



Karakulam Grama Panchayat

Guideline for Managing
Panchayat

Responsive Administration –
A Management Development Mechanism

Guideline for Managing
Panchayat

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Karakulam Grama Panchayat

Dear,

Novel enquiries and activities has been going on in the Karakulam-Nellanad Grama Panchayats for systemising the local self - governance process, co-ordinate the functioning of the Grama Panchayats and transferred institutions, improve the quality level of institution-service, make fruitful the institutional management and governance execution taking into consideration the will of the people and people's intervention.

As part of the Responsive Administration - A Management Development Mechanism, many arrangements have already been evolved for making the local self - governance meaningful and empowered. This includes the following: Comprehensive citizen charter, people-oriented institutional arrangement, Local self- governance order-implementation, office panchayat-level review system, and dispute redressal system. Another achievement in this chain is the Guideline, inevitable for the local self - government institution-service delivery and management. These guidelines are the result of relentless effort of governance experts, law experts, voluntary activists, people's representatives, and officials. Such Guidelines are formulated in 13 different sectors. This Guideline, approved and came into existence based on the decision of the Grama Panchayat dated 6 June 2005 (tenth decision), aimed at raising the service quality level of institutions and officials and strengthening the infrastructural facilities, is submitted before the people.

09.06.2005
Karakulam

R. Sivarajan
President

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Guideline – What, Why

Panchayat Raj - Nagarpalika Act figures prominently among the crucial amendments to the Indian Constitution. It was the 73rd and 74th Amendments (1993) to the Constitution which made Local Self-Governments also part of the system of Federal national structure apart from Central and State levels. This made possible the transfer of responsibilities, resources, and employees, and also entrusted with the local self-governments the power of development and implementation. In Kerala, vast interventions were possible in the domain of local self-governance in the past one decade. Efforts were made to ensure rules, policies, orders, training, and support systems. It is indeed an achievement for Kerala that the availability of funds, transparency, evaluation, etc., were made part of the system in the State. The process of decentralisation of power was enriched, in varying degrees, by the co-operation of political parties, socio-voluntary movements, service-trade union organisations, and research centres.

The local self government institutions – panchayats / municipalities have gained so many benefits in the past one decade. The local self-governance has almost become established. It has become administratively possible to run own offices and transferred institutions separately and jointly. It made help the local bodies to implement the responsibilities and services of bureaucrats and employees. This also helped to raise the standard of quality. The gains of decentralisation of power reflected in the administration in varying levels. The current phase is one of assessing many issues including the above mentioned ones.

The concept of institution-service management is an extension of ideas evolved from various activities that were implemented under the initiative of the Karakulam Grama Panchayat with the involvement of people's participation and with the support of the Grameena Patana Kendram (GPK) in various sectors like health, education, and social welfare with people's participation. Inter-linking of decentralisation and responsive self-governance with institution-service management enables the direct participation and intervention of people in the local self-governance which already necessitates increased responsibility and commitment to the people. Based on the Kerala Panchayati Raj Act (1994) and the Kerala Panchayati Raj (Amendment Act- 1999) many important sectors have been handed over to the local bodies. The responsibilities transferred to the Grama Panchayats are summarised here.

The Invariable Responsibilities of the Grama Panchayat

1. Regulate building construction.
2. Protect public places from encroachment
3. Protect the traditional drinking water sources.



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4. Protect ponds and other water storage systems.
5. Conserve the waterways and canals under the Grama Panchayat.
6. Collect and dispose of solid waste. Make arrangements for the removal of liquid waste.
7. Drain the water caused by heavy showers.
8. Make environment healthy and protect it.
9. Maintenance of public markets.
10. Contain / control contagious diseases.
11. Regulate the slaughter of animals, sale of meat, fish, and other food items which may easily be decayed.
12. Regulate hotels and restaurants.
13. Stop adulteration of food.
14. Protect roads and other public properties.
15. Switching on the street lights and maintain them.
16. Take immunisation measures. Implement programmes for the same suggested at the state and national levels.
17. Establish and maintain cemeteries.
18. Give license to dangerous and unbearable trade.
19. Register both birth and death.
20. Establish and maintain bathing, washing, and transportation ghats.
21. Arrange parking areas for vehicles; build parking sheds for general public.
22. Build urinals, toilets, and bathrooms in public places.
23. Regulate the managing of festivals and fairs.
24. Issue licenses to pet birds / animals, ensure control of stray animals.

Common Responsibilities

- Collection of statistical data.
- Organizing self-help and voluntary work.
- Campaign on thrift.
- Awareness creation about social evils.
- Development – People’s participation.
- Relief activities during natural calamities.
- Conservation and awareness creation of Ecology.
- Development of co-operative sector.
- Social unity.
- Make available land for development purpose.
- Awareness creation on various laws.
- Campaign against economic offences.
- Poverty eradication – self-help entrepreneurship.
- Sensitisation on civic responsibilities.

Sectoral Responsibilities

It is the task of the Panchayats to make sure that the services in accordance with the above responsibilities are being provided to the inhabitants of the respective areas [Kerala Panchayat Act 1999 166 (1) B]. S B Sen Committee (1996) on Devolution of Powers has submitted detailed and clear recommendations to the Government about the inevitable transfer of employees, institutions and infrastructure facilities necessary for executing the responsibilities transferred to them. The Sen Committee also details the transfer of funds required for the maintenance and expansion of the above mentioned responsibilities. Based on the recommendations, the Government issued orders transferring various institutions and designations to the local bodies.



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Those transferred institutions would be treated as owned by the local self governments for the concerned period. During this period they would be known under the respective local body [Kerala Panchayat Act, 1999 sec. 166 (6), 172 (5), 173 (5)]. These organisations should be run according to the policies of the State and Central governments and by following their guidelines, with their technical assistance.

It would be the responsibility of the panchayats to prepare and implement socio-economic projects related to these institutions [Kerala Panchayat Act 1999 sec 166 (2), 172 (2), 173 (2)].

The names of the transferred institutions are given below. Through various Government Orders, the responsibilities of each institution and the activities to be carried out have been transferred to the local self-governments. The government has taken a policy decision to allot 30-40 percent of the State Plan Fund to the local bodies for the development activities in connection with the transfer of the institutions.

Please see the Government Order (P) No. 189/95, Local Self-Government Department, Thiruvananthapuram, 1995 September 16. The list of institutions transferred according to the Annexure 5 of the GO are listed here.

Institutions Transferred to the Panchayat, Posts, Department (Institutions Transferred to Karakulam Grama Panchayat I)

- Krishi Bhavan – all posts – Agriculture Department
- Veterinary Hospital – Veterinary dispensary and sub centre – all posts- Animal Husbandry Department
- Dairy Development Office – Post of Dairy Development Officer and related posts (Service should be provided to all Grama Panchayats in a Block) – Dairy Development Department
- Fisheries Sub Inspector Office – Sub Inspector Post – only in relevant Panchayats – Fisheries Department
- Rural Development Extension Office – Two Village Extension Officers (VEOs) – jointly for more than panchayats in critical situations – Rural Development Department
- Day Care Centres, *Anganwadis* – ICDS Supervisor, *Anganvadi* Worker, Helper – Social Welfare Department



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Balavadis, Feeding Centres, Seasonal Day Care Centre Dormitory – Scheduled Caste Development Co-ordinator – Scheduled Caste Development Department

Balavadi, Medical Unit, Nursery School, Midwifery centres, Ayurveda dispensary – Scheduled Caste Development Co-ordinator – Scheduled Caste Development Department

Primary Health Department – Government Dispensary – Sub centres – All the posts – Health Department

- Ayurveda Dispensary – All posts – Ayurveda Department
- Homoeo Dispensary – All posts - Homoeopathy Department
- Government-owned Primary Schools – All posts – General Education Department
- Rural Public Works Wing – Public Works Overseer (according to the revised order, One Assistant Engineer and Three overseers for two panchayats) – Public Works Department

Each Department should make available detailed guidelines to each local body through the transferred institutions regarding execution of entrusted schemes. The concerned local self-government would be completely accountable for the beneficiary implementation of such transferred institutions. The panchayats are empowered to decide on the places where such projects would be implemented. With the prior permission of the State Government, the panchayats are responsible for physical locationing of the transferred institutions (GO (P) No. 112 / 98 / Local Self Government Department, Thiruvananthapuram, 30-5-1998). Panchayats are empowered to carry out division of labour of the transferred employees considering them as the staff of the Panchayat Raj system. The local bodies can entrust the staff with new responsibilities or different responsibilities or combined responsibilities. While doing so the following conditions are applicable.

1. While implementing the division of labour, apart from the qualification, experience, and expertise of each employee, the service required of the employee and the inevitable service to the local body should be taken into consideration.
2. The responsibilities held by the staff at the departmental level or the duties carried out before being transferred will not be blocking the division of labour of the transferred employees by the local self-governments.
3. The local bodies can decide on the division of labour logically and do justice to it.
4. New responsibilities may be assigned taking into consideration the local inevitability.
5. The above provisions are applicable to the technical staff too. The local bodies are authorised to allot any task which comes under the control of the local body and which requires the expertise of the technical staff.
6. The panchayats are authorised to issue attendance certificates to those officials who are working for more than one panchayat for enabling them to draw salary.
7. Panchayats are entitled to recommend to the appointing authority for the transfer of an employee. If the concerned authority comes under the purview of the panchayat, then the panchayat may carry out transfer according to the relevant criteria.

8. The local self-governments will have the following powers regarding the service of the employees of the transferred institutions.
 - a. Grant leave to the staff ensuring alternative arrangements.
 - b. Give recommendation for leave if the leave records are not kept in the local body.
 - c. Demand attendance in meetings.
 - d. Ask for reports.
 - e. Fix field duties.
 - f. Approve tour programmes.
9. The local bodies can give report to the higher authority regarding the quality of service of the employees and ensure proper consideration for the same.
10. Each file concerning each institution should be kept in concerned offices and should be submitted to the local self government through either the secretary / selected authority of the institution. The file should be returned to the concerned official along with the decision for proper action.
11. Concerned officials are liable to prepare Draft resolutions, minutes, procedure, etc and get approval of the head of the local self governments. [GO (P) No. 113 / 98 / Local Self Government Department, Thiruvananthapuram, 02-6-1998].



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The institutions transferred to the local self governments should function as the local body unit in relation to the formulation of projects coming under the purview of them, observation, and maintenance. Together with activity implementation, related procedures, accounts, activity implementation reports should also be prepared and properly maintained. The files prepared thus should be submitted to the local bodies from the transferred institutions. They should be returned after marking orders / resolutions. Likewise, the minutes and draft resolution of such projects should be prepared at the concerned offices. Those files related to public works should be prepared at the level of engineer's office and be kept together with the orders.

As part of discharging of duties, the following functions are assigned to the officials mentioned in the brackets. Pension for Agricultural labourers (agricultural demonstrator), Unemployment wages (Panchayat secretary), Pension for Widows (ICDS Supervisor), NSAP (VEO), Insurance (VEO), Pension for Physically Disabled (Health Inspector), Maternity benefits (Health Inspector). [GO (P) No. 189 / 2000 / Local Self Government Department, Thiruvananthapuram, 04-7-2000].

The transferred employees would be under the complete control and supervision of the concerned local self government during that period. The local bodies can exercise the supervisory power on the transferred employees with regard to the execution of responsibilities. The transferred employees are liable to discharge the responsibilities assigned by the local bodies apart from the duties allocated by the concerned government department. The local bodies are empowered to transfer or assign service of the transferred officials to any institution or post seems inevitable. This would be according to the common rules and government orders applicable to the government staff. [For details, see Kerala Panchayat Raj (Control of Officials) rule].



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However, what is the role of such transferred institutions in the local self governance system? What all duties they have to undertake in the process of local self rule? Which department-level activities could be implemented linking with the local bodies? Which institution / employee have the responsibility to execute each task? What are the duties to be carried out as part of carrying out such assignments? What are the services available to the people as part of them? How these services are available to the people – within what time frame / criteria / priorities? The above questions should be addressed. This depends on the policy of decentralisation, legal measures and above all, the perspective of the Central-State governments. Yet, it has not been possible to work with precision, issue orders and rules and bring clarity. Moreover, there needs to be much more clarity on the control of Panchayats over the transferred employees, power to issue guidelines to them, power to evaluate their functioning, power to grant leave, etc. There has been no Guideline or directive which explains in details each of the above-said factors. It is not uncommon to surface confusion and problems in the local self governance system due to this.

What should the Panchayat committee do? What is to be done by – from the Panchayat president to the people's representatives? What are the power-obligations of the implementation officials? What are the tasks of the employees? What are the inevitable tasks and other responsibilities? What are the specific tasks and tasks jointly under other institutions? Which are the critical orders and suggestive / instructive orders? What is the mutuality of responsibilities at the department level and local body level? Who wields the controlling power and evaluation power? Explanations for many such questions and clear cut provisions have to be formed based on the practical experience at the local level.

What are the impacts?

1. The concept that the transferred institutions and related systems are owned by the local self governments is yet to be emerged. People's representatives, officials, and the people do not own this viewpoint.
2. Clarity is lacking up to what extent the local body system could intervene on the institution and the employees.
3. No idea on how the stakeholders including the beneficiaries could intervene in the institution-service system.
4. No clarity on how the officials would function in the dual system of department-local self governance.
5. The indication of local people's participation is not specific in the maintenance of quality of institution / service.
6. The inevitable responsibility, and the procedure and established system to make it available and is not pronounced.
7. The process of institution-service remains closed, unknown, and dissatisfied without transparency.
8. The rule with the local social participation is still unachieved.

9. The mutual co-ordination and integration between institution and service and the consequent increase in quality, savings in time and money remains unfulfilled.



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This Guideline aims to solve this issue. It attempts to reassure the value of decentralisation of local self governments, to make good governance a reality, to guarantee an integrated, popular, and socially committed milieu of the administrative process and the maintenance of enhanced institution-service system based thereon. This Guideline targets the comprehensive attitudinal change of people's representatives, officials, employees, beneficiaries, policymakers together with ensuring of decentralised democracy at the higher level.

Into the Guideline

The Guideline was shaped from the inevitable requirement of the civil society. Opinion formation of people's representatives, officials, voluntary activists, participatory observatory tool – transect walk, Focus Group Discussions with the concerned sections, non-structured field survey conducted in the target group, interaction with the experts, consensus of the core support group, all these had led to the formulation of the Guideline.

· Draft was prepared after collecting and compiling comments from Grama Sabha, Self-Help Groups of Kudumbasree, and the meetings at various levels including those of employees. This was presented at an experts' workshop and revised transparently and was published later.

· The Guideline is being prepared at the initiative of the Grama Panchayat and formed at the local level compensating for the deficiency of comprehensive Guideline. The Guideline is published and made executable according to the prevailing policy-law-rules. The Guideline is a document which is locally practical to the maximum, forthright, subject to reforms, executable, and integrated.

Applicable to Whom

1. People's representative - Duties, responsibilities, and procedures as part of being the administrator of local self government / transferred institution.
2. Officials – Clear and detailed practical tool of how to function within the dual control of department-local self-government.
3. Beneficiary – The opportunity to intervene as service beneficiary, observer, member of the maintenance system. Also able to effect an increase in the quality of service / institution.

Effects of the Guideline

1. Ensures the position, role, responsibilities, task execution system, monitoring system, correction mechanism of Panchayat body, Panchayat office, transferred institution, and related institutions in the local self governance.
2. By mentioning the personal responsibility, duty, mode of implementation, and observatory mechanism of the people's representative, the head of institution, and the



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- employees, governance is made easy and established.
3. Effective and corrective time schedule and implementation style comes into existence for each service and institution. It ensures continuity and sustainability.
 4. The opportunity is attained for implementation of good governance with the local intervention, transparency, corrective measures, and evaluation.
 5. The employees become the technical helper and social guideline and administrative participators instead of mere service providers.
 6. Each institution becomes the secretarial wing of the local self government in the concerned sector instead of specific duty implementation wing. The environment is created for the institutions to function as the division for project formulation-implementation and dispute-complaint redressal mechanism.
 7. The Guideline functions as a tool of empowerment which ensures increased role and power for those sections in the society which requires additional attention, like the aged, women, children, physically and mentally challenged sections, poor and the Dalits.
 8. Based on responsible self governance, a local and practical process is being formed to increase and maintain the quality of institution-service.

How to make use of the Guideline?

Only hints can be provided here. Only by practising, observing and correcting by empirical studies the usage of this Guideline could be made self-sufficient. The procedure and the prerequisites for that should be integrated with the comprehensive citizen charter, local self government orders, etc. A few factors may be mentioned as examples.

1. This Guideline is structured in the order of local self government, constituent institution, transferred institution, executive body of people's representatives – related bodies, officials, staff, and management committee.
2. The main contents of the Guideline is the responsibilities of the local self Panchayat, constituent institution, the duties to execute them, the liability of the people's representative, executive committee, head of the institution, employees, beneficiary, and civil society to implement them, services made available by each institution as part of this, and the means to make them available, preconditions, and criteria.
3. The responsibility and task of the local self governments are given in the form of recommendations. The responsibilities to be carried out by the elected rulers and head of institutions, liable to the law, rules, and orders are listed as mandatory tasks. The personal and joint tasks of officials, employees are given separately. For each of these, the appropriate practical possibility is the most important factor.
4. Important factors to be mentioned specifically about each institution and each service are given such.
5. Another part details the implementation of such conditions, observation, assessment,

course correction, and complaint redressal, provisions for expansion, development, and reform.



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How the Guideline is Applicable

1. The Guideline will be applicable separately for each one who is related to the local self government.
2. The provisions of this Guideline are directive in nature for the people's representatives and elected rulers. They should be able to reflect these factors in each of their decisions.
3. The Guideline can be used by the officials as formalising order like maintenance of the institutions, co-ordination of colleagues, and personal aid in discharging duties.
4. For the employees, the Guideline will be the provisions of supervisory-observatory-maintenance applicable as long they are under the purview of the local body.
5. For the beneficiary / people factors, the Guideline will be an integrated tool for the increase in the level of quality of institution-service, and maintenance of public service.

To sum up, the Guideline is a document which simultaneously functions as policy declaration, order of the local self government, and aid for co-ordination, and executable declaration.

Panchayat and Guideline

Till September 1995 our panchayats were functioned under the Kerala Panchayat Act (1960). There were no such developmental or regulative functions to panchayat during those period because they were sustained on the mercy of the State Governments and its departments. They were concerned as agencies to delegate some of the service functions of the State. Whereas certain exceptional experiments on Panchayat Raj was happened there in Karnataka, Kerala, West Bengal etc during those period. On this back ground the 73rd and 74th Constitutional Amendments were passed by the Parliament. Thus the Panchayats became the 3rd level of our democratic governance process. In Kerala, the Panchayat Raj Act was enforced by 23rd April 1994. The Kerala Panchayat Raj Act (1994) was the original set of legislation for the existing system of Local Governance in rural panchayats. Thereafter, a number of reforms were made in the said enactment on the basis of the report of committee on Decentralisation in Kerala (1996) chaired by Late Sathiya Brithosen, during 1999. Certain basic principles were in incorporated in these amendments so as to establish panchayats as the basic units of local governance.

Rule by Exception, Subsidiary principles, Horizontal – Vertical Integration, Sectoral allienment etc were reinforced as the fundamentals of the functions in LSG Institutions

Freedom, Autonomy, co-ordination of functions on the footing of co-existence, exception to hierarchical set up, complementary and supplementary co-relation, avoidance of inconsistency and conflicts, effective implementation of essential functions at each level, maximum public participation and partnership from planning to execution, monitoring and evaluation, management of resources, enhancement of capabilities, power to perform responsibilities to the society and general public, power to implement projects conceived etc shall be entitled to each level of the LSGI. It shall ensure the right of individual citizen



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to know and inspect any document related to governance and developmental activities. There shall be proper and adequate grievance redressal measures including necessary penal provisions and correctional facilities. It may be furnished with judicial functions so as to provide speedy justice to all people in this locality.

