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DECENTERLIZATION TO PANCHAYATS IN HARYANA: THE WAY FORWARD

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ABSTRACT

The authors in this article discuss the concept of rural development, the process of rural development in India and finally the article analyses the working of PRIs in Haryana with specific emphasis on the role of the PRIs in implementing the rural development programmes. While identifying the problems confronting the rural areas of Haryana, the authors suggest measures as well.

INTRODUCTION

In Haryana panchayati raj and rural development affairs are being administrated under a single ministry, which is called as panchayati raj and rural development ministry. In recent past, there is a growing opinion among the people that the panchayati raj intuitions have come into existence with the purpose of creating the political awareness at the grassroots level. It is because of this that the people, administration and political parties are being concentrating on the political participation and involvement in the electoral process and PRIs have become the basis of obtaining political power. On the other hand, the role of PRIs in the implementation of rural development programmes seems to have been forgotten. It is evident that since the advent of independence, there have been several problems such as poverty, ill health, illiteracy, and backwardness of varied nature prevailing in rural areas. The government of India has implementing various developmental programmes in the rural areas with the intension of attaining rural development.

1. Pursuant to the 73rd Constitutional amendment Act 1992, Haryana enacted the Panchayati Raj Act, 1994, which came into force on April 22, 1994. Under this legislation, Panchayats at all three levels have been entrusted with duties & functions with regard to all 29 matters listed in Eleventh Schedule of the Constitution.

2. To accelerate and sustain development, there is a need to strengthen Panchayats at all levels so that they function as institutions of self-government in the letter and spirit of Article 243G of the Constitution. Strengthening Panchayati Raj for the building of a vibrant Haryana is a noble cause that needs to be urgently pursued.

3. Recent measures of the Government of Haryana have begun the process of Panchayati Raj reform:

(a) The State Govt. has assigned to all three levels of Panchayats, the functions of supervision and monitoring of activities of sixteen departments, namely Development and Panchayats, Food and Supplies, Welfare of Scheduled Castes and Backward Classes P.W.D. (Public Health),

Social Forestry and Farm Forestry, Women and Child Development, Rural Development, Agriculture, Animal Husbandry, Power, Social Defence & Security, Horticulture, Ayurveda, Education, Health & Irrigation Department on 23.5.1995.

(b) Recently, Government of Haryana, with a view to empower and strengthen Panchayats, has abolished the parallel institutions of Village Development Committees.

(c) Gram Sabhas have been empowered to consider and pass the budget prepared by the Gram Panchayat.

(d) The State Government has enhanced the powers of PRIs for granting administrative approval from the previous limit of Rs. 25,000/- to Rs. 1,25,000/- in case of Gram Panchayat, Rs. 1,00,000/- to Rs. 3,00,000/- in case of Panchayat Samiti and Rs. 2,00,000/- to Rs. 5,00,000/- in case of Zila Parishad.

(e) The State Government constituted the 1st State Finance Commission in the year 1994 and accepted its recommendations regarding sharing of Taxes, Duties, Fees and certain grants to PRIs.

(f) The Second State Finance Commission was set up on 6.9.2000 to review the financial position of PRIs and to make recommendations with regard to distribution of the net proceed of Taxes/Duties and Fee etc. Between the State Government and PRIs and to suggest measures needed to improve the financial position of PRIs. The Second State Finance Commission has recommended that an amount of Rs. 578.58 Crores be transferred to PRIs on account of different sources of the State Government during the period 2001-06.

(g) Maintenance of accounts of Panchayats in Performa's prescribed by the Comptroller and Auditor General India has been got implemented and new formats for accounts have been made available to the PRIs.

(h) Accounts of Gram Panchayat are being audited by the Director Local Fund Audit, Haryana and the Accountant General Haryana has been authorized to conduct test audit of the Accounts of PRIs. Training to the Officer/Officials of all three tiers of the Panchayati Raj shall be imparted with regard to the entries to be made in the new Performa.

(i) Database Management Information System is being developed and internet connectivity up to Gram Panchayat level is proposed.

(j) State Election Commission has been constituted and empowered to conduct free and fair election to the PRIs.

