

# Department of Panchayati Raj Policies & Practices



A Commitment to Panchayati Raj Institutions (PRIs)

Uttar Pradesh

# Panchayati Raj Department, Uttar Pradesh

## *-A Commitment to PRIs-*

### **Vision**

“Establish and develop LOCAL SELF GOVERNEMENT in the rural areas of the State as the basic unit of democratic Institution at the grass root level in conformity to the Article 243 of the Constitution of India brought in through 73<sup>rd</sup> Constitution (Amendment) Act 1992, by making better provisions for rural administration and development.”

### **Mission**

“Ensure constitution of three levels of PRIs as per Constitution of India and empower and strengthen them by vesting powers ,functions, functionaries and funds as per Constitution of India so they may be enabled to dispense their responsibilities of the common concerns in the rural areas .”

## Objectives

The department aims at empowerment of Panchayats to levy certain taxes, manage funds, make bylaws, prepare budgets, improve the status of sanitation through various activities and implement various schemes, maintain the assets of Panchayats benefiting the community, by guiding them and enhancing the capacity of PRIs.

## ABOUT US

The Department of Panchayati Raj was created in the year 1948 with the responsibility of guidance, regulation and monitoring of the functioning of Gram Panchayats which were established under the UP Panchayat Raj Act, 1947. In view of ensuring the enhanced role of local rural bodies at the intermediary and districts level, Kshettra Panchayats and Zila Panchayats were added with the enactment of UP Kshettra Panchayat and Zila Panchayat Act, 1961.

At present the state has 75 Zila Panchayats ( District Panchayats) , 821 Kshettra Panchayats ( Intermediary Panchayats )and 51,914 Gram Panchayats ( Village Panchayats).

The Ministry of Panchayati Raj with a Cabinet Minister at the helm of affairs and the office of Principal Secretary Panchayati Raj look after the entire ambit of policy making and the affairs related to the Panchayati Raj Institution and administrative functions.

To assist the Panchayats in the state, Govt. has created the following offices :

### **1. The State level**

- I. Directorate of Panchayati Raj

II. Zila Panchayat Monitoring Cell

III. Director Panchayat ( Accounts)

IV. Chief Audit Officer (Cooperatives and Panchayats)

**2. Divisional level :** Divisional Deputy Director ( Panchayats)

**3. District level :**

⇒ District Panchayati Raj Officer

⇒ Apar Mukhya Adhikari (Zila Panchayats)

**4. Block level :** Assistant Development Officer (Panchayat)

**5. Gram Panchayat Level :** Secretary, (Gram Panchayat Adhikari/ GramVikas Adhikari)

Apart from the above Department of Panchayati Raj also functions as the administrative department to the Institution of State Election Commission (SEC).

## POLICY OF PANCHAYATI RAJ DEPARTMENT

In compliance with the provisions made in the Constitution of India:

1. PRIs as well as the functioning of the Department are governed by the two state Panchayat Acts viz., 1. UP Panchayati Raj Act 1947 and, 2. UP Kshettra Panchayat and Zila Panchayat Act 1961.
2. As per two State Panchayat Acts there is a 3 tier PRI system as follows:
  - ❖ Zila Panchayat at District Level
  - ❖ Kshettra Panchayat at Intermediary (Block) level
  - ❖ Gram Panchayat at the Village level
3. Elections are held at regular intervals of 5 years period, under the superintendence of State Election Commission since 1995. Last general elections were held in the year 2010.
4. State Finance Commissions are constituted every five years since 1994 to recommend the ways and means to increase the tax base of Panchayats and allocations of State net tax receipts to and among the Panchayats and local bodies. The Last State Finance Commission viz., 4<sup>th</sup> SFC was constituted in Dec, 2011.