The Panchayats at present are equipped with such functionaries entrusted with those responsibilities, and empowered with such capacities so as to function as the units of Local Self Governments. Different institutions and functionaries in different sectors were also transferred to the corresponding LSGs. Hence they have a duty to render better service delivery mechanism, to administrator proper monitoring system, assure better service through their own service delivery charter. They can integrate their day to day functions so as to provide effective, efficient, responsible and accountable people friendly service to those people who are in need of their service.

There is an essential need to increase the efficiency of institutions transferred to LSGI. Their basic infrastructure and physical conditions shall be considerably improved, correspondingly their service delivery quality also shall be improved. Institutional responsibility and individual responsibility shall be performed, out of any hesitation. There shall be inherent monitoring, evaluation and correctional feed back mechanism for each institution. The stakeholders also shall be provided with such facilities to evaluate the service delivery system.

A genuine initiative to this was happened to be done by the Grameena Patana Kendram in Karakulam and Nellanadu Panchayats. This material was brought up from that experience. Aspects related to Panchayat, transferred institutions, their functioning, their collective and separate responsibilities, structure and organisation for service delivery quality assurance measures, the Review and Redressal system, Social Auditing measures and tools etc were incorporated with in this text.

Similar type of guidelines were published by the panchayat for each transferred institution such as Krishi bhavan, PHC, Veterinary Centre, Anganwadi, Social Welfare Centres, Educational Institutions etc. So as to support the Responsive Administration And Institutional Management Process in LSG level.

We hope that these guidelines may be utilised for service quality improvement, participatory management of transferred institutions, higher rate of efficiency and effectiveness for the LSGs and their component. Institutions so as to uphold the perspective of decentralised governance process.

2

General Administration of Panchayat

Panchayat Administration as performed by a governing committee consisting of the elected members, supported by its staff. The governing body of the Panchayat consists of representatives elected from the present 22 constituencies of Karakulam Grama Panchayat. The president of the governing committee is the member elected by the committee on the basis of majority. The Panchayat president is also the full time administrative head of the Grama Panchayat. The vice president is also elected from its members of the Panchayat on the basis of the majority. In addition to these, standing committees for finance, development and welfare have also been constituted. Any member of the governing committee shall be a member of any standing committee. The president shall be an ex-officio member of all standing committees. Each standing committee shall have a chairperson. The vice president shall be the chairperson of the standing committee for the finance. The chairperson of the standing committees for development and welfare one elected by the members of the respective committees from among the Members of such committee. In addition to the standing committees there is also a steering committee consisting of the president and the other chairperson of the steering committee. President is the chairperson of the steering committee. The Grama Panchayat Secretary is the Secretary of the Panchayat governing committee, standing committee and the steering committee.

The Powers of Responsibilities and Duties of Panchayat

The seventh schedule of the constitution has defined the powers of the Central and State Government. The 11th schedule deals with the items that one to be transferred of Grama Panchayat. One stated in the 166th section of Kerala Panchayat Raj Act. The responsibilities have been classified as (1) essential (2) General and (3) Zonal responsibilities. In order to fulfill the responsibilities the Panchayat is empowered to spend the money from the Panchayat fund as per section 213 and 239. In addition to this Panchayat can also prepare annual development plans for utilizing the money received from the State Government as grant – in – aid and other financial resources.

Essential responsibilities

Essential responsibilities include the ones the Panchayat have to fulfill by raising the standard of living of the people in its capacity as local government institution.

The items that come under the essential responsibilities of Panchayat are given below.

1. Control of house construction
2. Preservation of public places from encroachment
3. Preservation of natural drinking water resources
4. Preservation of ponds and water resources.
5. Safe guarding of waterways and canals coming under the responsibility of Grama Panchayat



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6. Collection and disposal of solid wastes as well as liquid wastes.
7. Draining of flood water due to heavy rain
8. Maintaining healthy environment
9. Maintenance of public market
10. Controlling epidemic diseases
11. Controlling slaughter and the sale of meat, fish and easily perishable food stuffs.
12. Controlling food stalls.
13. Preventing adulteration of food.
14. Preserving roads and public properties.
15. Maintaining and lightning of street lights.
16. Taking preventive steps against diseases.
17. Organising effective programmes on national as well as state level to control and prevent diseases.
18. Providing cemeteries.
19. Controlling dangerous and hazardous business
20. Registering birth and death
21. Constructing bathing and washing places.
22. Starting ferry services.
23. Providing parking places.
24. Constructing waiting sheds for passengers.
25. Constructing comfort stations in public places.
26. Controlling fares and festivals.
27. Giving license to domestic dogs and controlling the street dogs.

The essential responsibilities can be stated in brief

Control of construction work,

Regulation of Building construction (3.1)

1. Panchayat has the power to disallow those who do construction work in public roads, channels and above them.
2. Panchayat should prohibit construction works within 3 meters from the boundary of the national highway, state highway, district roads and the roads notified by the grama Panchayat (Section 220 – B)
3. Digging pits and putting things in the public roads shall be prohibited (Section 220 – C)
4. Digging pits and removing stones or earth from them in the public roads and other places under the Panchayat shall not be allowed (Section 220 – D)
5. As per Kerala Municipal Building rules it has been implemented in the Karakulam Grama Panchayat all the other controlling factors are also binding.

Preserving water resources

- Preservation of natural drinking water sources (3.3)

- Preservation of ponds and water reservoirs (3.4)
- Safe guarding of water ways and canals (3.5)
- Constructing bathing and washing places (3.21)
- Natural drinking water sources, waterways and canals come under Panchayat (Section 218)



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Kerala Panchayat Raj Act Rules 1996 empowers the Panchayat to fulfill and control the above responsibilities (in the case of public or private water sources, ponds, wells and other water ways and their controlled use and prohibition)

1. Fishing, washing animals, clothes and other materials in public water sources, ponds or wells in the Panchayat area, shall be prevented and controlled.
2. Public water source, ponds, wells or other waterways shall be separately used for drinking, cleaning clothes, washing animals.
3. Private water sources, ponds, canals, wells and other waterways can be used with permission.
4. The public shall be prevented from using any water sources if district medical officer or assistant engineer of water authority certifies so.
5. The owner of the private water source shall be asked by notice to maintain it hygienic.
6. In the case of violation of rule fine up to 200 rupees shall be levied and continues violation of rules shall entail a fine of rupees, 50/- per day. This levying shall be done by the Secretary as authorised by the Panchayat.
7. The Panchayat can take up action as per the Public Health Act also.

Maintenance of Hygiene

- Collection and disposal of solid as well as liquid waters. (3.6)
- Maintaining healthy environment. (3.8)
- Constructing comfort stations in public places (3.25)
- Draining of flood water due to heavy rain (3.7)
- The procedures to fulfill the essential responsibilities mentioned above one described on the rules of Act 219 of 1988.
- It is stipulated in the Section 239 (3) A (2) that the Panchayat shall take action to dispose the stagnant water in public and private places.

As per Act Section 218 (2) all rights and liabilities concerning the various waterways and the work was vested with Grama Panchayat.

The Grama Panchayat are authorised to maintain the above services as per Section 25 (3) of the Public Health Act 1995 Section 7 (C) and Section 27 (3) of the Madras Public Health Act of 1939.

Maintenance of Public Market (3.9)

The main procedure described in the sections 221 – 225 of the Act 1996 and the rules regarding the issuance of license are given below.

1. Establishment of new public markets and the closure of the existing markets shall be decided only after passing a motion in the Panchayat meeting.
2. A notice shall be published in the local news paper allowing 30 days time for the



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- public to point out their opinions.
3. The views of the District Medical Officer shall be sought for starting new public markets.
 4. In the case of cattle market the opinion of the Veterinary Officer shall be sought.
 5. No new market is allowed within an area of 3 kms of the existing market but in the case of evening market the limit is 1.5 km.
 6. The maximum fees payable by a public market is clearly mentioned in rule 8. The Panchayat should see that the fees does not exceed the maximum limit.
 7. The details regarding the food shall be displayed.
 8. The right to levy the market fees should be auctioned and given on lease on the conditions a minimum fee fixed should be paid.
 9. The market place should be maintained properly and such places shall not be utilised for other purposes. All the private market also come under the rules regarding the public market.

Controlling epidemic diseases (3.10)

Taking preventive steps against diseases (3.16)

Organising effective programmes on national as well as state level to control such diseases (3.17)

Giving license to domestic dogs and killing street dogs (3.27)

In order to fulfill these responsibilities more than two Grama Panchayat together can establish public dispensaries and child welfare centres and maintain them as per section 168 of the Act. A managing committee consisting of 15 members for the public health institutions transferred to the Panchayat as per sections 173 (A), in addition to this the Section 83 and Sections 108 – 115 of the Madras Public Health Act of 1939, the sale of non-eatable food stuffs and mosquito control come under the responsibility of the panchayat.

- Taking preventive measures against mosquito breeding in waste water.
- The health officer can take action to prevent mosquito to breeding in water logged places and can meet the expenses from the Panchayat.
- As per Kerala Panchayat Raj Act 1998 Rules (issue of licenses for breeding pigs and dogs.)
- Killing rabied street dogs.
- Taking of preventive steps against rabies.
- Informing the people about the introduction of licenses for breeding dogs and pigs by publishing notice.
- The Panchayat Secretary shall take action against those who act contrary to the conditions laid down by the Panchayat by imposing a fine of Rs. 250/- for the first violation of rules and Rs. 50/- per day continued violation of rules.
- A license fee of Rs. 10 shall be paid in every year.

- A certificate of veterinary doctor to the effect that the animal was vaccinated shall be forwarded along with the application.
- On receiving the license the token got from the Panchayat shall be tied to the neck of the animal.



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Control of the sales of meat and fish

Slaughtering of animals, the sale of meat, fish and easily perishable food stuffs (3.11)
The rules regarding slaughter houses and meat shops are described in the acts 229 to 231 of Kerala Panchayat Raj Act 1996.

1. Animals should not be slaughtered outside the public or private slaughter houses.
2. The slaughter house shall not be located within the limit of 30 meters from the public road or within 90 mts from the building occupied by the public.
There shall be separate slaughter houses for pigs. They shall be 90 mts away from other slaughter houses.
3. The entrance of the slaughter house shall not be open to public place or road.
4. The panchayat shall take decision to start a new slaughter house or close the public slaughter house by giving 30 days time and publishing a notice in news paper and inviting the views of the public and examining them.
5. The building plan and its sketch and details regarding the availability of water should be forwarded along with the applications for starting new slaughter houses.
6. The right to control fees and rent can be given on lease for a period not exceeding three years.
7. The license fee of new private slaughter house shall be Rs. 300/- 20% of the total income of the previous year or Rs. 500/- which ever is more shall be fixed as the minimum fee for the existing slaughter house.
8. The Panchayat shall fix a rate of slaughter fees at the rate of 10 rupees for ox, cow and buffaloes and 5 rupees for goats, sheep and pigs.
9. Meat shall be sold within the Panchayat area.
10. Application for the license shall be given before a month, to the panchayat.
11. But these rules shall not be binding on the slaughtering made in secret places during occasions of festivals, wedding celebrations.
12. Panchayat can impose a fine up to Rs. 5000/- on those who do not maintain the slaughter houses properly and Rs. 500/- per day for the continuous offence (230-A). it is stipulated also that a fine not exceeding 1000 rupees can be collected from those who violate the rules as punishment (Rule – 41)
In the above circumstances license shall be automatically cancelled.
13. President, Secretary, Health Officer, Grama Panchayat Secretary, Officers and any other officer authorised by the Govt. can enter the slaughter house without notice and make necessary examination.
14. The person who slaughter shall get permission after remitting a license fee of Rs. 50/-
15. No animals other than those who have already been checked, certified and sealed by an authorised veterinary surgeon can be slaughtered, such animals shall be



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slaughtered within 48 hours.

16. Animals which are diseased, dead due to accident or other ways are slaughtered such meat shall be confiscated and destroyed.

17. Sale of meat shall not allowable in slaughter houses.

18. Slaughter shall be done between 6 am and 11 am during the forenoon, and between 3 pm and 6 pm during the afternoon.

19. Secretary shall issue license (Rule – 33)

Controlling food stalls, preventing adulteration of food

Controlling of food stalls (3.12)

Preventing adulteration (3.13)

The food stalls in the Panchayat area have been brought under control by license as per the Panchayat act 232 and 257. The rules of 1996 have been issued in order to take actions and preventing the functioning of food stalls which are detrimental to the health of the Panchayat.

The rules of the prevention of Food Adulteration Act of 1954 and 1955 are still in force. The conditions regarding the control of sale as per part 9, rule 49, the control of sale and conditions of license as per rule 50 have been enforced. The right of issuing license from the Panchayat is vested with the Secretary. It is the duty of the Food Inspector in every area to collect food samples and ensure the purity of the food. The Panchayats are bound to remit the necessary fee for examining such samples. So the 50% of the fines received by the government go to the respective Panchayat. License fee for construction and sale as per schedule 1 and licensing fee only for sale as per schedule 2 should be remitted.

Preservation of Public places and public properties

Preservation of public places from encroachment (3.2)

Preserving roads and public properties (3.12)

As per Sub Section 166 (6) of the act all building properties and plans in schedule 3 are under the grama Panchayat.

As per section 169 of this act all the non-block district roads, paths, sewage canals, culverts and all the works related to them and machinery and the rights and liabilities of the Govt. are vested with the Grama Panchayat

Taking possession of any land transferred to the Panchayat even if it is a 'Purampoke' without the prior permission of the panchayat is against law.

Any construction to or hanging above the land owned by the panchayat will be viewed as unauthorised encroachment.

As per the Section 170 of the Act, the preservation and prevention of trespassing of the road come under the responsibility of the Panchayat. The roads and the public paths should be kept clean.

As per Section 111 of the Act I, and possessed by the villages by way of convention, any landed property that comes under minor water sources, wealth or income of villages or of those who hold properties are vested with the Panchayat for its administration.

As per Section 279 of the act the Panchayat reserves the right to control of grazing grounds, funeral grounds and cemeteries, parking places and any other 'purampokes'. So Panchayat can plant trees in suitable places. In addition to this as per Section 218 and 284 (2) the waterways, water sources and reservoirs come under the responsibility of the Panchayat. Panchayat is empowered to preserve public properties from encroachment and evacuate those who are unauthorisely holding the land and realising a fine as per Kerala Panchayat Raj Act 1998.



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Removal of encroachment, imposition and realisation of fine for unauthorisedly holding the land. Procedures on evacuating the encroachers and realising fine

1. Show cuse notice shall be served on those who hold unauthorised possession of land giving details of in.
2. 15 days of time shall be allowed to give reply to the notice.
3. If the reply received to the notice in unsatisfactory the Panchayat can send further notice on the land holders informing them that they would be removed from the place by force incase the necessary fine is not paid 7 days time shall be given for the reply.
4. The Panchayat can execute the eviction of encroachers by force if he does not vacate within the time limit.
5. The Secretary should made it sure whether unauthorised encorachment has been done before such eviction.
6. Panchayat – can recover the expenses incurred on evacuating the encroacher the fine imposed by the Panchayat, the loss and the damage sustained by the Panchayat in this respect. Panchayat can also take into possession all the improvements the landholder had made.

Maintenance of Street Lights

Maintaining and lighting Street Lights (3.15)

It is the responsibility of the Panchayat as per section 176 –B of the Act to install and maintaining street lights. As per Government Order (M.S)No.13/97/PD. 23.03.1997 it is also the responsibility of the Panchayat to make available all the instruments necessary for the street lights and to make repairs with the help of the electricity board.

Proceeding cemeteries and funeral grounds (3.18)

The rules relating to Kerala Panchayat Raj Act 1998 (places for burial and cremation) have come to force. The conditions in this regard are given below.

1. District Collector shall issue license for the places for burial and cremation
2. If Panchayat feels it necessary to start burial grounds it can submit application for license to the District Collector along with the remarks of the District Medical Officer.
3. Contract for collecting rend and fees can be given to individuals or organisation by auction.
4. The burial and cremation should not be done within 50 mts from the residential area. But in the case of concrete cellars and electric crematoriums 25 mts distance is as



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enough.

5. In the case of license for private places application shall be made to the secretary in Form number – 1. The sketch showing the place, area, permission and records proving the ownership of the place shall be send along with the application.

6. The Panchayat shall take decision in the matter within 30 days and forward the application to the district collector through the District Medical

Officer.

7. District Collector can pass orders within 5 months. Panchayat can appeal to the government on the decision of the collector within 30 days.
8. Officer concerned shall keep the record of the cremation.
9. No grave shall be made within 75 mts from another grave. The depth of all graves should be 2 mts.
10. The violation of the rule – B entails a fine not exceeding 1000 rupees.

License for trade

Issuance of license for trade (3.4)

As per Section 225 of the act sale on the public road shall be prohibited by public notice.

As per Section 232 a notice should be published (allowing 30 days time) to the effect that no place shall be used without license for the items (under Schedule – 1) which cause danger or unbearability to the life or property of the people. It is the Secretary who shall issues the license.

As per Section 233 prior permission shall be obtained to construct factories and buy machineries.

The other important provisions of the rules of the Panchayat Raj Act 1996 on this report (issuance of license for dangerous and hazardous trades and factories) are given below.

1. No advance sanction is necessary for installing a motor which is below 5 HP. in the case of the items certified by industrial department or pollution control board. But the plan of the work already completed without violating the rules, sketch and the possession certificate shall be submitted to the secretary along with the application. The Panchayat should get the license fee for installing the motor before the issue of license.
2. Conditions of the issue of permission to the units where motors of 5HP or more. One rupee stamp should be affixed on the prescribed application form.
3. A site plan showing the residence, places of public worship and educational institutions situated within 100 mts from the factory, plan of the building and sketch according to the need.
4. Those who prepare plans and sketches shall have obtained their licenses from the Panchayat.
5. Certificates testifying to possession shall be given.
6. The non-objection certificates of the residents who live within the area of 100 mts is necessary.

7. It is the duty of the officers who are authorised and responsible to examine and find out whether the industries be started one dangerous to the public or not.
8. The Panchayat can take decision to issue permit on the basis of the report of the Secretary if there is no possibility of industrial harm or pollution. (Other than items under Schedule 5) and the current load of the machinery does not exceed 25 HP. and also if it is not necessary to get clearance from the fine force (other than items under schedule 6)
9. In the case of pollution control board certifies that industrial pollution does not occur no proposal need be send to the District Medical Officer.
10. If in the proposed factory with motor 10, 20 r more work, the report of industries extension officer or factory inspector should be sought for.
11. Panchayat decision shall be communicated to the applicant for permission within 30 days in the case where not objection certificates is not necessary and within 60 days in the case where NOC is necessary.
12. Incomplete application should be returned to the centre immediately.
13. Audience permission is not necessary to start industrial unit in industrial estates, development centres, industrial development plots, development areas and the places that industrial department has already approved. It is enough to pay Panchayat fees only along with the above mentioned records.
14. The appeal on the decision of the Panchayat shall be send to the Panchayat and the green committee respectively.
15. This is binding on the building construction also
16. The receipt of the application shall be acknowledged.
17. Panchayt can reject any application of it is received that starting of factories is objectionable or troublesome due to density of population of the adjacent area.



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Issuance of License Section 232

1. Application for license to start on industry and application for renewal of license shall be send to the Secretary before 30 days.
2. The possession certificate shall also be send along with the application. Permission shall be obtained or the industrial unit where motor is installed. (If the work has already been completed possession certificate need not be furnished)
3. Certificates shall be obtained from health department for the hygienic conveniences arranged.
4. In the case of transfers of trades or industry the panchayat shall be conformed immediately. In order to make necessary changes in the records concerned the application of the seller as well as buyer and the copy of such deals shall be furnished. Besides the seller, the buyer should also pay the license fee for the year.
5. License fee shall be realised as per schedule 2 on the basis of the turn over.
6. In a factory where machineries have been installed fee shall be imposed as per schedule – 2 considering the 5% of the investment on the machinery as daily turn over.



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So also fees shall be imposed as per schedule 3 where machines work with electricity and as per schedule 4 under electricity is not used. Those who start factory workshop etc without permission shall be liable to pay a fine of Rs. 3000/- for the initial offence and Rs. 500/- per day for the subsequent offences.

As per section 232 trades without license entail maximum fine of Rs. 500/- for the first offence and Rs. 100/- per day for the subsequent offences.

