZP- holding two meetings Annually for the same purpose.
- Recommendation of Block Sansad/ Zilla Sansad are placed in the general body meetings of concerned tier of Panchayat for taking required action.
- Introduction of double entry system of accounts and full computerization of Panchayat accounts including GP accounts by the year 2005 – different from PRIA-soft which was developed later and West Bengal was a model
- New accounts rule for all the tiers – developing a team of facilitator at the state level to manage the change from conventional to computerized accounting in a mission mode
- Legal provisions made for maintaining paper less cash books. To conduct audit using electronic cash book
- Designing new reporting format to compile category wise fund availability and utilization and developing appropriate web-based reporting format
- Transparency in the accounting system - placing the accounts before the general body for discussion and decision support
- Regular collection of data on OSR & monitoring
- High weightage on OSR in assessing performances of Panchayats
- Due focus on non-tax revenue, creation of income earning assets
- Strong system of monitoring of collection of OSR and critical analysis for feedback

### 3.3 Odisha

The foundations of Local Governance in Odisha were laid by a series of acts. Odisha Grama Panchayat Act enacted in the year 1948 was the first legislation listing the powers and functions of the Gram Panchayats. Subsequently in the year 1959, Odisha Zila Parishad Act was passed and was again amended in 1961 and renamed as Odisha Panchayat Samiti and Zila Parishad Act 1961. Thus, the three tier system of Panchayati Raj Institutions was introduced in Odisha in 1961. Pursuant to the 73rd Constitutional Amendment Act, 1992, Orissa has suitably amended the existing laws relating to Panchayats, which include the Orissa Zila Parishad Act, 1991(modified), the Orissa Panchayat Samiti Act, 1959 (modified up to February 2005) and the Orissa Grama Panchayat Act, 1964. Under the legislation as it stands amended, Panchayats at all the three levels have been entrusted with duties and functions with regard to 21 out of 29 matters listed in the Eleventh Schedule of the Constitution. Additional interesting revelation relating to the history of adoption of decentralized governance in Odisha is the fact that it took the lead to provide reservations to women, SC and ST in 3-tier PRI system. In tune with the spirit of the Indian Constitution, the state's policy has evolved around bringing in social development and economic growth to the rural areas in the state. Diversity in terrains and cultures has been reflected to be a major challenge for the state to experience effective functioning of local institutions. Odisha is the third most populous Indian state in tribal population. Panchayats Extension to Scheduled Areas (PESA) was enacted in Odisha in 1996. Streamlining the functions of rural elected bodies their focus is to rest upon providing basic services to bring in development, these include:

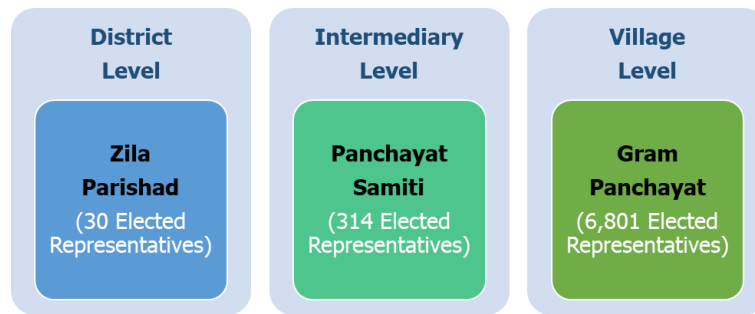
- Primary Education
- Primary Healthcare
- Safe Drinking water
- Sanitation and Street- lighting
- Environment Protection
- Common Property Resources (CPR) Management

Also, a Government Order passed on April 2017 establishes the Panchayat Department to be renamed as 'Panchayati Raj and Drinking Water Department' also the three subjects earlier operational under the branch of Rural Works are to be assimilated with Panchayati Raj and Drinking Water Department:

- Technical Assistance to Panchayat Samitis and Gram Panchayats
- Rural Water Supply and Sanitation
- Construction and maintenance of rural Hats and Market buildings

#### 3.3.1 PRI Structure

As stated, since 1961 Odisha has been following three-tiered institutional set-up of panchayats. The numerical strength of elected representatives is presented in below graphic.



**Figure 12: PRI Structure in Odisha**  
Source: State Level Consultation

### 3.3.2 Devolution of 3Fs; Indicator Matrix

The Odisha State Government has devolved 21 subjects out of 29 listed in the Constitution's 11th Schedule with respect to 11 departments.

The Government Order of 2003 w.r.t Devolution of Powers to Panchayati Raj Institutions was pioneering in leading the state towards the idea of devolution. As per the Annual Activity Report of PR department, twenty one subjects of eleven Departments were transferred to Panchayati Raj Institutions. District Level Officers, Block Level Officers and Village Level functionaries of 11 Departments have been made accountable to Zila Parishad, Panchayat Samiti and Grama Panchayat respectively for implementation of subjects/ schemes transferred to PRIs. They will place plan and schemes for discussion and approval in the meeting of the respective level of PRI.<sup>12</sup>

The state level consultations reflect that although to achieve the devolution of functions, funds and functionaries for PRIs in state, the erstwhile Panchayat Raj and Rural Development Department took considerable steps in 2003 Order No. 6886/PS dated 4.7.2003, for accountability at the appropriate level and devolution of functions and functionaries of various Departments to Panchayati Raj Institutions which got restricted to policy.

During the visit of Union Minister of Panchayati Raj to Orissa in October, 2005, Activity Map for 21 activities of 9 Departments was released and Notification No. I-PS-1/05- 8430/PR dated 25th October, 2005 was issued by the Chief Secretary and Chief Development Commissioner. Subsequently, individual Departments have issued orders in October/November, 2005 operationalising the Activity Mapping.

The capacity and manpower of panchayats has been a big challenge for the state to take steps towards implementation of devolution. As suggested during the primary discussions, majority rural population of the state isn't equipped to exercise such powers as may be vested on them. Therefore, the state has tried to go for practice of 'Doable Devolution' to achieve efficacy.

<sup>12</sup> [http://www.odishapanchayat.gov.in/English/Pdf/G\\_EngFeb2016-17.pdf](http://www.odishapanchayat.gov.in/English/Pdf/G_EngFeb2016-17.pdf)

## Devolution of Functions

**Table 10: Status of Devolution of Functions to PRIs; Odisha**

S. No	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
1.	Health & Family Welfare	<ul style="list-style-type: none"> <li>President, Zila Parishad can visit primary health centers, send his recommendation to the Head of the Department. President, Z.P can report about performance of the Chief District Medical</li> <li>Officer to the Head of the Department for appropriate action.</li> <li>President, Zila Parishad will sanction casual leave of Chief District Medical Officer</li> </ul>	<ul style="list-style-type: none"> <li>The doctors of Primary health centers/hospitals will remain accountable to the Panchayat Samiti for health and family welfare schemes. Chairman, Panchayat Samiti can visit primary health centers/hospitals</li> <li>The casual leave of only Medical Officer in charge of PHC/Hospitals will be sanctioned by the Chairman of Panchayat Samiti</li> <li>As and where necessary, report of the Chairman, PS regarding attendance of doctors will be sent Chief District Medical Officer and E.O. of Z.P. for appropriate action</li> </ul>	<ul style="list-style-type: none"> <li>Village Health Workers and ANMs will attend Gram Panchayat meeting and will remain accountable to Gram Panchayat for activities at the village level.</li> <li>Sarpanch/Naib-Sarpanch whosoever is a woman will be competent to sanction casual leave to Village Health Worker/A.N.M.</li> <li>As and where necessary, report of Sarpanch/ Naib Sarpanch whosoever is a woman regarding attendance of Village</li> <li>Health Workers and A.N.M will be sent to the Medical Officer of the PHC/Hospital and Chairman, Panchayat Samiti for appropriate action</li> </ul>

2	School and Mass Education Department	<ul style="list-style-type: none"> <li>President, Z.P will sanction casual leave of Circle Inspector/District Inspector of Schools.</li> <li>Suggestions and report of the President, Z.P will be considered by the Head of the Department promptly and remedial measures will be taken</li> </ul>	<ul style="list-style-type: none"> <li>Monitor primary education, adult education and nonformal education</li> <li>Chairman, Panchayat Samiti can visit the Primary Schools, nonformal education and adult education centers</li> </ul>	<ul style="list-style-type: none"> <li>Sarpanch can visit the Primary Schools, nonformal education and adult education centers</li> <li>The Sarpanch of the Gram Panchayat will sanction Casual leave of only Headmaster-incharge Headmaster of Primary schools.</li> <li>Sarpanch can verify the attendance of teachers and they can report about absence of teachers. Such report will be enquired and appropriate action will be taken on the report of the Sarpanch</li> </ul>
S. No	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
3.	Women and Child Development	<ul style="list-style-type: none"> <li>President, Zila Parishad will sanction casual leave of District Social Welfare Officer.</li> <li>Report of President, Z.P regarding performance of duties by the District Social Welfare Officer will be given due weightage by the Head of the Department</li> </ul>	<ul style="list-style-type: none"> <li>Monitor all social security programmes and mid-day meal</li> <li>Chairman/Vice-Chairman whosoever is a woman will sanction casual leave of CDPO.</li> <li>The suggestions regarding smooth implementation of social security scheme and mid-day meal programme and performance of duties by the C.D.P.O and S.E.O will be sent to the Executive Officer of Zila Parishad and District Social Welfare Officer for appropriate action</li> </ul>	<ul style="list-style-type: none"> <li>Monitor and supervise implementation of schemes</li> <li>Monitor attendance of anganwadis and report Sarpanch/Naib-Sarpanch whosoever is a woman will send report about attendance of Anganwadi Worker and such report will be considered by the C.D.P.O and appropriate action will be taken</li> </ul>

Source: State Level Consultations **Devolution of**

## Functionaries

**Table 11: Devolution of Functionaries to PRIs; Odisha**

S. No	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
1	Health & Family Welfare	<ul style="list-style-type: none"> <li>Chief District Medical Officer will remain accountable to Zila Parishad for health and family welfare schemes</li> <li>Z.P can report about performance of the Chief District Medical Officer to the Head of the Department for appropriate action. President, Zila Parishad will sanction casual leave of Chief District Medical Officer</li> </ul>	<ul style="list-style-type: none"> <li>The doctors of Primary health centers/hospitals will remain accountable to the Panchayat Samiti for health and family welfare schemes The casual leave of only Medical Officer in charge of PHC/Hospitals will be sanctioned by the Chairman of P.S.</li> </ul>	<ul style="list-style-type: none"> <li>Village Health Workers and ANMs will attend Grama Panchayat meeting and will remain accountable to Grama Panchayat for activities at the village level.</li> </ul>

S. No	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
2	Women and Child Development	<ul style="list-style-type: none"> <li>District Social Welfare Officer will remain accountable to the Zila Parishad for social security schemes and mid-day meal programme.</li> <li>President, Zila Parishad will sanction casual leave of District Social Welfare Officer</li> </ul>	<ul style="list-style-type: none"> <li>Child Development Project Officer and Social Education Organiser will remain accountable to the Panchayat Samiti for social security schemes and midday meal programme Chairman/Vice-Chairman whosoever is a woman will sanction casual leave of CDPO.</li> </ul>	

3.	School and Mass Education	<ul style="list-style-type: none"> <li>• Circle Inspector/District Inspector of Schools will be accountable to Zila Parishad for activities relating to primary education, non-formal education and adult education in the district President, Z.P will sanction casual leave of C.I./D.I of Schools.</li> <li>• Transfer- A committee comprising President, Zila Parishad, Executive Officer, Zila Parishad and C.I of Schools/D.I of Schools will take decision regarding inter Block transfer of Primary School teachers within the Educational District.</li> </ul>	<p>□ Sub-Inspector of Schools will be accountable to the Panchayat Samiti for activities relating to primary education, adult education and non-formal education. He will help BDO in withdrawal and disbursement of salary of primary school teachers Chairman, BDO and D.I of Schools will make transfer of primary school teachers within the Panchayat Samiti and limits of Educational District. The recommendations of the Sarpanches will be given due weightage for transfer within the Panchayat Samiti and the request will be sent to Zila Parishad</p>	<p>□ The Sarpanch of the G.P. will sanction Casual leave of only Headmaster-in-charge Headmaster of Primary schools</p>
<b>S. No</b>	<b>Department</b>	<b>Zila Level</b>	<b>Panchayat Samiti Level</b>	<b>Gram Panchayat Level</b>



4.	Rural Development	<p>□ Executive Engineer/Assistant Engineer, RWSS will remain accountable to the Zila Parishad for drinking water and sanitation programme. President, Zila Parishad will sanction casual leave of the Executive Engineer, RWSS. President, ZP will visit the works executed by the Executive Engineer/Assistant Engineer, RWSS. He can send a report regarding performance of the Executive Engineer/Assistant Engineer to the Head of the Department who will take appropriate action thereon.</p>	<p>□ Junior Engineers, RWSS will remain accountable to the Panchayat Samiti for drinking water and sanitation schemes. Report of the Chairman, Panchayat Samiti regarding performance of duties by the Assistant Engineer and Junior Engineer will be sent to the Executive Officer, Z.P and Executive Engineer, RWSS for appropriate action.</p>	
5.	Panchayati Raj Department		<p>□ Block Development Officer, Addl. Block Development Officer, Assistant Engineer and all Extension Officers of different Departments will remain accountable to the Panchayat Samiti for works entrusted to them. Chairman of Panchayat Samiti will sanction casual leave of BDO. Casual leave of all other officers working in the Block shall be sanctioned by B.D.O.</p>	<p>□ Sarpanch will send report regarding attendance of Village Level Worker which will be duly considered by the Chairman, Panchayat Samiti and B.D.O.</p>

Source: State Level Consultations

### Devolution of Funds

Primary information collected during consultations illustrates absence of Panchayat window in the budget heads of the eleven state departments which have taken steps towards functions

transfer. Therefore, the dominant section of funds is made available from the central and state schemes.

