

A path to Grama Swaraj

**A few highlights of the report of the Panchayat Raj Amendment Committee,
2014**

Development is not about implementing programmes. Development is about fulfilling responsibilities

Gram Swaraj is a vision of the people of this country. This report is based on the premise that people should be enabled to take decisions about themselves, their villages and their people. For that to happen, where ever work has to be carried out, that is where planning and decision-making related to that should also take place. Primarily, for people to take decisions related to their own basic requirements and facilities, in relation to 29 developmental subjects, a mapping was carried to identify the most appropriate level of panchayat to carry out different functions. Emphasis has been laid by the Committee to ensure that the PRIs do not become sub contractors of the State, instead are enabled to consult people about their requirements, develop plans based on those and implement them. Development is not viewed as a programme activity, but a responsibility and in this framework, each level of the local government has been assigned with specific responsibilities. The Committee has recommended to the State that in line with these responsibilities, the States should devolve the functionaries and finances required by the local governments to carry out their functions. Through this it also clearly lays out which level of the local government is accountable to carry out which developmental activity. The role of the Grama Sabha in this connection has been given special emphasis.

Implementation of plans in a systematic manner based on the realities of people

The Committee has stressed upon the need for ensuring social justice by creating forums and conducive environments for the participation of marginalised communities such as the members of the Scheduled Castes, Scheduled Tribes, of women and children. It emphasises the need for every panchayat to develop plans in a systematic manner with inputs from all sections of its constituency; inputs from experts and the experienced; and their own detailed statistics/data, managed locally. Recommendations to make the election process just and more transparent have been included in this report.

Emphasis on implementation and monitoring at the Village level

The Committee recommends that instead of viewing developmental programmes on the basis of their departments – the implementation, monitoring and resource management of different functions be devolved. Through this, the Committee opines that not only will responsibilities and accountability be articulated with clarity; their speedy implementation can also be ensured.

All three levels of the local government are accountable and answerable to the Grama Sabhas

In order to ensure enhanced participation of people in the Grama Sabha and to make it an effective forum, for the very first time, the Responsibility Mapping includes the roles and responsibilities of Grama Sabha. Grama Sabha is viewed as the foundation for all developmental plans and utmost importance has been given to bottom up planning. All the village level plans form the basis of the taluk level plans. Similarly, the taluk level plans form the basis of the district level plans, There will be Taluk Development and Planning Committee in which representatives of the Taluk Panchayat as well as the Gram Panchayat will be members. Similarly in the District

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Development and Planning Committee, representatives of the Grama Panchayat will also be members. Through this, the Committee's recommendations ensure that the plans of the Grama Panchayat remain the basis for the consolidated district plans.

As a result of this, the plans, instead of becoming fragmented, get consolidated in a holistic manner, based on the real needs of people. Also, the three levels of the government will develop organic links that are based on mutual understanding and shared awareness. In addition, for the taluk level planning, the Taluk Panchayat is the primary stakeholder.

It has been recommended that the presidents of the different levels of the Panchayats be the fulltime Chief Executives of the panchayat. The PDO of the Gram Panchayat, the EO of the Taluk Panchayat and the CEO of the Zilla Panchayat have been made accountable to the panchayats they serve and be Chief Secretaries of their respective panchayats. The Ministers from the district and the parliamentarians and legislators have been given a role in ensuring the development of the district and taluk level plans.

Finance

The Committee recommends that the State should devolve a minimum of 30% of State budget and 50% of that be untied funds. As the uniformly allocated finances irrespective of their size, backwardness, geographical conditions or extent of agricultural activity are not fair, the committee recommends that a Priority Ranking Matrix based on the needs, priorities and situation of the panchayats should be carried out, based on which the quantum of funds for each Panchayat should be determined.

In addition to making recommendations for the panchayats to mobilise their own resources, the Committee has recommended that the funds be deposited directly into panchayat accounts. It has been suggested that the budget head follow the sections in the Responsibility Map. It has also been suggested that panchayats have the flexibility to incur expenditure within a budget head from one cost centre to another. Hence, based on the local specific needs and situations, the panchayat has the flexibility to re-strategise its resource use.

Special Gram Sabhas for members of the Scheduled Castes and Scheduled Tribes

Special Gram Sabhas have been recommended for members of the Scheduled Castes and Scheduled Tribes where plans related to grants provided to them can be developed. Through this they will be able to determine the plans based on their own needs. Also this will put a stop to the misuse of funds allocated to address the requirements of the Scheduled Castes and Scheduled Tribes.

Similarly Special Gram Sabhas have been provided for women and children on the basis of which plans related to women and children should be formulated.

Majority is not the deciding factor. Social Justice will be the priority

The Committee has included guidelines to carry out 'Priority Ranking Matrix' as a tool to ensure that priority is given to the issues of marginalised women, children and minority communities. Through this, instead of basing all decisions related to selection of beneficiaries, prioritising schemes and programmes etc on majority votes, priority will be given based on factors such as 'urgency', 'need', 'coverage', 'backwardness' and 'feasibility'. Through this priority for the concerns of the most marginalised will be assured.