As per section 233 A Panchayat reserves the right to eliminate the troubles from factories, workshops etc.

General Conditions

1. Consent to establishment should be obtained for giving permission to the industries that come under the pollution control board and consent to operate should be obtained for giving license.
2. In the case of the applications for industries involving a capital of more than two lakh rupees by way of single window system procedure shall be adapted as follows.
3. No additional fees shall be levied for the purposes as per Schedule 2 of the Rules. But fine shall be imposed for application received late.
4. 25 % of the additional fees shall also be realised in case application is not submitted before 30 days of the beginning of the financial year of purposes as per schedule 3 and 4. Besides a fine at the rate of 2% should also be collected per month.
5. The license shall be displayed so as to see it by inspecting officials.
6. It is the maximum fees that one shown in Schedule by 2, 3 and 4. That shall be fixed precisely by Panchayat.

Registration of birth and death.

Registering birth and death (3.20)

Central government had ordered that birth and death shall be compulsorily registered under Birth and Death Registration Act of 1969. Accordingly Govt. of Kerala also had framed Rules there on in 1970 and 1999 and published it. As per this the responsibility of registering birth and death that take place in the Panchayat area is vested with the Secretary. The main conditions rules and the acts are given below.

1. The registration shall be done in the Panchayat where the incident took place.
2. The person who is liable to make report for registration is eldest person in the case of residence, head in the case of the organisation and the person in charge in the case of a vehicle (Rule 1)
3. The Police Authorities or Village Officer shall give the report regarding the dead bodies seen in public places and the abandoned new born babies.
4. In the case of abandoned babies the place from where it is got should be considered as its birth place.
5. The Police Officer who prepared inquest in the case of accidental death shall submit the report (Rule 2)

6. In the case of a plantation it is the superindentant who shall submit the report.
7. All births and death shall report within 21 days. As soon as the registration is made the extract should be given without realising any fee.
8. If the 21st day is a holiday it is enough to give the report on the next day.
9. For the delay of more than a month after the 21st day secretary should realise a late fee of rupees two for registration.
10. The permission of the district register is necessary for registration in the case the report is furnished between 30 days and one year. Hence the late fee is Rs. 4/-.
11. If the registration is made after one year the permission of the Revenue Divisional Officer is necessary.
12. For all late registrations a non availability certificate is forwarded and an affidavit shall be furnished along with the application for registration.
13. As per rule –13 fee shall be remitted to the Panchayat for the non-availability certificate.
14. In the case of late registration a ten rupee stamp paper shall also be given for getting the extract. An extract fee of 5 rupees shall also be remitted.
15. No fee will realised for registering children's name for up to 12 months. A late fee of five (5) rupees shall be remitted after the period.
16. The parents (both are alive) shall apply together.
17. There is no bar in issuing certificates in other languages.
18. No change can be made in the date of birth and name.
19. The birth and death that took place before 1970 can be registered with the permission of the RDO.
20. If a pet name is given first and the real name is given after 5 years the real name can be registered with the permission of the Chief Registrar (Panchayat Director)
21. If there is any mistake in the hospital reports on application from is also necessary for making correction.
22. If the parents want to change their registered names after 5 years the permission of the Panchayat director is necessary.
23. If the registrar is convinced of any clerical mistakes in the names the correction can be made on the basis of the School record.
24. An identification certificate from the registrar of birth place is necessary for registering the name of the child whose birth is in a particular Panchayat and staying in another Panchayat. Notary certificate is enough if the child lives in another state.
25. For registering the names in the cases before 1990 for the permission of the Panchayat Director is necessary but in the case after 1970 the Registrar can register the name on the basis of records of change.
26. All the responsibilities of the Registrar other than prosecution, compounding, late registration can be delegated to the sub registrar.
27. If the birth is in a foreign country registration has been done, it can be done in India



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within 60 days from the arrival. After this date steps should be taken for the delayed registration. But there is no condition for registering death.

28. If the persons who are responsible for informing birth and death, violate the rules a fine up to Rs. 50/- can be imposed on them.

29. The Registrar shall forward every month a report in the prescribed form to the Additional Chief Registrar also annual statements after closing the register should also be forwarded on or before December 31.

30. Report shall be sent to the person who has given the information, without collecting any extract fee relating to the registration.

Transport facilities

Providing ferries (3.22)

Providing parking places (3.23)

Constructing waiting sheds for passengers (3.24)

As per Section 166 providing and maintenance of ferries comes under the responsibility of the panchayat. The necessary amount can be spend from the Panchayat fund.

As per section 227 of the Act Panchayat has the right to start public dumping places, parking places, (bus stand, car park etc) and issuing licenses for them. Accordingly Kerala Panchayat Raj Act 1995 has (dumping places, resting places, parking places) issued rules there on.

The main conditions of the rules in the act

1. Before starting a public stand a notice shall be published mentioning the survey number and area and invite remarks and options from the public and after considering them application should be submitted to the Regional Transporting Authority for approval.
2. After receiving the permission of RTO the Panchayat shall fix a fees according to the maximum rate mentioned in he Schedule of Rule 9. A notice to this effect shall also be published.
3. Public roads or its sides shall not be declared as parking place. But in special circumstances parking places can be allowed on the sides also with the permission of the responsible authority.
4. Panchayat shall provide for toilet, drinking water in the public stand for the convenience of the passengers.
5. The procedure for obtaining license shall be adopted only after ensuring the above conveniences in private stands.
6. Panchayat has the power to hand over the right to collect fees from the stand by auction.
7. If the Panchayat has started stand, workshop etc such other stand or workshop shall not be started within the limit fixed by the Panchayat.
8. In the case of those who and not willing to remit the fees as per Rule – 9 the vehicles, animals or the load on the animal can be confiscated. In the case the fees and fine are not paid despite the issue of the Secretary's notice the goods already confiscated can be put to auction and realise the amount payable by them.

9. Panchayat has the right to give the suitable portion of the stand on lease for the period not exceeding 1 year.
10. Application for starting private stand shall be forwarded to the secretary along with the plan of the site, sketch, approval etc.
11. Advance sanction of RTO is necessary for issuing license for motor vehicles.
12. For considering application for the license and to invite the remarks of the public 30 days notice should be published.
13. As per Section 257 those who start private stand without licenses and liable to pay a maximum fine of 1000/- for the first offence and Rs. 100/-per day for the subsequent offences.
14. Panchayat has no right to fix a license fee more than Rs. 200/- for every year in the case of private stands.
15. The Grama Panchayat can suspend the license issued by it incase its conditions are violated.
16. The license holder of the private stand cannot collect fees exceeding the amount fixed by the Panchayat (Rule-27)
17. It is also the responsibility of the Panchayat to construct waiting sheds for the public for awaiting vehicels. Permission shall be obtained from the departments concerned to construct waiting sheds on the sides of the roads which do not come under the authority of the Panchayat.



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Conducting Fares and Festivals

Controlling fares and festivals (3.26)

The Grama Panchayat shall make permanent or temporary arrangements for public safety and public comforts in the places where religious fares or festivals are held. The expenditure incurred in this can be realised from the trust concerned on demand (Section – 219)

As per the public health act 1955 (Section (123-130) and the Madras Act of 1939 Section (116-125A) and the controlling factors there in and the responsibilities of the Panchayat in this respect shall have been decided.

The information regarding the fares and festivals shall be furnished to the Panchayat before 30 days of the events.

The local authority shall make the necessary arrangements for public conveniences for public comfort and lighting.

The Health Officer shall supervise all the arrangements and destroy decayed foods if necessary. The expenditure in this regard shall be recovered from those who keep the food stuffs as the land revenue.

Uninhabited buildings can be taken into possession as pilgrim shed, watershed, hospital, segregation shed, latrine etc with the permission of the District Collector.

The Health Officer can be directed to ensure the availability of drinking water.

Visitors can be exempted from lodging rules.

General Responsibilities of the Panchayat

The social, cultural, occupational and educational problem on each panchayath region will be different. So the following schedule contains the duties that any to be discharged after collecting statistics from all zones to conduct projects aiming at the financial up life of all especially the poor class. Panchayath have full right to spend necessary amount of money implementing all the activities as per the schedule. Panchayath have also the right to prepare project to utilise the plan fund received from the government subject to control.

1. Collect Statistics and make them timely
Collection of Statistical data are unavoidable for the activities of governance, development and welfare. Statistics relating to individuals and families should be prepared for social, financial and welfare purpose.
Resource maps, charters of natural and manmade assets and acquired wealth shall be prepared and shall be revised from time to time.
2. Volunteers shall be organized and made participants in the working group.
Women and youths shall be organized aiming job security and regular income and made participants in small savings, enterprises, the developmental activities of the panchayath, social awareness programmes and self empowerment activities. The human resources availability in the constructional and developmental activities are also possible.
3. The programmes that promote low cost life style shall be organized peoples and awareness shall be promoted to avoid luxury and expenditure to minimize expenditure to utilise the sources of money in a planned and productive way and to avoid indebtedness
4. Awareness campaign shall be conducted against social evils
Awareness campaign shall be made the use of alcoholism and narcotic drugs, dowry, dowry related molestation, atrocities against woman, abuse of children exploitation of youth etc...
Peoples participation shall be ensured on development activities
Organise relief activities in natural calamities
Utilisation of the president relief fund, organising other essential activities.
Formation of the presidents relief fund so as to be utilised, other creational works in the context shall be done. Means shall be found to give warning, ensure safety and rehabilitation
7. Implement environmental awareness and protection
Conduct environment consciousness programmes to create an awareness in the people that it is the co-existence of earth, water, air, forest, vegetation and micro-organisms.
That is essential for the existence of human beings and the feeling that it is not the exploitation of nature without control but the dependence on it suitably that necessary.
Along with of organise multifaced activities to protect and preserve the existing

environment.

8. Development of the Co – Operative sector

Take the responsibility of a Co – ordinating the Co – operative sector and utilising new facilities so as to expedite and promote the foscil growth of the people of the local area.

Betterment of the community unity

Organise such programmes as would aradicate the class interests, partiality and evil customs and to ensure communal harmony. Prevent communal subotage

Make land available for developmental requirement

Promote interest and voluntariness among people for this purpose.

Make legal awareness in the weaker section

There are no excuses if law a not known. At the same it is very difficult to know law in its entirety.

So, organise and conduct legal literacy measures, free legal aid and services to the poor.

Hold propaganda against financial crimes. Ensure awareness campaign, and enhancement of capabilities among people to resist tax evasion revenue misappropriation, bribery, corruption etc...

13. Form ayalkootams and self - help organisations organise and implement activities to enhance people's participation by decentralizing the activities of governance development and welfare among the people.

Conduct awareness campaign about fundamental duties of citizens

Organise programmes and take actions to promote the awareness that citizens are liable to fulfill their obligation to the society and the nation or they are eligible to enjoy the citizens right.



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Sectoral Responsibilities of Panchayat

The duty which had been discharged by the various departments of the government under 19 heads for the development of the local area as per section 166 has been transferred to the grama panchayat. Following this, the related institutions and buildings and other properties will be transferred to the panchayats.

The staffs concerned have also been transferred to the panchayat. The panchayat have also been given powers to control the staffs. Panchayat should prepare plans to fulfill the responsibilities, utilising the plan fund directly given by government, the sums received from the various departments, the panchayat fund already available and collecting local and social resources.

The panchayats are responsible to run the establishments by spending the panchayat fund, in case the government fund it is not available. But the staffs transferred to those establishments shall not be given salaries or other benefits.

The duties of the service zone are given below

1. Agriculture

Cultivation of wasteland and the adjacent areas, ensuring the maximum use of the land, soil conservation, production of organic manure, laying funds, encouraging collective farming, organising self reliant association, encouraging horticulture and floriculture, developing cattle bread crops seeds production, mechanisation of agricultural farms and management of Krishibhavans.

2 Animal Husbandry and milk production, poultry - cattle development programmes, milk production, bee keeping, breeding of pig, sheep and rabbits, managing veterinary hospitals and I.C.D.P. subcentres. Preventive health care programme for animals, prevention of cruelty to animals, development of the reproductive ability of animals and prevention of diseases caused by animals.

3 Minor Irrigation

Commissioning and maintaining all minor irrigation plans in a grama panchayat, water resources management programmes.

4 Fisheries

Development of fish farming in ponds and breeding fish in pure water, development of the resources of the sea, distribution of the instruments to catch fish, giving help in the sale of fish, providing basic amenities to the fisher fold families and the conduct for fisher folk's welfare plans.

- 5 Social Afforestation
Planting trees and fruit trees for firewood or cattle feed, conduct propaganda for planting tree and environment awareness campaigns and afforesting waste land.
- 6 Small Scale Industries
Encouraging cottage and utilise industries promoting handicrafts and developing traditional and small industries.
- 7 Housing and Habitat Development
Identifying homeless and pavement dwellers of heir less (purampokke) land and gave them land and houses, launching rural house construction plans and the uplifting of refuge centres.
- 8 Water Supply
Systematising the water supply scheme of grama panchayat area.
- 9 Electricity and energy
Installing street lights and maintaining lightings.
- 10 Education
Management of government pre-primary and primary schools. Implement literacy programmes. Management and encouragement of libraries and reading rooms.
- 11 Public works
Constructing and maintaining village roads in a grama panchayat. Perform building construction and maintenance for establishments including the ones got by transfer.
- 12 Public health hygiene
Run dispensaries and primary health centres mother and child welfare, start family welfare activities and do hygiene works.
- 13 Social Welfare
Run anganwadies, grant and disburse pension for widows, handicapped and agricultural labourers, grant financial help for the marriage of the daughter of widows and group insurance plan for the BPL also.
- 14 Alleviation of poverty
Identify poor one, enforce self employment and group employment schemes for the poor especially woman and make social assets for the poor to get benefits continuously.
- 15 Development of Scheduled Caste and Scheduled Tribes
Implement plans aiming beneficiaries under Scheduled Caste and Scheduled Tribes, Manage Nursery Schools for SC and ST, arrange basic conveniences in SC and ST centres, give help to SC and ST students and if necessary give them discriminative aid.



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16 Physical and cultural activities
Establish play grounds and cultural houses

17 Public distribution system
Examine the complaints received against the public distribution system and find its solution and enforce them. Conduct propaganda against the offences of weight and measures. Perform general supervision of ration shops, maveli stores, neethi stores and if necessary make recommendation to start public distribution centres.

18 Natural calamities
Perform the works related to natural calamities. Each panchayat shall carry out its work of making good the loss of the assets, maintain relief centres.

19 Co-Operation
Organise co-operative societies within the grama panchayat and strengthen the co-operative institutions with in the local area.

Powers and Responsibilities of the Panchayat Committee

1. General administration
- 1 Elect president, vice president and the standing committee members (section 153)
- 2 Examine the agenda notes of the meeting and approve
- 3 Take decision on the conduct of the meeting, and grant permission for administration and financial sanction when necessary.
- 4 Write off the sums, in case the amount due is unrecoverable on the basis of the report of the secretary
- 5 Prepare byelaws.
- 6 Grant permission for private slaughter houses (sec 230)
- 7 Give license to private bus - vehicle stands (sec 218)
- 8 Pass the budget presented by the finance standing committee
- 9 Take decision on the appeals against the secretary / president
- 10 The right to decide to take loans (sec 197)
- 11 Resolve to delegate more powers to the standing committees (sec 162)
- 12 Resolve to form working committee, functional committees, sub committee, ward committee and joint committee development committee etc.
- 13 Resolve to implement the resolutions proposed of the standing committee, in panchayat meetings.
- 14 Approve the expenditure relating to the election (sec 213)
- 15 Approve the action of the secretary in reconciling
- 16 Renew the membership on the application to avoid the disqualification of the members, for not having participated in the meetings, of received within 15 days.
- 17 Resolve the recommend to remove the Secretary in a special meeting (Sec 179)
- 18 Grant leave for not more than 6 months to the members (Sec 35 k)
- 19 Resolve to enforce directly the notice sent by Secretary for violating the Sections of the Act (Sec 240)
- 20 Resolve to sue or to be sued on behalf of the Panchayat.
- 21 Decide the date and venue of the meeting of the Grama Sabha (Rules)
- 22 In the case of the staff being suspended take decision on the immediately following meeting (Sec 156)
- 23 Approve the tour diary of the officials.
- 24 Prepare the Citizen Charter revise and publish it. Organise adequate dissemination measure for Citizen Charter and provide copy of Citizen Charter to people on subsidized cost.



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- 25 Give the Panchayat power to fulfill all the responsibilities (Sec 239)
- 26 The power to issue orders, circulars, byelaws on the basis of the resolution relating to the implementation of the governance of the local government.
- 27 The power to form, maintain and control the standing committees for fulfilling the responsibilities of the panchayats.
- 28 The power to rectify the errors pointed out, through the administrative audit and social audit and not to repeat them in the general administration.

2. Development

- 1 Resolve to start public comfort stations in panchayat market, parking places, mortals and inns.
- 2 Issue license to private markets and decide the license fee.
- 3 Resolve to start public dumping places, resting places, parking places, vehicle stands etc. and to issue license to private stands.
- 4 Taking up and approving the procedure to prepare development plans (Sec 175)
- 5 Resolve to acquire immovable properties for public purposes and plan implementation.

3. Public works

4. Welfare

1. Grant various pensions and salary on the basis of the enquiry report.
- 5 Service
- 1 Resolve to establish ferrying and maintaining them.
- 2 Resolve to run public dispensaries and child welfare centres.

6 Control

- 1 Resolve to stop the trespassing in public places and impose fine (sec 2534)
- 2 Grant permission to establish factories having a connected load of more than 5 HP.
- 3 Control the use of public water ways and private waterways.
- 4 Take decision on the appeal to construct and reconstruct cottages as a part of the building construction control.
- 5 Resolve to remove dangerous trees.
- 6 Resolve to avoid dangerous fences.
- 7 Enforce control in unclaimed land (grazing ground etc.)
- 8 Demand the removal of buildings, wild plants and faith that are dangerous to neighbourhood.
- 9 Ban washing cattle in wells, ponds or lakes (sec 239)
- 10 Resolve to avoid the construction in the public roads and the unauthorised construction (sec 220)
- 11 Give permission to construct cinema theatres.

7 Revenue

- 1 Allow discount to contractors and tenants on the basis of the report of the Secretary (governments sanction is necessary to allow discount over Rs. 10,000/-)
- 2 Give sanction and approval for the regular expenditure.
- 3 Fix profession tax slab (Sec 204)
- 4 Resolve to give direction to amend the assessment books (Rule 7 taxation and appeal)
- 5 Resolve to start public market and to issue license for private market.
- 6 Resolving to collect fee to start slaughter houses. (Sec 229)
- 7 Resolve to give dividends to the schemes which are useful for two or more panchayats.
- 8 Resolve to levy advertisement tax (Sec 209)
- 9 Resolve to impose surcharge on the property tax (Sec 208)
- 10 Power to receive donation and trusts (Sec 197)
- 11 Resolving to fix service tax realising any kind of fees.
- 12 Resolve to give contracts by auction to realise which ever fees payable to the panchayat (Sec 237)
- 13 Fix the percentage of the entertainment tax. Authorise officers for inspection.
8. Environment
1. Powers to give license to the organisations whose work detrimental to the body and life of the human beings or plants or micro organisms.
 2. Power to ensure the safe keeping, controlled, scientific and limited utilisation of natural resources.
 3. Power for maintaining environmental hygiene, instruction and implementation.
- 9 Other zones
- Resolve to adopt procedures to dispose of solid and liquid waste sewage. Take penal measures against those who commit fault or violation of values and orders in this respect.
- 10 Penal procedures
1. Those who refuse to implement the order.
 2. Should be fined for violating the rules of license.
 3. In the case of officers take decision to impose simple punishments like ensure, fine, temporary withholding of increment and promotion and recovery of sums from the salary.
 4. Recommend to sanction leave to the staff transferred and to take disciplinary action for negligence of duties.



