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**A Note on New Statistical Domain in India (2):  
An Enquiry into Gram Panchayat-Level Databases**

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## Chapter 3. Two Gram Panchayats and villages

### §1. Profile of the Two Gram Panchayats and villages

In order to study the new statistical domain considered above, we conducted case studies at two villages studied by the Foundation for Agrarian Studies. The first case is Warwat Khanderao GP in Maharashtra. The second case is Raina GP in West Bengal and Bidyanidhi village in the jurisdiction of this GP.

Warwat Khanderao GP, Sangrampur *tehsil*, Buldhana District, Maharashtra, is located in a traditionally raiyatwari area. This village was studied by the Foundation for Agrarian Studies in 2007 as part of the Project on Agrarian Relations in India (PARI).

Raina GP, in Raina I Block, Bardhaman District, West Bengal, is located in a former zamindari and post-land reform area. Bidyanidhi village, one of 13 villages (mouzas) in the jurisdiction of Raina GP was studied in 2005 as part of the land and credit survey ("Landlessness and debt in rural West Bengal") conducted by V. K. Ramachandran, Vikas Rawal and others.

### §2. Status and Background of PRIs in Maharashtra and West Bengal

The legislative frameworks for PRIs in Maharashtra and West Bengal are similar, since they must meet the constitutional requirements of 73<sup>rd</sup> and 74<sup>th</sup> amendments. However, the actual functioning of the PRIs in the two States is considerably different in several respects:

- 1) Scale of GPs: The geographical area, number of villages and population under the jurisdiction of each GP are very different in the two states. A GP in Maharashtra usually covers only one or two villages, a population of roughly 1000. The geographical boundary of Warwat Khanderao GP is identical to the census and revenue village Warwat Khanderao. In contrast, a GP in West Bengal covers a cluster of villages. Therefore, a GP in West Bengal consists of many census/revenue villages, or "mouzas". The population covered by a GP is much larger in West Bengal, roughly 10,000. The GPs are subdivided into electoral wards or "*Gram Sansads*." The electoral wards may coincide with the village boundaries, but larger villages may be divided into several electoral wards.
- 2) The land revenue systems are traditionally different. Much of the bureaucratic administrative structures in India originate from the colonial revenue collection system, and there are significant differences among regions which have historically belonged to different systems. On the one hand, Maharashtra is part of the erstwhile temporarily settled or *ryotwari* areas that were cadastrally surveyed, and where a land revenue officer (*patwari*) collects and revises village-level land records annually. On the other hand, West Bengal is part of the erstwhile permanently settled or *zamindari* areas that were cadastrally surveyed, but where no village-level agency exists for assessment and collection of land

- revenue. The revenue administrative officials— a line of hierarchy from District Collector to *Tehsildar* and *patwari* under the Revenue Department— has greater administrative powers and responsibilities in Maharashtra than their counterparts in the Land and Land Reforms Department in West Bengal. The revenue administrative officials in Maharashtra have extensive powers and responsibilities in domains other than land revenue assessment and collection.
- 3) The Maharashtra State government has traditionally placed emphasis on districts as basic units of planning and development. In fact generous amounts of resources are allocated to the district panchayats (Zilla Parishads, ZPs) in Maharashtra. More resources were allocated to the GP level in West Bengal than in Maharashtra.
  - 4) Coordination mechanism between the panchayat and functionaries under different line departments is weak in rural Maharashtra. There is, however, some coordination in West Bengal between the Panchayat and line departments for the implementation of certain schemes and programmes, such as an interlinked health and child care system among the GP, ICDS centre, and Block Primary Health Centre.
  - 5) Functional domains for each level of the panchayat: Activity Mappings are substantially different between the two States.
  - 6) The District Planning Committees (DPCs) in both States are not sufficiently functional. In particular, the DPCs in Maharashtra are not functional as they should be under the Constitution (73rd Amendment) Act, 1992. A cabinet minister of the Maharashtra State government is appointed as the “guardian minister” (*Palak Mantri*) for each district and is the chairman of the DPCs. Line departments and District Rural Development Agencies (DRDAs) continue to have major control over DPCs in Maharashtra.
  - 7) The authority of GP to carry out planning exercises was limited in Maharashtra, compared with West Bengal whose autonomous space in the functional domain was larger than Maharashtra’s.
  - 8) Poverty alleviation has traditionally been a core activity of the panchayats of West Bengal. In Maharashtra, however, poverty alleviation has not necessarily been the focal point of the panchayat’s expenditure.

### *3-2-1 Evolution of PRIs in Maharashtra and West Bengal* (Maharashtra)

Maharashtra had a strong legislative tradition of Panchayats before enactment of the Constitution (73rd Amendment) Act, 1992. The Bombay Village Panchayat Act 1958 has stipulated the duties, responsibilities and powers of the GP.

After the State of Maharashtra was established in May 1960, its Chief Minister Y. B. Chavan advocated the creation of a democratic socialist State with the help of PRIs. In pursuance of the recommendations of Balawantray Mehta Committee, the State Government appointed the V. P. Naik Committee in 1960. The Naik Committee opted for a three-tier structure like that of the Balawantray Mehta Committee. But unlike the

Balwantray Mehta Committee, it suggested that the *Zilla Parishads* (ZPs) be all-powerful in the hierarchical structure of Panchayats. It recommended the devolution of power of taxation and disbursement of development funds to the ZPs. Thereafter, the Maharashtra Zilla Parishad and Panchayat Samiti Act, 1961 was enacted. As GPs had already been in existence under the Bombay Village Panchayats Act, 1958, the three-tier panchayati raj system in the state was introduced, with the GP at the bottom, *Panchayat Samiti* (PS) at the middle, and ZP at the top.<sup>1</sup> Maharashtra is one of the few States which has actually legislated for the panchayati raj system in the wake of Balwantray Mehta Committee report of 1957 (Mathew, 1994).

In 1974, the State Government, placing emphasis on the district as a basic unit of planning and development established District Planning and Development Councils (DPDCs). Under the 74th Amendment, the DPDCs were dissolved in 1999. However, the Maharashtra State Development Report stated that the District Planning Committees (DPCs) as per the provision prescribed under Article 243 ZD (1) of the Constitution has not yet been constituted like that of West Bengal and many other states.<sup>2</sup>

The first elections for the ZPs and PSs were held in 1962, and then in 1967, 1972 and 1979. After a lapse of thirteen years, elections were then held in 1992, 1997, 2002, 2007, and 2010.

(West Bengal)

West Bengal has a long tradition of rural local self-government. During the British era, Chowkidari Panchayats were set up in groups of villages, mainly for maintenance of law and order. In 1885, with Bengal Local Self-government Act, a system of District Boards, sub-divisional Local Boards and Union Committees of village clusters was set up. The Royal Commission on Decentralization (1907-1909) recommended a little more autonomy for the local self-government institutions and the Bengal Village Self-government Act, 1919 was passed, merging Chowkidari Union and Union Committee in the newly created Union Board at the village level. This set-up lasted until the 1950s.

On the basis of the recommendations of the Balwantray Mehta Committee, the West Bengal Panchayat Act, 1957 was passed, setting up a two-tier Panchayat system at the village and union levels. The West Bengal Zilla Parishads Act, 1963 added two tiers at the block and district levels, thus creating a four-tier structure of Zilla Parishad, Anchalik Parishad, Anchal Panchayat and Gram Panchayat in the State.

A further initiative was taken to frame a consolidated piece of legislation, which became the West Bengal Panchayat Act, 1973, paving the way for a three-tier system with Zilla Parishad at the district level, Panchayati Samiti at the block level and Gram Panchayat at

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<sup>1</sup> Planning Commission of the Government of India, *Maharashtra State Development Report*, Academic Foundation, 2007, p. 246.

<sup>2</sup> Planning Commission of the Government of India, *Maharashtra State Development Report*, Academic Foundation, 2007, p. 247.

the anchal (cluster of villages) level.

The first panchayat election under the Act was held in June 1978 and since then panchayat general elections have been held every five years since 1983.

### *3-2-2 PRIs in Maharashtra and West Bengal under the Constitution (73rd Amendment) Act, 1992*

#### *3-2-2-1 State governments and PRIs in Maharashtra and West Bengal*

In accordance with the Constitution (73rd Amendment) Act, 1992, the Legislature of both States, by law, endow the PRIs with such powers and authority to function as institutions of self-government.

In Maharashtra, the Bombay Village Panchayat Act, 1958, and the Maharashtra Zilla Parishad and Panchayat Samitis Act, 1961 were amended. At the State level the Panchayat Raj and Rural Development Department (RDD) is headed by the Secretary.

The West Bengal Panchayati Raj Act, 1973 was amended. At the State level the Panchayat and Rural Development Department (P&RDD) was headed by a Principal Secretary who exercises administrative control over the PRIs.

Even the devolution of functions listed in the Bombay Village Panchayats Act, 1958 and Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 is still controversial in the Government of Maharashtra. In a meeting of all departmental Secretaries in June 5, 2005, “it was considered that it would not be feasible to devolve subjects/functions, such as land improvement, land consolidation, dairy development, small industries, rural electrification, including distribution of electricity and public distribution system, listed in the Schedule XI.”<sup>3</sup> The Government of Maharashtra argued so notwithstanding the fact that some of them were already covered by the Schedules in the Acts of 1958 and 1961.

The P&RDD in West Bengal has reformed<sup>4</sup> the panchayat system and supported its rural development with a special focus on poverty alleviation. A roadmap for the panchayats in West Bengal was provided by the P&RDD<sup>5</sup> and its annual administrative

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<sup>3</sup> Avinash Chander *Report on District Planning: Status and Way Forward*, Socio-Economic Research Division of Planning Commission, 2008, pp. 9-10 <[http://planningcommission.nic.in/reports/sereport/ser/ser\\_distplan.pdf](http://planningcommission.nic.in/reports/sereport/ser/ser_distplan.pdf)> Retrieved on 30 November 2014.

<sup>4</sup> The P&RDD listed need-based reforms as follows; (a) Gram Sansad at village level, Block Sansad at Panchayat Samiti level and Zilla Sansad at Zilla Parishad level, (b) District Council at each Zilla Parishad headed by the leader of the opposition, (c) Gram Unnayan Samiti at the Gram Sansad level, (d) Institutional involvement of opposition members in the Standing Committees of Zilla Parishad and Panchayat Samiti and in the Finance and Planning Sub-Committee of Gram Panchayat, (e) Determination of principles of subsidiarity for each tier of Panchayats, (f) Mapping of activities to be performed by three tier Panchayats falling under 28 subjects (out of 29) listed in the Eleventh Schedule of the Constitution of India, (g) Empowering the Standing Committees and Sub-Committees to prepare and implement their own work plan and budget, (h) Opening Panchayat Window in the State Budget by the departments who have substantial flow of fund to Panchayats, (i) Annual selfevaluation of all the three tier Panchayat bodies through score-based schedules for assessment of their performances and providing incentive grant to the best performing Gram Panchayat in each Block, to the best performing Panchayat Samiti in each District and to the best performing Zilla Parishad in the state separately under two heads – (1) institutional functioning and good governance and (2) mobilization of revenue and utilization of resources on the basis of validated scores of self-evaluation and (j) Double entry system of accounting for all the three tier Panchayats. [Panchayat and Rural Development Department, Government of West Bengal, *Roadmap for the Panchayats in West Bengal: A Vision Document*, 2009]

<sup>5</sup> Panchayat and Rural Development Department, Government of West Bengal (2009).

reports are available in the public domain.<sup>6</sup> Even a critical review by the State Finance Commission of West Bengal on the panchayat system is available.<sup>7</sup> However, similar efforts are not found in public domain in Maharashtra.