People's decisions, people's power

Several recommendations to strengthen the Grama Sabhas, which is the main forum for people's participation – the very crux of democracy – have been given. The power to select all beneficiaries and to accept the plans lie with the Grama Sabha. In the Responsibility Map, clear guidelines and directions have been specified with regard to the responsibilities of the Grama Sabha. The Committee recommends that the power to evaluate the quality of infrastructural developments at the Gram Panchayat level be given to the Grama Sabha.

Panchayat President: Full time Chief Executive

The presidents of the different levels of the panchayats will be the fulltime Chief Executives of their panchayats. They have been provided with appropriate support to enable them to function as the Chief Executive heads of their Panchayats. Under special circumstances, to speedily handle emergencies such as disasters, accidents, environmental crises etc, the president has been recommended special powers as well as access to special funds.

The Committee recommends that the president be elected by other elected members. This is in line with the spirit of our constitution and democratic principles. This is similar to the parliamentary democracy. It upholds the principle that the president is one among the equals. Guidelines have been recommended to check frequent resignations of the Presidents and the Vice Presidents. Their resignation and/or replacement shall be accepted only for very compelling reasons.

Reasons and the procedure for passing no-confidence motions against the Presidents and the Vice Presidents have been made more stringent and a time period has been imposed before a second no-confidence can be imposed. Only in times of total failure to carry out responsibilities, corruption, involvement in criminal offences and such serious offences, non-confidence motion may be invoked and a change sought.

Recommendation for the State to fund election of candidates

The State Election Commission has been provided with increased powers to make elections more stringent and transparent in the recommendations. The State Election Commission has been entrusted with the responsibility of ensuring that elections are held as per schedule and that all violations of the election code and failure to discharge obligations as laid down in the Bill shall attract penalties as prescribed including the relinquishing of one's seat and a ban on standing for elections for a period. The State has been recommended to fund the election of all candidates in order to curtail election expenditure and to arrest corruption. The Commission has been made responsible to organise public meetings at which the candidates can exchange views and opinions with public. It has been also recommended that the election process be conducted speedily and in a short duration and corruption be aggressively countered.

A recommendation has been made that all Gram Panchayat seats be single member constituencies. The existing multi-member constituencies are to be converted to single member constituencies. Through this, clear accountability will be fixed for ward/constituency development and hence social justice, with greater transparency will be ensured.

Compulsory capacity building

It has been recommended that once in five years, 3 to 6 months prior to the completion of the term of the existing Grama Panchayats, the elections to be carried out. Only after the completion of their capacity building process may the elected members, presidents, vice presidents and members of the statutory committees assume office. Through this, the presidents, vice presidents

and members of the statutory committees will gain clarity about their responsibilities and the scope of their work prior to commencing work. Refresher courses have to be carried out periodically.

Evaluations

The Committee recommends that development bench marks that are established by local, state and central governments for measuring outcomes and indicators for gauging progress be introduced to people. They should be used for monitoring and evaluation of implementation of plans, projects and schemes periodically. Based on these indicators, the Grama Sabha may carry out its evaluations through its Inspection Committee. This will enhance transparency and prevent corruption.

Dispute resolution

Mechanisms have been provided for all kinds of dispute resolution:

- Among people;
- Between people and their local governments;
- Among local governments; and
- Between local governments and the State.

A District Panchayat Tribunal has been recommended for resolution of disputes between citizens and panchayats and between panchayats; and an Ombudsperson has been suggested for settlement of grievances related to embezzlement and misappropriation or overstepping the boundaries of mandated powers against panchayats, panchayat members and officials.

To prevent and address the sexual harassment of women and children in the workplace and elsewhere, it has been suggested that the panchayats set up committees as appropriate on the lines of the Central enactments.

Setting up of Structures

The Committee recommends that the following structures be set up

1. Karnataka Panchayat Administrative Service: To select and appoint functionaries to serve the Panchayat Raj Institutions. Through this the local governments will be able to have the required staff members. In line with this, through the Directorate/Commissionerate of Panchayat Administration, it will be possible for the panchayats to appoint staff members who have the knowledge and expertise related to panchayati raj.
2. Karnataka Panchayat Administration and Technical Service Board: This will conduct sustained and periodic capacity building programmes for panchayat members, presidents, vice presidents, members of the statutory bodies, staff members and technical staff members. This will enhance the effectiveness of the entire panchayat raj system.
3. Designing a 2 year Panchayat Raj Course in collaboration with a registered university for the Chief Secretaries of all the three levels of panchayats.
4. Karnataka State Decentralised Planning and Development Board to provide advice and guidance related to planning and policy matters.

Karnataka, on a path to Grama Swaraj