

DRINKING WATER

(Item No. 11)

01. Rural Water Supply is one of the priority items of the Minimum Needs Programme. Tamil Nadu being a water starved State, importance of rural water supply is one of the priorities of the State Government. Oddly enough, Tamil Nadu Panchayats Act 1994 gives powers to the Village Panchayat and Panchayat Unions to create water sources for bathing and washing purposes [Section 110 (g)] but does not provide explicit power to create and maintain drinking water schemes, and prohibits carrying out measures of public utility, including water supply for non-irrigation and sewerage purposes (Section 111 and 115). Implementation of rural water supply schemes and programmes under externally aided project, centrally sponsored schemes and drought programmes is undertaken by Tamil Nadu Water Supply and Drainage Board (TWAD). Panchayat Raj Institutions (PRI) are hitherto not being directly used for implementing rural water supply schemes. Those are directly implemented by TWAD Board, ENCOFED and private agencies under the supervision of the District Collector. TWAD Board has a large state-wide net work of officers who not only identify the drinking water sources, but also formulate and implement the schemes (sinking of borewells, establishing the comprehensive water supply schemes). Since 1982, the hand pumps and power pumps maintenance have been transferred to Panchayat Union Council. At the district level, there is a Technical Cell which provides technical support for the maintenance of hand pumps and power pumps. The Technical manpower of this Cell are normally under deputation from TWAD Board; others are drawn from the establishment of the District Collectorate. The village panchayats maintain the water pumps, power pumps which cater exclusively to the Village Panchayats. Composite water supply schemes are normally maintained by TWAD Board.

02. Four specific types of activities are involved in the drinking water supply function viz.. (a) identification of drinking water sources, formulation and implementation of the same, (b) maintenance of water supply sources, (c) monitoring of the implementation of rural water supply schemes and (d) collection of water charges from users. Village Panchayats have a better local knowledge of these items than other organisations. In case of water supply schemes exclusively for the Village Panchayats, it would be easy for the Village Panchayats to identify, formulate, implement, and maintain such schemes. Village Panchayat can also be empowered to collect water charges from the village house holds. When such sources cover more than one village panchayat, such functions including implementation and monitoring of the schemes should be the responsibility of the Panchayat Union. When the major drinking water schemes cover more than one Panchayat Union the District Panchayat will have to play important role in not only identifying the sources but also formulation and raising of financial resources for the successful implementation of the schemes. Whenever a drinking water scheme benefits more than one district, state level agency such as TWAD will be the appropriate agency to formulate, execute and maintain such a scheme. Collection of water charges should be always done by the Village Panchayats irrespective of the fact whether the maintenance is done by the Village Panchayats/Panchayat Unions/District Panchayats. In case of schemes maintained by Panchayat Union/District Panchayat, water charges should be proportionately remitted by village Panchayat to them. It is considered that Tamil Nadu Water Supply and Drainage Board may depute the technical manpower for implementation, monitoring and maintenance of the drinking water schemes. It is considered necessary that all the drinking water sources should be fully and wholly maintained by the Panchayat Raj Institutions. Technical Cell available at the District Collectorate should come under the supervision and control of the District Panchayats. Linkages and co-ordination needed for the Panchayat Raj Institutions at the District level will be taken up by the Chief Executive Officer of the District Panchayat, basically with the District level officers and officers of TWAD Board and Ground Water Division of the Water Resources Organisation and Tamil Nadu Pollution Control Board. TWAD will transform itself as a technical advisory body for the District Panchayats.

03. Taking note of the State Government's over riding commitments, the State Planning Commission holds the view that every section of the society should have drinking water facilities, water supply sources should be well maintained and schemes for usercharges should be so designed that the water supply is efficient, economic and effective. In view of the above the State Planning Commission recommends the following activities to be assigned to village Panchayats, Panchayat Unions and District Panchayat.