### State Finance Commission

The 4<sup>th</sup> State Finance Commission submitted its report to the Government in September 2014 and in February 2015, the Action Taken Report (ATR) on Recommendations of 4<sup>th</sup> SFC was taken up.

#### Devolution:

- The recommended devolution amounts are Rs 1852.95 crore to GPs, Rs 498.15 crore to Panchayat Samitis and Rs 117.75 crore to Zila Panchayats during the period 2015-20 in the ratio 75:20:5.
- Twenty per cent extra provision for GPs under TSP areas.
- The devolved fund should be utilized by the Local bodies in areas of health services, primary education, anganwadi, children parks and other similar development initiatives.

Amongst the Financial recommendations:

- 3% of the net tax revenue of the state is to be distributed amongst PRIs and ULBs in the ratio 75:25
- The total transfer limit of funds to local bodies is to be 10% of State's net divisible pool of tax
- The devolved fund is the right of local bodies and is to be used as per their own priority and decision
- Inter-se distribution of funds amongst three tiers is to be in ratio – 75:20:05 Transfer to Local Bodies for 2015-2020 (In Crores) in the order Gram Panchayat: Panchayat Samiti: Zila Parishad
- For maintenance of capital assets, once created under different schemes, a sum of Rs.330.94 crore is recommended for all the GPs out of state resources to maintain village assets during award period.
- Funds have been recommended for this purpose of creating assets for enhancing own sources of the panchayats by generating rent, lease value, license fees could be good investments. The total in this regard at the rate of Rs.10.00 lakh per Panchayat is Rs.622.70 crore to be met from State resources.
- To encourage competition amongst GPs, two GPs in every Panchayat Samiti will be rewarded with the rider if increase in revenue is minimum 20% over the previous year's. Commission recommends an amount of Rs.75.36 crore at the rate of Rs.3.00 lakhs per panchayat.

**Table 12: Fund allocations to PRIs in Odisha (2015-20)**

Distribution Head (in Lakhs)	2015-16	2016-17	2017-18	2018-19	2019-20	2015-20
<b>Devolution</b>	493.77	493.77	493.77	493.77	493.77	2,468.85

<b>Assignment of Taxes</b>	438.31	539.60	620.16	672.84	730.79	3,001.70
<b>Grants-In Aid</b>	290.05	368.43	455.12	539.20	581.72	2,234.52
<b>Total</b>	<b>1,222.13</b>	<b>1,347.8</b>	<b>1,569.05</b>	<b>1,705.81</b>	<b>1,809.28</b>	<b>7,705.07</b>

Source: Stakeholder Discussions

### Fourteenth Finance Commission

Money to be commissioned to PRIs under FFC:

**Table 13: FFC Grant Share to GPs ; Odisha**

Distribution Head (in Lakhs)	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Basic Grant Share</b>	955.52	1,323.09	1,528.71	1,768.44	2,389.54
<b>Performance Grant Share</b>		173.55	196.40	223.04	292.05
<b>Total</b>	955.52	1,496.64	1,725.11	1,991.48	2,681.59

Source: FFC State wise Basic Grant and Performance Grant Report

### 3.3.3 Innovations

#### Gram Panchayat Minimalistic Plan

GP minimalistic plan focusses on the core sectors to bring in people's development. Includes health, education, livelihoods, drinking water and sanitation, poverty, roads and transportation, food and nutrition etc. The genesis of the idea is to trigger development from below rather than the usual top-down effect. In the GP planning process, participation is ensured from the village community, representatives from various departments and elected representatives of Panchayati Raj. With the resource envelope now available at GP level, for judicious utilization of the resources, a GP is required to identify the felt needs of people, prioritize them, map the resources and prepare suitable plan and projects and allocate resources judiciously based on intensive participatory planning at local level (User's Manual for GP Minimalistic Plan).

### 3.4 Rajasthan

Rajasthan's Panchayati Raj Act was passed on 23-4-1994 pursuant to the 73rd Amendment Act, 1992. This came into effect on April 23, 1994. Certain important amendments were made in 1999, 2000 and 2004. Whereas the state witnessed a series of reforms in terms of local governance in the year 2010 with complete devolution of functions, functionaries and financial resources with PRIs. The state government identified five departments in synchronization with rural priority needs including social welfare, agriculture, education, health and medi-care and drinking water and sanitation. Accordingly, inter-department and intradepartment consultations were carried forward to make rural institutions autonomous.

Although post-2010, the state did accomplish a devolution insight in policy, it had a long way to go before achieving the devolved. The face value accredited to the devolution status in the state did categorize it as a committed entity towards decentralization. Efforts were made are still being pursued to establish an efficient model of Panchayati Raj.

#### 3.4.1 PRI Structure

Three – tiered structure of governing local bodies is followed in Rajasthan. The last elections were conducted by the state in 2015. Composition level and numerical strength is presented in below graphic.

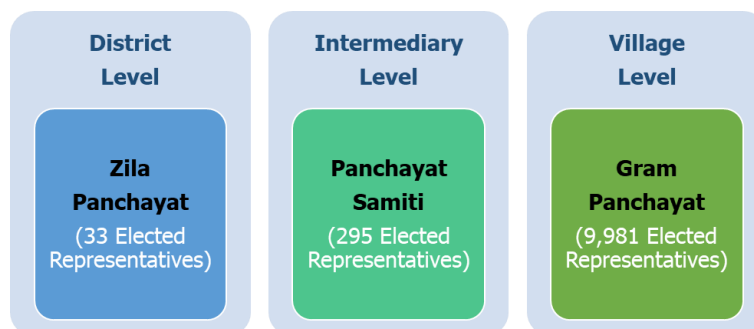


Figure 13: PRI Structure in Rajasthan

Source: State Level Consultation

#### 3.4.2 Devolution of 3Fs; Indicator Matrix

Although the state had devolved the functions for all 29 subjects mentioned in the 11th schedule of the constitution, the funds and functionaries remained under the ambit of parent departments. A series of reforms took shape in the context of PRIs in Rajasthan during year 2000, 2003 and 2008. Pioneering devolution policy was framed by the departments in Rajasthan in 2010. Complete transference i.e. functions, funds and functionaries were placed under the local institutions. This did earn the state an overall space in achieving devolution in true spirit. However, current devolution status speaks a different story suggestive of actual control slipping back to parent departments with policies existing only on paper. The component of implementing the written word has experienced varied limitations. Reference to the above the following five subjects major large scale devolution:

- Agriculture
- Elementary Education



- Medicine and Health
- Social Justice
- Drinking water and Sanitation

## Devolution of Functions

**Table 14: Status of Devolution of Functions to PRIs; Rajasthan**

S.	Department	Zila Level No	Panchayat Samiti Level	Gram Panchayat Level
1.	Medicine and Health	<p>□ Execution, supervision and evaluation of all central health schemes</p> <p>Execution, supervision, and evaluation of all rules, orders and acts issued under medicine, health and family welfare</p> <p>Ensure community participation in all national health schemes</p> <p>Establish coordination between various departments to help in execution of varied national health schemes</p> <p>Maintain records, books, budget and audit</p> <p>Execute administrative duties</p>	<ul style="list-style-type: none"> <li>• Medicine and health services</li> <li>• Mother and child health services</li> <li>• Inspection of pregnant women and childbirth services</li> <li>• Family Welfare services</li> <li>• Health Education</li> <li>• Compilation and communication of government notices</li> <li>□ Referral services</li> <li>• Operations of NRHM</li> <li>• Basic inspection services</li> <li>• Monitoring of local dai, ASHA and other health officials</li> <li>• Monitoring and supervision of PHC, medical subcentres and reporting to parent department</li> <li>Panchayat Samiti will identify the need for new medical centers and approve the plan before taking it to Zila Parishad</li> <li>• Land selection for construction of medicine centres</li> </ul>	<ul style="list-style-type: none"> <li>• Mother and childbirth services-pre-childbirth, childbirth, and post childbirth care</li> <li>• Immunization</li> <li>• Family welfare services</li> <li>• Basic inspection services</li> <li>• Execution of all national programs at GP level</li> <li>• Prevention against seasonal diseases</li> <li>• Implementation of all health-related services with support from anganwadi worker and ASHA sahyogini</li> <li>• Implementation of all services under NRHM</li> <li>• Health awareness programmes</li> <li>• Appointment of ASHA sahyogini</li> </ul>
S.	Department	Zila Level	Panchayat Samiti Level	Gram Panchayat Level
No				

2.	Elementary Education	<ul style="list-style-type: none"> <li>• Ensure implementation, monitoring and supervision of all SSA, literacy schemes of central and state department</li> <li>• Monitoring of all district schools</li> <li>• Monitoring of all education related activities taken up by GP and Panchayat Samiti</li> <li>• Monitoring and verification of records of all teachers</li> <li>• Appointment of teachers</li> <li>• Posting and transfer Remuneration and other funds</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring and verification of records of all teachers □ Appointment of teachers</li> <li>• Posting and transfer from one Gram Panchayat to other within the block.</li> <li>• Salary and other funds Implementation, monitoring and supervision of all elementary education related schemes in block</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring and verification of records of all teachers</li> <li>• Monitoring, implementation and supervision of all elementary education related schemes in GP</li> </ul>
3.	Women and Child Development	<ul style="list-style-type: none"> <li>• Appointment of Anganwadi workers and helpers/sathin</li> <li>• Monitoring and supervision of anganwadi centres</li> <li>• Monitoring and implementation of scheme at Zila level</li> </ul>	<ul style="list-style-type: none"> <li>• Appointment of Anganwadi workers and helpers/sathin Monitoring and supervision of anganwadicentres</li> <li>• Implementation and monitoring of schemes</li> <li>• Taking up activities to check domestic violence, child marriage</li> <li>• Nutritional supply at block level</li> </ul>	<ul style="list-style-type: none"> <li>• Appointment and selection of anganwadi worker, sahayika, ASHA Sahyogini</li> <li>• Selection of land/building for anganwadi center</li> <li>• Distribution of supplementary nutrition</li> <li>• Beneficiary identification</li> <li>• Monitoring and supervision of anganwadi centres Record attendance, manage leave of anganwadi workers</li> </ul>

Source: State Level Consultations

## Devolution of Functionaries

Rajasthan state achieved an interesting breakthrough towards its devolution policy by formulating orders that assigned functionaries to PRIs by five departments. The rules for transference of functionaries are to be followed in the manner:

- It should be clarified that the staff that is being transferred to PR department shall receive no direct notice/orders from its parent department. The department head/officer shall address the notice/order which is in reference to the transferred staff to the Chief Officer/Development Officer Zila Parishad or Panchayat Samiti and expect report from them only.
- On transference, the staff will work as per the directives issued by Panchayat Institutions and parent department shall not issue any orders
- For transferred role/function, the functionary should be assigned tasks as per the previous performance or allocated work also, tasks of national importance like elections and natural disaster can also be assigned
- Immediate Controlling Authority of the devolved staff will be Panchayat institutions
- To execute all the devolved functions by the PRI, all the staff associated with it will also be considered as transferred, unless major changes are brought about in the tasks
- The officials or workers under the devolved officer/post shall also be considered transferred. In case of conflict the final decision-making authority will be PR & RD department
- Cadre Controlling Authority – Parent department will continue to function as CCA of the transferred functionary and transference of functionary from parent department to PR department and viceversa shall be carried forward in consultation with PR & RD department
- Transfer Policy:
  - 1) At GP level – For transfer of an official from one GP to another within a block, the vested authority will rest with Panchayat Samiti administration and Standing Committee
  - 2) At block level – For transfer of an official from one Panchayat Samiti to other within an district, the vested authority will rest with Zila Parishad administration and Standing Committee
  - 3) Inter-district transfers will be under the purview of parent department at state level
- In case of punitive charges or inspection, the services of official can be given back to the parent department only after permission from PR department
- Parent department cannot withdraw the services of the transferred functionary without consent of PR department
- In case of resignation/termination of services of a transferred functionary, the parent department will be responsible to make fresh appointments
- Annual Reporting and Appraisal- Reporting and Reviewing of the performance of the devolved staff will be taken by the concerned Panchayat Samiti/ development officer ZP



- Attendance and leave of the devolved functionary will be recorded and accepted by the PRI at the level

