

OPERATIONALISATION OF RECOMMENDATIONS

CHAPTER - VI

OPERATIONALISATION OF RECOMMENDATIONS

6.1. Institutionalisation of local Self Government through Constitutional amendments and State level enactment needs to be operationalised. Election process has completed one stage of institutionalisation. What remains to be carried forward is to clothe these democratic institutions with adequate powers. Constitutions of India and Tamil Nadu Panchayat Act 1994 just provide 29 items and the State Government has to provide real meaning and substance to these items.

6.2. Functions and Powers of Rural Local Bodies can be broadly classified into (1) Obligatory, (2) Discretionary, (3) Agency, (4) Review and (5) Entrustment functions/Village Panchayats have obligatory functions under Section 110, discretionary powers under Section 111 and agency functions under 119(2) of Tamil Nadu Panchayats Act. Village Panchayats do not have review function under the Act but derive the entrustment of powers under Section 257 the said Act. The Panchayat Unions exercise obligatory functions under Section 112, discretionary functions under Section 115, agency functions under Section 113, 114 and 123 of the Act. Panchayat Union derives its review powers from the Section 114(2) and entrustment of powers under Section 257 of the Act. The District Panchayats have obligatory functions under Section 163, discretionary powers under Section 164 and review functions through the standing committees under Section 97 and entrustment of powers under Section 257 of the Act.

6.3. As per the terms of reference, the Working Group has concentrated on what existing functions and powers in the hands of various departments and agencies of the Government can be entrusted to the Panchayats. But we are conscious of the fact that with the the arrival of Panchayats, specially in the field of development their exist a larger potential to be harnessed than merely outlining some of their existing functions and powers. We are restructuring and rationalising the schemes to fit in local priorities, to avoid wasteful expenditure, and speedy execution with full accountability to the local bodies which is also an insurance against avoiding leakages and unwanted corruption. Keeping in mind the aspirations of elected representatives of local bodies, expectations of people from the Local Self Government and the need for effective efficient and transparent governance at the levels of the local bodies, the Group outlines some of the policies to be looked into by the Government in operationalising the recommendations.

Administrative structure of the Rural Local Bodies

6.4.1. Establishment pattern of the Village Panchayat, Panchayat Union and District Panchayat need an analysis in order to ensure whether the available technical and non-technical personnel will suffice to implement the powers and functions suggested to be entrusted to them.

6.4.2. At the district level, the rural development works are being implemented by three different establishments. District Panchayat has been recently positioned and a few staff have been deputed from DRDA to District Panchayat. The second establishment is the Project Office of the District Rural Development Agency. This agency is controlled by District Collector as Chairman and establishment includes Project Officer (1), Assistant Project Officers (8), Deputy BDO (4), Assistants (Evaluation and Research) (1), Assistants (7), Assistant Statistical Investigator (2), Junior Assistant (2), Steno (3), Typist (2), Drivers (5), Office Assistants (7), Bio-gas Technician (1), and Watchman (1). DRDA establishment looks after the schemes being implemented through it. Third set up at the district level is in the Collectorate which looks after Panchayat Election, management, inspection and supervision. Besides, two specialised areas are also controlled by this establishment. Those are viz., Noon Meal Programmes and Small Savings. The P.A. (Development) at Collectorate consists of P.A. (Panchayat Development) and include Huzur Shristadar (1), Extension Officer (Accounts) (1), Assistants (7), Junior Assistants (6) Typists (4), Steno (1), Driver (1), Record Clerks (3), Office Assistants (5). The Noon Meal Branch is headed by P.A. (NMP), Accounts Officer (1), Assistants (2), Junior Assistant (1), Office Assistant (1) and Driver (1). The Small Savings Branch is headed by P.A. (SS & R) and supported by Assistant, Junior Assistant and Office Assistant one each.

6.4.3. Between the District and Panchayat Union levels there is a Divisional Development Office (DDO) which coordinates and controls various works of the BDOs. Each DDO Office comprises of DDO (1), Deputy BDO (1), Development Officer (Accounts) (1), Assistants (5), Junior Assistants (4), Typist (1), Steno (1), Driver (1), and Office Assistants (2).