I. VILLAGE PANCHAYAT

<i>ACTIVITY</i> (1)	<i>ENTRUSTMENT OF POWERS</i> (2)
1. Development of water supply system.	i) Undertake the construction of wells, tanks and village water supply schemes of its and/or assigned by the PUC/DP and from Government. ii) Assist in identifying water supply schemes and locations estimating cost and formulating projects through the involvement of PUC. iii) Periodic chlorination of open wells, water treatment and ensuring proper distribution of water to all households in the village panchayat.
2. Monitoring rural water supply schemes.	i) Reporting of the progress, monitoring of scheme implementation.
3. Maintenance of water supply system.	i) Maintenance of drinking water schemes, and appointing personnel required for maintenance such as pump operator.
4. Collection of water charges.	i) In the interest of efficiency and economy, the collection of water charges may be made the responsibility of Village Panchayat, irrespective of the operation and maintenance of the schemes by Panchyats/Panchayat Union/Dist. Panchayat. Proportionate water charges may be periodically remitted by the Village Panchayats to the institution operating and maintaining the scheme.

II. PANCHAYAT UNION

<i>ACTIVITY</i> (1)	<i>ENTRUSTMENT OF POWERS</i> (2)
1. Development of water supply system.	i) Identification and prioritisation of villages for drinking water schemes and location of sites/spot and sources. ii) Formulating projects and seeking technical, administrative & financial approval from appropriate authorities. iii) Implementation of schemes which covers more than one Panchayat (Composite water supply scheme) with appropriate technical collaboration. iv) Collection of water sample and testing and supply of materials for water treatment for the composite schemes and Village Panchayats.
2. Monitoring rural water supply schemes.	i) Monitoring and supervision of progress and quality of works.
3. Maintenance of water supply system.	i) Maintenance of scheme, collection of water charges through Village Panchayats where schemes cover more than one Village Panchayat.

III. DISTRICT PANCHAYAT

<i>ACTIVITY</i> (1)	<i>ENTRUSTMENT OF POWERS</i> (2)
I. Development of water supply system and monitoring.	i) Identification and formulation of major water supply scheme covering more than one panchayat union. ii) Monitoring the Comprehensive water supply scheme.

Administrative and Technical Implications.

04. Hitherto, formulation, implementation and maintenance of drinking water schemes have been the exclusive responsibility of TWAD. With democratically elected Panchayat Raj Institutions having been positioned, the direct responsibility of TWAD should be limited to the schemes covering more than one district. TWAD can maintain any combined water supply scheme providing drinking water to rural and urban local bodies; water supply to industrial areas and inter district large water supply schemes. At the district level the TWAD has rigs and Geo-technical equipments for sinking borewells. The same will continue to be with TWAD and will be made available for the works of the Panchayats. Thus, other schemes, should be fully under the administrative control of the Panchayat Raj Institutions. With the devolution of powers and responsibilities indicated above, the administrative linkages will be mostly required at the district level and at Panchayat Union level. For the identification of drinking water sources, formulation and implementation of water supply schemes, TWAD has the technical capabilities. The District Panchayat, Panchayat Unions should utilise TWAD's capabilities. With regard to the maintenance of drinking water sources hand pumps and power pumps can be well maintained by the staff of the Panchayats. In case of comprehensive water supply schemes, staff of the TWAD Board presently supervising the schemes, can be surrendered/deputed to Panchayat Unions. The Panchayat Raj Institutions should be in a position to control the technical staff who are deputed/surrendered for maintenance of schemes. The staff of the Technical Cell available with the District Collector should be transferred to District Panchayats to ensure uniform and unified command at the district level, to carry out the activities presently done by the Technical Cell.

Financial Implications

05. The State Government provide funds in the Budget under Demand No.27 (Rural Development) and Demand No.48 (Water Supply). The funds are made available either to the Panchayat Raj Institutions or to TWAD Board for implementation and execution of rural water supply programmes. The financial assistance are received from State Government Non-Plan Schemes, Plan Schemes, Centrally Sponsored 100% grant schemes and Centrally Sponsored Schemes shared between the Central and State. The following statement indicates the expenditure incurred for creation of sources and maintenance of water supply schemes in 1994-95, 1995-96 and Revised Budget Estimates for 1996-97.