**Table 15: Status of Devolution of Functionaries to PRIs; Rajasthan**

S. No	Department	Zila Level	Panchayat Samiti Level	GP Level
1.	Medicine, Health & Family Welfare	<ul style="list-style-type: none"> <li>□ At Zila level, Chief Medicine and Health officer/additional Chief Medicine and Health Officer (Family Welfare)/Deputy Medicine and Health Officer (Family welfare/health)/ District childbirth and child health official and other functionaries in their departments will come under Zila Parishad. The annual plans will be prepared by the functionaries and approved by Zila Parishad before putting it forward with the state</li> </ul>	<ul style="list-style-type: none"> <li>• Block Chief Medical Officer and all other officials at block level, Medical officer at PHC level and other officials will function under Panchayat Samiti</li> <li>• Block Chief Medical Officer will get the annual plan approved by Panchayat Samiti</li> </ul>	<ul style="list-style-type: none"> <li>• Positioned in medicine subenters, ANM, GNM, Male health worker will report to GP</li> <li>• Schedule of ANM community visits, or leave and permission to leave ANM center will be levied only by Sarpanch, GP Sarpanch will be responsible to pay surprise visits to ANM centres and take can report a complaint against missing members If the ANM, GNM or Male health officer are not carrying out their duties efficiently, or are not present for duty then after discussion in Gram Sabha, GP will send the notice to Panchayat Samiti and Zila Parishad</li> </ul>
2.	Women and Child Development	<ul style="list-style-type: none"> <li>□ District women development cell should be a part of Zila Parishad</li> </ul>	<ul style="list-style-type: none"> <li>• Child Development</li> <li>• Project Officer and Lady Supervisor will execute all their duties under supervision and monitoring of Panchayat Samiti</li> </ul>	<ul style="list-style-type: none"> <li>□ ASHA sahayogini and anganwadi workers come under GP</li> </ul>

3.	Elementary Education Department	<ul style="list-style-type: none"> <li>• District Primary Education Officer and all its staff will function under ZilaParishad</li> <li>• All officials under SSA and other Literacy schemes will come under ZilaParishad</li> </ul>	<ul style="list-style-type: none"> <li>• Block Primary Education Officer and all its staff, the teachers of all state primary and upper primary schools will come under Panchayat Samiti</li> <li>• All officials under SSA and other Literacy schemes will come under Panchayat Samiti</li> </ul>	
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Source: State Level Consultations

### Key Observation

Here, the Devolution Policy in Rajasthan has morphed interestingly in terms of implementation. In practice, control over functionaries and fund still remains with parent department with exception to ICDS. For example, devolution with respect to primary education is only in policies and not practice. Decisions such as those related to transfer and posting, grievance management- by local community or teachers, financial management are essentially initiated and finalized by education department which is thereupon communicated to relevant PRI tier for subsequent issuance of office order/communication. Making it as a near puppet decision-making authority. Key decisions such as preparation of annual budget, related fund release, transfer and posting are still being made by parent department. Panchayat department actions such as issue of office order, transfer of fund, are totally guided by recommendations from parent department. Effectively, past devolution initiatives have turned out to be an exercise where practical control has now been reversed back to the parent company with PRI department relegated to being a just a mouthpiece for parent department.

### Financial Devolution

Rajasthan constituted its Fifth State Finance Commission in May 2015. The state interim report for 2015-16 mentions, 'We also realize that strengthening local bodies is not just about 'normative' or 'appropriate' devolution. Accountability, transparency and strong 'administrative will' together build the entire ecosystem where it is possible to translate political decentralization into financial decentralization.'

The state pool extends 7.182% of the state net own tax revenue to the local bodies which makes a total of Rs 2457.13 crore for PRI.

**Table 16: Fund Allocations to PRIs 2015-16; Rajasthan**

Share of Panchayati Raj Institutions from total transfer of funds during 2015-16	<b>2,457.13</b>
85% funds for basic and development functions	2,088.56
10% grants for improvement in standards of administration and national priority schemes	245.71

5% incentive grant for performance					122.86
Particulars	Tier level Distribution %	Funds for Basic development functions (85%)	Grants for improvement in standards of administration and national priority schemes (10%)	Incentive grant for performance (5%)	Total
<b>Zila Parishad</b>	5	104.43	12.29	6.14	122.86
<b>Panchayat Samities</b>	15	313.28	36.85	18.44	368.57
<b>Gram Panchayats</b>	80	1670.85	196.57	98.28	1,965.70
<b>Total</b>	100	2,088.56	245.71	122.86	2,457.13

Source: State Level Consultation

### Distribution among PRIs

Incentive Grants to PRIs – As per the Fifth SFC, release of this grant is to be made on fulfillment of any of the following functions:

1. Maintenance of accounts of income and expenditure
2. Maintenance of records including Asset register
3. Increase in Own revenue over previous year
4. Completion of enrollment and distribution of 'Bhamashah Card' to all eligible people

The interim Fifth State Finance Commission report (2016-17) has proposed to revise the distribution percentage for expenditure heads under local bodies to be:

- Basic and development functions – 55%
- National/ State priority schemes to support the quality of civic services – 40%
- Incentives – 5%

## Fourteenth Finance Commission Grant

The FFC grant to the state would be of following nature between 2015-2020:

Note: Amount in Rs. Crore

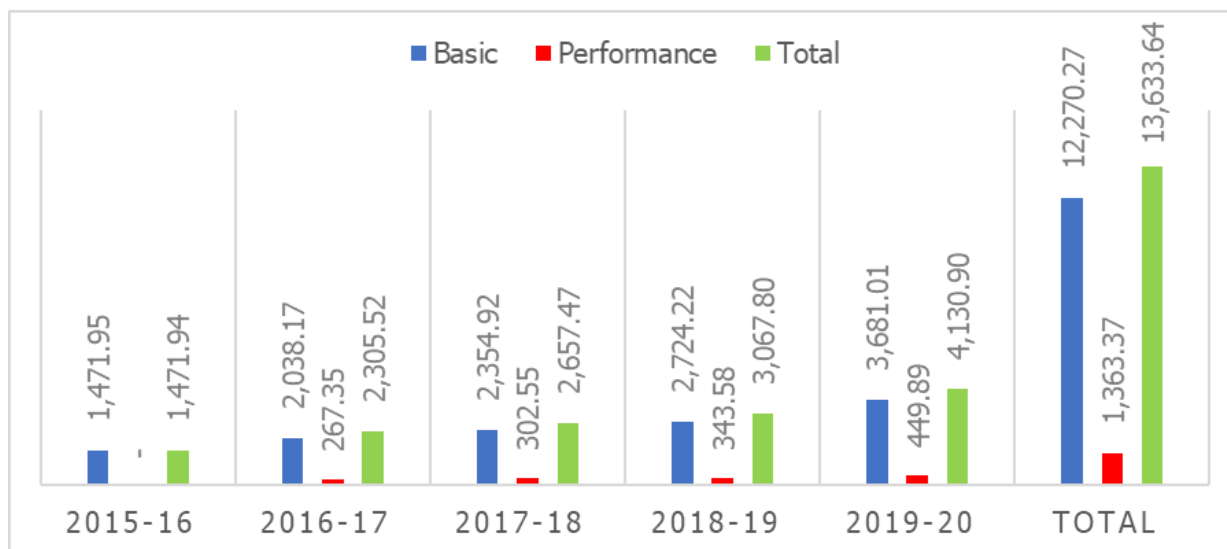


Figure 14: FFC Grant to GPs; Rajasthan

Source: State Level Consultations

### 3.4.3 Innovations

Devolution in practice, per se in the state of Rajasthan finds itself far distanced with the contents of the policy. The narrative although differs for different departments. Rajasthan state has once been glorified for devising impactful policies for attainment of decentralized functioning. The model of governance narrated post 2013-14 amendments has immensely contributed to the ideal devolutionary methods.

Going by the Gram Panchayat Development Plan (GPDP) guidelines released by FFC in the context of of fund utilization the state has adopted that from the FFC basic grant available to GPs, 40% should be utilized in social development and 60% in infrastructure development.

## 4. DEVOLUTION OF 3Fs IN JHARKHAND

Under the 73<sup>rd</sup> CAA, 11<sup>th</sup> schedule of Article 243 (G), PRIs are to be equipped with powers and responsibilities pertaining to 29 subjects to be able to deliver to economic development and social justice. Subsequently, the Jharkhand Panchayati Raj Act, 2001 under the article 75, 76 and 77 extends such powers and functions to the Gram Panchayat, Panchayat Samiti and Zila Parishad. Concerted efforts have been made by the state since to devolve the 3Fs i.e. Funds, Functions and Functionaries to the local self-governance units. The first series of events were initiated towards devolution in 2013 followed by 2014. Primary findings from state level consultation is presented below.

### 4.1 PRI Structure

After the enactment of JPRA in 2001, the elections in the state were first held in 2010 and then later in 2015. Three – tiered structure of governing local bodies is followed in Jharkhand:

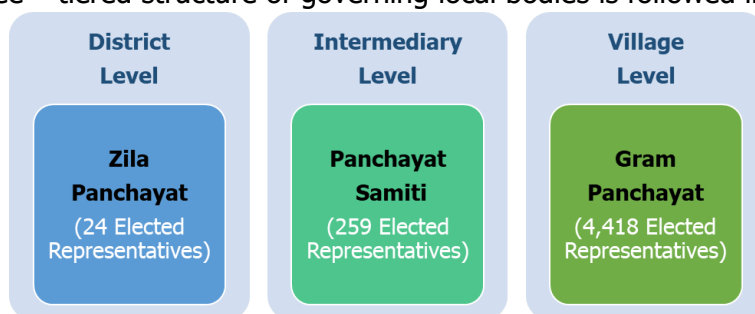


Figure 15: PRI Structure in Jharkhand

Source: State Level Consultation

### 4.2 Devolution of 3Fs

As per the constitutional guidelines and the JPRA, the Panchayat and Rural Development Department issued certain orders in 2013-14 to 9 state departments including Health, Medicinal Education and Family Welfare Department; Social Welfare, Women and Child Development Department; Drinking Water and Cleanliness Department; Water Resources and Human Resource Development Department (Primary Education). Under the scope of assessment of the current study, we are to look at the devolution status and possibilities of Funds, Functions and Functionaries for the following departments:

- MGNREGA
- ICDS; Social Welfare, Women and Child Development
- Primary Education
- Drinking Water and Sanitation
- Health and Family Welfare

## Devolution Status

### MGNREGA

The State Level Consultations which included in-depth interviews with the line department heads and department consultants enable to identify the current roles and functions of Gram Panchayats, Panchayat Samitis and Zila Parishads.

**Table 17: Functions of PRIs w.r.t MGNREGA; Jharkhand**

Zila Level	Panchayat Samiti Level	Gram Panchayat Level
	<ul style="list-style-type: none"> <li>• Main Implementation agency of MGNREGA</li> <li>• Review all the monthly reports of the on-going work</li> <li>• Review and Monitor Rozgar Sewaks</li> </ul>	<ul style="list-style-type: none"> <li>• Planning of activities such as construction of roads, bridges, buildings etc to be done at village level</li> <li>• Monthly monitoring report of the on-going works to be prepared at GP and submitted to Block</li> <li>• Work Order to be prepared by panchayats</li> <li>• Monthly reporting of Rozgar Sewak to BDO</li> </ul>

Source: State Level Consultations

### Devolution of Functionaries

- The Rozgar Sewak is positioned with the GP
- Monitoring and Reporting of Rozgar Sewak is to be done by BDO
- Mukhiya is to be a signatory to the monthly report of Rozgar Sewak for the release of his salary
- Junior Technical Assistant is placed with a cluster of Panchayats (around 20) and has to report to the Panchayat Samiti

### Devolution of Funds

- All the funds such as salaries and reimbursements of all officials and workers with MGNREGA are electronically transferred
- Post Planning of all activities that are to be carried out under MGNREGA, the funds are transferred electronically

## Learnings and Insights

- A top-bottom approach is practiced informing the public on the initiatives to be taken under MGNREGA in the yearly plan therefore missing out on the real needs of the people
- All the communications/notices issued do not reach panchayats in real-time and witness immense delay thus negotiating with the works of panchayats
- The Gram Panchayat Karyakari Samiti (parallel body) is nodal in planning the MGNREGA works, identification of beneficiaries and monitoring. GP works in close coordination with the Karyakari Samiti to monitor MGNREGA.

## Human Resource Development Department – Primary Education Directorate

In concern with the Department of Primary Education and the role of panchayats several Government Orders have been issued by the department to define the functions, functionaries and funds for panchayats vis-avis primary education. Following the GO issued by Panchayat and Rural Development Department on 16.2.2013, in terms of devolution, another GO was issued on 5.9.2013 by the Primary Education Directorate to lay down clear orders on the devolution to panchayats. Also, subsequently in 29.12.2016, Order No. JFFC/2200 was issued reinforcing the functions and funds to be utilized by the Gram Panchayat to help improvise the implementation of RTE 2009.