6.4.4. At the Panchayat Union level, the establishment includes BDO (1), Addl. BDO (1), Deputy BDO (1), Extension Officers (9), which include the functional areas of planning, SS & PR, Noon Meal Programme, Social Welfare, RLEGP, Animal Husbandry, Cooperation and Adi Dravidar Welfare. Thus, there are nine Extension Officers, 10 Rural Welfare Officers DW CRA (1), Fitter (1), Union Engineer (1), Addl. Union Engineer (1), Overseer (2), Road Inspectors (3), Assistants (2), Accountant (3), Junior Assistants (5), Typist (1), Record Clerk (1), Office Assistants (5), Watchman (1) and Driver (1).

6.4.5. An analysis of the existing establishment pattern for rural development Works at the district and the sub-district level indicates that Panchayat Union level has been well equipped with adequate technical skilled and administrative personnel whereas Village Panchayat and District Panchayat do not have adequate staff (both technical and non-technical). The Group suggests that Government may consider to merge DRDA with District Panchayat and transfer all the staff and officers to District Panchayat. In many states the Village Panchayats have good number of staff to look after core, obligatory and entrusted functions. In Tamil Nadu only one Panchayat Assistant is the available staff. The above pattern very clearly brings out that there is a urgent need for the re-organisation of the structure of these Rural Local Bodies. The functionaries involved in the implementation of programmes and schemes should be transferred to the Rural Local Bodies at appropriate level. Re-organisation of the staffing pattern is no doubt a sensitive issue and therefore Government may constitute a separate Committee with experts being drawn from the Institutes like Anna Institute of Management, Madras Institute of Development Studies, Madras School of Economics, State Institute of Rural Development and other Institutes besides the representatives from the Rural Local Bodies to suggest the nature of changes and improvements in the administrative structure for the 3 tiers of Rural Local Bodies.

6.4.6. The State Finance Commission would have also recommended the types of organisational re-structuring to be done taking into account the financial devolution recommended by it. Those suggestions and recommendations may also be considered as short term measure by the Government. The fact remains that this is an urgent area of State intervention to make the Rural Local Bodies useful agencies for rural development.

Personnel issues

6.5.1. Based on the strong views expressed before us by the representatives of various departments particularly the School Education Department we have considerably modified our own approach to the placement of school staff directly under the control of Panchayat. However to accommodate the departmental views we have also gone to the extent of not suggesting the facility being given to the local Panchayat to be able to engage on contract basis local teachers to make up the deficiencies in the strength. Elementary education cannot be delivered without adequate strength of supporting teachers. If the administration, for whatever reason is not able to provide the required strength of teachers, then there should not be any hesitation to allow the community and the Parents Teachers Association to raise funds and make available to the local schools such number of teachers which could make up for the deficiency in the required strength. In the matter of school education vacancies arising and continuing for a long time in the village schools should be avoided. Local arrangements for additional teachers should be made. The modality of doing so, may be carefully, worked out to avoid and minimise any other complications.

6.5.2. The Group recognised that it would be eminently desirable for the Local Self Government Institutions to have their own officers and staff. They should have powers of appointment, transfer and disciplinary action. In the Tamil Nadu Panchayats Act, Sections 108 & 109, school teachers and health workers have been declared as Government Servants and their services protected. One view is that while their status as Government servants and terms of service should be maintained they may be placed on deputation with the Panchayats to ensure effective functioning of the schools and health centres. Health and education are important public objective for the Panchayats. However, the informal meeting of the State Planning Commission felt that if the Government were to accept the above suggestion in respect of Education and Health, it would involve transfer of the services of a large number of teachers, doctors and para-medical staff to Panchayat Raj Bodies and that even on deputation basis, it may raise a number of problems for the Government. The implications of transferring them to work under the local bodies on deputation basis or under any other arrangements and the precise administrative implications therefore should be examined

carefully. The informal meeting of the State Planning Commission felt that there were three following options which could be examined by the Government.