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Panchayat Committee – Procedure of the Meeting

1. General Conditions
 - 1 Panchayat committee is a committee of the peoples representatives who are elected to a panchayat.
 - 2 The panchayat shall fulfill the requirement of matters relating to governance, development and control as stated in the Schedule 3 of the Panchayat Raj Act.
 - 3 The governing committee can meet once a month or when ever it is necessary.
 - 4 The committee shall meet at least once a month.
 - 5 The secretary shall prepare the agenda in consultation with the president and taking into account the advice of the standing committees.
 - 6 The governing committee shall meet between 9 am and 6 pm.
 - 7 The governing committee shall compulsorily meet at the headquarters.
 - 8 The governing committee shall not meet during holidays.
 - 9 The secretary should serve notice to the members within 15 days for ordinary meetings and before 3 full days for emergency meetings (the date of the serving notice and the date of the meetings are not included in the notice period)
 - 10 The meeting can proceed if only one third of the members of the governing committee are present.
 - 11 The meeting can be postponed if anyone among the participating members demands, in case the quorum is not complete, half an hour before the meeting.
 - 12 The procedure of the meeting can be stopped of the participation of the one third of the members is not available.
 - 13 In the absence of the president on the vice – president any member, then chosen, can preside the meeting.
 - 14 The panchayat secretary can participate in the meeting and give necessary advice.
 - 15 Ex-officio secretaries can be given participation if the agenda requires so.
 - 16 The president shall approve the agenda after reading it, at the beginning itself.
 - 17 The items included in the agenda shall be presented gradually and discussed. The items which are not included in the agenda can be taken for discussion with the permission of the president.
 - 18 Resolutions can be passed on the basis of the majority of the members who vote.
 - 19 In case the majority can not be decided in the usual way voting shall be done, and if there are equal votes the president’s decision shall be final.

- 3 Memorandum or Motions in the Panchayat Meeting
 - 1 The member who want to present any motions in the panchayat committee shall submit copies of the memoranda before 7 days to the meetings and get permission of the president.

- 2 The memoranda that do not abide by the rules will be rejected by the president.
- 3 The denial of permission to present the memoranda can be communicated to the member.
- 4 The memorandum that has got permission to be presented will be included in the agenda of the closely following meeting.
- 5 The member has the right to move such memoradum or to withdraw the motion after making a statement.
- 6 The memorandum or its amendment cannot be withdrawn without the permission of the panchayat committee.
- 7 The memorandum presented and its amendment shall be seconded by another member of the panchayat.
- 8 A member can present only one memorandum in a meeting.
- 9 A memorandum once rejected can not be permitted to be presented within 6 months.
- 10 A member can talk for not more than 4 minutes confining himself to one subject, with the permission of the president.
- 11 A maximum time of 8 minutes can be allowed to present the memorandum.
- 12 Panchayat Secretary shall record the procedure and resolutions of the meetings in the minutes book.
- 13 The Secretary shall prepare the draft of the procedure of the meeting and submit it to the president within 24 hours for approval.
- 14 The President shall examine the draft, sign it and return to the Secretary within 24 hours.
- 15 The Secretary shall copy the minutes approval by the president in the minutes book and get the signature of the President.
- 16 As soon as the minutes being recorded in the minutes book a copy of the procedural notes shall be given to the members and displayed in the office notice board.
- 17 The members shall inform the President and the Secretary in writing within 48 hours since the receipt of the procedural notes of the meetings, if they have different views or dissents if any.
- 18 Special meetings of the Panchayat Committee can be called if not less than 1/3 of the member demand it.
- 19 The public and the media persons can be permitted to be present in the panchayat meetings as visitors.
- 20 The items not included in the agenda cannot be considered despite the permission of all the members.
- 21 There shall not be the agenda "the items permitted by the president."
- 22 The Secretary can ask the panchayat to examine the decision if it is illegal or deterrental to the public safety.
- 23 The Secretary can recommend to the government cancellation of the resolution passed against the law.
- 24 The presence of the officers or staff concerned can be demanded and the views can be recorded in the meeting with the permission of the President.



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Power, Duties and Responsibilities of the President

President is the executive head of the panchayat as per the Kerala Panchayat Raj Act 1994. The president who is the first member of the governing committee is elected by elected representative of the Panchayat committee from among them.

1. Powers

- 1 Calling panchayat meeting, presiding and controlling it.
- 2 Powers to spend towards contingent expenditure or sum not exceeding Rs. 5000/- during emergencies.
- 3 To give orders to utilise the panchayat fund in writing for any thing the panchayat committee has not banned, during emergency, and the decision shall be got approved in the next meeting of the Panchayat committee.
- 4 Demand the officers to be present in the meetings of the Panchayat or convened by the Panchayat.
- 5 Take actions including suspension for negligence of duties against the officers on the basis of the report of their controlling heads (secretary or the other heads). But the president has no power to suspend the Secretary and the Gazetted Officers. Unless the suspension is not approved in the next panchayat meeting the said suspension becomes invalid and the Secretary shall give the officers permission to join duty as per Sec 156 (6c)
- 6 The President has the power to make the files, except those where the utilisation of the statutory powers, vested with the officers only, authoritative.
- 7 Examine the post on all working days and give orders for further action.
- 8 Give necessary orders / directions on the files submitted by the officers.
- 9 The President shall closely examine the travelling allowance bills of the vice president, standing committee chairperson and the members and pass them.
- 10 If report is received from the police about the heirless dead bodies take necessary action to bury them and give permission to spend money for it.
- 11 The power to inspect slaughter houses, meat shops, public markets and private markets.
- 12 To give permission to the secretary to reconcile the offences.
- 13 The power to order the village officers to participate in the panchayat meeting.
- 14 The power to call steering committee meetings and to give leadership of governance.
- 15 To prepare the Confidential Records of the staff of the Panchayat.

2. Duties

- 1 Exercise general supervision over the duties of the officers and the staff.
- 2 Make all the regular expenses authoritative.
- 3 If the resolution passed by the panchayat are deemed detrimental to public safety to refer it to the governments.
- 4 Give permission for question and sanction to move memorandum in

- Panchayat meetings.
- 5 Take action on points of order.
 - 6 Examine the draft procedure of the meeting within 24 hours and approve it.
 - 7 Obey the advices given by the government.
 - 8 If the audit report is received the same shall be placed in the next Panchayat meeting for consideration.
 - 9 Give necessary instruction to remove sewages in due time.
 - 10 Order the Secretary to call for tenders for the public work and to enter into all sorts of contracts.
 - 11 To have direct responsibility to implement all works except the duties and responsibilities vested with others as per the panchayat raj Act.
 - 12 Power to authenticate the orders, resolutions and expenditure of the Panchayat.



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3. Responsibility

- 1 To prepare confidential reports of the Secretary and the other Gazetted Officers.
- 2 The disciplinary action taken on the staffs should be in accordance with the rules of Kerala Civil Services Act 1960 (Classification and appeal)
- 3 If the panchayat committee has decided to initiate disciplinary action against an officer the president, in the case of the Secretary / Head of the Institution and the Secretary in the case of the others shall order the Secretary / the Head of the Institution, to issue, signed charge memo. So also even if the panchayat committee imposes light punishments the same procedure shall be adopted.
- 4 The grama panchayat president will be the member with voting power in the block panchayat meeting (except in no confidence motion against election). Accordingly he should participate in the block panchayat meetings and submit the remarks and advice of the grama panchayat.
- 5 Participate in the standing committee meetings as ex officio member. But he will have no voting power.
- 6 Call the panchayat / standing committee meetings to elect standing committee members and the chairman, accept nomination and conduct election in the panchayat meeting.
- 7 Make introductory speech in the budget meeting.
- 8 Preside all working committees and joint committees.
- 9 Call steering committee meetings and make the activities authoritative.
- 10 Give an opportunity to the member being elected in the by election and the member who is unable to take oath of allegiance in the due time to swear in before the president.
- 11 Forward the annual financial statement to the local fund audit officers before July 31.
- 12 Pass the regular expenditure from the panchayat fund.
- 13 Prepare and publish the annual administration report.
- 14 Cause to prepare the Citizen's right charter.
- 15 Make the local government orders authoritative.
- 16 Approve the resolution and ensure its regular implementation.
- 17 Ensure the service, that are to be got through the president on the application tendered with regard to public services.

Powers, Duties and Responsibilities of the Vice –President

The vice president is the second member of the panchayat governing committee. It is the vice president who fulfills the responsibilities and exercises the powers of the president in his absence.

- 1 If the president is absent in his jurisdiction for over 15 days and is ill and his place is vacant, the president's power will be vested with the vice president. Then he shall discharge all duties like the president.
- 2 The vice president will also be the chairman of the finance standing committee.
- 3 Perform the management of the responsibility of the panchayat relating to the budget, accounts and audit.
- 4 Bear the financial management of the tax revenue, non-tax revenue, expenditure and the organisations transferred to the panchayat.
- 5 To ensure the management of the utilisation of funds of the panchayat so as to make the co-ordination of the financial distribution and utilisation possible.
- 6 Call the finance standing committee and preside the meeting.
- 7 Present the annual budget in the panchayat meeting.
- 8 Examine the files about the subject the finance committee shall handle.
- 9 Give reply to the question put to the chairman.

The Rights, Responsibilities and Duties of the Panchayat Members

The section 158 of the Act and the rules of the panchayat Raj Act 1995 (Panchayat Meeting Procedures) deal with the rights, responsibilities and duties of the Panchayat members.

- 1 Right to Participate in the panchayat meeting and express their views on a matter within the agenda according to the permission of the President.
- 2 The right to put the maximum of two questions to the president in the panchayat meeting and to the chairman of the standing committee. Such question shall have been given before 7 days. Any member can put a supplementary question also.
- 3 The construction works and other schemes under taken by the Panchayat can also be inspected by a Member.
- 4 The matters about the rights of the people of the panchayat area, the defects of the works and the items of importance can be brought to the attention of the panchayat.
- 5 All the records except those declared by the government as secret ones can be referred to in office time, after giving notice to the president.
- 6 When the procedure of a meeting is over and the minutes are recorded the secretary should circulate its copies among the members. The members who participated in the meeting can give notes of objection.
- 7 A member can be absent in the meeting for a period not more than 6 months with the permission of the panchayat meeting.
- 8 Not less than 1/3 of the panchayat members can jointly demand the panchayat president to call a meeting and if the president is not prepared to do so the members can call the meeting after giving a joint application
- 9 The officers authorised by the government can serve notice to call a meeting to tender no confidence motion signed by not less than 1/3 of the members, in case the members have no confidence in the president or the vice president.
- 10 The members and staff who work with bonafide loyalty to the panchayat, are eligible to get protection as per Sections 248, 249, 250 and 251 of the Act.
- 11 The right to receive the allowable honorarium and bata.

Duties

- 1 Electing the President, Vice president and the Standing Committee members
- 2 The right to move motion or memorandum about the administrative matters of the Panchayat in the Panchayat meetings. Those who want to move the motion should give the president a notice with three copies of the motion before 7 days.
- 3 Sufficient help shall be given in the activities for the enhancement of the revenue of the panchayat.



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- 4 Prepare development and action plans in the activities of decentralised plan formulation.
 - 5 Cast vote when the resolution of the panchayat meeting necessitates voting.
 - 6 Any member may be disqualified if his action causes loss wastage or misuse, or when the member fails to give the statement of assets in due time or commits arrears on payment due to the Panchayat or to the Government.
 - 7 The failures to call the gramasabha meetings thrice continuously will entail disqualification.
 - 8 Failure to submit the property statement in the prescribed form or the casting or non casting of votes violating the whip will cause disqualification^e.
 - 9 The rules of 1999 about the change of allegiance are binding.
 - 10 The people's representatives shall not interfere with the statutory power, exclusive for the secretary / officers.
 - 11 Give help to the activities of the "Ayalkootams', 'Kudumbasree and Vanitha ayalkootam'etc.
- 3 Responsibilities
- 1 Grama Sabha convenor is the ward member. The Grama Sabha shall be called once in three months. The convenor shall call a special meeting of the gramasabha within 15 days, with the agenda given along with the demand, in case not less than 10% members of any gramasabha demands in writing.
 - 2 In the absence of the president and the vice president the convenor shall preside the meeting of Grama Sabha and Executive committee meetings of the gramasabha.
 - 3 Panchayat member is the president of the ward committees. He should bring activity of development and the requirements to the attention of the panchayat.

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Powers, Responsibilities and Duties of the Secretary

The secretary being the Chief Executive Officer, is the Head of the Office of the Panchayat. The official set up consisting of Junior Superintendent, Head Clerk, UD Clerk, Peon and part time staff is there to help the Secretary.

As per Section 182 of the Panchayati Raj Act the Secretary is the executive officer and so he carries out the administration by deciding the issues, that require the permission of the panchayat after discussing it in the panchayat meeting, obtaining presidents order in the issues that requires his permission, co-ordinating the services of the other organisations and staff and issuing orders himself in the matters under his responsibility.

1. Powers to examine the accounts of the transferred institutions (sec 182)

The Secretary has the power to send notices to those who violate rules on discharging their duties, to implement the matters required as per the notice, with the approval of the panchayat and to recover the expenditure in this regard with a maximum fine of Rs. 500/- (sec 240)

The power to demand information from the village office about the village or any part of it, an individual or a property as per the authentication of the President (sec 242) 1996.

Power to order the removal of sewages and take punitive action (sec 219 I)

Issuing permits to construct buildings

A maximum fine of Rs. 100/- and the expenses can be realised for doing works, against the rules of the license and for resisting and dismantling the work done (sec 236(5) B)

Power to collect entertainment taxes to take up actions including prosecution and to reconcile offences (1995 rules 6,7)

Power to reconcile the offences that are under trial before the court and other, and to impose fine, with the permission of the president (sec 246 compounding rules of 1996)

Power to keep the record and to issue copies of the same (Rules of 1998)

Power to give license for pigs and dogs (Rules of 1998)

Power to conduct examination at any place, with respect to the administration (sec 236 Rule 1998)

2. Responsibilities

1 Prepare notes of agenda about each subject and give them to the members

2 Participate in the panchayat meeting and submit remarks in writing for each item before the panchayat (sec 182)

3 Implement the legal resolutions of the panchayat

4 Keeping of the panchayat fund and records

5 Prepare the necessary returns and statements and to forward them to the persons concerned.

6 Exercise all powers, vested with the Secretary exclusively as per the Panchayat raj Act



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(Sec 182)

- 7 Forward the monthly accounts to the standing committee officers within 10th of the next month.
- 8 Present the resolutions of the standing committee in the next panchayat meeting.
- 9 In the case where prosecution is necessary, file the case before the court and also authorise the other officers, to file the case.
- 10 If the members are disqualified for not participating in the meeting inform them accordingly (sec 37(2)).
- 11 The election commissioner shall be informed about the vacancies arising due to the resignation of the members or other wise.
- 12 Accept the resignation of the president, vice president and chairperson (sec 155)
- 13 Delegate the powers vested with the secretary to other officers, with the approval of the president.
- 14 Accept the application for various welfare pensions and make enquiries on the application for unemployment allowances and submit them to the standing committee for welfare.
- 15 Inform the president and the Panchayat about the resignation of the standing committee members.
- 16 Arrange for the safe keeping of the files and records of the Panchayat.
- 17 Ensure daily the attendance of the staff, accept the leave application and keep the service book. (Sec 180(8))
- 18 Abide by the order issued by the government.
- 19 The administration report of the previous year should be submitted to the Panchayat before the 30th every financial year, for approval (sec 192)
- 20 Levy the profession tax of the staff of the Panchayat in due time and submit the same to the Panchayat.
- 21 The power to impose profession tax and levying it. (sec 205)
- 22 Take steps to avoid encroachment on public properties according to the decision of the Panchayat.
- 23 Issue license on the application for private parking places as per the decision of the Panchayat (Rules of 1995)
- 24 Issue license on the application for slaughter houses in accordance with the decision of the Panchayat (Rule of 1996)
- 25 Issue of license for the dangerous and obnoxious trade and factories. Obtain 'consent to operate' certificate also for the items that come under the pollution control board (sec 2338, 232 Rules 1996).
- 26 Take action to prevent the troubles from factory and workshop (sec 2334)
- 27 Prepare the agenda of the Gramasabha in consultation with the president.
- 28 Enter into contracts on behalf of the Panchayat (Rules of 1996)
- 29 Open the tender for the public work, prepare tabulation and submit it to the panchayat along with a reports for the approval of the panchayat committee. (Public work rules

- of 1997 10 (6))
- 30 The time and date of opening and the rates of the tenders should be written and signed.
 - 31 Perform the registration of private hospital and paramedical organisation (sec 269 Rules 1917)
 - 32 Perform the registration of tutorial institutions (sec 265 Rules 1998)
 - 33 The secretary shall make available the files and records required by the auditors.
 - 34 Take necessary steps to prepare development plans and to obtain approval from the DPC.
 - 35 Keep the register showing the political relation of the panchayat members. Keep the swearing in registers.
 - 36 Sign the registrations and files concerned as a part of the daily works.
 - 37 Fulfill the responsibilities as the Assistant Electoral Officer.
 - 38 Work in accordance with the directors of the election commission for the conduct of election.
 - 39 Do the birth and registration and issue certificates.
 - 40 Register the marriages as per the Hindu Marriage Act and issue certificates (the groom and the bride should be Hindus)
 - 41 Direct the village officers to collect and remit the estate taxes (Sec 221)
 - 42 Conduct transactions and communications on behalf of the Panchayat by authentication of the President.
3. Duties
- 1 Co-Ordinate and co-relate the functions of the various departments.
 - 2 Spend the money as authorised by the president to fulfill the administrative duties.
 - 3 Examine the post daily and give necessary directions. Arrangement should be made to give the letters, which are not exclusively for the secretary to the president.
 - 4 Prepare the agenda in consultation with the president to give notice to the members in due time (Rules 1995)
 - 5 Within 24 hours since the meeting the minutes should be prepared, signed and submitted to the president for approval (Rules 195)
 - 6 On receiving the approval of the president the minutes shall be copied in the minutes book and sent to the president for his signature, and when it is signed copies of it should be given to all the member. If any remarks of objection is received a copy of it should be affixed on the notice board and another copy shall be forwarded to the D.D.P. (sec 161)
 - 7 Refer to the government to stay or cancel the actions violating the resolutions of the government in implementing the plan or schemes and the resolutions that are liable to cause danger to human life, health safety. Unity or public peace, and that are above the power and also resolution that are not according to rules (Sec 191, Rule 1996).
 - 8 But these resolutions as per schedule III the secretary can demand to reexamine these resolutions as per the schedule III and if the panchayat sticks to the initial resolution,



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the secretary should inform the president and refer to the government and in case the government's decision is not received within 15 days, the secretary should implement the resolution in question (sec 182)

9 If there is the possibility of danger to any individual, property or agriculture by dangerous trees, the secretary should service notice as per the decision of the panchayat and implement the decision.

10 Remove the obstructions that are hanging on the streets and roads and the fallen trees (sec 238 (2))

- 11 Take action to remove the unhealthy buildings, land sewage, logged water, wild plants etc. Ban the use of the water of unhealthy well, ponds, pits and also ban the washing of cattle in the water set aside for drinking.
- 12 Give numbers to the buildings and impose taxes.
- 13 Issue license for cinema theatre as per cinema regulation Act, give permits as per entertainment tax Act, levy taxes and issue license in accordance with the PPR Act.
- 14 Present the previous years accounts in the first gramasabha meeting.
- 15 Prepare intents for necessary things as per store. Purchase rules and on receiving the sanction make purchase according to the rules. When purchase is made the quality of things shall be ensured by a technical test.
- 16 When files or records are given to the president or chairpersons the same should be entered in the register and its receipt acknowledged. (Sec 156 (6)C).
- 17 The expenses authorised by the panchayat can be paid by cheque or cash.
- 18 Keep interest account and give money from it as per rules.
- 19 Give official responsibilities and duties to officers by office order. Take punitive action against those who commit mistakes. (Sec 182 (2)).
- 20 Take steps to clear objection in the audit reports and to make good the loss sustained by the panchayat (sec 182)
- 21 Keep income and expenditure account and take up actions to fix the taxes and fees in due time and realise them. (Sec 182)
- 22 Keep the files of all meetings of gramasabha.
- 23 The opinion expressed by the officer while the draft of the minutes are prepared shall be recorded.
- 24 Forward the orders of the gramasabha to the block panchayat and district panchayat (Rules 1995)
- 25 The minutes of the meetings and the records should be kept by the secretary.
- 26 Give the staff and elected representatives salary, bata and other allowances.
- 27 Take action to fix the profession tax and levy it (sec 203-205 of rules 1996)
- 28 Fix the license fee on the basis of Schedule II turn over schedule III and IV and collect it.
- 29 Issue warrant to realise the arrears of taxes as per taxation and appeal rules and take up prosecution procedures.
- 30 The responsibility to bring heirless dead bodies on the basis of certificate and report of the police officer.