### 3-2-2-2 Geographical Coverage of PRIs at each level

As shown in Table 4, two States are similar in their rural population, 61,556,074 in Maharashtra and 62,183,113 in West Bengal, on the Census of India 2011. The numbers of inhabited villages in two States are also similar: 40,959 in Maharashtra and 37,469 in West Bengal in 2011. However, geographical coverage of their panchayats for population and villages at each level is quite different. Especially, GPs in Maharashtra cover around 2,000 inhabitants, whereas those in West Bengal cover more than 17,000 on average. This occurs because GP in Maharashtra usually covers only one or two villages, whereas GP in West Bengal is usually based on a cluster of villages. This indicates a fundamental difference in the characteristics of GPs in the two States. The function of GP will vary according to its scale. For that reason, in our analysis, we sometimes compared Warwat Khanderao GP in Maharashtra with Raina GP in West Bengal and sometimes with Bidyanidhi village in the jurisdiction of Raina GP. Some aspects of GP in Maharashtra are comparable with corresponding aspects of a village in the jurisdiction of GP in West Bengal. We also consulted with the block-level information of GPs to compare the two GPs.

**Table 4 Number of Panchayats at each level**

	MAHARASHTRA	WEST BENGAL	All INDIA
District Panchayats	33	18	589
Intermediate Panchayats	352	333	6,321
Village Panchayats	27,906	3,239	238,955
Number of inhabited villages	40,959	37,469	593,731
Number of inhabited villages per Village Panchayat	1.47	11.57	2.48
Rural population (Census of India 2011)	61,556,047	62,183,113	742,490,639
Rural population per Village Panchayat	2,206	19,198	3,107

Source: Directorate of Economics & Statistics, Government of Maharashtra, Statistical Abstract of Maharashtra State 2007-08, 2010  
Panchayat and Rural Development Department, Government of West Bengal, Annual Administrative Reports 2007-2008

Note: \* Excluding DGHC area

The jurisdiction of Warwat Khanderao GP in Maharashtra is identical to the census village, “Warwat Khanderao.” Since Warwat Khanderao GP covers only one village, the total population of the village is only 1,308 (PARI survey data 2007). Although this village has three wards as constituencies to elect GP representatives (or members), these wards neither have any independent function in the panchayati raj governance nor do they

<sup>6</sup> Panchayats and Rural Development, Government of West Bengal, *Annual Administrative Report 2007-08*, pp. 48-49 and *Annual Administrative Report 2006-07*, p. 49.

<sup>7</sup> Third State Finance Commission of West Bengal, *Report of the Third State Finance Commission West Bengal*, 2008.

have an independent representative body.

However, the total population of West Bengal GP, Raina GP, is as high as 14,967 (Census of India 2001). The territory of Raina GP consists of 13 census villages or mouzas. Raina GP consists of 12 “*Gram Sansads*,” established in 1992 as constituencies in the GP. The *Gram Sansad* is not merely a constituency for election, but also has independent roles and functions. A *Gram Unnayan Samity* (GUS: village development committee) is formed at the Gram Sansad level. The GUS has several powers, including identification and implementation of scheme and selection of beneficiaries. GP cannot ignore or refuse to act upon any recommendation of a *Gram Sansad* relating to prioritization of any list of beneficiaries or schemes or programmes if it relates to the area of the *Gram Sansad*. The *Gram Sansad* can also record its objection to any action of the *Pradhan* or any other member of the GP for failure to implement any development scheme or without popular participation. Thus, each *Gram Sansad* in Raina GP is an independent political unit. Bidyandhi village is one of these *Gram Sansads* in the Raina GP.

The three-tier system — the panchayat system at the village, intermediate and district levels — is common to the PRIs in two States. On the one hand, the provision that “There shall be constituted in every State, Panchayats at the village, intermediate and district levels” (Article 243B(1) of the Constitution) is a mandatory provision of the Constitution (73rd Amendment) Act, 1992.<sup>8</sup> It cannot be different in the two States. On the other hand, the provisions in the Constitution for the devolution of powers and responsibilities to PRIs are recommendatory and not mandatory. It is at the discretion of the Legislature of a State which powers and responsibilities “may be” given to PRIs.<sup>9</sup>

### *3-2-2-3 Elected Panchayat Representatives at each level*

All the seats in a panchayat “shall be” filled by persons chosen by direct election from territorial constituencies in the panchayat area (Article 243C(2) of the Constitution). It is a mandatory provision for the State governments, so it cannot be different in the two States.<sup>10</sup>

It is also a mandatory provision for the State governments that “all elections to the Panchayats shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor (Article 243K(2) of the Constitution).”

As shown in Table 5, there are more elected GP representatives in Maharashtra than in West Bengal. The ratio of population to GP’s representative is 249:1 in Maharashtra but 1,166:1 in West Bengal.

Table 5 also shows that relatively generous amounts of human resources are

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<sup>8</sup> However, “Notwithstanding anything in clause (1), Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.” (Article 243B(2) of the Constitution)

<sup>9</sup> Third State Finance Commission of West Bengal (2008), pp. 19-20.

<sup>10</sup> It is also a mandatory provision of the Constitution that “Every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.” (Article 243E(1) of the Constitution)

allocated to the district panchayats: *Zilla Parishads* (ZPs) in Maharashtra. Compared to the district panchayat (ZP), intermediate panchayat: *Panchayat Samiti* (PS) is given a smaller role in Maharashtra. “In the overall structure of panchayati raj in the state, PS is given a negligible role. It acts almost like an agency of the ZP for all practical purposes.”<sup>11</sup>

**Table 5 Number of Elected Panchayat Representatives at each level**

	MAHARASHTRA	WEST BENGAL
District Panchayats ( <i>Zilla Parishad</i> [ZP])	1,951	721
Intermediate Panchayats ( <i>Panchayat Samiti</i> [PS])	3,902	8,483
Village Panchayats ( <i>Gram Panchayat</i> [GP])	223,857	49,545
The number per GP	8.0	15.3
The Population-GP's Representative ratio	249	1,166

Source: Directorate of Economics & Statistics, Government of Maharashtra, *Statistical Abstract of Maharashtra State 2007-08, 2010*  
Panchayat and Rural Development Department, Government of West Bengal, *Annual Administrative Reports 2007-2008*

(Maharashtra)

The State Election Commission in Maharashtra was established in 1994. The GP in Maharashtra consists of not fewer than 7 and not more than 17 members (depending upon the population) elected from wards. The intermediate panchayat (PS) consists of all directly elected members from electoral colleges in the Block for which each electoral division is divided into two electoral colleges. The district panchayat (ZP) is constituted of Councillors directly elected on the basis of adult franchise from electoral divisions in the District.

(West Bengal)

The State Election Commission was constituted in 1995. The GP in West Bengal consists of not fewer than 5 and not more than 25 members elected from wards (*Gram Sansads*). The PS consists of directly elected members not exceeding three from each GP. The ZP consists of directly elected members representing two from each PS.

Reservation of seats in a panchayat is a mandatory provision of the Constitution (73rd Amendment) Act, 1992 (Article 243D of the Constitution).

In both States, one-third of the seats of village panchayat (GP), intermediate panchayat (PS) and district panchayat (ZP) are reserved for women (including reserved seats for SC and ST women). Reservations for Scheduled Castes (SCs) and Scheduled Tribes (STs) have been provided in the State Acts in proportion to their population within the total population. Maharashtra has also provided for 27 per cent reservation for Other Backward Classes (OBCs).

**Table 6: Number of Elected Representatives at the GP level**

<sup>11</sup> Planning Commission of the Government of India (2007), p. 247.

		<b>General</b>	<b>SC</b>	<b>ST</b>	<b>Total</b>	<b>Women</b>
Maharashtra	Total No.	172,370	24,624	26,863	223,857	75,148
	Percentage	77.00	10.99	12.00	100.00	33.56
West Bengal	Total No.	31,425	14,492	3628	49,545	18150
	Percentage	63.42	29.25	7.32	100.00	36.63

Source:

In both States, the chairman and deputy chairman of each level of the PRI are elected from the directly elected members. The administrative staff in charge of each level of the PRI support them.

At the GP level, the *sarpanch* and the *upa-sarpanch* are elected from amongst the elected members for a five-year term in Maharashtra. In West Bengal, the *Pradhan* and the *upa-Pradhan* are elected from amongst the elected members for a five-year term.

As a result, many local leaders are appearing on the political stage in both States.

#### 3-2-2-4 Administrative staff of the Panchayat

Each level of PRI in two States has its own administrative staff. However, as far as the GP-level administration is concerned, we found an obvious manpower shortage in Warwat Khanderao GP.

(Maharashtra)

At the GP level, the *Gram Sevak* serves on the administrative staff in Maharashtra. Bombay Village Panchayat Act 1958 provides for appointment of Panchayat Secretary (*Gram Sevak*) for a group of panchayats based on size and population of the villages. The expenditure on salaries of employees in GP is to be borne equally by the State Government and the concerned GP.

Warwat Khanderao GP faced a shortage of administrators. Warwat Khanderao GP does not have any permanent staff apart from the *Gram Sevak*. A parent of a child unregistered in the Civil Registration System told us that the *Gram Sevak* (the official Registrar) of Warwat Khanderao is not at the panchayat office every day. The *Gram Sevak* stays at Warwat Khanderao only two days a week. He exercises jurisdiction over three villages. The Warwat Khanderao GP hires a *peon* to help the administrative work of the *Gram Sevak*.

(West Bengal)

In West Bengal, permanent staff such as Executive Assistant, Job Assistant (*Nirman Sahayak*), Secretary, *Sahayaks* and GP *Karmees* serve as administrative staff for the GP. Funds are provided by the State government for establishment costs including salaries and pensions of the employees of Panchayat bodies.

The *Gram Sansad*, a sub-GP body in West Bengal, does not have its own administrative staff.

#### 3-2-2-5 Coordination Mechanism between the panchayat and line departments

Apart from administrative staff in GPs, there are some village-level functionaries under the line departments, which include ICDS (*Anganwadi*) workers, Auxiliary Nursing Midwives (ANMs), health supervisors and school teachers. There is also a *patwari* office in Warwat Khanderao, as Maharashtra is a part of the erstwhile temporarily settled or *ryotwari* areas where a land revenue officer (*patwari*) collects and revises village-level land records annually. Instead of *patwari*, there is a Revenue Inspector (R.I.) in Raina, who maintains land records.

(Maharashtra)

According to the amendment made in the Bombay Village Panchayat Act (No. 3 and No. 27 of 2003), all officials working at the village level and non-government organisations fall under the control of GP. Unless exempted by the *Gram Sabha*, all Government, semi-Government and Panchayat employees are required to attend the meetings of the *Gram Sabha*. The *Gram Sabha* has disciplinary control over the Government, semi-Government and Panchayat employees working in the village. The *Gram Sabha* shall report to the concerned Block Development Officer any irregularities committed by those employees. Therefore, the village level functionaries in Warwat Khanderao— land revenue officer (*patwari*), ANM, ICDS (*Anganwadi*) workers, school teachers etc.— are statutorily under the control of the GP.