- (i) Personnel for education, health, etc., can be transferred to work under the local bodies by protecting their existing privileges.
- (ii) Alternatively they can be deputed to local bodies.
- (iii) The parallel scheme of appointment by permitting the Panchayat Raj bodies themselves to appoint personnel for new posts and in filling up the vacancies may, in due course, fulfil the purpose of democratic decentralisation.

While existing personnel have their rights as Government servants, future vacancies could be filled up by Staff appointed by and answerable to Panchayat Raj Institutions. The local bodies could be given powers to open new institutions (Primary School, Primary Health Centre, Sub centre) and appoint personnel as and when vacancies arise. Over a period of time the local bodies will then have their own officers and staff to run the institutions.

Engagement of Professionals and Consultants

6.5.3. We envisage that the speedy development will be made possible with the mobilisation of skilled personnel in panchayats right from village upto the District level. This will be an unprecedented situation for development. The availability of staff in technical and sectoral Department would be inadequate. We do not think it is desirable to increase the departmental strength. Redeployment of surplus staff from the Departments to the Panchayat bodies will be one alternative. Kerala Government it is learnt has taken bold step on the redeployment of surplus staff. Further, we suggest that in the overall interest, the local bodies should be empowered to use certain percentage of their funds for hiring Professionals and technical personnel on contract basis services for specific programmes and periods wherever the availability of such experts from the respective Department is not adequate. We are suggesting the principle of making such facility available through these arrangements the services of technical personnel for local bodies without much difficulty. In Kerala, retired officers, technical experts and Professionals are used as Volunteer Technical Core to assist the local bodies in project/scheme formulation, appraisal, and technical assistance beside helping those bodies in the implementation. Village Panchayat, Panchayat Union and District Panchayats may follow such policies as may be carefully designed.

Human Resource Development

(Training, Sensitisation and Attitudinal Change)

6.5.4. The political executives and the civil servants cannot but work with each other in the grass-root democratic institutions. Administrative operational adjustments and bridging the attitudinal differences will need time, till both gain experience in working together. However, their training constantly, independently, jointly and harmoniously will hasten the process of attitudinal change and deep rooting of the Local Self Government foundation in the state. **Training, sensitisation, and attitudinal changes** are required for the decentralisation of authority and powers to be properly institutionalised.

6.5.5. No doubt that the representatives and the officials of the local self Government will be trained to make them aware of their new roles. Transfer of powers from reluctant bureaucracy and technocracy to political leadership at 3 tiers of Panchayat Raj Institution is not an easy task. An attitudinal change is the present necessity. To reorient both bureaucrats and technocrats on one side and political executives on the others from an attitude which is centralising, control oriented to that of sharing authority with democratic PRI. Sensitisation Programmes for senior Civil Servants and Professionals should be organised.

6.5.6. Training should be imparted to Presidents, Chairpersons, Ward Members and all elected representatives to acquaint them in the functioning of their respective tier of Panchayat, their rights and duties, responsibilities and accountabilities.

6.5.7. The elected representatives should also be exposed to the functions of their Panchayat employees (both administrative and technical) which they are normally to discharge. Panchayat elected representatives and employees should know their respective roles for which interface training should be organised.

Convergence of Schemes

6.6. Another important existing method of development is sectoral compartmentalisation of different schemes defeating the economic principle of ensuring maximisation of benefit in different activities. This situation is more particularly noticed by the VIII plan in relation to social sector development. We envisage that only the funds and functionaries relating to the different sectoral programmes, will be entrusted to the panchayat as we have suggested. In the overall social interest, possible condition should be created, all impediments should be removed for implementing these programmes without reviewing critically, their continued usefulness or in a compartmentalised method and they should like the District Planning Committee to provide guidance on how such convergence can be made to achieve maximum results.

Scheme review powers of Local Bodies

6.7. Section 114(2) of the Tamil Nadu Panchayat Act which specifically enables Panchayat Union to review the schemes and programmes executed by the Government or by any other statutory body or agency. The Government should expand and make use of this provision for giving effective powers to the District Panchayat levels to review schemes implemented within their jurisdiction.