	1994-95	1995-96 (Rs. in lakhs)	1996-97
Demand No.27 Rural Development	829.74	862.18	885.02
Demand No.48 Water Supply	7880.70	7735.57	14054.15
Total :	8710.44	8600.75	14939.17

Besides these allocations Government implement a Decentralised District Planning Scheme under which the Water Supply Scheme receives priority allocations. The expenditure indicated herein excludes the funds used by the Panchayats and Panchayat Unions out of their own resources. The sanctions made in the Decentralised District Planning Schemes for drinking water supply works out as follows:

<i>Sl.</i>	<i>Year No.</i>	<i>Outlay for Rural Water Supply</i> <i>(Rs. in lakhs)</i>	<i>% to the total Outlay</i>
1.	1993-94	224.28	11.21
2.	1994-95	730.62	18.62
3.	1995-96	1180.37	23.45
4.	1996-97	Outlays are yet to be received from the Districts	

Demand - 27
(Rural Development)

<i>Sl. No.</i>	<i>Head of Account</i>	<i>1994-95 Accounts</i>	<i>1995-96 Revised Estimate</i> <i>(Rs. in lakhs)</i>	<i>1996-97 Revised Budget Estimate</i>
(1)	(2)	(3)	(4)	(5)

Rural Water Supply Programme

1.	Water Supply Schemes implemented through Panchayat Unions (Grants-in-aid)	99.92	100.00	100.00
2.	Assistance to Panchayat Unions for maintaining hand pumps and power pumps	167.28	197.67	220.51
3.	Maintenance of hand pumps	317.48	319.07	319.07
4.	Maintenance of power pumps	245.06	245.44	245.44
	Total:	829.74	862.18	885.02

Demand - 48
(Water Supply)

Rural Water Supply Programme

1.	NON-PLAN Executive staff for maintenance of Rural Water Supply, Borewells and pumps. (Highways and Rural Works)	4.82	5.44	5.59
2.	SCHEME IN THE EIGHTH FIVE YEAR PLAN			
	II. STATE PLAN			
a)	Minimum Needs Programme	2500.00	2500.00	2650.00
b)	Minimum Needs Programme under Special Component Plan (Rural Water Supply Programme)	820.00	820.00	850.00

Sl. No.	Head of Account	1994-95 Accounts	1995-96 Revised Estimate	1996-97 Revised Budget Estimate
(1)	(2)	(3)	(4) (Rs. in lakhs)	(5)
4.				
3.	SCHEME IN THE EIGHTH FIVE YEAR PLAN			
	III. CENTRALLY SPONSORED			
a)	Accelerated Rural Water Supply Programme (Grants-in-aid)	2913.00	10.00	0.01
b)	Accelerated Rural Water Supply Programme under Special Component Plan (Grants-in-aid)	971.00	—	—
4.	SCHEMES SHARED BETWEEN STATE AND CENTRE			
a)	Comprehensive piped Water Supply Scheme in excess Fluoride affected areas. (Grants-in-aid)	—	3359.84	2298.54
b)	Providing safe Drinking water to habitations affected with high salinity for control of Brackishness under Minimum Needs Programme. (Grants-in-aid)	—	640.16	0.01
5.	ASSISTANCE TO PUBLIC SECTOR AND OTHER UNDERTAKINGS:			
I.	NON-PLAN			
a)	Grants to TWAD Board for Maintenance of Comprehensive Water Supply Scheme. (Grants-in-aid)			
	SCHEMES IN THE EIGHTH FIVE YEAR PLAN:			
	II. STATE PLAN			
b)	Grants to TWAD Board for improvement of comprehensive Water Supply. (Grants-in-aid)	—	—	1250.00
c)	Grants to TWAD Board for upgradation of power pump schemes for Panchayats Minimum Needs Programme. (Grants-in-aid)	—	—	3000.00
6.	SCHEMES SHARED BETWEEN STATE AND CENTRE:			
a)	Assistance to TWAD Board for installation of Desalination Plant under Accelerated Rural Water Supply Scheme. (Grants-in-aid)	671.00	403.13	2500.00
	Total	7880.70	7738.57	14054.15

(Source - Tamil Nadu Government Budget Documents (1996-97))

06. As may be seen from the tables, there are a large number of water supply schemes being implemented by the Rural Development and Water Supply Departments. Water Supply schemes need to be broadly categorised into two, viz., (a) schemes which could be implemented by Panchayat Raj Institutions, and (b) schemes which should continue to be implemented by TWAD. This streamlining will simplify funding procedure for all types of drinking water schemes and reporting of the progress of the schemes to various authorities.