5. While there is reservation for SCs/STs in proportion to their population and OBCs subject to a maximum of 27% in seats and the offices of chairpersons, the women have reservation of not less than 1/3 in each and every category including the total strength of the panchayat.
6. At Gram Panchayat level election are held to elect a Gram Panchayat through universal adult franchise that is made up of an elected Pradhan (Chairperson) and Members from different wards. Gram Sabha is the most powerful institution at the village level. Gram Sabha consists of all the residents attaining the age of 18 years of Gram Panchayat area and the Pradhan of the Gram Panchayat as Chairperson of the Gram Sabha. The budget of ensuing year and the tasks taken in the previous year are put for discussions and approval in the meetings of Gram Sabha which are compulsorily held after the harvesting of Kharif and Rabi Crops twice in the year. The list of all the schemes and the beneficiaries of various department are also submitted in the meeting of Gram Sabha. Likewise Kshetra Panchayat and Zila Panchayat also perform the activities falling within their jurisdiction.

## Policies related to Programmes and Schemes

### SCHEME-1 NIRMAL BHARAT ABHIYAN

#### **Background -**

- ❖ Individual health and hygiene is largely dependent on adequate availability of drinking water and proper sanitation. There is, therefore, a direct relationship between water, sanitation and health. Consumption of unsafe drinking water, improper disposal of human excreta, improper environmental sanitation and lack of personal and food hygiene are major factors of many diseases in developing Countries.
- ❖ The concept of sanitation extends to include personal hygiene, home sanitation, safe water, garbage disposal, excreta disposal and waste water disposal.
- ❖ In consonance to the objectives of the United Nations International drinking water and Sanitation Decade 1981-1991, the State of Uttar Pradesh launched its Sanitation Programme in the year 1995. Several Central and State funded schemes were implemented since then. With the broader concept of Sanitation, Govt. of India introduced a scheme i.e., "Total Sanitation Campaign" (TSC) with effect from 1999.

❖ In the year 2012, the TSC with certain modifications and improvement was named as Nirmal Bharat Abhiyan (NBA). The objective is to accelerate the sanitation coverage in the rural areas so as to comprehensively cover the rural community through renewed strategies and saturation approach. Nirmal Bharat Abhiyan (NBA) envisages covering the entire community for saturated outcomes with a view to create Nirmal Gram Panchayats with following priorities:

- Provision of Individual Household Latrine (IHHL) to Below Poverty Line (BPL) and Identified above Poverty Line (APL) households within a Gram Panchayat (GP).
- Gram Panchayats where all habitations have access to water to be taken up. Priority may be given to Gram Panchayats having functional piped water supply.
- Provision of sanitation facilities in Government Schools and Anganwadis in Government buildings within these GPs.
- Solid and Liquid Waste Management (SLWM) for proposed and existing Nirmal Grams.

- Extensive capacity building of the stake holders like Panchayati Raj Institutions (PRIs), Village Water and Sanitation Committees (VWSCs) and field functionaries for sustainable sanitation.

***Objectives: -***

The main objectives of NBA is to bring about an improvement in the general quality of life in the rural areas by achieving the vision of “Nirmal Uttar Pradesh” by 2022 with all Gram Panchayats in the State attaining nirmal status through motivation of communities and Panchayati Raj Institutions promoting sustainable sanitation facilities.

The Department of Panchayati Raj focuses on encouragement to cost effective and appropriate technologies for ecologically safe and sustainable sanitation.

It also aimed at development of community managed environmental sanitation systems focusing on solid & liquid waste management for overall cleanliness in the rural areas.

***Strategy: -***

The strategy is to transform the state into ‘Nirmal Uttar Pradesh’ by adopting the 'community led' and 'people centered' strategies and

community saturation approach. A "demand driven approach" is to be continued with emphasis on awareness creation and demand generation for sanitary facilities in houses, schools and for cleaner environment. Alternate delivery mechanisms would be adopted to meet the community needs. The provision of incentives for individual household latrine units to the poorest of the poor households has been widened to cover the other needy households too so as to attain community outcomes. Availability of water in the Gram Panchayat shall be an important factor for sustaining sanitation facilities created. Rural School Sanitation remains a major component and an entry point for wider acceptance of sanitation by the rural people. Wider technology options are being provided to meet the customer preferences and location- specific needs. Intensive IEC Campaign is the corner stone of the programme involving Panchayati Raj Institutions, ASHA, Anganwadi workers, Women Groups, Self Help Groups, NGOs etc.,.