Accounts and Audit

6.8.1. The need is for an efficient accounts and audit arrangements for the local bodies. There should be Accounts manual and Audit manual to indicate procedural details for Village Panchayat, Panchayat Union and District Panchayat. The audit should not only be financial and voucher audit but should cover technical and work audit also. The present Local Fund audit structure is not fully in tune with the larger ambit of responsibilities assigned to the Panchayat Raj Institutions. There would also be need to have a suitable technical audit group to audit the various technical activities taken up in respect of works to be entrusted to the Panchayat Raj Institutions.

6.8.2 The Local Fund Audit Department started in 1980 is functioning with 1329 staff with Director as its Head, Department. There are 358 Asst. Inspectors, 327 Deputy Inspectors, 322 Inspectors, 78 Assistant Directors and 16 other Senior Officers in the Department. These Officers undertake audit of accounts of City Municipal Corporations, Municipalities, Panchayat Unions, Town Panchayats, Universities, Local Library Authorities and Market Committees. Analysis of this Department's work reveals that only Panchayat Unions are being audited, Village Panchayat accounts are audited by the Accounts Officials of the Panchayat Union Councils, and District Panchayat being a new organisation, no audit arrangement exists. However, from 1996-97, Local Fund Audit Directorate will undertake the audit of District Panchayat accounts. With the entrustment of powers/responsibilities/schemes and institutions, the number of transactions at 3 tiers of rural local bodies will tremendously increase. As on 1.4.'96 it is found that 97,440 audit objections were there only on Panchayat Union accounts.

6.8.3. The Local Fund Audit Directorate and field establishments need to be thoroughly strengthened. The Group suggests that (1) the functions of auditing of Universities and Market Committees may be entrusted to Chartered Accountants, and taken away from the purview of Local Fund Audit. This would reduce burden on the staff available with Local Fund Audit, who can be deployed to look into the increased transactions in local bodies. (2) The second suggestion is to divert to Local Fund Audit Department, surplus staff available in other departments as might have been detected by the Personnel and Administrative Reforms Department O & M study. (3) In order to make the Panchayat Raj Institutions more responsive, answerable and accountable, it is necessary that continuous and concurrent audit once in three months is introduced in all the 3 tiers of local bodies viz., Village Panchayats, Panchayat Unions and District Panchayats.

Works manuals

6.9. The magnitude of development works in the coming years will go up for the Rural Local Bodies. Every work involves estimation, administrative and technical sanction, check measurements and settlement of bills. The Village Panchayats have only one Assistant who will not be able to prepare such estimates and sanctions for each one of the works. The Panchayat Unions enjoy adequate powers for administrative sanctions of schemes and works but for technical sanctions they depend on the line Departments. This causes delay in implementation of programmes. Therefore, there is need for better decentralisation and delegation of administrative, technical, and financial powers to 3 tiers of Rural Local Bodies. Simultaneously Government may also prescribe sufficient safeguards to ensure better and appropriate utilisation of funds. In this context transparency in the preparation of plans and estimates, according of various administrative, technical and financial sanctions, floating of tenders, and execution

of works is need of the time. The right to information should be available to the voters of the respective Rural Local Bodies to peruse such records. Also simplified procedures for such functions should be prescribed in a works manual. Clear powers of the works Committee should be outlined to avoid differences and apprehensions.

Performance and accountability

6.10.1. Administrative mechanism for the Panchayats should clearly establish management responsibilities and assignments. The administrative and financial management system should clearly spell out who is responsible for the specific works and services. The physical and financial performance indicators should also be prescribed. The administrative and financial accountability should include the operational quality and quantities expected to be achieved by each of the officials within a time frame. The elected representatives who are also considered as officials will also have accountability like the administrative and technical staff. Ofcourse, their performance will be judged by the electorate in every election. Therefore, their political accountability will be only to the election process. But administrative, and financial accountability should be clearly spelt out for the elected representatives.