However, there is presently no institutional mechanism to coordinate them except for personal effort by *sarpanch* or panchayat members. The only village-level functionaries for which the GP has a coordination mechanism are ICDS (*Anganwadi*) workers. The Warwat Khanderao GP has sub-committees (*Mahila Baal Samiti* and *Bal Vikas Samiti*) to coordinate activities of the ICDS but they are, at present, not functional. Before 2008, the *Gram Shiksha* Committee was formed at Warwat Khanderao as a GP's sub-committee keeping *Sarpanch* as the president. However, under the Right to Education Act, 2009, the concept and formation of the *Gram Shiksha* Committee has been scrapped.

The Expert Committee on BSLLD points out in its pilot survey in Maharashtra that these outside agencies “send periodical reports to their respective controlling officers and there is no formal arrangement for sharing the information with the Panchayat and it has no role in monitoring the activities of these functionaries.” The Committee states:

There is no formal data sharing mechanisms between different agencies working at Gram Panchayat, Tehsil or District levels. In fact there are multiple lines of control and reporting mechanisms. In the case of revenue officials, the line of reporting is from village officer (Talati) to the Circle Officer, Tehsildar and District Collector. The channels of reporting in the case of different functionaries at Gram Panchayat, Block Development Office and District Panchayat Office are through the respective line of control of the respective departments. The reports

being received by different departments are generally not being integrated at any stage.<sup>12</sup>

Although the coordination mechanism between the GP and line departments is not strong in Warwat Khanderao, the Block Development Officer (BDO) is expected to coordinate the activities of these line departments. According to our interview with the BDO of Sangrampur, Buldana District, Maharashtra,<sup>13</sup> several extension officers (“sector planning officers”) at the block are to report to the BDO on the planning and implementation of schemes of other departments (such as health, education, agriculture, animal husbandry) done by the department officials. However, according to the BDO, while the BDO is the executive officer for all matters related to the panchayat, the *Tehsildar* is the Programme Officer for all programmes under the Ministry of Rural Development. Thus, the power of the BDO is limited.

Among these multiple lines of control, a line of hierarchy of revenue officials—*patwari*, *Tehsildar* and District Collector under the Revenue Department — has the most sweeping administrative powers in Maharashtra. At the sub-district level in Maharashtra there are two overlapping administrative units: the block and the *tehsil*. The block is the development administrative unit while *tehsil* is the revenue administrative unit. The BDO represents the block level administration and the *Tehsildar* represents the *tehsil* level administration. Unlike West Bengal, where the administrative duties of the Block Land and Land Reform Officer (BLLRO) is restricted to the areas of land reforms and land revenues only, the *Tehsildars* in Maharashtra wield greater administrative powers. In addition to the revenue administrative duties, the *Tahsildar* is responsible “to the Collector and the Sub-Divisional Officer whom he has to keep constantly informed of all political happenings, outbreak of epidemics and other matters in the area within his jurisdiction. He generally helps or guides the officers of other departments in the execution of their respective duties in so far as his tahsil is concerned. ....The *Tahsildar* is also expected to propagate co-operative principles in his tahsil. The Tahsildar's position in relation to the tahsil officers of other departments, e. g., the station officers of the Police Department, the Sub-Registrar, the Range Forest Officer, Medical Officer, Postmaster, etc., is not definable.”<sup>14</sup>

Thus, coordination between the panchayat and functionaries under different line

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<sup>12</sup> Central Statistical Organisation (2006), p. 25. For example, “Though the jurisdiction of the Block Development Office is the same as Tehsil, both the Block Development Officer and the Tehsildar have two different Offices.”

<sup>13</sup> Interview at the BDO of Sangrampur on April 25, 2014.

<sup>14</sup> <[http://akola.nic.in/gazetteers/maharashtra/gen\\_admin\\_tahsildar.html](http://akola.nic.in/gazetteers/maharashtra/gen_admin_tahsildar.html)> Retrieved on 30 November 2014. “In addition to the duties mentioned above, the Tahsildar is responsible to the Collector and the Sub-Divisional Officer whom he has to keep constantly informed of all political happenings, out break of epidemics and other matters in the area within his jurisdiction. He generally helps or guides the officers of other departments in the execution of their respective duties in so far as his tahsil is concerned. He is responsible for holding the cattle census. The Tahsildar is also expected to propagate co-operative principles in his tahsil. The Tahsildar's position in relation to the tahsil officers of other departments, e. g., the station officers of the Police Department, the Sub-Registrar, the Range Forest Officer, Medical Officer, Postmaster, etc., is not definable. Though they are not subordinate to him they are grouped round him and are expected to help and co-operate with him in their spheres. ...Though the Tahsildar is not expected to work directly for local bodies he is usually the principal source of the Collector's information about them.”

departments is weak in rural Maharashtra. As a strong coordination mechanism is not institutionalized in Warwat Khanderao GP, the personal efforts of the *sarpanch*, who had an ability to coordinate them and knew the situation well, were indispensable.

(West Bengal)

There is a coordination mechanism in West Bengal among village-level activities under different line departments. The regular meeting of GP level functionaries, known as the “Fourth Saturday Meeting” has been institutionalized.<sup>15</sup> The members of the GP’s subcommittee (*Upa-Samiti*) on Education and Public Health, functionaries of Health and Family Welfare Department, field level functionaries of the ICDS programme under Women and Child Development & Social Welfare Department and representatives of SHGs meet on the fourth Saturday of every month to review issues pertaining to public health. The meeting ensures close coordination among the ICDS supervisor, the ANM and Health Supervisor and GP officials.<sup>16</sup>

Convergence of the *Swarna Jayanti Gram Swarozgar Yojana* (SGSY) with the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) is also done in West Bengal, with the assistance of the SHGs for improving the implementation of the MGNREGS.<sup>17</sup>

### 3-2-2-6 Gram Sabhas

“*Gram Sabha*” is a body of persons registered in the electoral roll relating to a village comprised within the area of panchayat at the village level.<sup>18</sup> “A Gram Sabha may exercise such powers and perform such functions at the village level as the Legislature of a State may, by law, provide (Article 243A of the Constitution).” This provision of the Constitution is recommendatory and not mandatory for the State governments.<sup>19</sup> It is at the discretion of the Legislature of each State. Powers and functions of *Gram Sabhas* may be different between

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<sup>15</sup> Panchayats and Rural Development, Government of West Bengal, *Annual Administrative Report 2007-08*, pp. 48-49 and *Annual Administrative Report 2006-07*, p. 49.

<sup>16</sup> Bhaskar Chakrabarti, Raghavendra Chattopadhyay and Suman Nath (2011) give warning against weakening of coordination between the Panchayats and line departments. “In West Bengal, a state in eastern India, where the Panchayats were revitalised before the constitutional amendment, the initial years were marked by strong coordination between the Panchayats and other departments, especially land and agriculture, making West Bengal a ‘model’ case for the Panchayats. However, where service delivery through the Panchayats has been criticised in recent years, the disjuncture between Panchayats and the line departments is a cause for alarm.” [Bhaskar Chakrabarti, Raghavendra Chattopadhyay and Suman Nath, Local Governments in Rural West Bengal, India and their Coordination with Line Departments, *Commonwealth Journal of Local Governance*, Issue 8/9: May-November 2011. <<http://epress.lib.uts.edu.au/ojs/index.php/cjlg>>]

<sup>17</sup> Panchayats and Rural Development, Government of West Bengal, *Annual Administrative Report 2008-09*, pp. 95-97

<sup>18</sup> Article 243 of the Constitution.

<sup>19</sup> However, it is a directive principle of India that “The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.” (Article 40 of the Constitution)

the two States. The State governments can limit the role of *Gram Sabhas*.<sup>20</sup> However, *Gram Sabhas* are statutorily given extensive powers in Maharashtra and West Bengal.

Each *Gram Sabhas* in the two States has several standing committees. In addition, *Gram Sabhas* in West Bengal have *Gram Sansads* under them. Each *Gram Sansad* has a *Gram Unnayan Samiti* as its executive committee.

(Maharashtra)

*Gram Sabhas* in Maharashtra enjoy extensive powers under Section 7 of the Bombay Village Panchayat Act 1958 as amended in 2003. Six meetings of the *Gram Sabha* must be held every year. At least 15 per cent of the members of the *Gram Sabha* or 100 persons -- whichever is less -- shall constitute a quorum for the meeting of *Gram Sabha*.

Unlike in West Bengal, in Maharashtra it is mandatory to convene the women members of the *Gram Sabha* (the Village *Mahila Sabha* meeting) before every regular meeting of the *Gram Sabha*.

A panchayat is required to obtain permission of the *Gram Sabha* for any expenditure on development. The *Gram Sabha* is also authorised to approve the social or economic development plan or any projects to be implemented by the panchayat. The *Gram Sabha* has the power to select beneficiaries for individual beneficiary schemes of the State or the Central government.

In Maharashtra, all officials working at the village level and in non-government organisations have been statutorily brought under the control of GP. Unless exempted by the *Gram Sabha*, all the Government, semi-Government and Panchayat employees are required to attend the meetings of the *Gram Sabha*.

The *Gram Sabha* in Maharashtra may constitute sub-committees for issues under Article 49 of the Bombay Village Panchayat Act, 1958. For example, the following committees have been formed in the Warwat Khanderao GP. Two panchayat members are members of each committee.

- a) Tantamukti Committee (to resolve civil disputes among villagers)
- b) Dakshyta Committee (to take care of ration shops in the village)
- c) Shiksha Committee (to take care of educational issues in the village)
- d) Bal Vikas Samiti (to look after children's welfare in the village)
- e) Swachchhta Samiti (to look after sanitation and hygiene).

These sub-committees are not always functional. For example, the *sarpanch*, *Aganwadi* Worker and some parents of students belong to the Bal Vikas Samiti, and they are supposed to meet every three months, but this committee is, according to *sarpanch*, not held in Warwat

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<sup>20</sup> "The State Governments have taken full advantage of this 'non-mandatory' nature of the constitutional provision. Devolution varying widely across States has generally remained weak in most of the States, as a result." [Third State Finance Commission of West Bengal (2008), pp. 19-20.]

Khanderao.<sup>21</sup>

(West Bengal)

In West Bengal the quorum for meetings of the *Gram Sabha* (GP General Meeting) is 1/20th of the total electorate. In the absence of quorum, the meeting will be adjourned and the adjourned meeting shall be reconvened after seven days, but no quorum is required for an adjourned meeting of the *Gram Sabha*.

West Bengal has a legislated system of standing committees within each level of panchayat, which ensures that all decisions are taken collectively. As for GP, the following sub-committees (*Upa-Samitis*) are constituted:

- (i) Finance and Planning (*Artha O Parikalpana*)
- (ii) Agriculture and Animal Resources Development (*Krisi O Pranisampad Bikas*)
  
- (iii) Education and Public Health (*Siksha O Janasasthya*)
- (iv) Women & Child Development and Social Welfare (*Nari, Sisbu Unnayan O Saniaj Kalyan*)
- (v) Industries and Infrastructure (*Shilpa O Parikathama*)

Each committee has a convener selected from the panchayat members. The panchayat *Pradhan* and the *Upa-pradhan* can convene the Finance and Planning Committee. Sub-committees have wide-ranging powers, which include preparing proposals for execution of a scheme within the budgetary provisions of the GP. The *Pradhan* shall not sanction any fund for a scheme, programme or project without considering the views of the members of the sub-committees to whom powers have been delegated by the GP with respect to such scheme, programme or project. The *Upa-Samitis* are authorised to call for information and inspect immovable property of the GP or any work in progress.