***Implementation Plan: -***

‘Gram Panchayat is the basic unit of the Programme. A project proposal that emanates from a district is scrutinized and consolidated by the State

Government and submitted to the Government of India (Ministry of Drinking Water and Sanitation) as a State Plan.

***Components of NBA -***

- Start-Up Activities
- ✚ IEC Activities
- ✚ Capacity Building
- ✚ Construction of Individual Household Latrines
- ✚ Rural Sanitary Marts and Production Centers
- ✚ Provision of Revolving Fund in the District
- ✚ Community Sanitary Complex
- ✚ Institutional Toilets- School and Anganwadi toilets
- ✚ Solid and Liquid Waste Management
- ✚ Maintenance of facilities created under NBA
- ✚ Administrative Charges

## SCHEME- 2 RAJEEV GANDHI PANCHAYAT SASHKTIKARAN ABHIYAN (RGPSA)

The 73<sup>rd</sup> Constitution (Amendment) Act has generated a vast quantum of enthusiasm in Panchayats. The State Govt has done a lot to enable Panchayats to function as a vibrant unit of Local self-unit of democratic governance at grass root level. Yet, as it is a continuous process, the state Govt is to utilize the opportunity provided under RGPSA to strengthen and empower the panchayats.

Developing a strong Panchayati Raj system is essential to improve governance and delivery of services which involves redistribution of power, institution building and development of processes that improve accountability to the people. Therefore the State Govt. is determined to ensure planned and strategic interventions tied to specified deliverables on its part to enable PRIs to make them stand strong enough to shoulder responsibilities enlisted in the eleventh schedule of the Constitution of India to be vested in them in near future.

The State Govt. through, The Rajiv Gandhi Panchayat Sashaktikaran Abhiyan will strengthen the Panchayati Raj system across the state and address critical gaps that constrain its success. The view points of the elected representatives of PRIs and the functionaries responsible to them will be consulted in preparation of annual and perspective plans for the state including the transfer of various funds,

functions and functionaries to the Panchayats so the aspirations of the people may get space in the development process and transformed in the realities. The

State Government seeks to:

- Enhance capacities and effectiveness of Panchayats and the Gram Sabhas;
- Enable democratic decision-making and accountability in Panchayats and promote people's participation;
- Strengthen the institutional structure for knowledge creation and capacity building of Panchayats;
- Promote devolution of powers and responsibilities to Panchayats according to the spirit of the Constitution.
- Strengthen Gram Sabhas to function effectively as the basic forum of people's participation, transparency and accountability within the Panchayat system;
- Strengthen the constitutionally mandated framework on which Panchayats are founded.

As per guidelines of the RGPSA the scheme will be implemented on cost sharing basis i.e., 75% by the MoPR, GoI and 25% by the State Govt. The State Govt is

committed to adhere the guidelines and ensure its share in all the schemes under RGPSA which are aimed at strengthening PRIs , Gram Panchayats in particular.

Panchayats will be empowered through the construction of Panchayat Bhawans in those Panchayats which have not the facility as yet, facilitation of Panchayat Assistant's services to Gram Panchayats grouped in 16,432 Panchayat areas. To establish and promote e-governance in Panchayats each functionary will be provided a laptop so the services can be rendered through eleven software's developed by the Ministry of Panchayati Raj and NIC in consultation with the State Panchayati Raj Department. Till now most of the information emanating from the Panchayat levels are being routed through paper. However, the communication form state to the district level and vice-versa is being done through electronic medium. The State Govt aims at minimizing flow of information through paper and replacement of it by electronic medium.

e-Panchayat will be main stay of the Department in ensuring the quick transfer of information and enhanced transparency.