4. The challenges before Haryana in sustaining the pace of reform will require effective support and close coordination with the Central Government. In this endeavor the State Government of Haryana and the Union Ministry of Panchayati Raj, have agreed to accord priority to the following points.

5. A fresh national impetus has been given to the devolution of powers and responsibilities through the Seven Round Tables of State Ministers of Panchayati Raj which arrived by consensus, at 150 recommendations pertaining to 18 dimensions of Panchayat Raj. The Government of Haryana will address itself with all deliberate speed to these recommendations and review the same regularly.

6. In continuation of the exercise of devolution already undertaken in 1995 and 2000 as described above, Haryana has already commenced the process of Activity Mapping, aimed at effectively devolving functions, funds and functionaries to Panchayats. The Government of Haryana commits itself to issuing the Activity Mapping Notification by the end of November 2005 in the joint presence of the Chief Minister of Haryana and the Union Minister of Panchayati Raj. In furtherance of this, the following specific steps will be undertaken:

- (a) PRIs will be involved in planning, supervision and monitoring most of the schemes being implemented by different departments.
- (b) Old age pensions will be disbursed through Gram Panchayats and the State Government will deposit the required funds in Gram Panchayat bank accounts.
- (c) Panchayats will be involved in implementing the Mid-day Meal Scheme.
- (d) Supervision of Veterinary Centres up to hospital level will be assigned to Gram Panchayats.
- (e) A Water User Association will be formed at the Gram Panchayats level as a sub-Committee of the Gram Panchayats and repair & maintenance of water resources will be given to the Panchayats for which suitable amount be given to them by the Irrigation Department. Further, at the Panchayats Samiti level Cow-Ghats, Parapets, Ramps, Bridges, De-weeding and Dividing and irrigation minor be entrusted to the Gram Panchayats and the income may also be assigned to them. J.E. working in the area would help the Panchayat Samiti to execute these works.
- (f) The relevant Rules will be amended to vest financial powers in the Panchayat Samiti instead of CEOs.
- (g) A scheme will be prepared for getting funds to the Panchayat Samiti for minor irrigation works.
- (h) Zila Parishad will be entrusted the work of water-shed development and minor repairs and SDO concerned will help the Zila Parishad in executing the same.
- (i) Village Health Committees will be constituted under the Gram Panchayats for supervision of Sub Centres.
- (j) Village and social forestry schemes will be supervised by the Panchayats. Similarly, the Panchayats will also monitor plantations on canal banks and roadside and a share of the income from felling of these trees should go to the Panchayats. Land record of forest plantation is synchronized at the Zila Parishad level.

(k) Activities of Agricultural Development Officers functioning at the village level, their presence in the village etc. will be monitored by the Panchayats.

(l) There is need to increase and rationalize the deployment of Gram Sachivs to promote the effective functioning of Gram Panchayats.

(m) Panchayats at all levels should be associated with the proper distribution of essential commodities through fair price shops and the role of each tier of PRIs should be clearly spelt out in this regard.

(n) Different departments will convey to PRIs funds earmarked and the schemes being undertaken by them in each village/block/district.

(o) A compendium of the rights and duties of PRI Representatives will be prepared and widely circulated.

(p) Anganwadi Workers' supervision, recruitment and beneficiaries' identification will be assigned to PRIs.

(q) In respect of single tubewell scheme, the distribution of water supply in the village will be entrusted to Panchayats. The proceeds collected by the Panchayats may be retained by them for maintaining the same.

(r) That Panchayats will also be involved in collecting electricity dues and a share of the amount collected be given to the Panchayats.

7. For effectively performing the functions devolved to them through Activity Mapping, the Panchayats would need a matching transfer of funds in respect of the devolved functions. This will require the entrustment of all schemes pertaining to the activities devolved upon Panchayats to the respective levels, through the creation of a Panchayat Sector in the State Budget. The Government of Haryana undertakes to commence taking steps in this direction so as to operationalise Activity Mapping, through transfer of schemes to Panchayats beginning with the budget of 2006-07.

8. For Panchayats to effectively plan and implement the functions that have been devolved upon them it is necessary that funds pertaining to these schemes are transferred to them without delay or diversion. As part of this process, the Government of Haryana agrees to put in place systems that are capable of tracking transfers of funds to Panchayats, both through Banks and treasuries.