The sub-GP level body in West Bengal -- the *Gram Sansad* -- was established in 1992, and has several powers as an independent political unit. Two meetings of the *Gram Sansad* in a year are mandatory – the annual meeting in May and the half-yearly meeting in November. For annual and half-yearly meeting of *Gram Sansads*, the attendance of 10 per cent of the electors pertaining to the constituency shall form a quorum. In the absence of quorum the meeting will be adjourned and reconvened seven days later. Attendance of 5 per cent of electors is necessary for quorum.

The recommendations of the *Gram Sansad* are placed before the *Gram Sabha* for

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<sup>21</sup> “However, it was evident during the study that the committee system is quite weak and unable to take decisions, hence the decision making processes in the village, is dominated by Sarpanch and Gram Sevak in combination.” [Ravi Deshpande and Marcella D’Souza, *Panchayat Raj on the Ground Issues in Village-Level Panchayat Raj Operation*, Watershed Organization Trust, 2009, p. 47.] “The representation in committees is more symbolic than substantial, as most of the members of the committees were not able to describe their duties, role and responsibilities.” [*Ibid.*, p. 48] WOTR conducted a study of the functioning of the PRIs in 12 villages, three each in the regions of North Maharashtra, Vidarbha, Marathwada and Western Maharashtra during the year 2007.

consideration and approval. The decisions of *Gram Sansad* on the priority lists of beneficiaries and development schemes within the *Gram Sansad* area are final and cannot be questioned even by the GP, unless they violate the law or specific government orders.

Provision was made for constitution of the *Gram Unnayan Samiti* (GUS, or village development committee) through the 2003 amendment of the Panchayat Act for strengthening decentralisation. A *Gram Sansad* constitutes a GUS as an executive committee with jurisdiction over its area. The GUS is responsible for ensuring public participation in implementation and equitable distribution of benefits of rural development programmes within its jurisdiction. The GUS have been entrusted with preparing village-level plans of the *Gram Sansad*, which shall be the basis of the GP's plan and also be implemented by the *Gram Sansad*. The GP cannot ignore or refuse to act upon any recommendation of a *Gram Sansad* relating to prioritization of any list of beneficiaries or schemes or programmes. The GUS is comprised of an elected member or members to the GP from the *Gram Sansad*, the opposition candidate obtaining the second-highest number of votes in the previous GP election, three representatives of NGOs/CBOs, three representatives of active SHGs with at least two members from women-led SHGs, one serving or retired Government employee, one serving or retired teacher (all being voters of the area, so members of the *Gram Sansad*), and another 10 members or one per cent of the total number of members of *Gram Sansad* whichever is higher.

### *3-2-2-7 Devolution of Functions to PRIs and GPs: Activity Mapping*

As mentioned previously, devolution of functions to PRIs is at the discretion of the Legislature of each State. The constitutional provisions regarding the functional devolution are recommendatory and not mandatory. As far as the two States are concerned, most of the subjects included in the Schedule XI of the Constitution have been legislatively devolved to the three levels of panchayats through their Acts.<sup>22</sup> Some administrative staff of the BDO and the GP in two States had a notion of Activity Mapping—unbundling these subjects into smaller units of work and thereafter assigning these units to different levels of government to delineate their functional domains.<sup>23</sup> However, the actual status of Activity Mapping on the ground is substantially different in the two States.

(Maharashtra)

According to the second Administrative Reforms Commission, there has not been much progress on activity mapping in Maharashtra.<sup>24</sup> However, functional devolution from the

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<sup>22</sup> However, “15. Non-conventional Energy Sources” has been omitted from the Bombay Village Panchayats Act, 1958 and Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961.

<sup>23</sup> Government of India, Second Administrative Reforms Commission, *Sixth Report on Local Governance – An Inspiring Journey into the Future*, 2007, p. 146.

<sup>24</sup> Second Administrative Reforms Commission (2007), p. 142.

State Government to its PRIs was once done in Maharashtra under the Bombay Village Panchayat Act, 1958 and the Maharashtra Zilla Parishad and Panchayat Samitis Act, 1961. Almost all the subjects (except Non-conventional Energy Sources) under Schedule XI of the Constitution have already been covered within the Schedules of the Acts of 1958 and 1961<sup>25</sup>. Delineation of functions assigned to each level of the panchayats is provided in the following Schedules:

- i) Those assigned to *Gram Panchayat* (GP) are provided in the Schedule I (Village List) of the Bombay Village Panchayats Act, 1958 (Section 45)
- ii) Those assigned to *Panchayat Samiti* (PS) are provided in the Schedules II of the Maharashtra Zilla Parishad and Panchayat Samitis Act, 1961 (Section 100)
- iii) Those assigned to *Zilla Parishad* (ZP) are provided in the Schedules I of the Maharashtra Zilla Parishad and Panchayat Samitis Act, 1961 (Section 101)

Since they pre-date the Schedule XI of the Constitution, the categorisation of assigned subjects in the Schedules the Acts of 1958 and 1961 is different from that in Schedule XI of the Constitution. However, Activity Mapping is considered almost legislated in Maharashtra with such different categorisation through the Acts of 1958 and 1961. In fact the *Gram Sevak* of Warwat Khanderao showed us the statute book of the Act of 1958, when we asked him about the Activity Mapping. Schedule I (Village List) of the Bombay Village Panchayats Act, 1958 (Section 45) is as follows:

*Subjects of Activities including Development Activities*

*Agriculture*

1. Making arrangement for co-operative management of lands and other resources in village, organisation of collective co-operative farming.
2. Improvement of agriculture (including provision of implements and stores) and establishment of model agricultural farms.
3. Bringing under cultivation waste and fallow lands vested by Government in the *panchayats*.
4. Reclamation of waste land and bringing waste land under cultivation with the previous permission of the State Government.
5. Establishment and maintenance of nurseries for production of improved seeds and encouraging their use.
6. Crop experiments.
7. Crop protection

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<sup>25</sup> Comptroller and Auditor General of India (C&AG) states that “However, as of March 2009, the State Government had transferred only 214 schemes pertaining to 15 functions to the PRIs and 3.53 lakh functionaries had been transferred to perform the functions of ZPs. Out of 214 schemes, 78 schemes with 15171 functionaries and 16 schemes without functionaries had been transferred (November 2000 to September 2002) after 73rd constitutional amendment.” [Comptroller and Auditor General of India (C&AG), *Audit Report (Local Bodies) for the year ended March 2008*, pp. 4-5.

8. Ensuring conservation of manurial resources, preparing compost and sale of manure.
9. Securing minimum standards of cultivation in the village with a view to increasing agricultural production.
10. Assistance in the implementation of land reform schemes.
11. Establishment of granaries.

*Animal Husbandry*

12. Improvement of cattle and cattle breed ding and general care of livestock.

*Forests*

13. Raising, preservation, improvement and regulation of the use of village forests and grazing lands including lands assigned under section 28 of the Indian Forests Act, 1927.

*Social Welfare*

14. Relief of the crippled, destitute and the sick.
15. Promotion of social and moral welfare of the village including promotion of prohibition, the removal of untouchability, amelioration of the condition of backward classes, eradication of corruption and the discouragement of gambling and useless litigation.
16. Women's and Children's organisation and welfare.

*Education*

17. Spread of education.
18. Other educational and cultural objects.
- <sup>26</sup>[18-A. Maintenance and Repairs of Primary School Buildings
- <sup>27</sup>[vesting for the time being in the *Zilla Parishad*.]
19. Provision of equipment and playgrounds for schools.
20. Adult literacy centres, libraries and reading rooms.
21. Rural Insurance.

*Medical and Public Health*

22. Providing medical relief.
23. Maternity and child welfare.
24. Preservation and improvement of public health.
25. Taking of measures to prevent outbreak, spread or recurrence of any infectious disease.
26. Encouragement of human and animal vaccination.

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<sup>26</sup> Entry 18-A was inserted in 1971.

<sup>27</sup> These words were substituted for the words "which may be vesting in the *Zilla Parishad or Panchayat Samiti*" in 1977.

27. Regulation by licensing or otherwise of tea, coffee and milk shops.
28. Construction and maintenance or control of slaughter houses.
29. Cleansing of public roads, drains, bunds, tanks and wells (other than tanks and wells used for irrigation) and other public places or works.
30. Reclaiming of unhealthy localities.
31. Removal of rubbish heaps, jungle, growth, prickly pear, filling in of disused wells, insanitary ponds, pools, ditches, pits or hollows, prevention of water-logging in irrigated areas and other improvements sanitary conditions.
32. Construction and maintenance of public latrines.
33. Sanitation, conservancy, prevention and abatement of nuisance and disposal of unclaimed corpses and carcasses of dead animals.
34. <sup>28</sup>\* \* \* \*]
35. excavation, cleansing and maintenance of ponds for the supply of water to animals.
36. Management and control of bathing or washing ghats which are not managed by any authority.
37. Provision, maintenance and regulation of burning and burial grounds.

#### *Building and Communications*

38. Maintenance and regulation of the use of public buildings, tanks and wells (other than tanks and wells used for irrigation) vesting in or under the control of the *panchayats*.
39. Removal of obstruction and projections in public streets or places and in sites, not being private property, which are open to the public whether such sites are vested in the *panchayat* or belong to Government <sup>29</sup>[removal of unauthorised cultivation of any crop on any grazing land or any other land not being private property].
40. Construction, maintenance and repair of public roads, drains, bunds and bridges: Provided that, if the roads, drains, bunds and bridges vest in any other public authority such works shall not be undertaken without the consent of the authority.
41. Planting of trees along roads, in market places and other public places and their maintenance and preservation.
42. Provision and maintenance of playgrounds, public parks and camping grounds.
43. Construction and maintenance of *dharmashalas*.
44. Extension of village sites and regulation of buildings in accordance with such principles as may be prescribed.
45. Lighting of the village.

#### *Irrigation*

46. Minor irrigation.

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<sup>28</sup> Entry 34 was deleted in 1997.

<sup>29</sup> These words were added in 1970.

### *Industries and Cottage Industries*

47. Promotion, improvement and encouragement of cottage and village industries.

### *Co-operation*

48. Organisation of credit societies and Multi-purpose co-operative societies.
49. Promotion of co-operative farming.

### *Self-Defence and Village Defence*

50. Watch and ward of the village:  
Provided that the cost of watch and ward shall be levied and recovered by the *panchayat* from such person in the village, and in such manner, as may be prescribed.
51. Village Volunteer Force and Defence Labour Bank.
52. Rendering assistance in extinguishing fires and protecting life and property when fire occurs.
53. Regulating, checking and abating of offensive or dangerous trades or practices.