## Devolution of Functions

**Table 18: Functions of PRIs w.r.t Primary Education; Jharkhand**

At Zila Level	At Panchayat Samiti Level	At Gram Panchayat Level
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<ul style="list-style-type: none"> <li>• Planning around SSA scheme at district level</li> <li>• Would address the issues highlighted at Social Audit and monitor all activities related to primary education, SSA and other literacy schemes</li> <li>• Can plan on expenditures of such funds as may be provided by the department.</li> <li>• Will monitor the schools in the panchayat and submit the report to the department official to take such actions as may be required</li> </ul>	<ul style="list-style-type: none"> <li>• At the Block level, with the help of SSA office in the block, will help in compilation of enrolled students and also contribute in planning the SSA scheme implementation at Block level</li> <li>• Would constantly monitor the progress of SSA and other education schemes</li> <li>• Would identify such areas where school facilities are not available and take up such planning activities to ensure education to such areas</li> <li>• Organize awareness and community meetings with SMCs etc to reduce dropouts</li> <li>• Will monitor the schools in the Block and submit the report to the department official to take such actions as may be required</li> </ul>	<ul style="list-style-type: none"> <li>• Needs to prepare and update a data base on the registered number of teachers, students, the cooks for the mid-day meal of the school and also monitor and record the structure and the Logistics</li> <li>• Will support the SMCs in planning and also help in land selection for constructions. Would also monitor the construction and repair of school buildings</li> <li>• Ensure enrollment of all and organize and participate in such community meetings to reduce the Dropouts</li> <li>• Would help in identification of beneficiaries for scholarships and also ensure distribution of books and uniforms with support to SMCs</li> <li>• Monitor the regular supply and quality of Mid-day meals</li> <li>• Ensure carrying out the Social Audit for SSA and other such literacy programmes.</li> <li>• Will monitor the schools in the panchayat and submit the report to the department official to take such actions as may be required</li> </ul>
		<p>□ The Mukhiya can submit reports on disciplinary matters against school teachers, headmaster etc to the District Education Officer</p>

Source: State Level Consultations



## Devolution of Functionaries

**Table 19: Devolution of Functionaries w.r.t Primary Education to PRIs; Jharkhand**

At Zila Level	At Block Level	At Gram Panchayat Level
<ul style="list-style-type: none"> <li>• District Education Officer and Subdivision Officer will function under the Zila Parishad, participate in meetings of Zila Parishad</li> <li>• For casual leaves and other permits such as leaving the office premises, will take permission from Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Block Education Officer will function under Panchayat Samiti and will participate in all its meetings</li> <li>• For casual leaves and other permits such as leaving the office premises, will take permission from Sachiv, Panchayat Samiti</li> </ul>	<ul style="list-style-type: none"> <li>• For Primary and Middle Schools, the teachers and the Headmasters will function under the Gram Panchayat and will take permission from Mukhiya for casual leave and to leave premises</li> <li>• All the para teachers will fall under direct authority of GP and will perform their functions under GP</li> </ul>

Source: State Level Consultations

## Devolution of Funds

Gram Panchayat will support and monitor the funds as provided with School Management Committees and ensure transparent utilization of the money. In case of discrepancy, they will report to the department officers.

## Social Welfare, Women and Child Development Department

Following the Government Orders issued in 2012, certain functions, functionaries and funds have been made available by the department in consonance with national Integrated Child Development Scheme (ICDS). These include –

**Table 20: Roles of PRIs w.r.t ICDS; Jharkhand**

At Zila Level	At Block Level	At Gram Panchayat Level
<ul style="list-style-type: none"> <li>☐ To monitor the construction, repair and beautification of anganwadi centres</li> <li>☐ Payment to Sevika and Sahayika after the report is submitted by Lady Supervisor</li> </ul>	<ul style="list-style-type: none"> <li>☐ To monitor and supervise the functioning of the anganwadi centres</li> <li>☐ To participate and ensure selection of Sevika and Sahayika</li> <li>☐ Identify such areas where anganwadis need to be constructed</li> </ul>	<ul style="list-style-type: none"> <li>☐ To monitor and ensure timely opening of anganwadi centres and their regular functioning and in terms of irregularity will submit the report to ICDS department along with recommendations.</li> </ul>
	<ul style="list-style-type: none"> <li>☐ Monitor and report such anganwadis which need</li> </ul>	<ul style="list-style-type: none"> <li>☐ It will supervise the process of selection of beneficiaries done by sevika and or sahayika</li> </ul>

	<p style="text-align: center;">maintenance and repair</p>	<ul style="list-style-type: none"> <li>□ Will contribute in ensuring regular presence of sevikas and sahayikas in anganwadi centres</li> <li>□ Will ensure the quality and distribution of the Nutrition Supplements under the scheme</li> <li>□ Will be present around on Village Immunization and Health Nutrition Day to support</li> <li>□ Will participate in community awareness programmes organized</li> <li>□ Land identification for health- centers is to be done by panchayats and the construction is to be monitored</li> </ul>
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Source: State Level Consultations

### Devolution of Functionaries

- Selection of Sevika and Sahayika is done at the Gram Sabla level (followed since GO- 585, dated: 02-06-2006). After a list of eligible candidates for the position is made, a committee comprising of the ANM, Mukhiya, Lady Supervisor, Headmaster is constituted, who do the selection of candidate.

### Devolution of Funds

- Zila Parishad will be made available of such funds as will be required in construction, maintenance and beautification of anganwadi centers. In support from Panchayat Samiti, the Zila Parishad will identify such areas where there is a need for construction of anganwadis and monitor on the repair and maintenance of others.

### Health, Medicine and Family Welfare Department

## Devolution of Functions

**Table 21: Roles of PRIs w.r.t Health Department; Jharkhand**

At Zila Level	At Block Level	At Gram Panchayat Level
<ul style="list-style-type: none"> <li>□ Recommend state for opening of new hospitals at suitable location in district</li> <li>□ Identification of land for construction of District Hospital and other district level health infrastructure</li> <li>□ Facilitate identification of rental space District level planning, IEC activities for implementation of national health programmes</li> <li>□ Identification of beneficiaries Supervision of various health workers working at district level</li> </ul>	<ul style="list-style-type: none"> <li>□ Identification of land for construction of PHC/CHC with cooperation of MOIC/ revenue officials</li> <li>□ Maintenance of Asset Register</li> <li>□ Facilitate rental space, if required</li> <li>□ Block level planning, IEC activities for implementation of schemes</li> <li>□ Identification of beneficiaries</li> <li>□ Supervision/distribution of various items, materials, assistance to approved beneficiaries</li> <li>□ Supervision of Block/ PHC/CHC level health workers</li> </ul>	<ul style="list-style-type: none"> <li>• The GP needs to participate in identification of suitable land for construction of health sub-centers</li> <li>• Supervision of village health level worker, ANM and Sahiyas</li> <li>• Beneficiaries identification for the scheme</li> <li>• Engage in preparatory activities and IEC with the VHSNC committee for carrying out successful implementation</li> <li>• The GP is to participate in preparation and approval of GP level health plan through support of VHSNC Committee</li> </ul>

Source: State Level Consultations

## Devolution of Functionaries

**Table 22: Devolution of Functionaries to PRIs w.r.t Health Department; Jharkhand**

At Zila Level	At Block Level	At Gram Panchayat Level
<ul style="list-style-type: none"> <li>• Monitoring the functioning/ performance and attendance of health functionaries at district level and to report the same to District Collector/Civil Surgeon</li> <li>• May suggest transfer of health functionaries</li> </ul>	<ul style="list-style-type: none"> <li>□ Monitor the performance and attendance of the health functionaries at block level and report to district authorities</li> </ul>	<ul style="list-style-type: none"> <li>□ Monitoring and supervision of health functionaries of sub center</li> </ul>

within district to DHC		
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Source: State Level Consultations

## Devolution of Funds

The health committee headed by Mukhiya at the sub-center level receives Rs.10000 as untied fund and annual maintenance grant for sub-center. Also, the GP is to monitor the expenditure made through VHSNC.

### 4.3 Primary Findings from Block and District Visit

#### West Singbhum

Nestled among the lush greens, West Singbhum district of Jharkhand falls under Kolhan Division and is a tribal dominated region. Thus, a PESA area. Traditionally the Hos, Bhumijis, Santhals, Bhuiyas, Oraons, Mundas and Gonds part a majority to the tribal populace. The district forms the southern area of Chhotanagpur plateau and is hilly land. The district headquarter being Chaibasa, West Singbhum is divided into three sub-divisions, eighteen community development blocks and 216 Gram Panchayats. As per the scope of study, the research team visited Jhinkpani block to carry out primary discussions.

#### General Functioning and Participation

To start with, to develop a general understanding on the nature of Panchayats, the roles they are exerting and the resources under them; the BDO explained the current status. Panchayats in Jhinkpani block have developed a fair understanding on their functions and role. Gram Sabha is organized at regular intervals as per the need of public affairs, more than twice a year. Participation in GS is ensured by presence of the traditional community leader, Munda. Munda's authority upholds lot of significance in overall functioning of the GP.

#### Standing Committees

Although, constitutionally under the JPRA Act 2001, a provision to have Standing Committees at all three levels of rural local governance are to be formed, the process is still going on. Formation of Standing Committees has happened with Mukhiya as a part of it but they are not in regular functioning. Standing Committee meetings have been held only twice at maximum for a few GPs. Committees on education and environment, women and child development, agriculture, infrastructure, health, vigilance, village estate and social justice are to be spearheaded in the PRI system.

## Devolution of Functions

**Education:** The department of School Education has extended certain functions to the GPs, basically in terms of Monitoring. They can be put as:

- Signing of absentee for Primary teachers
- Maintaining a record of teacher's presence in classroom
- The salary of teachers is released at the Block level only after Mukhiya's signature on the register, every month
- Matters concerning disciplinary action

**Women and Child Development:** In association with the women and child care department:

- The selection of sevika or sahayika is carried out by a committee of which Mukhiya is a part □ Show cause notice is issued by Mukhiya if any sevika or sahayika fails to attend the GS meeting
- There is minimum role of Mukhiya in maintaining the regular attendance of the sevika or sahayika. The Lady Supervisor at Block is mainly responsible for their attendance but Mukhiya can inform the Lady Supervisor in case of regulated absenteeism or any other disciplinary problem
- Land identification for health- centers is to be done by panchayats and the construction is to be monitored

**Health:** Minimalistic approach in terms of devolution has been adopted by the health department. The Block Medical Officer In-Charge explained:

- The holiday, leave and absenteeism of the ANM is to be granted and maintained by the GP.
- All the monitoring and supervision of ANMs work is done by the Block. No role is played by the panchayats at any level related to the supervision of work of the medical line department functionaries
- Leave of Medical Officer is sanctioned by the BDO

## Devolution of Functionaries

Minimalistic areas of associations are found to exist between the members of the line departments at each level and the panchayat institutions. From the WCD department, the sahayika working in panchayats is partially monitored by the GP. Also, the teacher's appointment and monitoring, is to be carried out by the panchayats but it isn't practiced. Largely all the line department deputed at the panchayat level, are monitored and issued remuneration by their in-line in charges only. Although panchayats are to monitor their work, there is by no means any complaints that have been made by the same.

## Financial Devolution

In terms of financials, not much as a window creak has been extended to panchayat institutions in tunes to the line-departments.

## **Planning**

Jharkhand was one of the first states to issue contextualized GPDP guidelines issued by central government, formerly. Therefore, planning and budgeting process has been carried out by panchayats. The process initiated with conducting training of panchayat elected representatives and ward members and panchayat volunteers (sachivalaya swayamsewak). Extensive exercise and discussions at Gram Sabha level were carried out. The planning collectively done at the village level thereof, is accumulated and built upon at the Block level i.e. Panchayat Samiti and then further taken to the Zila. The development plans prepared and accepted have been uploaded on the PES unit Plan Plus.

## **Accounts and Audit**

The audit of panchayat funds is carried out by C &AG and Local Fund audit, by the state government. Although, the panchayats are aware about the online software PRIASoft, it is not in extensive usage, primarily because there is one technical Computer Operator in 5 panchayats usually and he, because of disruptions in internet availability in panchayats usually sits in the block.

Thus, both human resource and infrastructure are in dearth here. Additionally, the Panchayat Sachiv is usually given the duty to prepare and update the account records but as its done manually and there is no help for the Sachiv, s/he is usually overburdened.

## **Capacity Building and Training**

Trainings of the elected representatives at three levels are being organized from time to time. Post elections, the orientation trainings were conducted to equip the elected representatives with their duties and powers.

Post that, from time to time, theme based trainings are carried out on various center and state schemes, the FFC, GPDP etc.

## **E-connectivity**

At the block and the district level, the infrastructure and the technical resources have been made available by the state to take Panchayats online. Under the Digital India initiative, all the information on Jharkhand Panchayats, the details of elected representatives, GP plans and accounts etc, all are being uploaded on the internet.

## **Deoghar**

Part of the Santhal Paragna Administrative Division, Deoghar is one of the 24 districts of Jharkhand, formed in 1983. Spread over an area of 2479 sq km, the district comprises of 10 blocks. Occupied mostly by the Hindu populace, Deoghar is the non-PESA area selected to understand the status of devolution of 3Fs. The research team visited Sarwan block in the district to carry forward in-depth discussions.

## **General Functioning and Participation**

General body meetings at GS level are organized regularly, at least twice a year. The quorum of the meeting is met. Mostly, the meetings are held more than twice a year at shorter intervals as and when need is felt.

## Standing Committees

Although the Committees have been formed, the meetings are not called upon regularly. Also, there is limited understanding in terms with the roles and functioning of the Standing Committees. **Planning**

As per the GPDP guidelines issued, participative planning exercises are being carried out in panchayats.

## Accounts and Audit

The Local Fund audit and the C & AG auditing is annually carried forward. Although systems have been put in place for PRIA Soft online software for maintenance of books, regular upgradation is difficult due to lesser number of qualified human resource within.