- 31 Imposing building tax and surcharge and levying it. Impose the tax not imposed so far with 4 years retrospective effect. (sec 243 (2) sec 182, 162 A rules of 1996)
- 32 The duty to ensure the keeping of the right to information and the effective performance Citizen's right charter.
- 33 Take up the responsibility of the Panchayat as the centre of administration to keep the services and duties mentioned in the citizen's right charter.
- 34 Do as directed by the Panchayat committee in the redressal of disputes.
- 35 It is a vital role that the staff of the organisation including the transferred ones have in fulfilling the duties and responsibilities vested with the local self government organisation. The part played by the staff of the grama panchayat is very important in co-ordinating the activities of the various organisations under the control of the panchayat in arranging necessary supportive set up in implementing the resolutions of the governing committee effectively. Panchayat secretary is the chief executive officer of the Panchayat. It is his duty to co-ordinate the various service organisations. It is under the control of the Panchayat secretary that the staff of the other Panchayat offices work. The mutually related, co-ordinated and effective discharging of duties of the staff including the secretary form the yardstick of the efficiency of the Panchayat.



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Standing Committees and the Local Governance System

Decentralisation brought about the most important changes in the structure of the system of the panchayat regime. On the basis of the report of the Sen Committee, appointed by the government to decentralise the powers to bring about changes in the structure of the system of regime in accordance with the changes occurred in the responsibilities and duties of the local self government organisation, the government enacted new legislation. In the amendments made for strengthening decentralisation, the most important one is the amendment made in the system of the standing committee. The advantages of strengthening the standing committee system are the following.

1. All people's representatives got participation in the governance process.
2. Collective leadership is ensured in the local governance.
3. Opportunity to take collective decision for extensive discussion and review.
4. Necessary direction to observe and improve the working of the transferred institutions can be given.
5. The possibility for the exchange of ideas with the staff of the transferred institutions and making use of their expertise.
6. Opportunity is created for the people's representatives and the transferred functionaries to work together.
7. The efficiency and the usability of the utilisation of funds can be ensured.
8. The staff can get the necessary support in due time in the service quality management.
9. Taking decisions and implementing them quickly is possible.
10. It is possible to value the quality of services to improve them and to take decisions in due time.
11. The transferred staff can get necessary inspiration in the service delivery system.
12. Decisions can be taken with the participation of all groups of people in the Panchayat committee as well as the Institutional Management Committee.
13. The opportunity to be participants in the discussions and resolutions enhances the sense of duty of the people's representatives.
14. Distribution of duties among the people's representatives is made easy.

Standing Committees have the most important part in making the local governance effective

1. Take necessary steps to improve the standard of quality of the services made available to the people.
2. To make the works of the Institutions and their functionaries that come under each standing committee, more useful to the people according to the desire of the local people.

3. Ensure the participation and co-operation in the development works.
4. Observe the activities of the transferred institutions incessantly and if there are defects take up necessary actions to rectify them.
5. Take necessary steps to foster a healthy relationship between the local self government institutions and the transferred functionaries.
6. Supervise the time bound completion of projects that come under the responsibility of every standing committee.
7. Extend necessary help to the executive staff in implementing their projects effectively.
8. Ensure the availability of fund for implementing the project in due time and give instruction to enhance the efficiency in the utilisation of fund.



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A system of help for better services and resolutions

Standing committees are the system of help to make the regional regime effective to adopt the right resolutions and to implement them in due time. Any resolution of the standing committee can come into force only after being approved by the Panchayat committee. The duty of helping the Panchayat committee to take resolution by serious thinking is nested with the standing committee. It is just because of this that all standing committees hold meetings before the governing committee meetings and decide the items to be placed in the governing meeting and take them to the Panchayat committee as agenda.

With the participation of the transferred officers in the standing committee meetings the technical advice in the related sectors and taking the better decisions become possible.

Further actions on the resolutions become speedier

The standing committee set up is helpful on taking further actions and in implementing the resolutions in due time. The standing committee can meet after the governing committee meeting taking the related executive officers as participants. In this meeting the resolution of the governing committee can be reported, and to decide what the role of the officers in each sector is and how they can be implemented. The details of the actions on the resolutions of the governing committee can be discussed. It can also be decided in the meeting how the members of the governing committee can get help.

1 Standing Committee's role in the implementation of plan

1 *The origin and relevance of standing committee*

The grama panchayats have got profuse resources and powers as the regional governments. The standing committee is the set up to help the governing committee to fulfill the responsibilities (schedule 3) to ensure rapid development of the country with people's participation using the above powers and resources. Standing committees have also the responsibility to place for the consideration of the next governing committee meeting after having discussion in each subject by scrutinizing the details and gathering the necessary information so as to take a correct decision by the governing committee. The standing committee also have the responsibility of fulfilling the resolution within a limited area, when the resolution of the governing committees are implemented. In brief, Sen has imagined the standing committees



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as the sub committees to help the governing committee to take correct resolutions and implement the resolutions already taken effectively. It is such powers and responsibilities that are given to the standing committee in the panchayat raj rules. Steering committee has the responsibility of co-ordinating the various standing committees.

2 The Responsibility of the standing committee in the implementation of plan

1. *Standing committee for finance*

The standing committee of finance handles finance, tax accounts, audit, budget, public administration appeal relating to the tax and the subjects which are not given to other standing committees

2. *Standing committee for development*

Development of planning, spatial planning (relating to place) agriculture, social conservation, minor irrigation, social afforestation, animal husbandry, diary development, industry public works, housing, building construction and electricity.

To organise the preparation of the documents of development, plan etc.

If necessary take initiative in the amendments of plan/project.

3. *Standing committee for welfare.*

Promotion of scheduled caste, scheduled tribe development and the development of women, children, old people and the handicapped, and the promotion of social welfare, reformation of slums, alleviation of poverty, public health service, education, art and culture, water supply, drainage and environmental development.

4. Each standing committee has the responsibility to implement efficiently the preparation of the plan of each sector in a democratic way. It has, for the above, to organise the meetings of the staff and other people's committees and visit the workshops, offices and fields, scrutinize the records and clear objections.

2. Formation of Standing Committee

Along with the enhancement of the powers and responsibilities of the panchayat, the issues that come to the panchayat governing committee for taking decision have also increased. These issues have to be valued before coming to the governing committee for its consideration as the decision has to be taken within the limited time. It is far making this possible that the functioning of the standing committee is intended for. The various subjects panchayat should consider can be classified into three classes based on finance, development and welfare. The standing committees concerned are able to present the facts and remarks in the panchayat governing committees meetings after having detailed discussions earlier and to take most suitable decisions. As the number of the standing committee members is comparatively less each one can get the opportunity to participate in the process of decision taking and to ensure collective responsibility in the panchayat administration.

There are three standing committees in force to fulfill the responsibilities and duties efficiently and easily.

1. Standing committee for finance
2. Standing committee for development
3. Standing committee for welfare



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1. After the Panchayat election, the committee should meet for the first time and fix the number of members in each standing committee.
2. After this the committee members should be elected within 15 days by giving 5 days notice. The election should be on proportionate representation.
3. The president should call the standing committee meeting of each standing committee and elect the chairman on the basis of majority.
4. The members of the standing committee should be proportionate to the member of the places allowed and as far as possible equal.
5. All panchayat members should be members of any standing committee.
6. One member cannot be a member in more than one standing committee.
7. The president shall be a member in all committees without voting power.
8. The vacancy of the standing committee meeting, or the chairman shall not affect the meeting procedure or the possibility of resolution (For details vice standing committee rule 29/09/2000 G.O. (P) No. 276/2000, L.G.V. notice 18/11/2000 G.O. (Med) No. 322/2000 L.G.D. 15/11/2000 G.O. (Med) No. 282/200/LGD, 17/10/2005 circular No. 46013/N1/05 L.G.D.)

3 Power, Responsibility and Duty of the Standing Committees

1. Finance

The subjects under the responsibility of the standing committee of finance are tax, accounts, audit, preparation of budget, public administration, appeal relating to tax and the other items not assigned to other committees. In order to handle these items purposefully the following functions should be carried out.

1. The standing committee should examine the accounts of the panchayat every month and submit it to the panchayat meeting.
2. Necessary directions should be given and monitoring made for the implementation of the project of the sectors concerned.
3. Take decision to impose fees and taxes in due time and collect it.
4. Order the related executive officers to attend the meeting and consider their opinions.
5. Take decision as the appeals related to the tax and ensure that the expenses one made subject to the budget of the panchayat.
6. Submit necessary advices to the panchayat to enhance the income.
7. Direct the secretary to impose taxes on the buildings which he had forgotten to impose tax on, or the buildings which were renovated.
8. Direct the secretary to make necessary arrangement to keep the files and records safely.



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9. Prepare the draft budget by collecting the data from the standing committee and the officer, for the budget before 15th of January. Bear the leadership in planning the annual plan, 5 years plan and the long term master plan on the panchayat and organisational levels, in the field of development.
10. Carry out annual planning and financial planning in the field of organisational service.
11. Prepare the timely budget and submit it to the gramasabhas for consideration. Also give solutions and explanations to the doubts, criticisms and complaints.
12. Conduct half yearly and yearly valuation about the planning, financial protection and the utilisation of funds and prepare reports.

2 Development

The subjects development planning spatial planning, agriculture, soil conservation, social afforestation, animal husbandry, dairy development, minor irrigation industry public works, housing facility, building construction and electricity should be handled efficiently. In order to handle them efficiently the works given below are to be carried out.

1. Call meetings and prepare development plans and submit the plan to the panchayat for approval.
2. Perform the monitoring of projects in due time. If necessary submit suggestion to the panchayat meetings for amendments. Besides, conduct inspection of the projects implementations.
3. In order to complete the projects according to the project calendar keep contacts with the executive officers incessantly and ensure their presence in the meetings.
4. Take action to prepare a draft list of the beneficiaries by giving marks in the ward committees or working groups after giving the applications received for choosing the individual beneficiaries. On the basis of priority the list prepared by the gramasabha should be submitted to the panchayat committee without any change, for approval concessions should be decided in proportion of the number of applicants in each ward.
5. Make enquiries to take decisions on the complaint and applications received in the matters to be handled by this committee.
6. Give the standing committee of finance necessary data for preparing the budget.
7. Make development monitoring and ensure correcting.
8. Ensure the integration and joint action of the staff and officers and the service organisations of the development department.

3 Welfare

Development of SC/ST, Women, Children, Social welfare reformation of slums, poverty alleviation, public distribution system, public health, education, art and culture, entertainment, water supply, making of sewage canals and environment should be

handled. The following activities should be carried out to handle the above items efficiently.

1. In the above items, all the agendas on which panchayat has to take action should be considered in the standing committee and decision should be taken in the panchayat committee. Also make enquiries of necessary.
2. Give orders in time for the effective implementation of the projects.
3. Take timely action to take decisions on the applications for all sorts of pensions and the help to women and children.
4. The presence of the officers concerned should be ensured in the standing committee meetings to take decision on the various welfare matters.
5. As far as possible, all officers should be make to participate at least in one meeting every month and reviews conducted.
6. Take decision on all applications for pensions and other aids according to the reports of the officers concerned.
7. Collect necessary data
8. In the places where drinking water is not available for keeping public health gather the data about the matters and plan projects to implement them with the help of the beneficiaries.
9. Perform welfare work monitoring and ensure corrections.
10. Make the co-ordination and integration of the welfare organisation department possible.



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- 4 Standing Committee – Procedure of the meeting
 1. Helps the governing committee in fulfilling the additional responsibilities of the panchayat.
 2. The standing committee shall meet atleast once a month.
 3. No meeting shall be called on holidays or before 9 am or after 6pm except in emergencies.
 4. Meeting can be called if the Secretary or not less than 1/3 members demand.
 5. The notice signed by the standing committee chairman should be given to the members at least 3 days before the date of the meeting.
 6. The Secretary shall prepare the agenda in consultation with the chairman.
 7. If the standing committee does not meet as per rules, the president can call the meeting.
 8. Each standing committee shall take decision only in the subject they handle.
 9. The quorum of the standing committee shall be 1/3.
 10. Secretary of the officer directed by the secretary should note the procedure of the meeting in the minute book and the president shall sign it.
 11. The resolution of the standing committee should be submitted in the next meetings of the Panchayat for approval.
 12. The secretary, ex-officio secretary and the staff under the control of the Panchayat should participate in the standing committee meetings.
 13. Any record, report or details can be demanded to discharge the duties.



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14. In the mutually contradictory decisions taken by the standing committees in an issue Panchayats decision will be the final.
15. The decision of the standing committee shall be subject to the final decision of the Panchayat.

5 The transferred institutions and the standing committee

When examined on the basis of the subjects the standing committee should handle the organisations and their staff coming under each standing committee. In order to handle them fruitfully the following works should mainly be carried out

- 1 Standing committee for finance – co-ordination of the grama panchayat office and all other institutions under the Panchayat.
- 2 Standing committee for development – Krishi bhavan, veterinary hospital, engineering department and the office of the fisheries sub inspector.
- 3 Standing committee for welfare – primary health centre, primary schools, anganwadi, village extension officer, saksharatha prarak, scheduled caste co-ordinator and scheduled tribe activities.

A - *The beginning of activities*

In the first meeting after the formation of the standing committees the office level meetings under the supervisors of the standing committees concerned will be decided. It will be convenient to hold the meeting consisting of all the staff of each organisation in a convenient time. This meeting will help the participants to acquaint themselves with other and to understand the services offered by the organisation and such other matters. Subsequently it can be decided to call organisation level meeting at least once a month and observe the activities. It can also be decided to expand the citizen's right charter and revise it.

B *How is the fulfillment of responsibility done?*

It is the main responsibility of the standing committee to assist the governing committee to take suitable and logical decision by presenting it in the governing committee and to decide what are the decisions to be taken and what is its logic, after having a detailed discussion of the subjects referred to each standing committee. Accordingly some of the things that each standing committee can do in the respective sectors are the following.

Standing committee for finance

- A Seek the possibility of the enhancement of income by examining various sources of income. Find out the leakage in income and order remedial action. Seek the possibility of additional resources. Control excess of expenditure by examining various items of expenditure. Ensure fruitful financial management. Ensure also that various grants were received in time and that the grants were not lapse.

B Tax

Ensure that various kinds of taxes are calculated precisely and that they are levied in due time. Examine whether there is leakage the collection of the fees that exhibition tax. Ensure the collection of the fees that are leviable according to rules are collected accurately. Give financial sanction for the work expenditure of up to Rs. 25,000/-.

Examine the appeals about the imposition of tax and resolve the case. Ensure the availability of funds of the annual plan, and conduct financial monitoring.



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C. *Accounts*

Ensure that various accounts, related registers monthly, quarterly and the annual statements of accounts are prepared in time and that they are sent to the persons concerned in due time.

D. *Audit*

Ensure that the procedure to be adopted in the office level in relation to the various kinds of audit are adopted. Ensure also that the reply has been given to the concerned persons. Prepare the rules for the social audit and implement it.

E. *Budget*

The responsibility of preparing and presenting the budget is vested with the standing committee of finance start the initial work to prepare the budget in due time (March) and present the annual budget in the panchayat committee and get it passed. Discuss the fact of development and the policy of development of the annual plan and form the plan.

F. *General Administration*

Monitor the panchayat office activities. Revise the citizens right charter and publish it with in 6 months since the taking charge of the new governing committee. Adopt action to candidate corruption. Ensure the right to information. Besides all the responsibilities in the schedule 3 already mentioned.

Standing committee for development

a) Planning of development, social financial planning, spatial planning, preparation of the calendar relating to the procedure of plan formation, the time bound preparation of the annual plan and to make it implementable, organising surveys essential for social and financial development and study works. Give leadership to the public activities relating to the development of the water sources.

b) *Production*

Take steps to make the works of the transferred officers Krishi Bhavan, Veterinary Hospital and the office of the fisheries sub inspector effective and friendly. Watch their



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work accurately. Correlate these organisations with the the general administration of the panchayat actively. Fix a standard for the quality of services available from the officers and take action to raise the services gradually and make it available in all parts of the panchayat.

Form committees of organisational development and ensure the maximum people's participation in their activities. Organise groups like green squads for spreading information and make them work. Prepare the executive calendar of the projects related to the sections concerned and monitor their work. Ensure the effective implementation of the programmes of minor irrigation and its safety. Create necessary background facilities to the small scale industries and seek for social afforestation in waste lands.

c) Others

Take action to complete the planning procedure in a time bound way. All stages take formation of working committee, draft projects, gathering of direction organising grama sabha development seminar, formation of plan, obtaining the approval, seeking technical advice etc. should be planned and implemented. Prepare extensive housing scheme and implement it. Conduct the renovation of the 'laksham veedu'. Find out the unauthorised building constructions and take necessary action. Ensure the lighting of the street lights. In addition to this, there are other duties as per the schedule 3.

3 Standing Committee for Welfare

a) SC and ST Development

From the formation of the implementation of the specific sub plan and ST sub plan, monitor the activities of S.C.P. co-ordinator, preparation of the social map necessary for the projects of the background sector and the developmental activities of the colonies. Implement alleviation of poverty, safety of welfare etc.

b) Social welfare and development of women, children, preparation of women's plan and its implementation and monitoring. Ensure that the advantages of the projects of women's plan are available for the women themselves. Organise the women's status steady. Form jagratha samithi and mobilise it. Ensure the effective management of the projects for which the amount seperately allocated for old people, handicapped ones and infants are utilised. Arrange for specific conveniences for these people in public plans and offices. Study the criteria of the anganwadies and make their activities effective by giving them necessary background facilities and training. Take steps to organise women's voluntary groups and give necessary training and support for the effective functioning of the groups. Make the activities of CDS and ADC related them with the Kudumbasree system. Find out the persons deserving various social welfare pension and ensure that they are getting the benefit.

c) Education

Form the panchayath level educational committee consisting of people's representatives,

teachers, P.T.A. presidents and experts. Take steps to raise the standard by valuing the work of the schools transferred under the leadership of the educational committee. Take action to raise the standard gradually to a fixed level by developing the background facilities of the schools and inspiring the students who are backward in their studies.



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d) Public Health

The activities of the P.H.C. can be viewed during the meetings held at regular intervals. The activities of the field workers can be monitored and the issues of the health of the panchayat can be identified on the basis of the information received from the field workers. Awareness campaigns can be conducted by forming health squads jointly with kudumbasree under the leadership of PHC. Give leadership to organise diagnostic camps and counseling.

e) Others

Organise the panchayat level cultural committee linking with the various organisations of the arts and culture of the panchayat. Steps can be taken to give a new life to the arts and cultural activities with the help of the committee. Conduct a comprehensive study of the drinking water source of the panchayat with the participation of the experts, and on the basis of the study a comprehensive programme to make pure water available to all, can be implemented. Steps can also be taken to ensure the availability of drinking water by preserving the environment and drinking water. In addition to this the other responsibilities mentioned in the schedule 3.

An efficient standing committee is the pre-requisite of an efficient panchayat regime. The working of the standing committee is unavailable to connect the transferred organisations and their staff with the general administration of the panchayat and raise the general administration of the panchayat and raise the panchayats to the status of a regional government.

12 The Steering Committee

Each Panchayat will have a Steering Committee consisting of a president, vice president and standing committee chairman, The President shall be the chairperson of the committee, and the secretary will be the convenor.

The responsibilities of the Steering Committee

1. the co-ordination of the various committees of the Panchayat.
2. Monitoring the implementation supervising the work.
3. The duties to fulfil the other responsibilities given by the Panchayat.
4. If there is any obstacle in the working of the standing committee, the responsibilities of the committee will be vested with the Steering Committee.
5. The Steering Committee holds the responsibility of the general administration of the Panchayat, planning, implementation, redressal and the service management.
6. The Steering Committee should function as the centre of the Joint leadership of centre of implementation' of the Panchayat.