6.10.2. The Heads of Departments, officers at the District and below the District level should be given a clearcut guidelines about their role, functions, responsibilities to the Panchayats, so that there will be smooth implementation of schemes and programmes. This guideline will properly fix accountability and linkages at appropriate levels. Some of the department officers will have to assume facilitatory roles. At the state level it will be necessary to monitor working of the district, sub district level officers in discharging their local self-government duties. Some of the technical departments should also provide professional advice and clarify doubts needed by the local self-governments.

6.10.3. A massive publicity campaign may be launched through electronic and Print media to educate the Public and officials and make them aware of the changed role that the Government and Government officials are going to play in local self-governments. Many Acts and legislations exist which are repugnant and violative of the principles of democratic decentralisation. Panchayat Raj Institution have been empowered under the Constitution and Tamil Nadu Panchayats Act 1994, has also given certain powers. In case these powers come in conflict with the powers given to other authorities, those should become advisory and earlier legislation should correct the anomalies by appropriate amendments.

Maintenance of assets created and handed over to the Panchayat Bodies and to be handed over in future to Panchayat Bodies.

6.11. Under the programmes like IRDP, EAS, DPAP, HADP, Jawahar Velai Vaippu Thittam, Drought Relief Schemes and other Special Schemes, community assets are created and handed over to the local bodies for maintenance. Of them items like Road, Water Supply and Schools Buildings have been dealt with separately to ensure proper maintenance of those assets. There are other items like Community Centres, Noon Meal Centres, Percolation Ponds and other Water harvesting structures, Maternity Buildings, Dispensary Buildings, Community Wells etc. These assets are created under many developmental schemes. The Noon Meal Centres so far maintained by the other Departments like Education, Social Welfare, etc. have been brought under the control of the Panchayat Unions. While creation of assets are contemplated with poverty alleviation schemes the Panchayat Union is taken as an agency for maintenance of the Community assets on the assumption that they can meet the cost of maintenance from their own funds. No allocations are made separately out of the yearly allocations made under the special schemes, for maintenance purposes. While the Panchayat Unions are unable to meet their existing core service commitments, they will not be able to meet these additional responsibilities from within their own resources. The responsibility for maintenance of these assets are now vested with the Panchayat Unions. Village Panchayats are nearest to the people, community and the community assets. Thus, they can maintain many of these assets provided they are given adequate finances. Government should issue guidelines as to which of the assets to be maintained by Village Panchayats and Panchayat Unions. While transferring the responsibility the financial allocations to the Village Panchayats and Panchayat Unions should be provided for assets maintenance. Maintenance grant on a fixed percentage of the total value of the assets created should be made available to the Panchayats on matching basis to enable them to properly and regularly maintain the assets.

Management Information System (MIS)

6.12. There is need for creating proper management information system with standardised, systematic, and well designed data base. The flow of information and data on scheme implementation, core service facilities etc., from the Village Panchayats, to Panchayat Union and to the District Panchayats is absolutely necessary. District Informatic

Centre (Disnic) can be the best conduit to channelise the flow of such information. Therefore, the group recommends that Government should develop Computer Software Packages on Rural Management Information System (R-MIS) for every district. Software for the same may be developed by National Informatic Centre and should be adopted in each district to collect programme data and basic information periodically from Village Panchayat level. Directorate of Rural Development should have a Standing Core Team to operationalise R-MIS and giving necessary administrative and technical guidance to monitor the programmes of Rural Management Information System. We also find that the Panchayat Raj Staff are over burdened with monthly and periodic collection and compilation of data to pass those upwards. This area needs special attention to improve efficiencies. We suggest that Government should engage Institute like SIRD for simplification of registers, formats, and reporting systems for the Village Panchayats, Panchayat Union and District Panchayat levels. Simplifications of the registers and formats with computerised Management Information System format should be uniformly adopted.