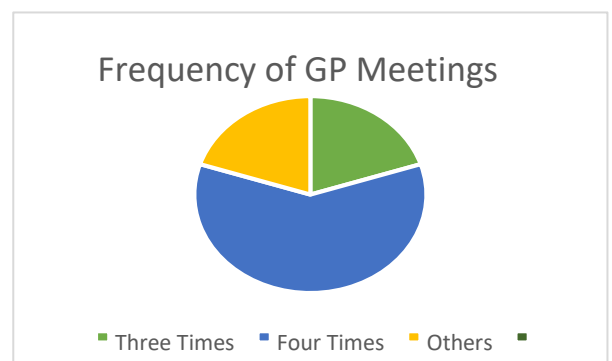
## 4.4 Primary Findings from Gram Panchayat

### 1. Meetings and Participation

Alongside, the pie indicates the frequency of meetings the Gram Panchayat in a year. Out of the ten panchayats, two have the meeting at least thrice, six have the meetings four times a year and the rest As per the data, the meetings are organized regularly, at least more than two times a year and the maximum number of meetings is four.

The records of the minutes of the meetings are maintained mostly by the Panchayat Secretary i.e. in eight panchayats and in two panchayats in PESA area, the Mukhiya maintains the panchayat meeting minutes. While in the non-PESA area, it has been mentioned that regular panchayats are organized, in the PESA region, Lack of Interest has been identified as the most prominent reason for irregular meetings.

Overall, the Gram Sabha is organized around four times in a year wherein the discussions revolve around the broad themes of health, education, infrastructure, MGNREGA, water and sanitation and the pension schemes. In the panchayat meetings participation is witnessed from the government, semi-government and Panchayat members, specifically the teachers, Headmaster, anganwadi sevikas, ANM, Rozgar Sevak, Village Level Workers etc.



**Figure 16: Gram Panchayat Meetings**

Source: Primary Data; Reflective of (%) of frequency of meetings organized by GPs

Records of GS meetings organized at the village level along with the reports of other development schemes are maintained regularly by most of the panchayats.

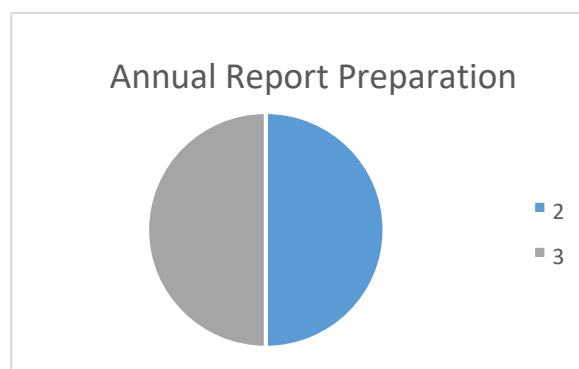
Table 23: Maintenance of Records by GPs	
Maintenance of financial and other records/reports of development scheme	GPs
Yes	8
No	2
Total	10

Source: Primary Data; Reflective of overall Count values

For the Standing Committees, all the ten panchayats state that there is a provision for

SCs at the panchayats. The names of existing SCs mentioned include Samanya Prakashan Samiti, Vikas Samiti, Mahila and Shishu Kalyan Samiti and Health, Education and Paryavaran Samiti. Their roles are around Planning and Monitoring and have good coordination level with the GP.

From the Panchayat data, there is an absolute 50-50 divide amongst the ten panchayats on the task of annual report preparation. The five panchayats in the Non- PESA area are involved in the preparation of Annual Reports while those in PESA region, are not involved in Annual Report preparation. The Gram Sabha and the panchayat play key role by participating in the report preparation process. Also, the reports of GPs in non-PESA areas are published by the Gram Panchayat.



Source: Primary Data; Reflective of GP participation (%) in Annual Report Preparation

## 2. Planning

As the annual planning is carried out only in Non-PESA area, the community participation at the ward and the village level is also witnessed in the area and for the PESA region, lack of awareness and appropriate training have been identified as the major issues to address to increase community involvement in local planning. Additionally, in the non-PESA area, the Gram Sabha plays a role of beneficiaries' identification for development interventions while in the PESA area it doesn't. Also, no role has been identified to be played by Gram Sabha in planning, monitoring and execution of the development schemes in PESA region.



In the non-PESA area, the role of Gram Sabha are extended to the planning, monitoring and execution such as in MGNREGA, drainage and sanitation and drinking water. The responsibilities regarding these subjects resting with the Gram Sabha include conducting Social Audit for MGNREGA, maintenance of the ponds, wells, dobha construction and land levelling.

<b>Availability of Funds</b>	<b>Yes</b>	<b>No</b>
Is there sufficiency of funds for GS meeting and for videography/photography	-	10
Are funds made available by State government in case of insufficiency?	2	8

Source: Primary Data; Reflective of overall Count values

As far as the availability of financial resources for organization and documentation of Gram Sabha meetings is concerned, insufficient resources and funds have been identified. And also, as all the Gram Panchayats do not have enough financial aid to use photography and videography equipment or resource for documentation of meetings, additional funds are also not made available by the State government.

While in PESA GPs, the Social Audit is not conducted by the panchayats, in the non-PESA GPs for the schemes of MGNREGA, IAY, SSA and ICDS the Social Audit is to be done by the panchayats. Moreover the social audits for MGNREGA in PESA panchayats are conducted in every six months, while in non-PESA panchayats are conducted once a year and the reports are brought to public domain for eight panchayats. For the IAY scheme, the social audits are done once a year in all GPs and the reports are published in the public domain. The social audits for SSA and ICDS schemes are conducted in the PESA GPs only, with the SSA audit being conducted every year and the ICDS audit every six months and the reports of the both are brought in the public domain. Also, to ensure accountability at the panchayat level, the panchayats in non-PESA region state that mechanisms have been adopted by the state to ensure accountability of panchayats while its not here in PESA regions.

<b>Involvement of Gram Panchayats in Important Schemes</b>				
<b>S.No</b>	<b>Func-tions</b>	<b>Delegated by Legislature</b>	<b>Function undertaken by GP</b>	
			<b>Yes</b>	<b>No</b>
1	Drinking Water, Water Supply for Domestic Purpose	9	8	1
2	Roads	9	9	-

3	Culverts	9	6	3
4	Maintenance of Community Assets	6	5	1
5	Street Lighting, Parking Lots, Bus Stops	7	4	3
6	Primary Health Centre	8	4	4
7	Sanitation & Solid Waste Management	7	7	-
8	Cremation and Burial	7	4	3
9	Poverty Alleviation Programmes	6	1	5
10	Family Welfare	8	4	4
11	Women & Child Development	7	3	4
12	Adult & non-Formal Education	7	3	4
13	Agriculture & Agricultural Extension	7	3	4
14	Land Reform	7	7	-

Source: Primary Data; Reflective of overall Count values

### 3. Devolution of Functions

Primarily, from the subjects devolved to the panchayats, nine panchayats are aware that drinking water supply has been delegated by legislature and eight panchayats have taken up roles regarding the same. Similarly, nine panchayats are aware of their functions delegated by legislature on the Culverts but six have taken tasks on implementation regarding the same while three haven't. Along with, regarding the functions related to street-lightning, parking lots and bus stops, four GPs have taken up work and three have not. From the six GPs who are aware about the functions delegated to them regarding Poverty alleviation programmes, five of them have not taken up any work related to them. Even with functions related to Women and Child development scheme, only three panchayats have taken up such roles whereas four of them have not. Similar outputs can be seen with respect to the subjects of Adult and Non-formal education and Agriculture and Agriculture Extension services. From the table presented, the pattern suggests that although the Gram Panchayats are aware of the functions and roles delegated to them by the legislature, not all of them have taken up such tasks to execute their powers.

Table 26: Role of Gram Panchayats in Important Schemes

Role of Gram Panchayats in Important Schemes				
Important Union Government	Important Schemes	Role and Responsibilities of Gram Panchayat		
		Planning	Implementation	Monitoring

National Horticulture Mission	2	-	7
Sarva Shiksha Abhiyan (SSA)	5	-	10
National Rural Drinking Water Program(NRDWP)	5	2	10
Nirmal Bharat Abhiyan (NBA)	8	7	10
National Rural Health Mission (NRHM)	-	-	7
Integrated Watershed Management Programme (IWDP)	-	-	7
Mahatma Gandhi National Rural Employment Guarantee Programme (MNREGA)	8	6	10
IAY	6	5	9
Pradhan Mantri Gram Sadak Yojana (PMGSY)	3	0	7
Integrated Child Development Services (ICDS)	4	6	7
National Rural Livelihoods Mission (NRLM)	1	3	7
National Food Security Mission (NFSM)	-	3	4
National Social Assistance Program (NSAP)	-	-	5

Source: Primary Data; Reflective of overall Count Values

The functional devolution to panchayats in terms of their roles and responsibilities with respect to the central and state sponsored schemes broadly fall into the paradigms of Planning, Implementation and Monitoring. For the National Horticulture Mission, seven of the panchayats have engaged in monitoring; for the education scheme of SSA, the panchayats of PESA regions are involved in the planning while monitoring roles have been taken up by all the panchayats. In the Rural Drinking Water programme, five panchayats of PESA region have been engaged in planning, two have been a part of the implementation of the scheme while all ten have been the monitoring authorities at the village level. Panchayats have been accorded planning, implementation and monitoring roles for the rural employment scheme i.e. MGNREGA. Eight panchayats have performed planning roles, six have carried out implementation activities and all have been associated with monitoring the scheme. For the ICDS programme, four panchayats have participated in planning, six have been a part of implementation and seven have been monitoring the programme. Thus, the indications suggest that maximum role of panchayat bodies has been limited to monitoring the programmes while very little role in regards with implementation and planning is seen.

<b>Table 27: Parallel Bodies and GPs</b>					
<b>Role of Panchayats with Parallel Bodies/ Institutions</b>					
<b>Status/Parallel Bodies</b>	<b>VEC</b>	<b>VHSNC</b>	<b>WDC</b>	<b>VWSC</b>	<b>SMC</b>
Parallel bodies merged with Gram Panchayat	10	10	10	2	2
Parallel bodies accountable to Gram Panchayat	8	8	8	-	3
Parallel bodies are chaired by Sarpanch/Chairperson/ Ward Member	-	-	-	5	-
Parallel bodies totally separated from Gram Panchayat	1	2	-	2	1

Source: Primary Data; Reflective of overall Count Values

With respect to standing committees and parallel bodies, the Village Education Committee is merged with all the ten panchayats but in eight panchayats the VEC is accountable to them. For the VHSNC also, the parallel body is merged with panchayat while is accountable in only eight panchayats. Five panchayats have the VWSC chaired by the Sarpanch/Chairperson/Ward member. Interestingly, for DRDA, NRHM, SSA and agriculture the panchayats work closely with the parallel bodies. For ITDA, for nine panchayats the parallel body is made a unit of the panchayat, whereas for NRHM, SSA and agriculture, the parallel body has been made a unit of panchayat in five panchayats. Eight panchayats have their elected representatives to be represented in the board of DRDA, six in the board of water and sanitation and five for NRHM.

<b>Table 28: Government Bodies and GPs</b>							
<b>Role of Panchayats in Government bodies</b>							
<b>Status/Parallel Bodies</b>	<b>DRDA</b>	<b>ITDA</b>	<b>Water &amp; Sanitary</b>	<b>NRHM</b>	<b>SSA Mission</b>	<b>Agricultur e Deptt.</b>	<b>SBM</b>
Parallel body merged with the Panchayat Institution	10	4	5	10	10	10	-
Parallel body made an unit of the Panchayat	4	9	6	5	5	5	-
Function of parallel body limited to Fund/accounts Management	3	2	-	-	2	2	2

Parallel body is Presided/Chaired by Elected Representatives of the Panchayat	-	5	-	-	6	2	5
Elected Representatives of Panchayats are represented in Board of the parallel body	8	3	6	5	3	3	-
Parallel body remains separate, but under the control of the Panchayat.	2	5	2	2	7	4	2
Parallel body remains separate and not under the control of the Panchayat	7	2	4	7	2	5	3

Source: Primary Data; Reflective of overall Count Values

#### 4. Devolution of Functionaries

Amongst the Panchayats, the regular staff positions provided include Secretary, Junior Engineers, Technical Assistant, Data Entry Operator and Accountant. All the panchayats have a Secretary or Panchayat Sachiv appointed along with the Junior Engineer and Data Entry Operator. Whereas, half of the panchayats have an Accountant and Technical Assistant. Only in the PESA panchayats, Rozgar Sevak is a part of the gram panchayat.

ab e 29: GP Staff Structure							
Staff Structure of Gram							
Panchayat	Staffs	Secretary	Junior Engineers	Technical Assistant	Data Entry Operator	Accountant	Rozgar Sevak
		10	10	6	10	5	5

Source: Primary Data; Reflective of overall Count Values

Furthermore, reflecting on the functions of gram panchayats in terms of engaging with the appointment, transfer and the authority over disciplinary actions; actions on disciplinary matters can be only made by panchayats for Primary school teachers while appointment as well as disciplinary action for para teachers is to be taken up by the gram panchayats for non-PESA panchayats. Additionally, two GPs of non-PESA region participate in appointment of ICDS functionaries at the village level and all five have their discretion over disciplinary matters. Likewise, the panchayats in non-PESA region exercise power over appointment, transfer as well as disciplinary action over the anganwadi workers.