### SCHEME-3 BACKWARD RURAL GRANT FUND (BRGF)

The Scheme is entirely funded by MoPR, GoI. The State Govt through the BRGF aims at:

- a. Bridge the critical gaps in local infrastructure and other development requirements that are not being adequately met through existing inflows,
- b. Strengthen, Panchayat and Municipality level governance with appropriate capacity building, facilitating participatory planning, decision making, implementation and monitoring, to reflect local felt needs,
- c. provide professional support to Local Bodies for planning, implementation and monitoring of their plans,
- d. improve the performance and delivery of critical functions assigned to Panchayats

It is evident that the above- stated objectives can be achieved only through the popular participation of the people at large, represented by elected representatives of the Panchayats and Municipal bodies. Therefore Panchayats and municipalities prepare their projects and put them before the District Planning Committee constituted under the UP District Planning Committee Act 1999, for its consideration. The District Planning Committee on the basis of

proposals received from all Panchayats and Municipalities coming under their jurisdiction select and finalize schemes to include them in District plan under BRGF. Each District plan will be uploaded on PLANPLUS Software with monitoring of physical and financial progress being made using the ActionSoft Software , under PES Suite.

The govt. of India has selected 35 districts in the State under the project and the programme is being run under above policy in the state.

## SCHEME -4 STATE FINANCE COMMISSION (SFC)

The State Govt. as per constitutional provisions constituted first State Commission as early as in 1994. The 4<sup>th</sup> SFC was constituted in Dec, 2011. The mandate of the Commission is to suggest the ways and means to enhance the tax base of Panchayati Raj Institutions so the new sources of income may be added to the Panchayat's revenue. In addition to it, the Commission is also studying the sources in the divisible pool and recommends the distribution of funds to the ULBs and PRIs from the total net tax receipts of the state.

The State Policy is to discern the transparent way and form policy to devolve the funds to the Panchayats and ULBs accordingly, as per recommendations of the independent SFC .While the 60% of the funds goes to ULBs, 40% are distributed between Panchayats in the ratio of 20% to ZPs, 10% to KPs and 70% to GPs. The weightage is given on the population and the percentage of the population of SCs/STs .The funds are untied at the level of Panchayats. The funds are used on the maintenance and repair of the assets of Gram panchayats such as Panchayat Bhawans, School buildings other community building, roads, lamp post etc.,.

## SCHEME -6 CENTRAL FINANCE COMMISSION (CFC)

The State is receiving the funds under the recommendation of the Central Finance Commissions since 1996-97. Currently the Finance Commission Division, Ministry of Finance is transferring the funds to State Govt. under the recommendation of 13th FC.

The Distribution of the funds received from the Central Govt between KPs, ZPs and GPs is as adopted in the SFC, I.e., in the ratio of 20% to ZPs, 10% to KPs and 70% to GPs. The funds are untied at the level of respective panchayats , however the thrusts is on maintenance of drinking water facility , sewage management, solid liquid waste management, street light, village roads and other civic facilities including the rehabilitation and new schemes pertaining to drinking water.

## SCHEME -7 DEVELOPMENT OF ANTYESTI STHALS (Cremation Grounds)

To improve the cremation grounds throughout the state and to provide civic facilities at the site of cremation, the State Govt. has launched the scheme of development of existing cremation grounds with the name of “**Antyesti Sthalon ka Vikas**” ( **Development of Cremation Grounds**)in the year 2014 -15. The State Govt. is keen to bring more and more such cremation grounds which require improvement and the civic facilities at the traditional sites of such places in the rural areas.

Suitable appropriate and respectable raised platform, the provision of drinking water and toilets, facility for storage of woods and the prayer house are such facilities which will be created at the at the site of existing but undeveloped site.