Meeting Procedure

1. The Steering Committee shall meet at least once in a week.
2. The Steering Committee meeting can be held at any emergent situation.
3. The report of the working of the organisation of which the various standing committees are responsible, shall be included in the agenda of each meeting.
4. The observation. Conclusion and recommendation of the Steering Committee shall be presented in the next governing committee and charge it as the resolution of the field concerned.
5. The co-ordination and integration of the budget data, consideration and solution of the audit, social valuation of Grama Sabha, correction based on conclusion etc, shall be prepared and submitted to the governing committee for consideration.
6. Give guidance, in taking disciplinary action in discharging the duties of the organisational service, its implementation, to the governing committee.
7. Assist the governing committee in keeping of the assets.
8. Act as the core instrument activity in the governance, development and regulative functions of the Panchayat.

The subjects to be included in the Steering Committee meeting

1. Review of the works of the various standing committees and further activities.
2. Valuation of the information about the general administration and organisational service.
3. Continued implementation of the works of the discontinued standing committee.
4. The decisive factors of the organisational management process.

5. Instructions to ensure income and expenditure, planning of schemes, implementation, noting of accounts scrutiny and the direction to raise the standard of quality of service.



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6. Other specific subjects

The Secretary should keep the minutes of the discussions, conclusions and resolution regarding the above mentioned factors. The same should be presented in the next governing committee meeting. The conclusions of the Steering Committee shall be taken seriously among the different subjects under consideration of the governing committee.

The Basic Democratic System Gramasabha

The basic part of the Panchayat Raj is gramasabha. Gramasabha is the general assembly of all person included in the voter's list of a region. It is the convenor of gramasabha who is dutiful to call the gramasabha. The convenor of the gramasabha is a member of a gramapanchayat who represents the constituency according to the Kerala Panchayat Raj Act.

The gramasabha shall meet at least four times a year. The development programmes intended to take up in the current year and the reports about the expenditure for it and also the reports of the development programmes of the previous years, annual accounts and administration report should be placed in the first meeting of the gramasabha. If any of the resolution of the gramasabha cannot be implemented, the president should report the reason for it in the gramasabha. The gramapanchayat shall give due consideration to the direction of the gramasabha as the basic unit of the Federal Democratic System and the sole institution of direct democracy under the constitution .

The rights, powers and responsibilities of gramasabha.

1. Help to collect and gather the necessary data to bring about the development plan of the Panchayat.
2. To give a shape to the instructions of the plans and development programmes that the Panchayat shall take up.
3. According to the already decided standard, prepare the final list of the beneficiaries and give the same to the gramapanchayat.
4. Help to implement the development programmes fruitfully.
5. Give the necessary voluntary service and collect resources for the functions of the Panchayat.
6. Instruct where the public utility schemes like the street lights, water tanks Public Distribution shop etc should be installed.
7. Give awareness regarding hygiene, conservation of environment, disposal of waste and sewage's etc and caution against the social evils.
8. Foster friendliness and organise art and cultural festivals
9. Observe the committees of the beneficiaries and help them to perform their functions.
10. Scrutinize the merit of those who receive social welfare pension, subsidy etc.
11. Collect the information about the detailed estimates of the schemes intended to implement within the next 3 months.
12. Collect the information about the services, the staff concerned should render and the works they intend to do in the next 3 months.
13. Co-operate with the staff of the gramapanchayat and ensure voluntary service in removing rubbish.

14. Find out the defects in the water supply and lighting of the street light and suggest the ways of solving it.
15. Help the PTA's activities of the schools.
16. Extend help in public health activities especially in disease preventive work and family welfare activities as well as curative functions.
17. Discuss the audit reports that come for consideration of the gramasabha and inform the grama panchayat about the views, recommendations and instructions of the sabha.
18. Invite application for choosing the beneficiaries make enquiries about it and afterwards closely examine the draft priority list being prepared by the gramapanchayat and prepare a final list of the deserving beneficiaries and give the same to the gramapanchayat. Gramapanchayat should not change the priority order already approved by the gramasabha. (G.O(P) 181/98/2QD/2.09.1998.)



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2. Rights

1. The right to call ordinary meetings once in 3 months and urgent meetings when necessary. Right to hold special meetings once in between two regular meetings if 1/3 member voters demand in writing together with the proposed agenda as per the notice so furnished.
2. Right to examine reports, income and expenditure plan instructions, standards of beneficiaries etc and right to demand and obtain explanations.
3. Submit the instructions approved by the majority for opinion to the governing committee.
4. The right to know the reasons why the action taken on the resolution were not practical.
5. The right to evaluate the developmental/administrative actions and suggest the activities of the next future 3 months.
6. Know the logic of each resolution taken by the Panchayat about the gramasabha region.
7. Know the reasons why the resolution of the continued actions taken about the resolution of the gramasabha were not implemented.

3. Duties

1. Publicize the information about development and welfare.
2. Participate in the programme, concerning health and literacy and similar developmental activities and publicise it.
3. Collect the basic documents of social and financial nature.
4. Impart informations regarding the progress of the development work.
5. Resort to righteous means to pay taxes repay loans improve the environmental hygiene and to keep the unity in the society.
6. Collect the local resources to enhance the sources of money.
7. Exercise supervision of the developmental activities as revolutionary organisations.
8. In the case of the outburst of epidemic diseases and natural calamities made the set up to spread the news urgently.



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2. Gramasabha Procedure

1. Those, whose name are in the voter's list of the constituency concerned shall be the members of the gramasabha.
2. Gramasabha shall meet at least once in 3 months.
3. The Chairman of the gramasabha is the Panchayat president and the Convenor the ward member.
4. The officer deputed by the governing committee is the unofficial Co-ordinator.
5. The president shall decide the date and place of the meeting in consultation with the convenor.
6. The agenda of the meeting shall be published ahead.
7. All the members shall be held in a place and time convenient to the members.
8. The meeting shall be held in a place and time convenient to the members.
9. The time of the meeting shall be between 8 am to 6 pm.
10. The Secretary shall display the gramasabha notice in the public places, covering the gramasabha and in the government officer and the Panchayat offices.
11. The Secretary shall prepare the gramasabha's agenda in consultation with the president and the chairperson should read it out in the beginning of the meeting itself.
12. The quorum of the gramasabha is 10% or 100 whichever is less, and in the absence of quorum the meeting is to be suspended and the compulsory meeting of the Gramasabha shall be convened within the next 15 days and the procession for essential quorum shall not be applicable to such a meetings.
13. The members of the Block/District of the discussions concerned are the compulsory invitees.
14. The President can instruct that the staff representatives concerned should be present in the gramasabha meeting and give details to the president if necessary.
15. If the quorum is not enough in the first meeting the meeting can be postponed and the next meeting should be called within 15 days.
16. The gramasabha officer concerned should note the minutes of the gramasabha resolution.
17. The closed minutes, after the meeting, should be signed by two or three members who participated in the meeting.
18. If the resolution of a gramasabha cannot be implemented the reasons there of should be stated by the chairman in the next gramasabha meeting.
19. If there are two consecutive failures to hold the gramasabha meetings the concerned Panchayat member would be liable to be disqualified.

3. The disqualification of the member if the gramasabha meeting is not held.

If a member fails to call the meeting once in 3 months twice consecutively he cannot continue in his office.

The gramasabha shall meet in the place decided by the Panchayat. The president should

decide the date and time between 8 am and 6 pm in consultation with the convenor.



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4. The role of the staff in the management of the gramasabha
 1. The officer who is nominated as the gramasabha co-ordinator shall assist the convenor to call the meeting and to note the resolution in the minutes book.
 2. The officer of the transferred departments shall participate in the gramasabha meetings and the doubts and questions of the members, shall be answered by the officer concerned.
 3. Assist the Panchayat in preparing the application for choosing the beneficiaries for individual benefits and the prepare a list after scrutinising the application received.
 4. Conduct enquiries on complaints as ordered by the Panchayat, if necessary.
 5. The officer deputed by the Panchayat shall work as the co-ordinator.
 6. Assist the convenor to make the registration of the members who reach the gramasabha in time and to give leadership to the materialistic organisation.
 7. The head of the transferred organisation or the deputed officer should participate in the gramasabha. The officers are bound to give clear replies to the questions relating to the organisation concerned.
 8. Act as the instrumentality for conducting social audit on the governance and development functions of the Panchayat and transferred institutions.

Various Committees of the Panchayat

1 Grama Sabha Committee

If there are more than 50 ST members in a gramasabha the gramasabha should form ST sub committee to suit them. The sub committee will have all the rights and powers of the gramasabha in the ST sector. The sub committees can be formed in the suggested sectors according to the decision of the gramasabha and dismissed when the subject concerned is completed (Sec 164 (1) A)

2 Working Committee

Each panchayat can form a working committee for the subjects agriculture, hygiene, information, public health, education etc. consisting of panchayat members, 4 experts and the panchayat president (Sec 163)

- 1 It is the panchayat committees that nominate members not more than 4 from the panchayat and not more than 4 experts from outside.
- 2 The chairman of the committee is the panchayat president.
- 3 The committee meeting shall be called once in 3 months.
- 4 Secretary shall prepare the agenda in consultation with the chairman.
- 5 The tenure of the committee shall not be more than that of the panchayat committee.
- 6 The secretary shall prepare the procedure of the meeting.
- 7 The resolution of this committee shall be given to the standing committee concerned for its consideration.
- 8 Necessary bye laws can be prepared for the working of this committee.

The structure of the working committee

- 1 Panchayat President
- 2 Maximum 4 elected members
- 3 Not more than 4 nominated members

The working committee consists of the above persons. The president is the chairman of the working committee. A member can be a member in more than one working committee at time. Unexpected vacancies can be filled through elections or nominations. Maximum 15 members. Unofficial members have no right to vote. With the completion of the work the activities of the committee will also be complete.

2 Sub – committee

Sub committees consisting of the panchayat members, those who are interested in public welfare and others nominated by the panchayat can be formed to assist the standing committees or working committees in implementing any work, scheme, project or plan. But the nominated members will not have the right to vote. Panchayats can

prepare bylaws regarding the structure of sub committees, tenure procedure and the nature of duties (Sec 164).
The sub committee shall be dissolved or terminated when its duty is over.



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- 3 Joint Committee
If the panchayat or government demand, a panchayat jointly with one or more local governments organisations can form a joint committee for any purpose of joint responsibility (Sec 165)

Structure

- 1 President and not less than two elected members
- 2 President and not less than 4 elected members from the block panchayat
- 3 Expert not exceeding the 50% of the number of the members can be included.

Chairman

- 1 If there are two panchayats in the same level, the president in the suggested panchayat.
- 2 If the grama panchayat and the block panchayat join together, the block panchayat president.
- 3 If there are more than one block panchayat, block panchayat president by lit.
- 4 If the grama panchayat, block panchayat and the district panchayat join together, the district panchayat president.

3. Meeting Procedure

1. The quorum will be 2/3
2. The panchayat secretary belonging to the panchayat where the committee is met, or the officer deputed by him should note the procedure.
3. The chairman should issue the notice of the meeting before 5 days.

4. Tenure

When the committees purpose was served the committee shall be dissolved or terminated.

4 Ward Committee

The ward committee consist of a member from each ward to study its right and report and the local people nominated by the panchayat. Bye laws can be prepared for the structure, duty tenure and the meeting procedure of this committee.

5 Panchayat development committee

This committee can be implemented as the manpower aiming at the enhancement of occupational facilities conduct of development activities, ensuring voluntary social work and the support of the implementation of the panchayat administration. It can work with the enhanced people's participation, voluntary experts service and a system of instruction and support (Sec 166(3)).



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6 Ayalkootam

- 1 A system implementable in the form of the spreading place of the grama sabha taking into account the geographical peculiarity, density of populations and practical implementation.
- 2 The wide democratic forum including the 30-50 houses and 70-100 members (voters and their families)
- 3 The elected executive committee, president and convenor.
- 4 Equal participation of women shall be maintained.
- 5 Implementation of governance, development and welfare work shall be entrusted to Ayalkootam.
- 6 The unofficial factor of the local redressal.
- 7 The organisational activity giving special consideration to the poor and general consideration to others.
- 8 Ayalkootam shall be considered as the facilitating units of Gramasabha in their effective functioning.

The Other Democratic System

On the basis of the activities of the 7 or 8 years, the system of governance has become more efficient, democratic and much participatory. The existing panchayat governing committee has formed some other democratic systems for collecting resources.

1. Jagratha Samithi
2. Kudumbasree, Ayalkootam
3. ADS
4. CDS

1 Jagratha Samithi

On the basis of the letter of the state vanita commission dated 29-01-04 and the various orders issued by the social welfare development in 1997 the state social welfare department published the G.O. (M.Ed) No. 39/2004 in brief. As per the revised order Jagratha Samithi will come into being in all panchayats of the state. Jagratha Samithi are being formed in the municipal corporation level and the district level.

1. The structure of the Jagratha Samithi follows

Panchayat President	:	Chairperson
Police circle / Sub inspector of the region concerned	:	Member
Female panchayat member	:	Member
Female advocate	:	Member
Counselling expert (Women)	:	Member
ICDS Supervisor	:	Convenor

The district collector would nominate lady advocate and the lady volunteer in consultation with the vanitha commission. President shall nominate the other members. There are in addition to the collector district panchayt president, municipal / corporation mayor, revenue divisional officer, city police commissioner / Deputy superintend of police, lady advocate, lady volunteer, as members and the district social welfare officer as the convenor.

2. The services of the Jagratha Samithi

The Services of the jagratha samithi are protecting the status of woman, raising the dignity of women, resisting the atrocities against women, conduct of empowerment of women, punishing the culprits, on a befitting manner, giving support to the women's voluntary organisations etc.

3. Responsibilities of the Jagratha Samithi

1. Give leadership to raise the dignity and status of women, awareness campaign, research studies etc.



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2. Resist the atrocities against women
 3. Ensure proper enquiry and trial of the crimes, against women.
 4. Do the needful not to lose evidence in the crimes against women and to consider it scientifically.
 5. Organise resistance against dowry, dowry torture, child marriage, women trading, exchange of women, misuse of women, obscene illustration of women etc.
 6. Give support to the safeguarding of the individual as well as familial right of women
 7. In the disputes where women are clients ensure urgent consideration and redressals.
- The Self Help Groups is a system of organisations formed independently with the help of the guidance and encouragement of the panchayat. This society can be used for poverty alleviation programmes and multilevel programmes. If this society is organised as a part of the ayalkootam it would help to make the activities more effective. The women's self helping societies have been working in affiliation with the kudumbasree mission formed by the state government since 2001.

Micro savings scheme – Micro Credit Scheme.

Self help Group scheme for Micro enterprenurship

Small occupation enterprise scheme

Loan appended job assurance scheme

Women's empowerment programme.

Awareness campaign

Ladies drama troupe

The Kudumbasree Self help Groups are taking up the above schemes. The committees being formed in ward level and Panchayat level give these activities leadership.

Budget – Preparation and Practice

1. What, Why?

- 1 Budget is the most essential document for the control of the utilisation of funds for the 3 tier panchayats which are the local governments as in the case of the central and state governments.
- 2 It shall state which income and expenditure one under proposal for the next financial year.
- 3 Expenditure for each item could be met as per the allocation of the budget.
- 4 There would be no sanction to spend more than the allocation in the budget.
- 5 The procedure to spend the money shall be adhered to.
- 6 The budget shall have two parts viz panchayat fund and refundable accounts.
- 7 Panchayat fund – it includes its own income and the various grants received from the government.
- 8 Refundable account – It shall be about the amount collected from and report to be given or submitted to some other agencies. Eg: the security deposit of the public works, library cess and the provident fund of the staff etc.

2. How to prepare

- 1 The detailed estimate of the income and expenditure likely to be made in the next year including the expenditure on the development schemes, shall be included in the budget.
- 2 A schedule of the development plans should be appended to the budget.
- 3 It is the standing committee for finance that shall prepare the budget after considering the instructions of the other standing committees and the transferred institutions.
- 4 Each standing committee shall integrate and consolidate the draft proposals of institutions there under and the finance standing committee shall wet such consolidated budget proposals into the Panchayat level financial statement for each year.

3. The responsibilities of the standing committee for finance.

- 1 The advice given by the Panchayat secretary and the staff of the transferred institutions shall be examined.
- 2 Advices from the other standing committees shall be accepted and examined.
- 3 The advices from the Gramasabha shall be considered.
- 4 The draft budget shall be prepared collecting the advices available.
- 5 The budget shall be prepared in the prescribed form.
- 6 A sum not less than 5% of the own income shall be set aside as balance.
- 7 The panchayat Vice - president who is the chairperson of standing committee for finance shall present the budget in panchayat meeting.



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4 Passing of budget

- 1 The passing of the budget shall be done in the special meeting of the panchayat.
 - 2 The panchayat shall pass the next year's budget before March 31 each year.
 - 3 The copy of the draft budget should be given to the members ahead for discussion.
- 4 It is after the introductory speech of the president that the vice president shall present the budget.
 - 5 After detailed discussion according to the directions of the members the draft budget can be passed with or without change in it.
 - 6 The true copy of the passed budget shall be given to officers authorised, auditors, the district panchayat and the block panchayat.

5 Changing the budget

- 1 The budgetary control that only the sum not exceeding the approved share alone to being spent, shall be adhered to.
- 2 The reappropriation (where a sum allocated under a head is transferred to another head) can be done according to the panchayat.
- 3 Supplementary budget shall be prepared to change the sum from one or more heads to other heads.
- 4 Before the end of the year the ups and down in the income and expenditure can be prepared in the form of budget. The revised budget is to be prepared by the standing committee.

1 Utilisation Fund

The procedure of the financial utilisation has been revised as per the government order of 3-11-04 GO(P) No. 516/2004/Fn. The accounting system is formed through the income and expenditure government has 3 kinds of accounting system.

- 1 Consolidated fund
- 2 Contingent fund
- 3 Public account fund

1 Consolidated fund

The consolidated fund includes all incomes and expenditure of the government.

2 Contingent fund

- 1 The fund set aside for the expenditure not mentioned separately.
- 2 The fund is in the name of the president in central government, and in governor's name in the state government.
- 3 The existing contingency fund of the state is Rs. One hundred crores.
- 4 Money shall be found for the fund to compensate the expenditure from the contingency fund.

3. *Table account fund*

The amount collected through fund, post office and the general public shall be repaid.

As per the existing G.O.No. 516/2004/Financial department 3-11-2004 the sources of funds coming to the government one classified into 6 categories.



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1 *Category A fund*

The plan share set aside for the local government institution as per the Appendix 4 of the state budget.

2 *Category B fund*

The plan and non plan fund available for the development activities implemented through the transferred institutions.

3 *Category C fund*

The maintenance grant available as per the recommendation of the Second State Finance Commission, general purpose grant and the fund for the maintenance of the institutions including the transferred institutions and for the maintenance of the roads.

4 *Category D fund*

The various grants S.G.R.Y. World Bank aid, flood relief etc.

5 *Category E fund*

The money received as per the panchayats own income from no. xxxiii including the share of the beneficiaries.

The panchayat's income not included in the categories A to E included in the F category. The plan allocation included in the categories A, B and C states plan share, maintenance grant and the general purpose grant shall be encashed as per the TR 59 Bill from the treasury.

Panchayats can transfer the general purpose grant to their village panchayat accounts in a lump by TR 59 A bill (transfer credit). All the unspent sum in the ABC funds except the general purpose grant will lapse on March 31.