## 5. Devolution of Funds

Along with the FFC grants to the panchayats, certain funds are made available by the state department to the panchayats. An average of the funds made available to the panchayats is presented in the table alongside. For the year 2015-16, in two installments an average of total Rs.1448530. Subsequently for the year 2016-17, an average sum of Rs.699261 has been provided to the gram panchayats.

The items of expenditure incurred by the panchayats include salary payment, capital and revenue expenditure and expenditure in central and state sponsored schemes. Hereby, the calculated average amounts show that maximum expense of panchayats is incurred in the capital expenditures while minimum expenses are incurred in reimbursement costs.

Grants to the Panchayat	
Instalment of Grants	Released by state
	Average amount (in Lakhs)
1st for the year 2015-16	561298
2nd for the year 2015-16	887232
1st for the year 2016-17	1082475
2nd for the year 2016-17	591016

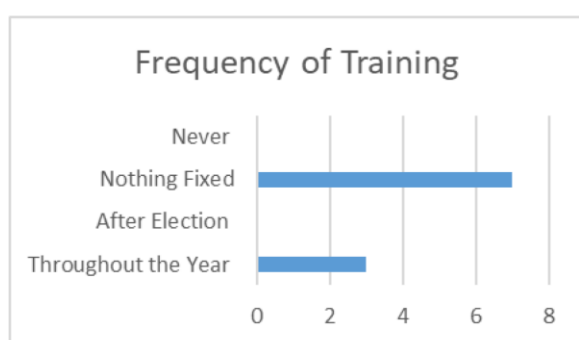
Source: Primary Data; Reflective of cumulative average figures

Expenditure of Gram Panchayat	
Items	2016-17 (Average in Lakh)
Expenditure on salaries paid by the Panchayat	45465
Capital Expenditures made by Panchayats	1966171
Revenue Expenditures made by Panchayats	-
Expenditure on Centrally Sponsored Schemes	212746
Expenditure on other Schemes	1034300
Total expenditure made by all Panchayats of the State	20000

Source: Primary Data; Reflective of cumulative average figures

## 6. Capacity Building and Training

As indicated alongside in the chart, maximum gram panchayats reveal that as per the GP trainings are concerned, there is no fixed time-period or schedule that is being followed by the department. Also, three of the panchayats reveal that capacity building exercise is carried out by the department throughout the year. Training need assessment is carried out by the department before organizing the same. Past trainings have been organized around the themes of MGNREGA, SBM, powers and functions of Mukhia and the Ward members, etc. Mostly written materials were only made available for the trainings although they were not in local language of the training attendees. No infrastructure has been brought in place to carry out distance trainings using satellite systems. Amongst the total number of elected representatives in the panchayat, 90% have participated in training exercises conducted by SIRD unit.



**Figure 17: Training Frequency**

Source: Primary Data; Reflective of Count Values

Training of Elected Representatives and Officials		
Level and Year	Total Number of	Number Trained
	Elected Representatives	Elected Representatives
2015-16	149	132
2016-17	148	131

Source: Primary Data

Source: Primary Data; Reflective of absolute figures

## 7. Infrastructure and E-connectivity

To render the ease of work and efficiency, seven panchayats have a pucca building while three of them don't. Although all the panchayats have computers and printers available for their work, internet, scanners and telephones are still unavailable. Along with most of the panchayats are not connected through LAN or WAN nor have wireless connectivity. Half of the panchayats have their e-mail addresses made and seven of them upload their records online and also put use of ICT for service delivery.

	Yes	No
Gram Panchayat have Pucca building	7	3
Gram Panchayat have Computers and Printers	10	-
Gram Panchayat have Scanners	-	10
Gram Panchayat have Telephone	-	10
Gram Panchayat have Internet	-	10
Gram Panchayats connected to each other through LAN or WAN	4	6

Gram Panchayat use wireless connectivity	3	7
Gram Panchayat have its own e-mail address	5	5
Gram Panchayat regularly uploads data online	3	7
Gram Panchayat uses ICT for delivering services	2	7

Source: Primary Data; Reflective of Count Values

## 5. PROPOSITIVE ROAD MAP

### 5.1 Learnings from State Findings

#### Devolution of Functions

Defining the roles and responsibilities such as the rural self-governance bodies must exercise discretion has been constitutionally notified under 73<sup>rd</sup> CAA. The 11<sup>th</sup> schedule of the article 243G mentions as much as 29 subjects which are to be devolved to panchayats. The JPRA, 2001 also speaks in the same tone for devolution. But devolution comes step by step, it's a phased procedure. The states in India have devolved the functions to panchayats as they deem to be in their capacity of execution. Also, concerted theme based capacity building modules are also prepared to equip the elected representatives with governance guidelines. Similarly, the state of Jharkhand has devolved 16 subjects form the list of 29 to its panchayati raj bodies. State of the other states under the purview of this study; Odisha - 21, West Bengal – 27, Rajasthan – 5, Chhattisgarh – 27 (likewise MP).<sup>13</sup> In terms of the initiated devolution by these states, policies have been framed around them.

The State Level Consultations revealed the nuance of devolution and how carefully it is to be treaded towards. Largely, two kinds of models of functional devolution have been identified. Either, the subjects relating to tasks influencing the daily life of people staying in the area, have been partially devolved to the governing bodies or for a few subjects greatly impacting the socio-economic development of population, have been largely devolved. The fault of the first lying in

<sup>13</sup> Status on devolution of departments/subjects with funds, functions and functionaries to the Panchayati Raj Institutions for Major States/UTs: 2011-12; Press Bureau of India



the fact that even after receiving such powers, either the panchayats are ill-informed about them to act, the resources to take actions on those areas are not available, the home departments do not support objectively the panchayats in execution of such functions due to lack of trust including other implementation challenges.

Thus, a wiser approach gathered from the examples viewed reveals that devolution should be practiced in scarce. With each subject devolved, points marking exact roles and reporting authorities at each level should be presented. This will establish the clarity. Along with this, the unfailing formula of completing the loop must go on i.e. feedback mechanisms need to be given space. At each level with each subject devolved to monitor, transparent means of reporting back should be established. Because the village community is close knit, it has been observed that it is difficult for people to check each other. Also at multiple times, the elected representatives are unaware or are not welcome to file their observations. As we are moving forward in the digital age, internet can be put to use to report back by panchayats. But care is to be ensured in framing the structure of feedback.

### **Devolution of Functionaries**

In the understanding of devolution in the current circumstances, devolution of functionaries involves most complexities. Certain aspects such as reporting, salary, monitoring, leave and disciplinary action related to the post fall under this. Presently, the common model being exercised is combined precedent of panchayats and line-departments on the functionaries. The situation thereof being; 'different pay-master and different say-master'. Thus, little discretion left with say-master, eventually the pay master exercises maximum value.

The learnings from the States visits to Odisha, West Bengal, Rajasthan and Chhattisgarh reveal that Rajasthan has been the pioneer in devolving functionaries from the line departments to each panchayat level. The outline revealing the details of which are finely presented in the policy update of 2010. The to-go methodology to effective devolution would be that at the block and the Zila level, appropriately incapacitated functionaries should be made available with the PRI system. Example, the Lady Supervisor of WCD department is to monitor the work of Sevika at the Block. Also, the panchayats have been devolved the power to monitor work of the Sevika, but usually the panchayats say is of little significance. But if the Lady Supervisor becomes a part of the Block panchayat, the monitoring and remuneration could be more efficiently managed.

Likewise, proper autonomy and decision-making powers need to rest with the panchayats for them to be able to exercise their role as governing bodies.

### **Devolution of Funds**

The FFC is giving direct money to GPs twice a year to engage with such roles as would contribute to development of local lands. The question of sufficiency of the grant is to be further reviewed and is not in scope of this study. Increasingly, dialogues are being held around the Panchayat window in each department who has devolved the functions and functionaries to panchayats. This resource would help them carry out the already assigned roles. Therefore, should be acted upon.

Also, with money going from the central government directly to GPs, the block and Zila panchayats are experiencing funds scarcity. Here the role of State Finance Commissions becomes strategically important. The already existent SFCs in the visited states present the importance of the institution. They are impeccable in advising the Panchayat Department and

the state, the percentage of finances to be distributed at each panchayat level as they assess the come and go of panchayat finances.

# ANNEXURE

## ANNEX – 1 Minutes of Inception Meeting

18

### Minutes of the Meeting

A project inception meeting was held under the Chairmanship of Principal Secretary, Department of Rural Development, Government of Jharkhand on 11<sup>th</sup> April 2017 at the Official Chamber of the Principal Secretary, DoRD at 5.40 pm to discuss the terms of reference for the "documentation of devolution of Functions, Funds and Functionaries to Panchayati Raj Institutions (PRIs) in Jharkhand." The participants of the meeting were as follows:-

1. Shri N.N.Sinha, Principal Secretary, DoRD, GoJ
2. Smt Vandana Dadel, Secretary, Panchayati Raj, GoJ
3. Shri Onkar Tripathi, Programme Officer, UNICEF, Ranchi
4. Shri Harshvardhan, Practice Manager, Social Transformation, TARU
5. Ms Chehak Ahuja, Associate, Social Transformation, TARU
6. Shri Gagan Mehta, Consultant, Panchayati Raj

Shri Onkar Tripathi, Programme Officer, UNICEF introduced the representatives of TARU (the Research agency finalized for conducting the study) and apprised about the objectives of the study and major tasks to be accomplished with timelines. The elements of the ToR were deliberated in detail and the following directions were given by the Principal Secretary:-

1. It is pertinent to study the key aspects of devolution of Functions, Funds and Functionaries to Panchayati Raj Institutions (PRIs) executed by other neighboring states like Chhattisgarh, West Bengal, Orissa, Rajasthan.
2. The rationale of the study needs to be clearly articulated.
3. Mapping of devolution of 3Fs to three tiers of PRIs in select key sectors like education, health, livelihoods, water & sanitation, MGNREGA should be focused upon.
4. The opinion of different departments who have so far devolved 3Fs to PRIs and all other department's view on devolution of 3Fs to PRIs should be taken. In this regard, a letter from PRI division will be sent to all departments to support the research team of TARU for data collection and gathering of information related to devolution.
5. The sample size can be reduced as it won't contribute much towards improving the data quality. The study pertains to devolution status which is a policy subject matter and would probably be same across GPs. Hence we may as well reduce the sample size.
6. The recommendations of the study should be comprehensive and should lead towards taking policy decision w.r.t devolution of 3Fs to PRIs in the state.
7. As per ToR, timeline for completion of study is 5 months, but may be reduced to 3-4 months.

Sd/-

(N.N. Sinha)

Principal Secretary  
Department of Rural Development  
Government of Jharkhand

Memo No 1499 /Ranchi Dated 27.4.17  
Copy to: - Programme Officer, UNICEF, Jharkhand/ Principal Secretary Cell, Rural Development Department/Secretary Cell, Rural Development Department (Panchayati Raj)/Practice Manager-Social Transformation, TARU/Associate-Social Transformation, TARU/Consultant, Panchayati Raj for information and necessary action.

  
(Vandana Dadel)

Secretary  
Department of Rural Development (Panchayati Raj)  
Government of Jharkhand

**Stakeholder Consultations****List of Contact persons**

<u>Chhattisgarh</u>		
<u>S. No</u>	<u>Name of the Contact Person</u>	<u>Designation</u>
1.	Shri P.P. Soti	State- Planning Commissioner, Chhattisgarh  Ex- Director, P& RD (2004)
2.	Shri Surendra Jaiswal  Introduction with- Mr. Patel	Commissioner, P&RD  Deputy Director, P&RD
3.	Shri P.C.Mishra	Principal Secretary, P&RD
4.	Dr.Ashok Jayaswal	Faculty Member, SIRD
5.	Shri Sushil Sharma  Joined by – Shri Paresh Rawat	Assistant Director,  WCD, ICDS  Assistant Director, Nutrition, WCD
6.	Ms, Alice Manisha Lakra	State Coordinator,  State PESA Cell, Rashtriya Gram Swaraj Abhiyan, P&RD

7.	Dr. Amar Singh Thakur	Deputy Director, Child Health and Immunization, Department of Health & Family Welfare
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8.	R.K. Verma	Principal, District Institute of Education and Training, Chhattisgarh
9.	Dinesh Singh	Programme Manager, Samarthan, Chhattisgarh

### West Bengal

<u>S.No</u>	<u>Name of the Contact Person</u>	<u>Designation</u>
1	Dilip Kumar Pal	Advisor; P & RD Department, Member – Secretary- STARPARD

### Odisha

<u>S.No</u>	<u>Name of the Contact Person</u>	<u>Designation</u>
1.	Shri Hemanta Kumar Padhi	Director, Panchayats & Drinking Water Department
2.	Shri Kalyan Kumar Ratha	Deputy Secretary to Govt. of West Bengal, Child Welfare and Protection, WCD Department
3.	Shri P. K. Biswal	Additional Secretary, P & C, Formal Member, State Finance Commission
4.	Shri Saroj Kumar Dash	Deputy Director, SIRD, Government of Odisha
5.	Shri P.K. Naik	Faculty, SIRD

6.	Dr. Dinabandhu Sahoo	Joint Director, Technical, NHM
6.	Shri Jayadev Dakua	Programme Director, CYSD
7.	Shri Basant. K Nayak	Programme Member, CYSD
8.	Shri Jitendra Sundar Roy	CYSD

9.	Ms. Uupali Mohanty	Programme Member, CYSD
10.	Shri Anant Swain	Programme Member, CYSD
11.	Shri Bhabani Prasad Mahapatra	Senior Researcher, CYSD
12.	Prof. A. Mohanty	Formal Member, 4 <sup>th</sup> SFC, Resource Member - RICOR
13.	Shri Suresh Patnaik	Resource RICOR – Decentralised Planning
14.	Dr. Amiya Kumar Behera	Executive Director, CYSD

### **Rajasthan**

<b><u>S. No</u></b>	<b><u>Name of the Contact Person</u></b>	<b><u>Designation</u></b>
1.	Shri Vishnu Kumar Goyal	Deputy Secretary (Legal)  Panchayati Raj & Rural Development Department
2.	Shri S.C. Derashari	Member Secretary State Finance Commission
3.	Shri Shanti Lal Jain	Consultant, State Finance Commission

4.	Shri Sunil Kumar Sharma	Joint Secretary, Elementary Education
5.	Shri Soumeshwar Dewda	Assistant Director, ICDS
6.	Dr. Purnima Sharma	Joint Director (Monitoring), ICDS
7.	Shri Bhupendra Kaushik	BARC (Budget Analysis Research Center)
8.	Ms. Mollyshree Dhasmana	BARC (Budget Analysis Research Center)

ANNEXE -3 Tool for Stakeholder Discussions

**General Information** A. Date:

B. Name of the State.....

C. Name of the Department .....

D. Name and Designation of the Respondent:

**Devolution of Functions**

1. What all subjects has been devolved to the PRIs?
<b>Response:</b>
<b>Please collect a copy of the orders/notifications issued by the Govt. on devolution of function. a. Relevant Policy Orders:</b>
<b>b. Relevant Executive orders:</b>
<b>c. Other Notifications/Special order issued:</b>
<b>d. Web Link:</b>
2. Please highlight the institutional arrangement of PRI with that of the mother department.