### *General Administration*

54. Preparation, maintenance and up-keep of *panchayat* records.
55. Numbering of premises.
56. Registration of births, deaths and marriages in such manner and in such form as may be laid down by Government by general or special order in this behalf.
57. Collection of land revenue <sup>30</sup>[when entrusted by the State Government under] section 169.
58. Maintenance of village records relating to land revenue in such manner and in such form as may be prescribed from time to time by or under any law relating to land revenue.
59. Preparation of plans for the development of the village.
60. Drawing up of programmes for increasing the output of agriculture and non-agricultural produce in the village.
61. Preparation of the statement showing requirement of supplies and finances needed for carrying out rural development schemes.
62. Establishment, control and management of cattle pounds.
63. Destruction of stray and ownerless dogs and pigs.
64. Disposal of unclaimed cattle.
65. Construction and maintenance of houses for the conservancy staff of the *panchayat*.
66. Reporting to proper authorities village complaints which are not removable by the *panchayat*.

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<sup>30</sup> These words were substituted for the words "to the extent provided under" in 1965.

67. Making Surveys.
68. Acting as a channel through which assistance given by the Central or State Government for any purpose reaches the village.
69. Establishment, maintenance and regulation of fairs, pilgrimages and festivals.
70. Establishment and maintenance of markets, provided no market shall be established without prior permission of the *Zilla Parishad*.
71. Control of fairs, bazars, tonga stands and car stands.
72. Establishment and maintenance of warehouses.
73. Establishment and maintenance of works or the provision of employment in time of scarcity.
- <sup>31</sup>[73-A. Provision of employment to needy local persons seeking manual work under 'any scheme for employment guarantee undertaken or adopted by, or transferred to, the *panchayat*.]
74. Preparation of statistics of unemployment.
75. Assistance to the residents when any natural calamity occurs.
76. Organising voluntary labour for community works and works for the uplift of the village.
77. Opening fair price shops.
78. Control of cattle stands, threshing floors, grazing grounds and community lands. .
- <sup>32</sup>[79. Securing <sup>33</sup>[or continuing] postal facilities of experimental post offices In the village by providing for payment of non-refundable contribution to the Posts and Telegraphs Department, wherever necessary.]

In addition to the subjects of activities in the Schedule I (Village List), a water supply scheme was added to the duties of the panchayat in 1981 (Section 45 of the Bombay Village Panchayats Act, 1958).

Nevertheless, the devolution of functions listed in the Bombay Village Panchayats Act, 1958 and Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 is still controversial even in the Government of Maharashtra. As mentioned previously, it was reviewed by the Chief Secretary, Government of Maharashtra, in a meeting of all departmental Secretaries on June 5, 2005, and as a result of the meeting, “it was considered that it would not be feasible to devolve subjects/functions, such as land improvement, land consolidation, dairy development, small industries, rural electrification, including distribution of electricity and public distribution system, listed in the Schedule XI.”<sup>34</sup> The Government

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<sup>31</sup> Entry 73-A was added in 1970.

<sup>32</sup> Entry 79 was added in 1969.

<sup>33</sup> These words were inserted in 1970.

<sup>34</sup> Avinash Chander *Report on District Planning: Status and Way Forward*, Socio-Economic Research Division of Planning Commission, 2008, pp. 9-10 < [http://planningcommission.nic.in/reports/sereport/ser/ser\\_distplan.pdf](http://planningcommission.nic.in/reports/sereport/ser/ser_distplan.pdf) >2014.5.3

of Maharashtra argued so notwithstanding the fact that some of them have already been covered by the Schedules in the Acts of 1958 and 1961. For example, items such as “assistance in implementation of land reforms schemes” have been listed under the head of “Agriculture” in the above Schedule (Village List) of the Act of 1958.

In addition, according to the Maharashtra State Development Report, many schemes are only partially transferred to the PRIs. “The Line Departments and District Rural Development Agencies continue to have major control over the planning and implementation of the schemes. The PRIs mostly act as the delivery units.”<sup>35</sup> Besides, revenue officials — patwari, Tehsildar and District Collector under the Revenue Department — has extensive administrative powers in Maharashtra.

Therefore, the problem is the situation on the ground. The situation on the ground in the Warwat Khanderao village was sometimes different from what was envisaged in the Village List. We conducted an interview at Warwat Khanderao about each GP function.<sup>36</sup> We asked about the actual status of activities assigned to the Warwat Khanderao GP. We used the GP-level activities in the Activity Mapping of West Bengal (Table 7-1) as a point of reference, because the Activity Mapping of West Bengal follows almost the same categorisation of subjects listed in the Schedule XI of the Constitution. The result of the interviews was as follows:<sup>37</sup>

With regard to subject 1: “Agriculture, including agricultural extension” in the Schedule XI of the Constitution, a) distribution of subsidised inputs is done mainly by Agricultural Department, though beneficiary selection for this task is activity assigned to GP in West Bengal. In Warwat Khanderao subsidised pesticides and machines are furnished by *Panchayat Samiti* (PS). They are distributed on the basis of recommendation of *Panchayat Samiti* members or *Zila Parishad* (ZP) members. After preparing the list, PS informs it of GP, and then PS distributes them to the people in the list. b) Crop estimation for PS is done by the *Patwari*, *Gram Sevak*, *Sarpanch* and “Police Patel.” *Krishi Sahayak* from State Agriculture Department signs the documents, and the GP forwards the document to the *Tehsildar*.

With regard to subject 2: “Land improvement, soil conservation and land reform”, vested land or other land is distributed by *Tehsildar*. The GP sometimes suggests it.

With regard to subject 3: “Minor irrigation, water management and watershed development”, a) for all matters of minor irrigation, the GP is responsible for the basic formalities such as filling forms and attaching documents. These documents are then sent to the PS, which forwards them to the District Collector. The rest of the work is done by the office of the District Collector. b) For watershed development, *Panlot Kshetra* Committee

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<sup>35</sup> Planning Commission of the Government of India (2007), p. 251.

<sup>36</sup> Interview at Warwat Khanderao on August 2011.

<sup>37</sup> Where no information comparable to a subject in the Activity Mapping of West Bengal, we do not include the subject in our discussion. Hence some subject numbers are missing in our discussion in this section.

(Watershed Area Committee) works under the GP and *Krishti Vigyan Kendra* (KVK or agriculture science centre). KVK selects the village. Work such as bunding for controlling water, making and maintaining bunds, watershed management are done under this scheme and payment is made by the *Panlot Samiti* (Village Watershed Committee). The *Panlot Samiti* is elected by the GP and then approved by the *Gram Sabha*. The *Lekha Samiti* (committee for accounts) prepares the budget for maintaining bunds, watersheds and the like. The work is supervised by the KVK.

With regard to subject 4: “Animal husbandry, dairying and poultry”, beneficiaries of schemes are identified by *Tehsildar* (though the activity is assigned to GP in West Bengal). People apply for funds under the scheme to *Tehsildar*. The *Tehsildar* chooses a beneficiary and gives responsibility for distribution to a separate agency such as veterinarian, which distributes benefits on the basis of the number of animals owned by each beneficiary. PS sometimes prepares the notice. A drum-beater makes the announcement.

With regard to subject 10: “Rural housing”, the GP sends PS the list of people who do not have houses. The PS selects the beneficiaries of *Indira Awas Yojana* (IAY) from this list. There are 171 IAY buildings in the village. IAY houses are allotted to those people who reported not having a house in the BPL census survey.

With regard to subject 11: “Drinking water”, all responsibilities rest with the GP. GP decides the beneficiaries of the *paani parota yojana*. There is an accountant for the scheme. Engineer gives the estimate of expenses and gives it to one another committee *Lekha Samiti*, and then *Lekha Samiti* decides budget.

With regard to subject 13: “Roads, culverts, etc.”, connectivity within the GP is assigned to the GP. The GP has to mobilise the money and then list the work to be done.

With regard to subject 14: “Rural electrification, including distribution of electricity”, all responsibilities rest with the Maharashtra State Electricity Board (MSEB).

With regard to subject 16: “Poverty alleviation programme”, according to the *sarpanch*, the GP only fills the forms. All rights rest with PS.

With regard to subject 17: “Education, including primary and secondary schools”, a) monitoring schools is performed by the School Management Committee. b) Improvement of infrastructure of schools was a responsibility of the GP until 2010. It has now been given to the School Management Committee.

With regard to subject 20: “Libraries” in the Schedule XI of the Constitution, a charitable trust own village library. The trust has a committee to deal with this matter.

With regard to subject 22: “Markets and fairs”, the GP has the authority to control fairs and weekly markets. In fact fair (mela) tax and licence fee from weekly haat bazaars are charged. The GP is to collect fee from shop owners as professional tax.

With regard to subject 23: “Health and sanitation, including hospitals, primary health centres and dispensaries”, the State Sanitation Scheme is implemented by the GP. The GP prepares the priority list. The Warwat Khanderao GP was also an implementing agency for the *Grameen Sanvchchhta Vibhag* of the Central Government. Households which reported

not having a toilet in the BPL census, were given Rs. 2200 under this scheme.

With regard to subject 24: “Family welfare” and subject 26: “Social welfare, including welfare of the handicapped and mentally retarded”, the GP is again responsible only for the basic formalities such as filling forms and attaching documents, and the rest is done by PS. The National Maternity Benefit Scheme (NMBS) is implemented by the Primary Health Center under the Public Health Department. The Indira Gandhi National Old Age Pension Scheme (IGNOAPS) is implemented by *patwari* under *Tehsildar*. The Sanjay Gandhi Niradhar Yojna and the National Family Benefit Scheme (NFBS) is implemented by the *Tehsildar*.

With regard to subject 25: “Women and child development”, a) there is a committee of the GP (Mahila Baal Samiti) for mobilising social support against discrimination against women. The committee discusses and resolves matters related to women and child welfare. b) Organisation of SHGs is done by NGOs. c) Construction of ICDS (*Anganwadi*) centres and coordination of ICDS activities are done by the GP.

With regard to subject 27: “Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes”, the GP has no specific role in the implementation of schemes for SCs and STs. There are subsidies for buying small tractors for SC and ST, but these are implemented by the *Zilla Parishad* (ZP).

With regard to subject 28: “Public distribution system” in the Schedule XI of the Constitution, a) the GP is responsible for identification of beneficiaries of Antyodaya and Annapurna schemes. b) The GP’s sub-committee, Dakshata Committee, distributes the ration cards. Along with the Food Supply Officer, it attends to complaints regarding supply through the Public Distribution System (PDS).

With regard to subject 29: “Maintenance of community assets”, the GP has responsibilities for them as long as they are the GP’s assets.

In this way, the Activity Mapping provided in the Schedule I (Village List) of the Bombay Village Panchayats Act, 1958 is, namely, “de jure Activity Mapping”, and its situation on the ground revealed in our interview was somewhat different from what was envisaged in the Village List. As argued by *sarpanch*, some responsibilities of Warwat Khanderao GP are just the basic formalities such as filling forms. Central and State schemes have only a cursory and token linkage with Warwat Khanderao GP. The actual status of activities assigned to the Warwat Khanderao GP is an example of “de facto Activity Mapping” in Maharashtra.

As seen from the de facto Activity Mapping, the authority of Warwat Khanderao GP to carry out the village-level schemes is not as great as the authority provided in the Village List. Moreover, the *Sarpanch* complained that the State Government is slowly taking rights away from GPs and giving them to PSs. It cannot always be explained by advantage of scale, even though the scale of Warwat Khanderao GP is certainly much smaller than GPs in West Bengal. Some functions not devolved to the Warwat Khanderao GP in Maharashtra are functions assigned to the sub-GP bodies, *Gram Sansads* in West Bengal. For example,

beneficiary selection for IAY is made through *Gram Sansads* in West Bengal, while the final decisions are made by PS for Warwat Khanderao GP in Maharashtra. The scale of *Gram Sansads* (rural wards) under Raina GP in West Bengal is often smaller than Warwat Khanderao GP in Maharashtra.