Beside the panchayat secretary the following officers are also authorised to spend the panchayat money. (Drawing and disbursing officer)

- 1 Agricultural Officers
- 2 Veterinary Officers
- 3 Primary School Headmaster / Headmistress
- 4 VEO/LVEO
- 5 Medical Officer
- 6 ICDS Supervisor
- 7 The other transferred system



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- 1 The Implementing Officer shall give the president the application for the sum needed for the necessary expenditure.
- 2 According to the authorisation given by the president the Secretary shall give the Implementing officer allotment letter.
- 3 According to the expenses the Implementing Officer shall prepare TR59 Bill and withdraw money and disburse it to the individuals concerned.
- 4 The proceeding of the Implementing Officer is necessary to encash a sum exceeding Rs. 100/-
- 5 The original vouchers for amounts exceeding Rs.500/- should be given to the treasury along with the bill.
- 6 The amount up to Rs. 1000/- can be given in cash.
- 7 The sum exceeding Rs. 1000/- can be given as Demand Draft.
- 8 The monthly audit statement of income and expenditure shall be given to the Accountant General and the government.

The people's representatives and officers shall have the financial responsibility of spending the money as per the above order.

Even though the general purpose grant is spent according to the first resolution of the panchayat the following items shall be given priority.

- 1 To remit the arrears to the KWA
- 2 To remit the charge for lighting the street lights.
- 3 The rent of the organisation including the transferred one, telephone charge, current charge, water charge, fuel charge of vehicles etc.
- 4 Purchase of stationary, postage, maintenance grant for the repair of roads and other assets.
- 1 Top priority shall be given to the school buildings infrastructure and Educational Excellence.
- 2 Priority is needed to by the instruments and furniture for the hospitals and to repair the anganwadi buildings.
- 3 Priority of the repairing work shall be done according to the directions of the officers of the transferred Institutions.
- 4 Construction works shall be done in accordance with the public works rules of the Panchayat Raj Act.
- 5 The maintenance share allocated for the repairing work of the roads shall not be utilised for making roads.
- 6 Maintenance grant shall not be spent for other purpose.
- 7 Registers shall be kept for the accounts strictly.
- 8 The grants received as per the central plan shall be spent according to the guide line concerned.
- 9 The amount in the VPF account can be withdrawn by cheque according to necessity.
- 10 Panchayat fund shall be kept in the treasury co-operative bank, post office savings banks or nationalised bank.

- 11 The order of the secretary / president shall be obtained in writing to withdraw money from the Panchayat fund.
- 12 The Panchayat president can spend an amount up to Rs. 10,000/ - for contingency purposes.
- 13 Only the sums under the heads of expenditure passed by the Panchayat, can be spent for the purposes concerned.
- 14 The procedure of the utilisation of funds shall be carried out as per the Kerala Panchayat Raj (depositing and withdrawal of Panchayat fund) Act rules 1996.
- 15 Receipts shall be given to all the sums received by the Panchayat.
- 16 All the registers like income register, expenditure register and cash books shall be kept in the Panchayat under the custody of the Secretary and other Implementing Officers respectively.
- 17 The statement of finance of each year should be given to the local fund auditors before the July 1 of the next year.



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Procedure of Formation of Plan

According to the Kerala Panchayat Raj Act Section 175 all the local self government organisations should prepare a development plan for the next year.

The state government has been issuing detailed guidelines to prepare the plan as and when it is necessary, since the time the 30 to 40 % of the plan fund started to be given to the local self government organisations.

The guideline referred to above is the order 31-03-2004 GO (MS) No. 40/2004/Plg.

The share of the plan fund allocated to each local self government organisations is stated in the appendix 4 of the state budget. The sum granted as per the recommendation of the finance commission general category, is affiliated under the categories special sub plan and ST sub plan. In addition to this, general purpose grant to fulfil the unavoidable responsibilities and to manage the local self government organisation and the transferred organisation, and the maintenance grant for the affective management and maintenance of the transferred organisation/schemes, are given to the local self government organisations. Maintenance grant is given under two categories: The grant for the maintenance of roads and the grant for the maintenance of the transferred assets. (Maintenance grants should not be utilised for other purposes)

The plan shall be formed including all the resources available along with the plan share. The resources are given below:

- 1 Plan share
- 2 Own fund
- 3 Central plan share
- 4 State plan share
- 5 Loan from financial organisations
- 6 Loan from co-operative bank
- 7 Voluntary service
- 8 Donation
- 9 The share of the beneficiaries in cash
- 10 The share of the beneficiaries by labour
- 11 The share from other local self – government
- 12 The loan / grant from foreign financial organisations.
- 13 Maintenance grant

It is with a true vision of the facts that the sources of revenue should be included in the plan.

It is not desirable to share on exaggerated estimate by including fake sources of revenue in the plan.

1The rules regarding the formation of plan
The projects to be taken up compulsorily.

- A The drinking water schemes taken up through the Anganwadi, nutritious food, complementary nutritious food, Akshaya Computer literacy scheme, Jalanidhi, Sector reforms project, the socio economic foundation and the hygeine schemes of the clean kerala scheme.
- B At least 10% of the total plan share for the women’s scheme and 5% for the development programmes of children, the aged and the handicapped shall be set apart.
- C The panchayat’s share for the construction of the anganwadi buildings taken up under the world bank scheme should be set apart. Following the instructions of the district planning board the block district panchayat shall also contribute their share.
- D The sum sufficient to distribute nutritious food of the specified standard, shall be set apart. The grama panchayat and the block panchayat shall also give their share on 2:1 proportion to this scheme.
- E A minimum 1/3 of the funds being set apart in the production sector shall be utilised for the various rain water conservation activities and the conservation of water in the ponds, water tanks, irrigation and other water conservation activities.
- F The decrease in the production sector in the division of sector of the previous year and the increase in the background sector shall be adjusted in the current years plan.
- G The shortage in the S.C.P. – T.S.P. sector shall be compensated by the general category.
- H The fund from the general category S.C.P. – T.S.P. shall be utilised to compensate like shortage in the development programmes, for the women’s scheme and the development scheme for the aged, handicapped and children.
- I Only 30% of the S.C.P. fund shall be set apart for the background development sector.
- J The state’s share of the S.S.A. shall be set apart from the plan share of the local self government.
- K Only 110% of the own fund spent in the previous year can be appropriated as the own fund of the current year.



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Division of sectors

Each grama panchayat shall set apart the 30% of the plan share on the general category available for them.

Each grama panchayat shall set apart 30% of the plan share (including plan share and the grant as per the recommendations of the State finance commission) to any production sector. The share shall not exceed the 30% limit in the background sector. Not more than the 30% of the specific plan share should be utilised in the bakground sector.

Note : Discussion of sector need be done only after setting apart the sums required for the schemes taken up through the activities like anganwadi, nutritious food scheme, akshaya computer literacy scheme, jalanidhi, sector reforms project and the socio – economic foundation.

The projects includable in each sector

- A Production sector includes agriculture, irrigation, soil and water conservation integrated



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water source conservation, animal husbandry, dairy development, fisheries traditional / small scale industries, generation of electricity through the non-traditional energy sources, production of organic fertilizers, traditional market setting and the production of manure from sewage. In fact, only the irrigation projects aiming at the water supply need be included in the production sector. Side wall construction shall not be included in the production sector. It should be included in the background sector.

B Service Sector

The service sector includes health, drinking water, hygiene, education, arts, culture, athletics, habitat, social welfare, social safety, labour welfare, training and the extension of electric lines.

C Background sector

Background sector includes traffic, electricity, office buildings and office facilities. Construction of buildings for hospitals, veterinary hospitals, krishibhavan, anganwadi, matsyabhavan and the industrial unit can be included in the development sector concerned.

2 Formation of plan – implementation procedure

1. Formation of working group

Separate working groups should be formed for different sectors and different subjects. The chairperson of the working group shall be a people's representative, the vice chairperson an experts in the field concerned and the convenor an official in the concerned field. Moreover, experts, officers and the volunteer are included in the working group.

Each grama panchayat should form at least a minimum of 10 working groups given below.

- 1 Maintenance of water source, agriculture including irrigation.
- 2 Animal husbandry and the related subjects.
- 3 Development of the related finance.
- 4 Alleviation of poverty.
- 5 Development of the scheduled caste
- 6 Welfare of women and children
- 7 Health, drinking water, hygiene
- 8 Education
- 9 Background facility
- 10 Social welfare

The chairperson of the working group for the welfare of women and children shall be a people's representative (female), the chairperson of the working group for the development of S.T. shall be a people's representative from that class, and the chairperson of the working group for poverty alleviation the panchayat president.

2. Activities of the working group

The convenor (the officer of the department concerned) of the group should prepare the

report for discussion in the first meeting and give it to the members. The report shall give stress on the items given below.

- 1 The stage of development of the sector on the basis of statistics
- 2 The problem now faced.
- 3 Disruption of the spill over plans to be resumed.
- 4 Instructions about the new schemes.
- 5 Descriptions of the collection of necessary resources.
- 6 The draft instructions that the working group prepares shall clarify the priorities and the standards adopted to decide them.
- 7 The details about the statistics relating to the development sectors.
- 8 The development plan activities taken up during the 9th and 10th plan period.
- 9 The list of the material gains, the success and the failness and the directions for remedies.
- 10 Description of the implementation of the spill over plans.
- 11 The analysis of the projects including the own schemes.
- 12 The working groups should hold meetings when necessary and prepare reports.



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3. Gramasabha meeting

When the working group submits its observation report and the draft project direction to the governing committee it shall examine it and approve it and convene gramasabha meetings.

The observation report and the draft project direction shall be placed before the gramasabha meetings for discussion. It is on the basis of subject that the working group shall discuss the gramasabha resolutions, suggestions as report and the project proposals along with the report. The directions that come up in the gramasabha shall be recorded and presented in the development seminar for discussion. A woman and a man shall be elected from each working group at Gramasabha level to the panchayat level seminar.

4. Discussion with the stake holders

The draft plan document shall be discussed subject wise with the farmers (who are the main stake holders) merchants, industrialists, laborers, poor class, academics and professionals.

5. Development Seminars

When the gramasabha relating to the formation of the plan is over, the panchayat shall co-ordinate the resolutions coming from the gramasabha and hold a development seminar meeting to form the plan. The draft plan document shall be made available in the development seminar for discussions. The plan document shall contain the following chapters

- 1 Preface – Challenge of development
- 2 The observation of the previous annual plans
- 3 Achievements, losses and challenges
- 4 Financial gains – the asset created



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- 5 District plan direction – the sectors to be stressed
- 6 The 11th plan – developmental approach
- 7 Chapters on poverty alleviation, women’s component specific plan plan for SC & ST and water source development scheme.
- 8 Projects on sectoral basis
- 9 Collecting resources and the loan related activities.
- 10 Comprehensive integrated chances and the directions to the upper

layer

- 11 Revisional efforts in the 11th plan.
- 12 Monitoring – conclusion

People’s representatives, officers, working group members, two representatives from each subject group (one male and one female) experts, representatives of stake holders and the representatives of bank shall be given participation in the development seminar.

As in the case of the gramasabha plenary meeting in the beginning and the end subject wise group discussion in between them shall be conducted. The development seminar shall take a full day.

6. Preparing of project

Preparing the project in writing is the duty of the working group. The chairperson and the convenor shall take the initiative to prepare the project with the assistance of those who are experts in their subject field, and the volunteers.

The projects shall be prepared taking into accounts the discussion in the gramasabha discussion with the stakeholders, discussion in the development seminar, and in keeping with the rules of subsidy and guideline of the government. It is the fully filled in proformas/ forms that shall be submitted for approval. The working group chairman and the convenor shall endorse compulsory sign the project proformas.

The method of using the proforma is given below

Proforma number	Kind of project
1	- For drinking water projects (except integrated projects)
2	- For sanitation Project except joint sanitation projects
3	- For the projects of building construction for the individual beneficiaries
4	- For the projects of constructions of public buildings
5	- For electric line extension project
6	- For irrigation project
7	- For the projects of road, culverts and bridges
8	- Projects for buying the movable properties including tools.
9	- For projects of houses, roof material repair and house wiring.
Form A	- The summary form for the projects for which no specific proforma has been formed.

- Form B - The summary forms for the integrated hygienic projects.
- Form C - The summary form for the projects of the integrated water source project.
- Form D - The preface form for the multi year projects.



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In the case of the projects for which no specific proforma has been formed and the integrated water source projects, projects shall be written in a descriptive manner and in the structure given below.

- 1 Preface
- 2 Aimas
- 3 Beneficiaries
- 4 Activities
- 5 Calender of activities
- 6 Organising
- 7 Financial analysis
- 8 Achievements
- 9 Monitoring

Along with the project documents thus written the concerned summary forms shall also be prepared.

In the case of the multi year projects the prescribed proformas should be prepared seperately for each year and the form D as preface shall also be prepared. Project evaluation and review technique chart should be given to each projects. In the programmes for groups and individuals standards of merit and priority shall be clarified. In the case of standard of priority a maximum mark 100 should be fixed and mark for each standard shall be divided.

7. Completion of plan formation

This is the juncture in which the total self – governments organisations is going to conduct the development activities in a year. Detailed discussion and examination are necessary. The aim for which each activity is taken up, shall be attained completely. This should be ensured. The detail of the projects prepared by the working groups should be discussed by the concerned standing committees. Each standing committee shall prepare the priority list of the projects to be implemented. The projects of the local self government institutions shall be connected with plan of central and state governments implemented through the various departments. Necessary amount shall be found for the spill over projects. All the resources thought to be probably available shall be identified and the plan estimate should be fixed according to it. The governing committee shall meet and give final approval for the plans and projects. All the projects under the plan thus approved can be considered as having got sanction of the government.



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8. The examination of plans and projects

It is the technical advisory committee that examines whether each local self government has prepared. Plan strictly in accordance with all the rules, and procedure specified in the guideline of the government and whether the projects are in conformity to the rules and keeping the standard and also whether the projects are effective, implementable financially and technically. But these committees have no right to question the policy decisions or standards of priorities of the local self government organisations. It is the responsibility of the technical advisory committees to make the projects defect free by discussing with the local self government organisation during the examination. In case there is difference of opinion in any matter the DPC shall be informed of it. The DPC shall appropriate action on the basis of the district level technical committees recommendation. For this purpose all the records suggested in the guideline shall be submitted to the technical advisory committee, and the receipt obtained (the block level technical advisory committee and the district level technical advisory committee examine the gramapanchayat plan and the plans of other local self government institutions respectively)

9. District planning committee meeting

The responsibility to give approval to the plans of the local self government organisations is vested with the district planning committee. In addition to the responsibility the district planning committee plays a leading role to form the mutually related plans of the local self government organisations of the various tiers so as to solve the problems of development of the district and to implement the plans so as to ensure financial development and social justice by utilising the public money. It is just because of this, it is again the responsibility of the district planning committee to give guidelines necessary to form plans with the active participation of the people's representatives on each level officers, valuation, experts, voluntary organisations and the public, beyond the activities of the DPC of the stage of the approval of the plan.

10. Technical sanction

The project that requires detailed technical examination of the plans approved by the DPC shall be implemented only after getting the technical sanction. It is the technical committees on the block level that give, technical sanction to the projects of the grama panchayat. Instead of the method where only one officer sees the estimate and examines it and gives technical sanction, technical committee system is aiming at transparency, efficiency and speed by the joint action of more than one person.

11. Implementation of plan

The plan implementation activities shall start as soon as getting the approval of the district planning committee.

12. A programme for the implementation

Plan share is received in installments. Each local self government organisation should prepare a clear implementation plan giving priority to the implementation of plan on the basis of various considerations such as those to be implemented according to the climate, those that require elections of beneficiaries, those which are to be done by organising groups or 'Sanghs' those which require joint action, those that have to be done by entering into contracts with the organisations or agencies concerned, those which shall be done co-relating. Central and state plans and those that require long duration. This shall be prepared with the participation of the working groups under the leadership of the standing committees. It is the responsibility of the governing committee to make the activities of the active working groups possible.



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13. Giving responsibilities and records to the executive officer

The executive officer of the projects shall be chosen in the meeting of the local self government institution, and their meeting shall be called and the matter about the implementation discussed and the necessary records shall be given to them. Such discussion shall be made in the standing committee meetings.

14. Financial Sanction

It is with the expectation that the sufficient funds shall be available, that projects are formed and sanction is sought for. Projects implementation can be started only when the funds expected one made available. So the financial sanction for the project can be issued according to the availability of funds. Implementation can be started only for the projects for which sanction is got.

15. Methods of implementation

The decision, as to how could the each project be implemented, shall be made when the financial sanction is given. A copy of the decision shall be given to the executive officers as well.

- 1 The Implementing Officer directly
- 2 Through the agency of beneficiaries (beneficiaries committee, farm committee, the organisations like PTA and the committee approved by the government as Implementing agencies)
- 3 Through the accredited agencies like COSTFORD, NIRMITIKENDRA etc
- 4 Through contracts
- 5 Through deposit (KSEB, KWA, ANERT, GWD)

16. Selection of the beneficiaries

The power, to elect the beneficiaries of the projects, that give benefits to the individuals or the group members whether it be the project of central or state plan or of the departments carried out through the local self government organisation of any level, is reserved by the



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gramasabha. The local self government organisation has the responsibility to take timely decision according to the priority list prepared by the gramasabha. The working group members and the public activists shall play important role in preparing the application form, its distribution in informing the public, in preparing the priority list, scrutinizing it and in deciding the priority in the gramasabha.

17. Utilisation of funds and account keeping

It is the responsibility of the LSGI to allot necessary money to the Implementing Officers. It is the duty of the Implementing Officer to spend the amount in accordance with the rules and procedures of the utilisations of funds and to keep the accounts and submit the utilisation certificate in time. The administrators of the LSGI shall monitor whether the Implementing Officers fulfill their duties. The standing committee shall monitor and evaluate this matter.

18. Public works

The LSGI shall do public work in keeping with the Panchayat - Municipality public work rules, and the rules of the PWD (in the case of the matter not mentioned in the above rules). If the construction works on which the LSGI spend much money is to become fruitful, the common people, besides the technical experts, should also have the capability to interfere with these matters. Necessary efforts shall be made to make people's representative (who are not technical experts) working group members, volunteers, public activists and the beneficiaries more knowledgeable in public work matters.

19. Purchases

Kerala purchase rules are binding on all purchases as per the specific procedure (eg : purchase of animals, seeds, seedlings etc.) Abiding the principle of low price and high quality purchases shall be made and the article purchased should be entered into the LSGO stock register

20. Procedure of formation and implementation of a glance

Panchayat Committee Meeting	Approval of the development tact formation of working groups
Working group meeting	Preparing the previous annual plan observation report and the direction for the draft projects preparation
Panchayat Committee meeting	Discussion of observation report and the draft project report, directions order of priority, election of development seminar representatives
Working Group meeting	Briefing of the direction of the gramasabha, preparing the draft plan document.
Stakeholder (Meeting of the interested clients)	Discussion of draft plan actions

Panchayat committee meeting	Discussion on draft plan approval, decision about the development seminar
Development Seminar	Discussion of the draft plan, direction deciding the order of priority
Working Group	Development seminar, directions, briefing, giving final shape to the project and the plan document writing of project
Panchayat Committee meeting	Discussion, approval, submission to the technical advisory committee
Technical Advisory Committee	Technical examination of the project, suggestion of amendments correction, report to the district planning committee
District Planning Committee	Discussion on the plan project approval, giving the project back to LSGO
Technical Committee	Examining the project and estimation of the construction work and the issuance of technical sanction
Panchayat Committee	Deciding the priority of implementation, issuance of financial sanction, implementation
Monitoring Committee	Evaluation of implementation giving of guidance, preparing the monitoring report

21. Audit

- 1 Performance audit, local fund audit and the AG's audit and the inspection of the inspection wing and social audit are binding on the LSGO. It is the responsibility of the administrator to manage the government without any flow.
- 2 Panchayat accounts book and the related voucher should be kept.
- 3 The account of the income and expenditure shall be subject the audit.
- 4 The defects pointed out by the auditor shall be rectified by the panchayat immediately.
- 5 Check whether the expenditure is made in accordance with the bduget.
- 6 Social audit shall be done to ensure the transparency in general administration.
- 7 The statement of accounts of the development programmes of the panchayat and the expenditure therefore.
- 8 A detailed estimate of the works proposed to be done by the panchayat shall be given to the gramasabha for scrutiny.
- 9 Gramasabha shall be informed about the plan, share and availability of the other itemised funds and about the works to be implemented and the works already implemented.
- 10 The audit report, the annual administration report and the performance report of the panchayat shall be discuss in the gramasabha meeting.
- 11 A specific group shall be decided for the social audit.