**Response:**

**A. On Accountability and Monitoring:**

**B. Monitoring of Sanctioned Budget:**

**C. Annual/Quarterly Plan:**

**d. If, any other:**

3. Whether the instructions issued to the State Govt for devolution of function are good enough for selection of beneficiaries, planning, implementing, disbursement of funds and monitoring. Capture significant deviations (if any) from national guidelines.

**Response:**

4. Does the actual process of decentralised planning differ in PESA PRIs from other PRIs?

**Response:**

5. Role of the Department in the matrix of devolution subjects/schemes. **Please tick the appropriate box (es) indicating respective activities undertaken by the Department.**

**Response:**

Sl. No.	Important Union Govt. Schemes	Role and Responsibilities of the Department		
		Joint Planning with other Deptts.	Implementation	Monitoring



--	--	--	--	--

6. Any major limitations in translation of the policy into practice? **Please explain in detail.**

**Response:**

**Devolution of Functionaries**

1. Whether the functionaries are accountable to the concerned state department for implementation of functions devolved to the Panchayats? **Please suggest Yes/No.**

**Response:**

Name of the Subject/Scheme	At District/Block/ GP level	No. of staffs devolved	Role and Responsibilities	Reporting arrangement


2. If the functionaries are not accountable to the concerned department, then how PRIs manage the functions devolved by the Department? How the departmental staffs are made accountable to the PRIs?

**Response:**

3. Number of sanctioned positions. Number of positions vacant, duration they have remained vacant and reasons. Any other problems of devolution of functionaries?

**Response:**

4. Is there any systematic effort to identify the capacity building need of functionaries and PRI representatives? If yes please give the details of effort and results.

**Response:**

5. Has there been any organised effort from functionaries and PRI representatives (through conferences, associations, unions etc. to demand CB and training support? If yes please give the details of effort and results.

**Response:**

6. In general, is training and capacity building moving towards a demand-based approach, or is it still mainly supply-driven?

**Response:**

5. Are trainers and resource persons mainly from the Government and SIRD, or is there a move towards sourcing resource persons from NGOs and the private sector? State reasons for the approach taken up.

**Response:**

6. Are SATCOM and/or other distance modes of CB & Training being used? If yes, please provide a short note on the same

**Response:**

7. What is the status of use of PlanPlus software for planning in the study districts? Is it fully operational? What problems are encountered in making it operational?

**Response:**

8. What are the major successes in the State with respect to computerization/ICT use? What services are being provided to the GPs for the use of ICT?

**Response:**

9. Any major limitations in translation of the policy into practice? **Please explain in detail.**

**Response:**

### **Devolution of Finance:**

1. What are the steps involved in, and mechanism for, transfer of funds from the State-level to District Panchayats?

**Response:**

2. Has the State Finance Commission (SFCs) made any specific recommendation regarding devolution of funds to the PRIs? If yes, what are they?

**Response:**

3. Whenever funds are transferred to any of the PRIs for expenditure \* Who approves the scheme for the PRIs? \* Who approves payment?

\* Who is authorised to sign the cheque for payment?

**Response:**

4. Highlight on specific grants to the GP for subject/scheme devolved. **Capture information for the last 2 Years.**

**Response:**

Name of the Subject/Scheme	Amount (in Lakhs)	Instalment of Grants	Released to Panchayats on DD/MM/YYYY

5. How the FFC grants (Basic and Performance Grant) are made to the PRIs? How the PRIs are eligible to receive the grants? **Highlight on the planning taken up by PRIs for grant eligibility.**

**Response:**

6. Is there any gap on the eligibility and actual transfer of funds to the PRIs under FFC grants?

**Response:**

7. What has been the SFC grants to the Panchayats in the last two years. Please mention in details the subjects/schemes under which funds has been devolved?

**Response:**

8. Additional Information on fund transfer to GPs for 2015-16 and 2016-17

Type of Grant	Amount (in Rs.)	Purpose
Plan Grant transferred by State to Panchayats untied to any scheme		
<b>Plan Grant</b> transferred by State to Panchayats tied to schemes		

<b>Non-Plan Grant</b> transferred by State to Panchayats untied to any scheme		
<b>Non-Plan Grant</b> transferred by State to Panchayats tied to schemes		

9. Can you highlight on the present accounting and audit arrangements and procedures in PRIs to ensure transparency and effective control over expenditure & income?

**Response:**

10. Is there any key issues/ challenges in auditing of District, Intermediate and Village Panchayats?

**Response:**

11. What has been the Panchayats own source of revenue generation/ taxation powers of panchayats? **List down all the components for revenue generation/taxation powers of Panchayats.**

**Response:**

ANNEXURE 4 – Discussion Checklist with NGOs/CSOs

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**General Information A.**

Date:

B. Name of the State.....

C. Name of the Agency .....

D. Name/Designation of the Respondent:

E. Year's of experience with PRI: \_\_\_\_\_

F. Nature of Work; Policy/Implementation/Monitoring/Capacity Building

G. Institutional Engagement; ZP/ Intermediary/GP

1. What is the frequency of meeting of the DPC prescribed by the State Government notification? What is the frequency of DPC meetings in practice? What are the reasons for variation?

**Response:**

2. What is the community's involvement in the planning process at village/ward level? What are the provisions in the FFCs or other State Govt. Acts/orders? What is the actual situation on the ground?

**Response:**

3. What has been the status on the devolution of Functions to the PRIs?

**Response:**

4. What has been the status on the devolution of functionaries to the PRIs?

**Response:**

5. What has been the status on the devolution of funds to the PRIs?

**Response:**

6. Has there been any special drive by the State to strengthen the Panchayats in Scheduled Areas? (Yes/No) If yes, please provide details. How has it helped in implementation of PESA?

**Response:**

7. Does the actual devolution of functions, functionaries and finances to sample PRIs in Schedule V areas differ from those in other areas of the State? Please provide examples to illustrate

Sl.	Department/ Subject	What special devolution of functions, functionaries and finances under PESA have taken place to:			Remarks
		District Panchayat	Block Panchayat	Gram Panchayat	
1					
2					
3					
4					
5					

8. Are the activities of various tiers of Panchayats sufficient/ adequate to respond to issues and concerns? Why?

**Response:**

9. How can Panchayats undertake current activities better/ differently to respond better to issues and concerns?



**Response:**

10. Any specific suggestion to improve the devolution of 3Fs in the State?

**Response:**

## Annexe 5 – Gram Panchayat Tool **Background**

### **Information**

A. Village Name.....

B. Block..... C. Gram Panchayat.....

D. District.....

E. Date of Survey .....

F. Surveyor Name.....

G. Name of the Sarpanch .....

H. Mobile No. of the Sarpanch .....

**1. General: Meetings & Participation**

1.1 What is the frequency (regularity) of meetings of Gram Panchayat in a year?

Once  Twice  More than  None

1.2 Are minutes maintained for meetings?

Yes  No

1.3 Who is responsible for maintaining minutes of minutes?

.....

1.4 What are the reasons for irregular meetings?

- a) Lack of awareness
- b) Lack of Interest
- c) Lack of information from Gram Panchayat
- d) Others .....
- e) Regular meetings are organised

1.5 What is the number of times the Gram Sabha is to meet in a year?

.....

1.6 What is the quorum for the Gram Sabha?

.....

1.7 What is the overall comment on the Gram Sabha Meetings in the context of their: Frequency:

Attendance:

Issues discussed:

Resolutions adopted:

Minutes maintained:

1.8 Are there government, semi-government and Panchayat employees involved in the proceedings of the Gram Panchayat?

Know  No  Yes  Don't

1.9 If yes, who are these individuals and what is nature and extent of their involvement in the Gram Panchayat Meetings? **Mention their Designation.**

From Government: \_\_\_\_\_

From Gram Panchayat: \_\_\_\_\_

Others: \_\_\_\_\_

1.10 Are the financial and other records including progress reports of various development schemes/ works maintained properly?

Yes

No

1.12 Is there a provision for Standing Committees at various levels of Panchayats?

Yes

No  Don't Know

1.13 If yes, details on the Standing Committees at Panchayat level:

<b>Purpose of the Standing Committee</b>	<b>Frequency of meetings</b>	<b>Role of Standing Committee in Planning, Budgeting, Implementing &amp; monitoring</b>	<b>Level of Coordination with Panchayat * Excellent, Very Good, Good, Fair &amp; Poor</b>

1.14 Is the Panchayat involved in preparation of Annual Reports?

No

Yes

1.15 If yes, how are annual plans prepared? What is the process and who/which body plays key role? **Mention in details**

1.16 If yes, do the Panchayat publish their Annual Reports?

No

Yes

1.17 If no, what are the reasons for non-publication?

1.18 Suggest your comment on the functioning of Gram Sabha

<b>No. of Meetings</b>	<b>Attendance</b>	<b>Issues Discussed Mention some issues</b>	<b>Minutes maintained *Yes or No</b>	<b>Level of Participation of Women, SC &amp; ST Groups</b>
Mention Date/Month....				
Mention Date/Month....				

1.19 What are the major challenges impeding translation of Government policy in to practice?

**2. Planning**

2.1 If the annual plan is prepared by the Panchayat, are the community members involved in ward and village level planning for the annual plans?

No  Yes

2.2 If no, how can the community involvement in local planning be made for substantive?

2.3 Do the Gram Sabha play any role in the selection of development interventions and beneficiaries for the same?

 Yes No

2.4 If yes, what kind of role they play.

2.5 Do the Gram Sabha play any role in planning, execution and monitoring of different development schemes?

 Yes No

2.6 If yes, mention their role in few Govt. schemes

<b>Govt. Schemes</b>	<b>Role &amp; Responsibilities</b>	<b>Level of Coordination with Panchayat</b> <b>* Excellent, Very Good, Good, Fair &amp; Poor</b>

2.7 Is there a system in the State to monitor and ensure the mandated quorum of Gram Sabha?

 Yes

No

2.8 Do the Gram Sabha have sufficient funds to convene GS Meeting and for videography/photography of such meeting?

Yes

No

2.9 In case of insufficiency of funds, do the State provide fund to Gram Panchayats for convening GS meeting?

Yes

No

2.10 In case of non-convening of Gram Sabha, what are the actions taken by the State, if any?

2.11 Is Social Audit Conducted in the Gram Panchayat?

Yes

No

2.12 If yes, who conducts it?

Gram Sabha

Others (Specify) .....

2.13 Details of the Social Audit with frequencies.

<b>Govt. Schemes</b>	<b>How often are the social audits conducted</b> 1. <b>Once in a Year</b> 2. <b>Once in 6 Months</b> 3. <b>Others (Specify)</b>	<b>Are the reports of social audits put in public domain</b> 1. <b>Yes</b> 2. <b>No</b>
MGNREGA		
IAY		
SSA		
ICDS		

2.14 Has any mechanisms adopted by the State and Panchayats for ensuring accountability, including a Panchayat Ombudsman?