Committees for Panchayat Raj Institutions

6.13.1 Section 94 of the Act provides that Panchayats (all 3 tiers) can have Committees with the approval of the Inspector of Panchayats. This provision needs to be dispensed with and the Act amended suitably to empower the District Panchayat, Panchayat Union Council, and Village Panchayat to form Committee with the approval of their respective bodies. Those Committees will discharge functions and responsibilities in conformity with the Rules and Regulations. Section 95 prescribes for the constitutions of Joint Committees of more than one Panchayat for settling their disputes/differences of opinion and such constitution shall be as per the approval of the Inspector of Panchayats. It is worthwhile to note that the Village Panchayats do not have any prescribed Committees. The Act indicates that the Panchayat Union should have Appointments Committee (96 (1) (a)), Agricultural Production Committee (96 (1) (b) (i)), Education Committee (96 (1) (c)) and General purpose Committee (96 (1) (c)). Further Section 96 (1) (c) authorises the State Government to constitute such other Committees as may be needed. Section 97 (1) (a) of the Act envisages that a District Panchayat may constitute Standing Committees for dealing with (1) Food and Agriculture, (2) Industries and Labour, (3) Public Works, (4) Education and Health, (5) Welfare Activities. Section 97(1) (b) authorises the District Panchayat to constitute additional Standing Committees for such purposes as it thinks fit. It is appropriate that the provisions of "Inspector" are suitably amended to empower the local bodies to discharge many of those functions personally given to "Inspectors".

6.13.2 In view of the entrustment of powers indicated in the foregoing Chapters, the SPC Group suggests that Village Panchayats should be authorised to constitute Standing Committee on (a) tax, finance, accounts and planning, (b) education and health, (c) welfare activities and Public Distribution System, (d) Works Committee.

6.13.3 In addition to the existing 4 Committees prescribed under Section 96 of the Act, the Group recommends that the following Committees should be constituted for proper functioning of the Panchayat Union: (1) Works Committee to deal with all construction and road works including housing, water supply and public works, (2) Finance, Taxation and Planning Committee to deal with raising of financial resources, release and use of grants, maintenance of accounts and audit; and preparation of Panchayat Union level plans, and (3) Health and Welfare Committee to deal with welfare of SCs/STs, poverty alleviation, rural development Public Distribution System and health and family welfare.

6.13.4 In case of District Panchayat, the Group opines that in addition to the existing Standing Committees spelt out under Section 97, there should be Standing Committee on (1) Finance and Planning, (2) Social Welfare including Welfare of SC/ST, and (3) Basic Minimum Services.

6.13.5. These Committees, as and when constituted, should be given adequate powers to formulate, approve and review Projects, Programmes and schemes implemented in the respective areas and respective subjects. The Committees should be empowered to review the follow up action taken on the suggestions and decisions by the line departments Government bodies and other lower levels of Panchayat Raj Institutions.

Empowered Standing Committee

6.14. In view of the importance attached by the State Government to the issue of entrustment of Powers to rural local bodies and in view of decisions already taken on many aspects of the First Report, the Group is confident of an early decision by the authorities on the recommendations of the Group on the Second Report and this Final Report. However, even after the recommendations have been approved by the Government it is expected that in the follow up action and interpretation of the recommendation, some operational problems and doubts may arise. We would,

therefore, suggest an Empowered Standing Committee with Chief Secretary as Chairman at the State level which could be empowered by the State Cabinet to provide clarifications and directions wherever necessary to ensure speedy and satisfactory implementation. This Standing Committee may also sort out similar problems of Urban Local Bodies.

State Development Council

6.15. Besides, we also recommend the setting up of a State Development Council (somewhat on the lines of the National Development Council) with Chief Minister as the Chairman, comprising of presidents of the District Panchayats, Mayors of Municipal Corporations, Cabinet Ministers, senior administrators and members of the State Planning Commission. The State Development Council could meet quarterly to review the progress of development both district-wise and important sectors as well as the overall development of the State. This would ensure that the entrustment of responsibilities to the rural local bodies are, in fact, delivering the expected promise of decentralisation and positive results in the economic and social spheres. It will also impart a strong feeling among the representatives of the partners in the development of not only their respective districts or areas but the State as a whole and help to impart a broader outlook to all concerned which is as important as entrustment of specific functions and powers in relation to individual subjects.