9. For the effective performance of functions devolved to Panchayats, it is necessary that the functionaries concerned with these functions are accountable to Panchayats. The Government of Haryana commits itself to further strengthening this process, so that all employees involved with these functions are accountable to the Panchayats concerned.

10. Haryana has established District Planning Committees. In accordance with the recent Panchayat elections, the District Planning Committees will be constituted and district plans will

be prepared on the basis of village/block level plans. Haryana undertakes to put in place detailed operational guidelines to ensure that DPCs function in accordance with Article 243 ZD of the Constitution, within October 2005.

11. The District planning mechanism would be re-oriented so as to ensure centrality of Panchayats in participative planning from the village level upwards. The new approach would be conceptualized considering best practices in other states. It will be piloted initially in a few districts, with a view to ensuring that the 11th Five Year Plan of the State is built through the consolidation of Village Panchayat, Panchayat Samiti and District Panchayat plans by the District Planning Committee. The planning process would be participative in which PRIs' representatives should be involved.

12. It is the endeavor of the State to equip the PRIs with substantive financial power in order to generate adequate resources for them to enable them to discharge functions and obligation adequately. In Haryana, there is a great scope for Panchayats to raise their own taxes. There is a need to encourage all levels of Panchayats, particularly Gram Panchayats to levy taxes and user charges. In enabling them to do so, the State agrees to undertake relevant reforms to the taxation provisions.

13. Panchayats will get a share in the scheme/income being floated by HUDA/Housing Board in their territory.

14. A significant share of Local Area Development Tax will be given to the Panchayats.

15. The Government of Haryana and the Union Ministry of Panchayati Raj commit themselves to continuing consultation with each other on the modalities of eventual merger of DRDAs with the Zila Parishad.

16. The effective and transparent functioning of Panchayats depends to a large degree on the intensity and quality of participation of all elected members in activities of the Panchayats. This is best done through the establishment of Standing Committees within the Gram Panchayats, which are given a degree of flexibility and are held accountable for the performance of specific functions of the Gram Panchayat. Standing Committees also permit greater citizen participation in the functioning of the Panchayats and are a protection against powers being solely concentrated in a few persons within the Panchayat. Haryana commits itself to putting place a system of Standing Committees at the Panchayat level by making appropriate rules in this regard.

17. Gram Sabhas will be made an effective instrument for accountability and social audit. The frequency of Gram Sabha meetings will be increased to once a quarter from once half yearly.

18. In order to build capacity and leadership among categories for whom seats are reserved, Haryana shall consider favorably the slowing down of the reservation cycle so that the option to

reserve seats for more than one-term is open but it is for the State Legislature to decide the number of terms for which seats will remain reserved.

19. With respect to the two child norm for eligibility to contest Panchayat elections, the Government of Haryana will review this matter in the light of evidence regarding the effectiveness of the norm and continue consultations with the Union Ministry of Panchayati Raj in this regard.

20. The Union Ministry of Panchayati Raj shall assist the Government of Haryana in capacity building and training of elected representatives and officials of Panchayats. This may include exposure visits to other states in order to familiarize themselves with best practices.

21. The Union Ministry of Panchayati Raj undertakes to assist the Government of Haryana in creating awareness among the youth and the student community, aspirants to office in the Panchayati Raj Institutions and elected representatives of the significance of Gram Swaraj. To this end, it would assist in conducting orientation and training of persons aspiring to posts in Panchayats, particularly youth and women and pre-election voter education campaigns.

22. The Union Ministry of Panchayati Raj will pursue the devolution of Central funds through untied block grants, and systemic reform of Centrally Sponsored Schemes, including the establishment of a Panchayat Empowerment Incentive Fund to bring these in conformity with the constitutional provisions for good governance at the district and sub district levels as set out in Part IX read with the relevant articles of Part IX A.

23. The Union Ministry of Panchayati Raj agrees to support initiatives in computerization and e-governance of Panchayats in Haryana as part of the National e-Governance Action Plan.

24. The Union Ministry of Panchayati Raj agrees to support the Government of Haryana with technical assistance in undertaking further Panchayati Raj reform including Activity Mapping and Fiscal devolution.

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