Yes

No

Don't Know

2.15 What are the challenges impeding translation of policy in to practice?

### 3. Devolution of Functions

3.1 Role of Panchayats in Parallel Bodies/Institutions

**Please tick in appropriate box to show the nature of control of Panchayats on parallel bodies? The list is only indicative. Please add other important parallel bodies.**

<b>Sl. No.</b>	<b>Status/Parallel Bodies</b>	<b>VEC</b>	<b>VHSC</b>	<b>JFMC</b>	<b>WDC</b>	<b>Others</b>	<b>Others</b>
1	Parallel bodies merged with Gram Panchayat						
2	Parallel bodies accountable to Gram Panchayat						

3	Parallel bodies are chaired by Sarpanch/Chairperson/Ward Member						
4	Parallel bodies totally separated from Gram Panchayat						
5	Any other please mention						

### 3.2 Role of Panchayats in Government bodies

**Please tick in appropriate box to show the nature of control of Panchayats on parallel bodies? The list is only indicative. Please add other important parallel bodies.**

Sl. No.	Status/Parallel Bodies	DRDA	ITDA	District unit of Water & Sanitary Mission	NRHM	SSA Mission	Agriculture Deptt.	Others
1	Parallel body merged with the Panchayat Institution							
2	Parallel body made an unit of the Panchayat							
3	Function of parallel body limited to Fund/accounts Management							
4	Parallel body is Presided/ Chaired by Elected Representatives of the Panchayat							
5	Elected Representatives of Panchayats are represented in Board of the parallel body							
6	Parallel body remains separate, but under the control of the Panchayat.							
7	Parallel body remains separate and not under the control of the Panchayat							

**3.3 Involvement of Gram Panchayats in Important Schemes. Please tick the appropriate box (es) indicating respective activities undertaken by Panchayats under each scheme.**

Sl. No.	Important Union Government Schemes	Role and Responsibilities of Gram Panchayat		
		Planning	Implementation	Monitoring
1	National Horticulture Mission			
2	Sarva Shiksha Abhiyan (SSA)			
3	NRDWP			
4	NBA			
5	National Rural Health Mission (NRHM)			
6	Integrated Watershed Management Programme (IWDP)			
7	Mahatma Gandhi National Rural Employment Guarantee Programme (MNREGA)			
8	IAY			
9	Pradhan Mantri Gram Sadak Yojana (PMGSY)			
10	Integrated Child Development Services (ICDS)			
11	National Rural Livelihoods Mission (NRLM)			
12	National Food Security Mission (NFSM)			
13	National Social Assistance Program (NSAP)			
14	Any other (Specify)			

**3.4 Involvement of Gram Panchayats in Important Schemes. Please tick the appropriate box (es) indicating respective activities undertaken by Panchayats under each scheme.**

Sl. No.	Functions	Delegated by Legislature	Activity Mapping with date	Executive Order Issued with date	Actually, undertaken by GP 1. Yes 2. No
1	Drinking Water, Water Supply for Domestic Purpose				
2	Roads				
3	Culverts				
4	Maintenance of Community Assets				

5	Street Lighting, Parking Lots, Bus Stops				
6	Primary Health Centre				
7	Sanitation & Solid Waste Management				
8	Cremation & Burial				
9	Poverty Alleviation Programmes				
10	Family Welfare				
11	Women & Child Development				
12	Adult & non-Formal Education				
13	Agriculture & Agricultural Extension				
14	Land Reform				
15	Any other				
16	Any other				
17	Any Other				

3.5 What are the challenges impeding translation of policy in to practice?

#### 4. Devolution of Functionaries

4.1 Whether there exist State Panchayat Service?

No

Yes

4.2 Staff Structure of Gram Panchayat:

<b>Staffs</b>	<b>Secretary</b>	<b>Junior Engineers</b>	<b>Technical Assistants</b>	<b>Data Entry Operators</b>	<b>Accountant</b>	<b>Others (Plz specify)</b>
How many following staffs are Present? (in Numbers)						



Who pays the salary of the above staff? (State or Panchayat)						
---	--	--	--	--	--	--

4.3 Please give sanctioned and actual staff position of Panchayat's own office only (not other officials under its control) **Pls tick where applicable**

Sl. No.	Designation of Employee	Nature of Appointment		Designation of Recruiting Authority	Sanctioned Strength	Actual Number	Vacant
		Regular	Contractual				
1							
2							
3							
4							
5							
6							
7							
8							
<b>Total Employees</b>							

4.4 Please specify the power and functions of Panchayats: **Please tick in appropriate box**

Sl. No.	Officials	Power and Functions of Gram Panchayat			
		Appointment	Transfer	Disciplinary matter	Others (Specify)
1	Primary School Teacher				
2	Secondary School Teacher				
3	High School Teacher				
4	Para Teachers				
5	Child Development Project Officer or equivalent in ICDS				
6	AnganWadi Worker (AWW)				
7	Medical Officer/Veterinary Officer				
8	Primary Health Worker				
9	Accredited Social Health Activist (ASHA)				

<b>10</b>	Agriculture Extension Officer				
<b>11</b>	Agriculture Extension Worker				
<b>12</b>	Block Development Officer ( BDO )				
<b>13</b>	Welfare Extension Officer				
<b>14</b>	Gram Panchayat Extension Officer				
<b>15</b>	Village Level Worker				
<b>16</b>	Medical Officer				
<b>17</b>	Any other (Specify)				

4.5 What are the challenges impeding translation of policy in to practice?

## 5. Devolution of Funds

### 6. Grants to the Panchayat

Instalment of Grants	Released by state	
	Amount (in Lakhs)	Released to Panchayats on DD/MM/YYYY
1st for the year 2014-15		
2nd for the year 2014-15		
1st for the year 2015-16		
2nd for the year 2015-16		
1st for the year 2016-17		
2nd for the year 2016-17		

### 6.1 Funds available with Gram Panchayat

Sl. No.	Break up of Revenue	Amount in Rs.
	<b>Financial Year 2015-16</b>	
1	Revenue transferred to Panchayats by State	
2	Panchayats Own Revenue including collection from rental, lease, etc.	
3	<b>Plan Grant</b> transferred by State to Panchayats untied to any scheme	
4	<b>Plan Grant</b> transferred by State to Panchayats tied to schemes	

5	<b>Non-Plan Grant</b> transferred by State to Panchayats untied to any scheme	
6	<b>Non-Plan Grant</b> transferred by State to Panchayats tied to schemes	
7	<b>Loan</b> taken by the Panchayats	
8	Any other transfer-Please specify	
	Total	
<b>Financial Year 2016-17</b>		
1	Revenue transferred to Panchayats by State	
2	Panchayats Own Revenue including collection from rental, lease, etc.	
3	<b>Plan Grant</b> transferred by State to Panchayats untied to any scheme	
4	<b>Plan Grant</b> transferred by State to Panchayats tied to schemes	
5	<b>Non-Plan Grant</b> transferred by State to Panchayats untied to any scheme	
6	<b>Non-Plan Grant</b> transferred by State to Panchayats tied to schemes	
7	<b>Loan</b> taken by the Panchayats	
8	Any other transfer-Please specify	
	Total	

Sl. No.	Items	2015-16	2016-17
1	Expenditure on salaries paid by the Panchayat		
2	Capital Expenditures made by Panchayats		
3	Revenue Expenditures made by Panchayats		
4	Expenditure on Centrally Sponsored Schemes		
5	Expenditure on other Schemes		
6	Total expenditure made by all Panchayats of the State		
<b>Sl.</b>	<b>Name of Revenues</b>		<b>Gram Panchayats</b>

No.		Tick only those revenues collected by State agencies and partly shared with Panchayats	Tick only those revenues collected by the State but transferred totally to Panchayats	Empowered to collect	Actually collecting
1	House or property tax				
2	Surcharge on house or property tax				
3	Tax on agriculture land for specific purpose				
4	Tax on professions, trades, calling, etc				
5	Octroi				
6	Tax on goods sold in a market, haat, fair, etc				
7	Cattle tax				
8	Special tax for community civic services or works				
9	Surcharge on any tax imposed by Gram Panchayat				
10	Pond/Tank Lease				
11	Village Land Lease				
12	Any Other				
13	Any Other				

6.2 Expenditure of Gram Panchayat

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6.3 Empowerment of Panchayats to Impose and Collect revenue (Taxes/ Fees/ Duties/ Cess/ Toll/ Rent etc.)  
**Please tick appropriate boxes, if Panchayats are empowered and/or actually collecting taxes.  
Please add any other Panchayat revenue not in the list.**

6.4 What is the number of departments which have a Panchayat Window/ Head in their budgets?  
List these departments.

6.5 What are the challenges impeding translation of policy in to practice?

## 7. Accounts and Audit

7.1 Does the State law have provisions related to maintenance of accounts and audit of Gram Panchayats?

Yes  No

7.2 Whether Budget & Account format for Panchayats as prescribed by C&AG is followed?

Yes  No

7.3 Are the following documents of the panchayats available on internet?

- a. Budget Proposals
- b. Accounts Statements
- c. Audited Accounts
- d. Annual Performance Report

7.4 If yes, specify the website, where accounts of Panchayats are available?

7.5 Has the Gram Panchayat have disclosed his Account Statement Online? Yes

No

7.6 Who undertook the process of updating accounts online?

Outsourced  Own Staff

7.7 Who audit the accounts of the Gram Panchayat?

1. C&AG  2. Local Fund audit  3. Others (Specify)

4. Not Audited

7.8 Name the Govt. Departments having account with the Gram Panchayat.

- 1. ....
- 2. ....
- 3. ....

## 8. Capacity Building

8.1 Whether training is imparted throughout the year or only after the election?

1. Throughout the fixed  Year 2.  Election 3. Nothing  After  
 4. Never

8.2 Did the Gram Panchayat functionaries involved in the training need assessment of the members in the last three years?

- Yes  No

8.3 What are the training modules opted by the State Government in the year 2015-16?

1. ....
2. ....
3. ....
4. ....

8.4 Did the State provide training material in local language?

- Yes  No

8.5 In what form the training materials were provided in 2016-17? (Please tick) a) Written material b) Training films

- c) Film shows  
 d) CDs  
 e) Others (Specify)

8.6 Is there distance learning through satellite based training in 2016-17? Yes

- No

8.7 If yes, how many block resource centres are in existence? (Please give numbers) 8.8

Training of Elected Representatives and Officials

Level and Year	Total Number of		Number Trained	
	Elected Representatives	Panchayat Officials	Elected Representatives	Panchayat Officials
2015-16				
2016-17				
2017-Till date				
Percentage of Elected Representatives trained in 2016-2017	Women		Men	

Percentage of Elected Representatives trained in the following categories in 2016-2017	SC (%)	ST(%)	General (%)

8.9 Is there any mechanism to assess the impact of training provided?

Yes

No

8.10 If yes, please elaborate?

8.11 What are the challenges impeding translation of policy in to practice?

### 9. Infrastructure & E-connectivity

9.1 Do the Gram Panchayat have Pucca building?

No

Yes

9.2 Do the Gram Panchayat have Computers & Printers?



Yes

No

9.3 Do the Gram Panchayat have Scanners?

Yes

No

9.4 Do the Gram Panchayat have Telephone?

Yes

No

9.5 Do the Gram Panchayat have Internet?

No

Yes

9.6 Are the Gram Panchayats connected to each other through LAN or WAN?

Yes

No

9.7 Do the Gram Panchayat use wireless connectivity? Yes

No

9.8 Do

the Gram Panchayat have its own e-mail address?



Yes  No

9.9 Do the Gram Panchayat regular in uploading their data online? Yes

No

9.10 Do the Gram Panchayat use ICT for delivering services?

Yes  No

9.11 What all services are delivered using ICT in the Gram Panchayats

9.12 How many Panchayat officials have been trained in computer applications?

### 9. Accountability and Grievance Redressal Mechanism

9.1 Whether the Gram Panchayat provide information to the public under RTI Act?

Yes  No

9.2 Who is the Information Officer under RTI Act at each Panchayat? (mention their designations)

9.3 Who is the 1st Appellate Authority under RTI Act? (mention their designations)

9.4 Who is the 2nd Appellate Authority under RTI Act? (mention their designations)

9.5 Has the Gram Panchayat has any policy for disclosure of information by the Panchayat to the public?

No  Yes

9.6 If yes, what are the modes used for disclosure of information?

1. Display in Notice Boards  2. Website  3. Others (Specify)

9.7 Which institution undertakes the complaints of the Gram Panchayat? Please tick

1.  2. Lokayukta  3. Govt Agency  Ombudsman  
4. Others (Specify)

9.8 Number of cases reported for action by the above institutions in the last one year. (Give numbers)

### 10. PESA ACT (To be used only in PESA district)

10.1 How has the PESA Act accelerated devolution of power to tribal areas?

10.2 How does the Panchayati Raj Act empower the Gram Sabha to safeguard and preserve the traditions and customs recognize competence of the people, their cultural identity? **Mention briefly on the various legislations/Executive orders issued by the State Govt.**

10.3 Is there any provisions in the Panchayati Raj Act to empower/recognize competence of Gram Sabha for management of community resources?

Yes                      No

10.4 Is there any provision in State Panchayati Raj Act for approval of the plans, programmes and projects for social and economic development of the village level?

                     No                       Yes

10.5 Is there any provision for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes?

                     No                       Yes

10.6 Has the Gram Sabha been empowered as per State Panchayati Raj Act to issue certification of utilization for expenditure of programme funds? If not, then which is the competent authority?

Yes                       No

10.7 How does the State Government monitor the functioning of Gram Sabhas in Schedule V Areas? Please give details.

10.8 Are the Gram Sabhas conducting the social audit of various programmes?

10.9 If yes, Please give details.

10.10 Has there been any specific Capacity Building Training programme of the Gram Panchayat functionaries on the PESA Act?

                     Yes                       No



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