Accountability to Legislature

6.16. One of the questions still to be resolved which would have a bearing on the smooth working of the local bodies is in relation to what is considered as the answerability to the legislature with regard to the activities and financial performance of the Panchayat bodies. Since the Constitution has envisaged these bodies to be Institutions of Self Government and yet they are subject to the State legislation. Some lines need to be drawn by which these two positions can be sustained and the Legislature is provided with the minimum necessary information without impinging upon the day-to-day functioning of these bodies which is bound to arise if the questions are raised on a day-to-day basis about the activities of the District Panchayat, Panchayat Union and Village Panchayat. The Group suggests that the discussion in the Legislature, subject to the approval of the Legislature, be confined to a review of the Annual Progress Report of the District Panchayat and the Legislature itself may develop guidelines for the admissibility of different types of questions about these local bodies on a day-to-day basis. Even if it takes some time for such criteria to be evolved in the long run, they would help in creating conditions for free functioning of these bodies without diminishing their accountability to the Legislature.

Rural Local Body and NGO interface

6.17. Non-Governmental Organisations (NGO) are basically non political, Social, non profit making Community oriented Voluntary Organisations, very close to the people at the grassroot level. The success and sustainability of the programmes in rural areas depend much more on the voluntary efforts of the Non Governmental Organisations operating such programmes. The NGOs are more suitable to organise community participation and should, therefore be involved by the Rural Local Bodies not only in the village plan preparation but also in training programmes, actual implementation, monitoring and evaluation of the schemes. The District Panchayat should enlist all the available Non Governmental Organisations in the district, identify their specialised functions and programmes, and area of operation. The District Panchayat can be the nodal agency to bring both Panchayat Union, Village Panchayats in close proximity and co-ordination of the NGOs. Some of them can also be involved in the standing committees, joint committees and other organisations of the Panchayat Raj Institutions. In many cases NGOs are very useful in maintaining some of the community infrastructures like Roads, Watersupply etc. The Panchayats may enter into legal agreements, with good, committed and proven NGOs for entrusting the Panchayat works and schemes.

Rural Local Bodies and users group interface

6.18. Under various land and water based programmes users groups are formed to ensure that scarce natural resources are properly, efficiently, and transparently used and managed. For example irrigation water users groups under the command Area Development Programme, watershed users groups under DPAP, NWDPR, and IWDP are some of the users group. Self help groups organised under IFAD and DWACRA groups for women and children programmes are also attending to the development of disadvantaged people. Interface of the users' groups with Panchayats will bring in synergic impact. Some of the specialised welfare and development oriented users groups and the Rural Local Bodies should work closely to ensure that the convergence of schemes and efforts give maximum benefits to the rural people. The Village Panchayats will be most suitable Panchayat Raj Institution at the grassroot

level for direct coordination with users group. Panchayat Unions at the Block Level and District Panchayats at the District Level should arrange for proper coordination and linkage with users' groups on various programmes and schemes implementation. Government should issue guidelines to both Panchayat Raj Institutions, and line Departments organising user groups, on the interfacing of these institutions for a faster rural development.

Better developmental emphasis for the disadvantaged people

6.19. We recognise that the Constitutional Amendment has provided representation to the disadvantaged group such as women, the scheduled caste and scheduled tribe. It would however take more time for them to fully reflect their opinion, their views and it will therefore be in the fitness of things to develop special strategy such as Special Component Plan, ITDP which will focus on them and earmark funds for the schemes relating to their economic and social upliftment. With regard to other schemes, we will generally advocate an 'untied' supply of development fund to the Panchayat in order that they can determine the composition and character of the local development programmes. We hope that during the IX Plan Government will earmark sizeable funds and schemes for the development of the disadvantaged people through local bodies.