Actual status of Activity Mapping for Warwat Khanderao GP is, therefore, considerably different from what was envisaged in the Village List of the Bombay Village Panchayats Act, 1958. To take an example, functions actually assigned to GP to discharge responsibilities of “1. Agriculture” in the Schedule XI is considerably limited, compared with functions statutorily assigned to GP for “Agriculture” in the Village List of the Bombay Village Panchayats Act, 1958, which includes activities such as “1. Making arrangement for co-operative management of lands and other resources in village, organisation of collective co-operative farming” and “2. Improvement of agriculture (including provision of implements and stores) and establishment of model agricultural farms”. Functions indicated in the Village List of the Bombay Village Panchayats Act, 1958 are the duty “so far as the village fund at its disposal will allow” (Section 45 of the Act), so that most of them are mentioned only in the statute book.

(West Bengal)

Based on the West Bengal Panchayat Act, 1973 and its Amendment Act, 1994, the West Bengal State Government has devolved all 29 functions listed in the Schedule XI of the Constitution, to the three levels of panchayats. The functional transfer to the different levels of the panchayat bodies has been clarified through an Activity Mapping exercise (executive order No. 6102 / PN / O / dated 7. 11. 2005, and No. 3969 / PN / O / dated 25. 07. 2006, and No. 4769/PN/O/ dated 29. 10. 2007).<sup>38</sup>

In West Bengal, the focus of development activities has shifted towards the GP-level in the decentralization process.<sup>39</sup> Activities assigned to GP in West Bengal are more plentiful than those in Maharashtra. According to the Activity Mapping<sup>40</sup> in West Bengal as shown in Table 7-1, functions assigned to the GPs in the State are as follows:

With regard to subject 1: “Agriculture, including agricultural extension” in the Schedule XI of the Constitution, (i) beneficiary selection for distribution of minikits/seeds/equipment at subsidized prices, (ii) awareness campaign and wide publicity among farmers,

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<sup>38</sup> However, the Third State Finance Commission of West Bengal criticized that all the 16 Departments have not issued formal notifications published in the official gazette as required for functional transfers under section 207B of West Bengal Panchayat (Amendment) Act, 1994, arguing that “even this limited effort has not been translated into action”. See Third State Finance Commission of West Bengal (2008), pp. 21-22.

<sup>39</sup> Third State Finance Commission of West Bengal (2008), p. 134.

<sup>40</sup> Third State Finance Commission of West Bengal (2008), Annexure XII: “Activity Mapping worked out by P & RD Department”.

and (iii) estimation of need based requirement of seeds for the management of agrifarm are functions assigned to GPs. In Raina, whenever the Agricultural Department distributes minikits, fertilizers, seeds and other benefit, it informs the GP specifying the number of beneficiaries to select from each GP or *Gram Sansad*. The GP informs the *Gram Sansads* of it. The beneficiaries are selected by the GUSs.

With regard to subject 2: “Land improvement, soil conservation and land reform”, identification of beneficiary to distribute vested land to the landless people is a function assigned to GPs. In Raina, GUSs identify projects in the Action Plans for land improvement. Based on these Action Plans, the GP prepares estimates and sends project proposal to the Block that approves the budget and sends funds to the GP. The GP implements the project. For the land reform, the Block Land and Land Reform Office declares vested land. The GUS selects beneficiary for granting title deed.

With regard to subject 3: “Minor irrigation, water management and watershed development”, (i) identification of locations for projects and beneficiaries for the development of Minor Irrigation system, (ii) construction of percolation tanks, field channels within the GP, and (iii) maintaining Minor Irrigation schemes concerning deep tubewells and cluster of shallow tubewells, and collecting water charges through User Committee for new projects handed over to the PRI are functions assigned to GPs.

With regard to subjects 4: “Animal husbandry, dairying and poultry”, (i) beneficiary selection for different animal husbandry, dairy and poultry schemes, (ii) breed up-gradation through distribution of improved variety birds/small animals to farmers, (iii) providing facility of hatching to rear birds and small animals, (iv) vaccination of animals against epidemic, and (v) execution of artificial insemination with the help of *Prani Bandhu* at fixed price are functions assigned to GPs.

With regard to subjects 5: “Fisheries”, (i) identification of beneficiaries and their ponds/open cast pit, (ii) identification & selection of derelict/semi-derelict tanks, holding awareness camp, (iii) supply of lime and minikits, and (iv) improvement of tanks for pisciculture are functions assigned to GPs.

With regard to subject 6: “Social forestry and farm forestry”, (i) to establish nursery for supply of samplings and seedlings and (ii) selection of sites for plantation and execution of the work through SHGs/GUSs are functions assigned to GPs.

With regard to subject 7: “Minor forest produce”, (i) maintenance of social forestry through SHGs/GUSs, and (ii) distribution of sale proceeds to SHG/GUSs are functions assigned to GPs.

With regard to subject 8: “Small scale industries, including food processing industries”, identification of micro-enterprise/entrepreneurs is a function assigned to GPs.

With regard to subject 9: “Khadi, village and cottage industries”, (i) group formation & selection of activities for development of micro-enterprise, (ii) identification of training need for skill development training and of its beneficiaries, (iii) motivation of rural artisans, and (iv) organization of awareness camp at GP level to assist in accessing credit

from financial institutions by artisans are functions assigned to GPs.

With regard to subject 10: “Rural housing”, (i) beneficiary selection in the meeting of *Gram Sansad* for housing scheme, and (ii) distribution of fund to individuals are functions assigned to GPs. In Raina, IAY beneficiaries are selected from BPL survey list.

With regard to subject 11: “Drinking water”, (i) identification of schemes and locations, (ii) construction of wells, tanks, tube wells (ordinary hand pump), and (iii) repair of tube wells and periodical chlorination of open wells and disinfection of tube wells are functions assigned to GPs. In Raina, the GUSs mobilize people to participate in the *Sajaldhara* scheme. The households to benefit from the scheme have to pay 10 per cent of the total cost of installation of the drinking water tank and pipelines. Once a location is selected, the construction agency undertakes project planning and construction work. Panchayat monitors the project, but has no direct responsibilities.

With regard to subject 12: “Fuel and fodder”, (i) awareness generation and wide publicity for promotion of biogas plant, (ii) augmentation of fodder production through distribution of minikits/seeds/manure to farmers, and (3) field demonstration to farmers, are functions assigned to GPs.

With regard to subject 13: “Roads, culverts, bridges, ferries, waterways and other means of communication”, construction and upgradation of roads/culverts (not exceeding Rs. 2.00 lakhs) for connectivity between villages within the GP are functions assigned to the GP.

With regard to subject 14: “Rural electrification, including distribution of electricity”, (i) issuance of certificate by Pradhan for electrification of mouzas, (ii) mobilization of consumers through authorized franchisees of WBSEB (SHGs) for connectivity to households, (iii) awareness generation regarding efficient management of energy, and (iv) demonstration of energy saving devices in GP office are functions assigned to GPs.

With regard to subject 15: “Non-conventional energy sources”, (i) identification of potential consumers of alternative sources of energy, and (ii) organizing awareness camp for harnessing alternative sources of energy including biofuel are functions assigned to GPs.

With regard to subject 16: “Poverty alleviation programme”, (i) planning & implementation of works/schemes under SGRY not exceeding Rs.2.00 lakh, (ii) preparing list of prospective workers, distribution of job cards, planning and implementation of works under Rural Employment Guarantee Scheme, (iii) identification & selection of beneficiaries for IAY through *Gram Sansad*, handing over fund to beneficiaries, (iv) identification of beneficiaries for NOAPS through *Gram Sansad* and handing over pension to each beneficiary, (v) identification of beneficiaries under NFBS through *Gram Sansad*, recommending names to PS, releasing fund to beneficiaries through A/C payee cheque, (vi) awareness camp & motivation of people for sanitary toilets; listing of names for construction of toilets and handing over it to Sanitary Mart, meeting with teachers & members of Village Education Committee for school sanitation are functions assigned to GPs.

With regard to subject 17: “Education, including primary and secondary schools”, (i) identification of mouzas/hamlets without schools for opening *Sishu Siksha Karmasuchi* (SSK)/*Madhyamik Siksha Karmasuchi* (MSK) and sending proposal to the PS, (ii) construction of SSK/MSK through own fund/SGRY/Untied fund/local contribution and fund received from the PS, and (iii) to supervise attendance of teachers and students, quality of mid-day-meal, distribution of books are functions assigned to GPs.

With regard to subject 19: “Adult and non-formal education”, (i) publicity and supervision of Adult High Schools to impart education up to Madhyamik level to interested adult learners who are not enrolled in any formal school, (ii) regular contact with literates/neo-literates for attendance in Continuing Education Centre are functions assigned to GPs.

With regard to subject 20: “Libraries”, (i) establishment and maintenance of libraries and reading rooms and supervision of the activities of Rural Libraries/Community Library cum Information Centre (CLIC), (ii) sending copies of guidelines/booklets for all development programs, Annual Report/Budget/Annual Plan of GP and information on social issues to Rural Library/CLIC for general information of public are functions assigned to GPs.

With regard to subject 21: “Cultural activities”, (i) wide publicity/campaign and selection of venue, (ii) selection of venue for folk festival and identification of participants, and (iii) distribution of entry tickets/cards for film show are functions assigned to GPs.

With regard to subject 22: “Markets and fairs”, (i) management of hat/bazaar transferred to GP, and (ii) construction and regulation of markets, holding and regulation of fairs, melas and hats and exhibition of local produce & products of local handicrafts/home industries by State Government are functions assigned to GPs.

With regard to subject 23: “Health and sanitation, including hospitals, primary health centres and dispensaries”, (i) maintenance of sub-centres, (ii) local purchase of non-medical items required by the sub-centers as may be authorized by the Health and Family Welfare Department, (iii) involving Self-Help Groups in monitoring community health, and (iv) disease surveillance to pre-empt outbreak, preventive measures against spread of communicable diseases are functions assigned to GPs.

With regard to subject 24: “Family welfare”, (i) mobilization of people for universal immunization including pulse polio program, (ii) promoting planned family norms and practices to assist people in adopting family planning measures through efficient functioning of sub centres, and (iii) awareness camp for family planning and sterilization are functions assigned to GPs.

With regard to subject 25: “Women and child development”, and partly with regard to subject 27:<sup>41</sup> “Welfare of the weaker sections, and in particular, of the Scheduled

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<sup>41</sup> These activities are mapped separately to subject: “Women and Child Development” and subject: “Welfare of the women & children” in the Activity Mapping in West Bengal. [see Third State Finance Commission West Bengal, *Report of the*

Castes and the Scheduled Tribes”, (i) awareness generation in villages to motivate parents for pre-school education & immunization of their children, (ii) formation of SHGs, (iii) recommendation of sites for *Anganwadi* centres and construction of *Anganwadi* centres, and (iv) convergence of ICDS activities and reporting of functioning of *Anganwadi* centres in the convergence meeting at GP level are functions assigned to GPs.