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- 12 The people's representatives shall publicise the importance of the social audit in the gramasabha.
- 13 The registers of the panchayat shall be kept rewritten from time to time.
- 14 The audit of the accounts of the transferred institution shall be ensured.
- 15 The defects pointed out by the conclusions of the quarterly scrutiny of the performance audit team, shall be rectified
- 16 Further actions to rectify the shortcomings and defects shall be ensured.

Social audit

Every citizen has the right to know and understand the activities of the Government, in public governance, development and welfare, service sector. The people shall be made ready to interfere with their representatives to generate in them a state of mind to move the monitoring committee, the beneficiary committee, gramasabha / ward sabha, officers, organisation etc. So as to make the activities of the governance and development transparent and participatory. Gramasabha, ayalkootams voluntary organisations, self help groups, service groups children, students, youth etc. shall be the instrumentalities for social audit.

Monitoring

It shall be ensured that the projects are attaining their goals adopting actions to overcome the problems or obstacles if any and go ahead as already contemplated. The monitoring starts from the beginning of the project activities. The monitoring committee of each sector shall do it. A fruitful monitoring alone can make the project fruitful. Then only the plan shall attain its goal. For that, active monitoring committees are essential. The panchayath shall extend all help to work in these committees.

The Selection of Beneficiaries and Their Region

With the arrival of the three tier Panchayath Raj system the responsibility of electing the beneficiaries relating to the development plan fell on the LSGI. LSGI are liable to fulfill the responsibility transparently and impartially on the basis of the rights assured by the constitution such as equality and equality of opportunity before the law. With the 73rd amendment of the constitution the gramasabhas got many responsibilities and powers to exercise. The selection of the beneficiaries has become the most important one. The verdict pronounced by the Kerala High Court in the case no GO(P) No 18175/1996/LD dated 02.09.1998 is relevant here. The court stressed in the judgment that it was the duty of the Panchayats to approve the selection of the beneficiaries. On the basis of this verdict the government order issued relating to the selection of the beneficiaries GO(P)No181/198/LD Dated 2.8.1998 includes the general criteria for this. The explanation issued later by the government are also relevant in this context.

The individuals, families, groups, organisations etc can be considered as beneficiaries. The beneficiaries of the district block, grama panchayat and the central and state plans have to be elected.

The criteria of merit and priority shall be clearly shown in the project. The power to decide these criteria is vested with the Panchayat committee. But the advices of the working groups in this matter shall be considered by the Panchayat committee. It is necessary to decide the criteria of merits to deny the benefits to the under serving and to make the selection process easy. The excess of applications often creates problems in the selection. In order to mete out justice to the most deserving candidate 100 marks shall be decided and the same published. Information about the criteria of merit shall be attached to the application form.

1. Application form

A general application form can be used for house constructions, house renovation, electrification, construction of toilets, wells etc.

In the case of other projects LSGI can design the application in a logical way. It is proper to prepare different application forms for different projects as the standard of merit and priority are different. The application shall be placed before the gramasabha. This is necessary for close scrutiny. Receipt shall be given to the applicant when the application is accepted. The last date for the receipt of the application shall be shown in the application form. The application forms need not be printed ones. But the application shall be in the prescribed model.

2. The LSGI and the Implementing Officers should be most careful in giving publicity about the places where application forms are available and the various helpful schemes and the projects among the beneficiaries. Notice boards, various government organisations,



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public places etc can be used for this. Publicity can be given through various voluntary organisations, political parties and the other organisations relating to them, people's representatives and officers. The printed notice shall be distributed. In the case of block and district panchayat press note shall be issued strictly.

3 Close Scrutiny

The sub committee consisting of people's representatives, the concerned officers, working group members and those authorised by the Panchayat Committee shall closely scrutinise the applications. The information given by the applicants shall be verified with the records concerned. The true nature of the local people can be found through enquiries. On the basis of the standard of priority the draft list of priority of each ward can be prepared. The final list shall be submitted to the Panchayat Committee for approval.

4 Gramasabha

Gramasabha shall be called immediately after the scrutiny of the application is over. The applicants shall be presented to the gramasabha. The defects pointed out by the subcommittee shall be rectified and the final list approved unanimously or with majority of the gramasabha shall be read out in the Gramasabha.

The Convenor, Chairperson, Gramasabha Co-ordinator and the Subcommittee Convenors shall sign the list.

In the data, required for the scrutiny of applications received in the Gramasabha, if available the scrutiny shall be done then and their marks shall be given and included in the list.

The Secretary shall publish the list of the ward level list of the beneficiaries approved by the gramasabha. As soon as the list of the beneficiaries are completed the applications for the individual benefits like house, house repair, toilet and well shall be considered. On the basis of the number of the deserving applications the proportionate number of benefits to each ward should be decided. The list thus prepared shall be the complete list of the panchayat beneficiaries. The printed copies of the list shall be published in all the government offices of the panchayat and in the public organisations (including the social and cultural ones) and one copy of each shall be given to each Implementing Officer of the projects. The list of the beneficiaries for the Block and District Panchayat shall be sent to them in the order of their demand. When the regions and the families of the beneficiaries of the projects to be included in the plan document the backwardness of the people of the region and the geographical, ecological and spatial peculiarities shall be considered.

If it is found out that there are undeserving applicants in the list of beneficiaries approved by the gramasabha they shall be removed from the list and the matter shall be brought to the attention of the next gramasabha.

5 The responsibility of the scrutinizers

The scrutinizers shall see that only the true facts are furnished in the applications. The

scrutinizing authority cannot escape from the responsibility of ensuring the merit of the beneficiaries in the light of the right documents and certificates for the single reason that the gramasabha has approved the wrong informations given by the applicant. (GO (P) 181/98/LSD/2.10.98 para 8). The beneficiary or the inquiry authority or those who are elected by the authority are bound to refund the expenses with interest. The beneficiary or the enquiring authority or those who are chosen by the authority who are accountable for the undeserving election, shall refund the expenses with interest. (GO (P) 220/97/LSD/2.10.97)



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6 Some amendments

The Circular No.29416/DP-1/200 of the LSD department has stipulated that the list of the beneficiaries for housing well and toilets shall be revised only after giving benefits to all the applicants. Instead of that rule if the panchayat feels that a new list shall be prepared after one year it can cancel the old list and form a new list through the Gramasabha (the Circular No 2542/DP-1/2001 of LSG dated 30.07.2001)

If the list of the beneficiaries for the individual benefits is in force the benefits of the projects of the current year can be given only by the said list. But in case sufficient numbers of beneficiaries are not available as per the list, new list can be prepared including the remaining beneficiaries as per the old list. Though the new list is thus prepared the beneficiaries in the new list can be considered for benefits only after the benefits are to all the beneficiaries in the old list. All the Gramapanchayats, Corporation institutions and the selection of the beneficiaries conducted and the list made final (vide circular No.36853/DP-1/2005/LSD 10.08.2000)

7 Special sanction for house construction projects

The District Block panchayat can take up house construction projects giving benefits to the SC/ST beneficiaries.

8 Marginal / small scale farmers

Some agricultural benefits given to the beneficiaries are limited to the marginal farmers and small scale farmers. The farmers are those who have land margin up to 2.47 acres. Those who own land between 1 and 4.94 acres are the small scale farmers.

9 Poverty line

Those whose annual income is below Rs. 20000/- in the villages and those with an annual income below Rs. 22375/- are considered people below poverty line (BPL). Those having their names in the IRDP list and the CDS list can be taken as BPL beneficiaries. Those who are not in the list shall produce the income certificate of the village officer.

10 The selection of the beneficiaries regions

The most important achievement of the regional planning is that it can decide priority of development taking into account the regional peculiarities. The unilateral decisions of



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development are usually taken without considering the true requirement of development. The social relevance of the decisions taken considering the vested interests is limited necessary promptness shall be kept to ensure that the projects prepared and implemented in the regional level ensure the maximum social and financial achievement and are helpful to fulfill the requirement of development.

The method of selections based on social justice and transparency is the most important characteristics of the regional planning. The methods giving priority to the backward class and backwardness shall be adopted in the regional planning. The local self government institutions shall be able to decide the order of priority taking into account the dengue of backwardness and the nature of the problem.

It shall also be able to decide the standard of merit and the standard of priority to select public development projects with the aim of development of all the regions, beyond the consideration of ward/division. The priority order shall be decided in conformity with the facts and policy of development of every local self government organisations. The standards of merit and priority of the public development projects shall clarify the development policy and approach. There shall be provisions in the project form to enter the standards of public development and merit. The selection of roads, bridges, irrigation, electrification anganawadi and other basic facilities shall be conducted on the basis of standards. Correct decisions shall be taken avoiding unnecessary disputes. The election based on the standards and spatial decision shall be helpful to the maximum.

The order of priority shall be fixed to enhance the truthfulness of each project and to attain the aims properly.

For example to decide the priority of projects to improve transport facilities several standards can be considered.

1. Absence of transport facilities
2. Density of people
3. Density of vehicular traffic
4. The question of how to help the financial development activities.
5. The connectivity to the service centres.
6. The connectivity to commercial and industrial centres
7. Connectivity of two isolated places.

In brief, the advantages of fixing the order of priority to the public development project and the basic development projects are the following.

1. The most correct decision can be taken from the limited resources.
2. More developmental achievement can be obtained avoiding the ward based developmental decisions.
3. The development projects under pressure can be avoided.
4. The true problems of development are solved.
5. Unilateral decisions and disputes can be avoided.
6. Transparency and the people's participation increase.

The Right to Know, Transparency Provisions

The right to get information from a local self government institution in accordance with the procedure prescribed to any person who demands, bonafide for it. That is called "The Right to Know". The right to copy the relevant portion and to get the certified copy of any document or record is also included in it.

According to this condition the government can direct the local self government organisation concerned to publish for the information of the public of the region mentioned in that order informations through an order whether it be general or specific.

1. Right to information

1. Information

The information, facts, documents, deeds or knowledge regarding the administrative, developmental or controlling responsibilities of the local self government organization can be called information according to this condition. But in the interest of the general government and the local government any document, record that contain any specific information, can be declared as the notified records. Nobody shall have the right to know the contents of these records. The local government can reject any such application.

The person who wants to get the information shall give the secretary applications in the prescribed form remitting the required fee. If the application is rejected or denied otherwise, the secretary shall give the applicant the required information. The secretary shall also convince the applicant of the reason for the rejection of the application, if the application has been rejected. The secretary or the responsible officers has the personal responsibility of supplying the unnotified information to the applicant, within a specified time. In case any delay occurs in supplying the information after the last date prescribed, the officer responsible for it shall have to pay a fine at the rate of Rs. 50/- per day. The sum realized in this way can be deposited in the local government organizations own fund.

It has been stipulated also that if any responsible officer fails to supply the required information or gives wrong information or if he already knows that the information supplied by him is innocent he would have to pay a fine not less than Rs. 1000/-

But if the secretary or the responsible officer, in spite of extensive search, is unable to supply the information due to the expiry of the period of preservation of the document or its absence or he is convinced of the lack of chances to get it, he shall inform the applicant accordingly and dispose of the application. The action thus taken bonafide will get legal safety. It is further stipulated that the technical as well as financial information shall be simple and lucid to safeguard the right to information and ensure transparency as part of the implementation of plan.

So also is the condition that the notification about the local government institution, and the transferred institutions shall be displayed for the public at conspicuous places including



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the Panchayat notice boards, office notice boards CBOs and Cultural Organisations.

The stipulation, that gramasabha meetings and the meetings of the local government organisations shall be public and that the admission of the public and the press shall be ensured, is the part of the right to information.

2 Method of Applying

The person who wants the unnotified document shall give the secretary of the local government organisation or the responsible officer including the description about the document showing whether it is for scrutiny or for true copy. The application shall be in the prescribed form with necessary fee.

If the document required for is of the current year, the fee at the fixed rate and a search fee of Rs. 20/- in the case of the document after one year, and Rs. 1/- each for every year should be paid along with the application

If the document requires is the notified one the application can be rejected for that reason and the search fees paid shall be refunded. In the case of the unrejected application the applicant can be asked to pay the true copy fee and the date of the issuance of the copy made known to him. The secretary or the responsible officer shall verify the copy with the original, sign and seal it and give it to the applicant. The copying fee is Rs. 1/ for every 25 pages or part of it. The local government shall keep a register showing details about the copies and the applications. The application shall be submitted in form no. 1.

2 Citizens right charter

The citizens' right charter is a document that ensures the rights to be available to citizens from the government organisations in the democratic society and its implementations.

Through the amendment of (1999) the Act of the local governments the conditions about the citizen's right charter have become finding on the local government organisation. Accordingly the citizen's right charter is a published outline about each local government organisations, the transferred officers under it, the various services made available to the citizens of that region, the opportunities of getting them, time limit and procedure.

The Panchayat committee shall discuss the outline and revise it from time to time and make it up-to-date at least once a year. There shall be a system of imparting information and public relations to give information to the public about the CRC and its implementation.

Besides the local government institutions the transferred officers and institutions shall prepare and display the documents of this kind.

The responsibility of ensuring that the CRC is implemented is vested with the secretary and the Implementing Officers and designated Officers.

The responsibility to implement the CRC will be vested with the governing committees. The complaints there on can be scrutinized and redressed by the tribunal and the ombudsman. Moreover, the close observation of their fructification and redressal shall be carried out by the concerned local government institutions as well.

Greivance Redressal Mechanism

Ombudsman

Ombudsman is an independent and impartial semi judicial complaints – redressal system. The swedish officer deputed to enquire about the complaints given by the people about the mal administration and corruption is known as Ombudsman. So, Ombudsman is an independent middle man between the government and the citizens. The meaning of Ombudsman is agent in swedish language.

Three duties are mainly assigned to the Ombudsman.

- 1 Redressal of people's complaints.
- 2 Avoid mal administration and Reduce abuse of Power
- 3 Helping the legislative assembly to exercise the control over the officers.

Ombudsman is the institution of authority of Kerala formed as per the ombudsman rules for the local government institutions of 1994 and as contemplated in the Panchayat Raj Act chapter XXV B to redress the complaints by conducting special or general inquiry about any allegations that the staff and officers and the members including the panchayat president and the staff and officers of the transferred officers or Institutions have committed mal administration or corruption in carrying out their duties.

The aim of the ombudsman

1. Conduct enquiry about the allegation mentioned in complaint or mentioned by the government.
2. Enquire about the complaints, corruption or maladministration of any public servant or the local government institutions.
3. Enquire about the allegation and pass proper orders
4. In a matter involving criminal offence conduct trial and sent the case to the concerned authority.
5. If a citizen sustains loss or inconvenience he shall be given compensation through the local self government institutions concerned and the loss should be recovered from those who are responsible for the offence.
6. If the misuse or over spending of the funds of the local self government is involved the loss is recovered from those who are responsible for the offence.
7. If any omission has been committed due to corruption or negligence give advice to rectify the mistakes and fill in the void.
8. If it is felt that the complaint would sustain loss or injury due to the action of the local self government, prevent the organisation from doing anything against the interest of the complainant.
9. If it is felt that the corruption was committed for individual gain impose fine in addition to compensation of loss.



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Powers

- 1 Ombudsman shall have the power similar to that of a court of law as per civil rules, for the enquiry of any allegation or complaint.
- 2 Summon clients or witnesses
- 3 Ask to produce records or documents.
- 4 Ask for general records or their copies
- 5 Depute a commission to collect statistics

The other legal powers

- 1 If the complaint or allegation is seen baseless or insignificant direct the complainant to give legal expenses to the defendant.
- 2 If the compensation or fine is not paid within the prescribed time recover the amount through reverse recovery procedure.
- 3 Ombudsman can be referred to enquire about the mal administration, corruption and irregularity which were brought to the attention of the government and that can be considered as a complaint submitted under the rules.
- 4 If a complaint is got, close enquiry shall be made and if there is prima-facie a case make a detailed enquiry. Give notice to the committees concerned

People and Ombudsman

Attention shall be made to the following matters where people make complaints.

- 1 Complaint shall as far as possible be given in form (A) model in writing.
- 2 Any complaint can be filed as per rules with a fee of Rs. 500/-
- 3 Each complaint and 4 copies of the document attached to it and as many copies as there are defendants should be submitted.
- 4 A firm pledge should be given in the complaint, that all the matters mentioned in the complaint are true and correct.
- 5 Complaints can be submitted to the secretary of Ombudsman in person or by registered post.
- 6 On receiving complaints from the people, the secretary should enter it in the form B register as per Rule 1326 and give the complainant receipt.
- 7 The complaints that have not kept with the rules will not be considered.
- 8 The defective complaints will be returned. The same can be resubmitted after rectifying the defects pointed out within 15 days since getting it back.

Procedure

- 1 After registering a complaint the copies of the complaint other documents and notice will be sent to the defendant. The defendant shall submit his statement and the related documents within 15 days since the date of receipt failing which the complaint will be judged experts.
- 2 Ombudsman can summon any individual as witness and ask the complainant or the other litigant to produce documents. The records should be collected back by the

- person who submitted them after two months of the judgment.
- 3 If close enquiry is needed in any matter mentioned in the complaint, the reports of the police, other government servants and the technical experts can be considered.
 - 4 If required opportunity would be given to convince in person, and the case would be judged after examining evidence and documents.
 - 5 If it is seen that there is a criminal offence against the alleged, the secretary of Ombudsman would send the conclusions and recommendation to the superintendent of police concerned. The police shall register the case and take further action and inform the ombudsman.
 - 6 Judgement can be pronounced in the case of a complaint within 6 months.
 - 7 The judgement would be in English or Malayalam.
 - 8 All would be liable in enforcing the judgement and the Ombudsman would take proper action against those who commit errors.
 - 9 Within a month from the judgement the copies of the final judgement would be given to all the persons concerned.
 - 10 The judgement of the Ombudsman will bear the signature and office seal of the Ombudsman and the copies would bear the signature and office seal of the secretary of the Ombudsman.
 - 11 Ombudsman on his own, or within 60 days since the date of the judgement can reexamine any judgement.
 - 12 The records concerned can be kept intact.
 - 13 No appeal is permitted against the decision of the Ombudsman where as any orders of the Ombudsman can be subjected to the judicial review of the H.C/S.C under this constitutional powers..



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4 Local Government tribunal

The Local Government Tribunal will be the semi judicial authority appointed by the government to consider and judge the revision or appeal submitted against the decision taken by the local government institution including the grama panchayat and municipalities.

The district local government tribunal will be an officer of the status of a district judge appointed through a notice by the government in consultation with the chief justice of the Kerala High Court.

There shall be powers of the civil court among the subjects handed over to such tribunal.

- 1 Summon and call the clients and witnesses.
- 2 Issue warrant and ensure compulsory presence
- 3 Call for presenting records and documents for scrutiny.
- 4 Final evidence by affidavit.
- 5 Appoint commission to collect statistics

Any action taken before the tribunal shall be considered as the legal procedure as per the rules of the Indian penal code. The officer and staff appointed by the government



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for discharging the duty shall render service to the tribunal in its functions.

Government can frame rules for service and salary of the tribunal the method of filing appeal or revision with the tribunal, the legal procedure to be adopted on hearing objections, abidance and result of the orders of the tribunal and the other matters decided by the government.

The tribunal shall give the government its opinion giving an opportunity for the president or the others connected to him to listen to the mention received from the government about the loyalty of any decision or memorandum of the local government institution. The judgement of the tribunal will be a written one and final, subject to judicial procedure.

The action, such as correction of the procedure, correction of the mistakes in the judgement, stay of decision or its enforcement, advice for taking new decision, and cancellation of the orders of the local government can be adopted.

The complaints the local government authorities get can be referred to as appeal or revision as the case may be.

The complaints about the tax fixation, levying giving of permit, registration procedure, water supply lighting of street lights, primary hygiene convenience, disposal of sewage, preservation of public property, public street light lighting, control of building constructions, assigning heirless land, destructive deed, destructive agriculture, control of public nuisance, sources of public water reservoir, animal husbandry, slaughter, market collection, vehicle parks, dumping places, ferries, burial places and cremation grounds can be submitted by appeal / revision.