Recognition of Socio-cultural traditions

6.20. We envisage that the availability of local institutions such as the Village Grama Sabha and Village Panchayat and Panchayat Union will bring into our developmental practice the importance of being well informed about how the community should carry out many of its economic and social functions on the strength of cultural, traditional, and conventional arrangements. These are often a rich source for enhancing the situation of the community and in speedy delivery of development. It is expected that taking note of these existing arrangements and wherever they are doing useful and creative work, and at little cost, the Panchayat would take the maximum advantage and strengthen them to the maximum extent possible which in turn will minimise building up overhead administrative machinery for local development. There is also a tradition in many areas of resolving local disputes through mediation and thus avoiding litigation and prolonged delay. The Panchayat will rely on these conventional arrangements and put their weight in favour of settlement of disputes through mediation as far as possible.

Procedural matters

6.21 Developmental programmes and their working are mostly governed by executive decisions in the form of Government Orders (G.O.s) Manuals, Guidelines, circulars, clarifications etc., Therefore, unless a comprehensive set of executive working instructions are given, the new system cannot function smoothly. The Group recommends that the PRIs should be given clear working instructions on how to exercise the functions transferred to them. So, all the Departments have to issue appropriate orders facilitating smooth and independent exercise of the functions transferred to the PRIs. Such orders among other things may include the following points: i) the PRIs have the right to choose the beneficiaries, sites and make other choices in the schemes handed over to them, ii) no action should be taken by any department on any programme or incur any expenditure without the prior concurrence of the appropriate Local Bodies, iii) The PRIs are not bound to release funds for activities not having their prior approval, iv) the authority to give technical approval has to be specified and also to indicate the time limit, beyond which it shall be deemed that the technical approval has been given and further action can be taken by the PRIs. Higher Powers of technical sanction may be conferred on field functionaries. The Local Bodies should be authorised to get the schemes technically vetted by outside agencies with prescribed qualifications, v) the procedure for purchase of material, hiring of services and the financial limits on this count has to be clearly laid down, vi) the role of higher level officials in the line Departments has to be prescribed vis-a-vis, the items transferred to the Local Bodies, vii) For the mode of review of activities/ programmes by the PRIs including periodical reporting, guidelines may be issued by each department.

Peoples' participation

6.22 In order to enlist participation of the people it is a recognised fact that Grama Sabhas is the main forum of people's participation. Thus the suggestions of the group are :

The Grama Sabha should be strengthened to have the following (i) The quorum should be 10% (1/3 rd of registered voters is the present quorum which will be very difficult to achieve), (ii) For the Grama Sabha, there should be written invitations to every household, and (iii) every member of the Grama Sabha should be given a copy of the

Government Order detailing the rights and responsibilities of Grama Sabhas. The **rights of the Grama Sabha** should be specified to include: (1) To know the action plan for the financial year in so far as schemes are concerned (2) To know the detailed estimates of the works proposed to be taken up (3) To lay down norms and criteria for selection of beneficiaries and to select beneficiaries as per those norms and criteria (4) To know the detailed item-wise accounts of every expenditure incurred within the area of the Grama Sabha (5) To know the rationale of decision taken by the Village Panchayat (6) To ascertain from the officials, the services they render and the work they are to do in the financial year (7) To generate proposals and indicate priorities for preparation of the Plans and (8) To set up sub-committees to undertake or oversee any item of work in furtherance of the rights and responsibilities of the Grama Sabha.

The **responsibilities of the Grama Sabha** could include: (1) Dissemination of information on development and welfare programmes (2) Canvassing participation in health, literacy and similar development campaigns (3) Collecting essential socio-economic data (4) Providing feedback on the performance of development programmes (5) Canvassing to pay taxes, repay loans, promote environmental cleanliness, maintain social harmony etc. (6) Mobilising local resources to augment panchayat resources (7) Supervising development works as volunteer teams and (8) Creating arrangements to report quickly incidence of epidemics, natural calamities etc. (9) Powers given to Grama Sabhas in scheduled areas by Parliament on 24th December 1996 should be extended to Grama Sabhas in the non-scheduled areas also.