With regard to subject 26: “Social welfare, including welfare of the handicapped and mentally retarded”, (i) identification of beneficiaries for *Kishori Shakti Yojana* & Pension Schemes, (ii) issue of BPL certificate for beneficiaries of *Balika Sambriddhi Yojana*, and (iii) identification of PROFLAL beneficiaries & collection of its subscriptions are functions assigned to GPs.

With regard to subject 28: “Public distribution system”, (i) identification & selection of beneficiaries for distribution of BPL Cards, *Antodaya Annya Yojana* Cards & *Annapurna* Cards, (ii) monitoring distribution of food grains from MR Shop to the beneficiaries, (iii) providing certificate confirming procurement of paddy from the farmers at Minimum Support Price (MSP) are functions assigned to GPs.

With regard to subject 29: “Maintenance of community assets”, (i) maintenance of community assets such as public tanks, ghats, public channels, reservoirs, wells, streets, drains, culverts, lamp posts etc., (ii) construction and maintenance of *sarai*, *dharmasala*, rest houses, cattle sheds, cart stands, and protection and repair of buildings or other property vested in it, (iii) power to acquire, hold and dispose of immovable property with the approval of State Government, and (iv) fixing and collection of toll, fee, rate as user charges are functions assigned to GPs.

Similarly, activities are assigned to the PS and ZP according to this Activity Mapping as shown in Table 7-1:

Table 7-1 Activity Mapping in West Bengal

Activity Mapping (Since redrafted) worked out by P & RD Department Status of Devolution of Functions to Different Tiers of Panchayats [Executive Order No. 6102/PN/O/ dated 07.11.2005 and No. 3969/ PN/O/ dated 25.07.2006 and No. 4769/PN/O/ dated 29.10.2007]					
Item No.	Subject (as per Schedule XI)	Activities	Activities of ZP	Activities of PS	Activities of GP
1	Agriculture, including Agricultural Extension.	1. Distribution of minikits/seeds/bio-fertilizer at subsidized price  2. Distribution of Agricultural equipment	1. Sub-allotment of minikits/seeds/bio-fertilizer (at subsidized price) to Panchayat Samitis for distribution among farmers  2. Fix target for each Panchayat Samiti for distribution of Agricultural equipment	1. Fix target for distribution of minikits/seeds/bio-fertilizer (at subsidized price) to Gram Panchayats  2. Monitor proper and timely distribution of Agricultural equipment on the basis of technical possibilities and field	1. Beneficiary selection for distribution of minikits/seeds/equipment at subsidized prices

		3. Awareness campaign and wide publicity among farmers 4. Management of Agrifarm		situation	3. Awareness campaign and wide publicity among farmers 4. Estimation of need based requirement of seeds
2	Land improvement, implementation of land reforms, land consolidation and soil conservation	1. Watershed Development Programme/Hariyali scheme covering soil conservation, irrigation, afforestation etc. 2. Distribution of vested lands to the landless people.		2. (i) Pre-distribution survey of undistributed agri-land & preparation of a priority list of beneficiaries (iii) Distribution of patta to landless people	2. Identification of beneficiary for distribution of vested land
3	Minor irrigation, water management and watershed development.	1. Development of Minor Irrigation system  2. Construction of tanks and field channels 3. Management of deep TWs and cluster of shallow tubewells  4. Watershed Dev. Program		1. Seeking technical vetting of Executive Engineers through ZP for MI schemes beyond the competence of Panchayat Samitis & joint supervision /monitoring of progress of the schemes  4. Watershed Dev. Program / Hariyali Scheme	1. Identification of locations for projects and beneficiaries  2. Construction of percolation tanks, field channels within the GP 3. Maintaining MI schemes, collecting water charges through User Committee for new projects handed over to PRI
4	Animal husbandry, dairying and poultry	1. To identify beneficiaries of different A.H, dairy and poultry schemes. 2. Breed up-gradation through distribution of improved variety livestock  3. Rearing of birds and small animals – Family scheme and individual scheme 4. Vaccination Program 5. Artificial Insemination Program	2. Distribution of improved variety of livestock to Blocks  4. Drawing up action plan for Vaccination program for the district 5. Action plan for Artificial Insemination program for the district	2. Collection of improved variety of livestock from Dist. Farm and determining scale of distribution to GPs  4. Monitoring of the situation to prevent outbreak of epidemic 5. Monitoring of Artificial Insemination program; identifying	1. Beneficiary selection for different schemes  2. Distribution of improved variety birds/small animals to farmers and  3. Providing facility of hatching  4. Vaccination of animals against epidemic 5. Execution of Artificial Insemination with the help of Prani

				problem areas and covering gap	Bandhu at fixed price
5	Fisheries	<ol style="list-style-type: none"> <li>1. Identification of beneficiaries/ponds/derelict/semi derelict tanks</li> <li>2. Organizing training &amp; awareness camp</li> <li>3. Distribution of minikits</li> <li>3. Helping the fish farmers to access credit from financial institutions</li> <li>4. Improvement of tanks for fish cultivation</li> </ol>	<ol style="list-style-type: none"> <li>2. Action plan for all sorts of training and awareness camp in consultation with the Asst. Director of Fisheries</li> <li>3. Allocation of fund, kind components for Blocks</li> </ol>	<ol style="list-style-type: none"> <li>1. Approval of beneficiaries/ponds/open cast pit / derelict /semi-derelict tanks for pisciculture</li> <li>2. Organization of training and selection of training venue</li> <li>3. Credit access to fish farmers from financial institutions</li> <li>4. Excavation of tank</li> </ol>	<ol style="list-style-type: none"> <li>1. (i)Identification of beneficiaries and their ponds/open cast pit (ii)Identification &amp; selection of derelict/semi-derelict tanks</li> <li>2. Holding awareness camp</li> <li>3. Supply of lime and minikits</li> <li>4. Improvement of tanks for pisciculture</li> </ol>
6	Social forestry and farm forestry	<ol style="list-style-type: none"> <li>1. To establish nurseries for the supply of saplings and seedlings</li> <li>2. Execution of social forestry projects in waste lands and road sides</li> <li>3. Establishing progeny nursery</li> </ol>		<ol style="list-style-type: none"> <li>3. Establishing Progeny Nursery for fruit bearing trees</li> </ol>	<ol style="list-style-type: none"> <li>1. To establish Nursery for supply of saplings and seedlings</li> <li>2. Selection of sites for plantation and execution of the work through SHGs/Gram Unnayan Samitis</li> </ol>
7	Minor forest produce	<ol style="list-style-type: none"> <li>1. Maintenance of social forestry through SHG/GUS for livelihood</li> <li>2. Distribution of sale proceeds to SHG/GUS</li> </ol>		<ol style="list-style-type: none"> <li>Distribution of inputs for microenterprise like Sal-leaf plate making, saplings of fruit trees and providing assistance for income generating activities</li> </ol>	<ol style="list-style-type: none"> <li>1. Maintenance of Social Forestry through SHGs/Gram Unnayan Samitis.</li> <li>2. From sale proceeds the GP will get a share to recoup actual expenditure. The balance amount will go to SHG/GUS for livelihood</li> </ol>
8	Small scale industries, including food processing industries.	<ol style="list-style-type: none"> <li>1. Development of small enterprises and entrepreneurs</li> <li>2. Skill dev. Training program</li> <li>3. Organizing credit facility</li> </ol>	<ol style="list-style-type: none"> <li>1. Organization of Entrepreneur dev. program</li> <li>2. Organizing skill development training program</li> <li>3. Co-ordination between entrepreneurs and financial institutions for credit linkage</li> </ol>	<ol style="list-style-type: none"> <li>1. Selection of trainees/venue for training program</li> <li>2. Selection of entrepreneurs for training</li> <li>3. Developing micro enterprise / self enterprise with bank credit</li> </ol>	<ol style="list-style-type: none"> <li>1. Identification of microenterprise/ entrepreneurs</li> </ol>
9	Khadi, village and cottage industries	<ol style="list-style-type: none"> <li>1. Identification of beneficiaries, Group formation</li> <li>2. To arrange training</li> </ol>	<ol style="list-style-type: none"> <li>1. Action plan for development of microenterprise</li> </ol>	<ol style="list-style-type: none"> <li>1. Selection of trainees/venue for skill dev. training program</li> </ol>	<ol style="list-style-type: none"> <li>1. Group formation &amp; selection of activities</li> <li>2. Identification of</li> </ol>

		for skill development/ upgradation of artisans 3. Motivation of artisans 4. To assist in accessing credit from fin. Institutions by artisans		4. Accessing credit from financial institutions	training need for skill dev. training and beneficiaries  3. Motivation of rural artisans 4. Organization of awareness camp at GP level
10	Rural housing	1. Beneficiary selection for Housing scheme 2. Financial assistance to beneficiaries 3. Monitoring and supervision		3. Monitoring and supervision	1. Beneficiary selection in the meeting of Gram Sansad 2. Distribution of fund to individuals
11	Drinking water	1. Identification of schemes, locations 2. Formulation of projects and schemes  3. Technical approval of schemes  4. Execution of schemes  5. Maintenance and periodical disinfection	2. Formulating major water supply schemes (Pipe water supply)  3. Technical approval of schemes beyond the competence of Panchayat Samitis  4. Execution of schemes beyond the competence of Panchayat Samitis	2. Selection of location & beneficiaries for pipe water scheme in consultation with GPs 3. Seeking technical approval from Zilla Parishad for projects beyond the competence of Panchayat Samitis 4. Execution of schemes (DTW/Mark-II / Tara Hand Pump) beyond the competence of Gram Panchayats 5. Handing over scheme to GP / User Committee for day to day maintenance	1. Identification of schemes and locations    4. Construction of wells, tanks, Tube Wells (Ordinary Hand Pump)  5. Repair of TWs and periodical chlorination of open wells and disinfection of Tube wells
12	Fuel and fodder	1. Promotion of biogas plant Training in the construction of smokeless chullas.  2. Augmentation of Fodder Production through distribution of minikits, sale of seeds, Kishan Bon, Fodder demonstration etc.	2. (i) Fixing scale of distribution of minikits/seeds/manure per block; (ii) Policy decision on purchase of seeds and sub-allotment of fund to different Blocks	1. To provide assistance and supervision in construction of biogas plant 2. (i) Supply of minikits to different GPs and fixing scale of distribution of minikits per GP; (ii) Monitoring & supervising distribution of minikits and sale of seeds to farmers	1. Awareness generation and wide publicity  2. (i) Distribution of minikits/seeds/manure to farmers; (ii) Field demonstration to farmers
13	Roads, culverts, bridges, ferries, waterways and other means of communication	Planning, construction, upgradation of roads, culverts: 1. For connectivity between Blocks and district roads.  2. For connectivity	1. Construction & upgradation of roads/culverts exceeding Rs.10.00 lakhs	2. Construction &	

		within Block and between GPs.  3.Connectivity between villages within the GP (WBM & earthen roads).  4.Bridges		upgradation of roads/culverts amounting to Rs. 2.00–10.00 lakh	3. Construction & upgradation of roads/culverts not exceeding Rs. 2.00 lakhs
14	Rural electrification, including distribution of electricity	1. Issuance of certificate regarding electrification of mouzas 2. Preparation of a master plan for linking different mouzas with network  3. mobilization of consumers  4. Identification of graded SHGs  5. Energy management  6. Energy saving devices & demonstration of models 7. Monitoring constitution of Licensing Board in the dist. for issuance of license	2. Preparation of a master plan for linking different mouzas with WBSEDCL network  4. Identification of suitable graded SHGs through DRDC and Nari O Sishu Unnayan Sthayee Samiti and capacity building of SHGs for working as franchisees of WBSEDCL  7. Monitoring constitution of Licensing Board in the dist. for issuance of license	2. To ensure coordinated effort between Panchayat vis-à-vis other Depts. in respect of development of electricity infrastructure 3. Organizing workshop / seminar at Block level for awareness generation  5. Demonstration of energy saving devices in Panchayat Samiti Office	1. Issuance of certificate by Pradhan for electrification of mouzas  3. Mobilization of consumers through authorized franchisees of WBSEB (SHGs) for connectivity to households  5. Awareness generation regarding efficient management of energy 6.Demonstration of energy saving devices in GP office
15	Non-conventional energy sources	1. Identification of potential consumers  2. Technical & financial assistance for installation of Bio-gas in potential households 3. Dev. of demonstration model of Biogas		2. extending technical and financial assistance for installation of Biogas in potential households 3. Dev. of demonstration model of biogas, alternative sources of energy, biofuel for publicity	1. Identification of potential consumers of alternative sources of energy