07. The State Government's priority is to provide full coverage of all habitations with adequate drinking water facilities (40 LPCD). As on 1st April 1996, State Government has assessed, on the basis of the survey conducted in 1992 that out of 66,631 habitations, 33,764 habitations are fully covered (having water supply of 40 LPCD or more). Of the remaining habitations 154 do not have any source within 1 Km. radius. 12,615 habitations have water supply of 1 to 10 LPCD; 20,098 habitations have water supply between 11 to 40 LPCD. Thus, the State Government will be in a position to allocate funds to the Panchayat Raj Institutions and TWAD in the following priorities:

	<i>Priority</i>	<i>No. of habitations to be covered</i>
(1)	No Drinking Water Source	154
(2)	1 to 10 LPCD	12,615
(3)	11 to 40 LPCD	20,098

The classification of Panchayat on the basis of above priority will be the guiding principle for allocation of funds for the creation of drinking water schemes.

08. There are 1,07,493 deep borewell hand pumps, 36,541 filter point hand pumps, and 29,445 power pumps. Maintenance of these sources are as important as creation of new sources. Cost of the maintenance of the drinking water schemes should in fact be the first charge on the public expenditure. State Planning Commission believes that State Finance Commission would have looked into this issue and given its recommendations. However, State Planning Commission recommends that maintenance cost of these sources should be fully borne by Government.

09 Financial transactions in the three tiers of Panchayat Raj Institutions will go up tremendously in the near future. For proper financial check, all works in the Panchayat Raj Institutions should be subjected to continuous and concurrent audit. The local fund audit wing will therefore need strengthening.

Legal Implications

10. Tamil Nadu Water Supply and Drainage Board Act, 1970 envisages the regulation and development of drinking water and drainage facilities in both rural and urban areas in Tamil Nadu excluding Chennai Metropolitan Area. The said Act provides adequate legal linkages between the local authorities and TWAD Board for undertaking investigation, planning, execution and maintenance of water supply schemes in rural areas. However, the said Act needs a few amendments. (1) Amendment should include "District Panchayats" as "Local Authority" as defined under Section 2(7) of the said Act. (2) Further, another amendment should include "Tamil Nadu Panchayat Act, 1994" in place of "The Tamil Nadu Panchayat Act of 1958" in the Section 2(7) (iii). (3) Section 27 of the said Act should be deleted to provide reasonable freedom to the local self Governments to identify and implement technically and financially viable water supply schemes. (4) Sections 18 to 26 in Chapter VI of the said Act should be appropriately amended to give reasonable freedom to the local authorities to identify, investigate, plan and implement viable water supply schemes. (5) In view of the fact that TWAD implements schemes in the areas of rural and urban local authorities, their representatives should be given membership in the constitution of TWAD Board. Thus, Section 4 of the said Act should include 2 Chairpersons of District Panchayats and 5 Chairpersons of Panchayat Unions. Their Directorship may be for a period of two years and rotated in Tamil alphabetical order.

11. The Tamil Nadu Panchayats Act 1958 originally envisaged powers to Panchayats for provision of "Protected water for drinking purposes". Tamil Nadu Panchayats Act 1994 (Act 21 of 1994) has few provisions which require amendments. (1) Section 110 (g) should be amended to include "drinking water" as one of the purposes. (2) Deletion of provisions made in Sections 111 and 115. This will enable the Panchayat and Panchayat Union to undertake works relating to drinking water schemes.

12. The suggestion given above for the amendment of the TWAD Board Act and Tamil Nadu Panchayats Act will set right some of the anomalies presently existing.