		4. Dev. of energy park  5. Awareness generation for harnessing alternative sources of energy including biofuel	4. Dev. of energy park for demonstration of various alternative sources of energy & biofuel 5. Organizing workshop/seminar to emphasize the need of harnessing alternative sources of energy		5. Organizing awareness camp for harnessing alternative sources of energy including biofuel
16	Poverty alleviation programme	Planning , beneficiary selection and implementation of (a) SGRY, (b) REGS, (c) SGSY, (d) IAY, (e) NOAPS, (f) NFBS, (g) TSC etc..	1. Planning and implementation of works/schemes under SGRY exceeding Rs.10.00 lakh 2. To inform State Govt. for giving unemployment assistance under REGS, receipt of fund from State Govt. & allotment of fund to BDOs, sending U.Cs to State Govt. 3. To allot fund under IAY to GPs, to ensure expenditure of 3% fund for handicapped persons and sending compiled report of fund utilization to State Govt.  6. Release of fund to Panchayat Samitis for capacity building, organizing Sanitary Marts & awareness campaign	1. Planning and implementation of works/schemes under SGRY between Rs. 2.00 lakh–10.00 lakh 2. Approval of action plan and schemes under REGS  3. Monitoring and supervision of IAY program, collection of report and U.C from all GPs and sending to ZP  4. Approval of names of pensioners under NOAPS received from GP  5. Sending names of beneficiaries under NFBS to SDO for approval  6. Selection of NGO for running Sanitary Mart and organizing awareness camp through NGO / Club /Voluntary Organization for total sanitation	1. Planning & implementation of works/schemes under SGRY not exceeding Rs.2.00 lakh 2. Preparing list of prospective workers, distribution of job cards, Planning and implementation of works under REGS  3. Identification & selection of beneficiaries for IAY through Gram Sansad, handing over fund to beneficiaries  4. Identification of beneficiaries for NOAPS through Gram Sansad and handing over pension to each beneficiary 5. Identification of beneficiaries under NFBS through Gram Sansad, recommending names to Panchayat Samiti, releasing fund to beneficiaries through A/C payee cheque 6. Awareness camp & motivation of people for sanitary toilets; listing of names for construction of toilets and handing over it to Sanitary Mart. Meeting with teachers & members of VEC for school sanitation
17	Education, including primary and secondary schools	1. Identification of schoolless mouzas/ hamlets  2. Organising alternative school education: Sishu Siksha Karmasuchi	1. Identification of schoolless mouzas/ hamlets in district for preparation of status report 2. Preparation of action plan for organizing SSK/MSK in district.	1. Collection of proposals for new SSK/MSK from GPs and sending the plan to ZP for approval 2. Construction of SSK/MSK from SGRY/RIDF/Untied fund/OSR etc.	1. Identification of schoolless mouzas/ hamlets for opening SSK/MSK and sending proposal to PS 2. Construction of SSK/MSK through own fund/SGRY/ Untied fund/local

		and Madhyamik Siksha Karmasuchi– Improvement of the infrastructure of school building, toilet, kitchen etc.. 3. Information collection/ supervision/ monitoring through EMIS & DISE 4. Fund release for salary of teachers	3. Supervision/ monitoring and report collection through DISE 4. Release of fund for salary of teachers of SSK/MSK	3. Collection of information through EMIS & DISE and analysis of information	contribution and fund received from PS  3. To supervise attendance of teachers and students, quality of mid-day-meal, distribution of books
18	Adult and non-formal education	1. To impart education up to Madhyamik level to interested Adult learners who are not enrolled in any formal school  2. Monitoring & supervision of Continuing Education Centres	1. Consideration of proposal for opening of new Adult High School. (To be forwarded to the MEE Dept. /Dte. with recommendation or otherwise) 2. Planning, Monitoring & Supervision by the Zilla Saksharata Samiti	1. Publicity and Supervision of Adult High Schools.  2. Monitoring & supervision of Continuing Education Centre	1. Publicity and Supervision of Adult High Schools.  2. Regular contact with Literates/ Neo-literates for attendance in Continuing Education Centre
19	Libraries	1. Establishment and maintenance of libraries and reading rooms and supervision of the activities of Rural Libraries 2. Dissemination of information on Rural Development Programs/social issues / locally available resources /functioning of PRIs  3. Disbursement of salary to organizer of *CLIC 4. Audit of CLIC by #PAAO *CLIC -Community Library cum Information Centre #PAAO – Panchayat Audit & Accounts Officer	1. Supervision of the activities of District Libraries  2. Sending to Dist. Library for general information of public (i) copies of guidelines/booklets for all development programs (ii) Annual Report/Budget/ Annual Plan of ZP (iii) information on social issues	1. Supervision of the activities of Sponsored Libraries  2. Sending to Sponsored Library for general information of public (i) copies of guidelines/booklets for all development programs (ii) copy of Annual Report/Budget/ Annual Plan of PS (iii) information on social issues 3. Disbursement of salary to organizer of CLIC 4. Audit of CLIC by PAAO	1. Establishment and maintenance of libraries and reading rooms and supervision of the activities of Rural Libraries / CLIC  2. Sending copies of guidelines/booklets for all development programs, Annual Report/Budget/ Annual Plan of GP and information on social issues to Rural Library/CLIC for general information of public
20	Cultural activities	1. Celebration of red letter days  2. Organization of folk festival	1. Selection of Block and release of fund  2. Selection of theme for folk festival	1. Liaison with GPs for organization of program / Campaign 2. Selection of GP for organization of folk festival and providing infrastructural support	1. Wide publicity/campaign and selection of venue 2. Selection of venue for festival and identification of participants

		3. Workshop on Tagoresongs, Nazrul-songs, folksongs 4. Selection of film for each block	3. Supply of Musical instruments and selection of teacher 4. Contact with Cinema Hall owners and fixing up time for film show	4. Contact with schools for publicity among students	4. Distribution of entry tickets / cards
21	Markets and fairs	1. Management of Hat/Bazar up to 5 acre area. 2. To provide licence to hold a fair or mela 3. To issue licence for hat or market 4. To hold hats and village markets, fairs	1. Management of Hat/Bazar transferred to ZP by State Govt. 2. Issuance of licence to hold a fair or mela 4. Acquire and maintain village hats and markets	1. Management of Hat/Bazar/transferred to PS by State Govt. 3. To issue licence for establishing hat or market	1. Management of Hat/Bazar/transferred to GP by State Govt. 4. Construction and regulation of markets, holding and regulation of fairs, melas and hats and exhibition of local produce & products of local handicrafts/ home industries
22	Health and sanitation, including hospitals, primary health centres and dispensaries	1. Maintenance of subcentres/BPHC/PHC/Dist. Hospital 2. Procuring materials and distribution 3. Monitoring and supervision of service delivery system 4. Involving community in promotive and preventive health care management	2. Lifting of materials from State Hqtrs and supply to different blocks 3. Compilation of reports and returns from Block-level and analysis for monitoring crucial public health indicators 4. Developing IEC materials	1. Maintenance of BPHC & PHC 2. Local Purchase of non-medical items required by the PHCs and BPHCs as may be authorized by H&FW Department 3. Compilation of monthly reports from Sub-centers and GPs, and analysis for monitoring crucial public health indicators 4. Planning and organization for IEC activities	1. Maintenance of Sub-Centres 2. Local Purchase of nonmedical items required by the sub-centers as may be authorized by H&FW Department 3. Involving Self-Help Groups in monitoring community health 4. Disease surveillance to pre-empt outbreak, preventive measures against spread of communicable diseases
23	Family welfare	1. Universal immunization including Pulse polio Program 2. To assist people in adopting family planning measures through efficient functioning of sub centres and supervision of health workers work. 3. Organization of sterilization camp 4. Training of Dai	1. Fund allotment, monitoring and supervision of immunization program including pulse polio 2. Development of infrastructure for Institutional delivery 3. Organizing sterilization camp for eligible couple	1. Implementation of immunization programme 2. Promotion of Institutional delivery 4. Organizing training of Traditional Birth Attendants (Dai)	1. Mobilization of people for immunization 2. Promoting planned family norms and practices 3. Awareness camp for family planning and sterilization
24	Women and Child Development	1. Mobilizing social support against social evils discriminating	1. Selection of beneficiaries for Non-institutional care	1. Recommendation of beneficiaries for Noninstitutional care	1. Awareness generation in villages to motivate parents for

		women  2. Formation of SHGs	of children up to 18 years  2. Monitoring formation of SHGs, providing financial assistance and creating marketing support for SHGs	of children up to 18 years  2. Formation of SHGs & providing training for key activities and group management	pre-school education & immunization of their children 2. Formation of SHGs
25	Social Welfare	1. Identification of beneficiaries for Social Welfare Schemes. 2. Issue of BPL certificate for Balika Sambriddhi Yojana  3. Identification of beneficiaries for PROFLAL (PF for landless agri labourers) scheme	3. Sanction and allotment of fund for payment to beneficiary	1. Recommendation of names of beneficiaries for Pension Schemes to the DM for approval  3. Maintenance of PROFLAL accounts and payment of money on maturity of scheme or death of beneficiary	1. Identification of beneficiaries for Kishori Shakti Yojana & Pension Schemes 2. Issue of BPL certificate for beneficiaries of Balika Sambriddhi Yojana 3. Identification of PROFLAL beneficiaries & collection of subscription
26	Welfare of the women & children	1. Construction of Anganwadi Centres  2. Monitoring & Supervision of Programmes and convergence of ICDS activities	2. Monitoring & Supervision of Anganwadi centres and convergence of activities	1. Supervision of construction of Anganwadi Centers	1. Recommendation of sites for Anganwadi Centers and construction of Anganwadi Centers 2. Convergence of ICDS activities and reporting of functioning of Anganwadi Centers in the convergence meeting at GP level
27	Public distribution system	1. Identification of beneficiaries of Antyoday and Annapurna schemes  2. Lifting of food grains from FCI  3. Distribution of ration cards  4. Selection of Farmers' Cooperative Societies  5. Fixing up target for each Rice Mill 6. Milling of paddy and storing of rice	1. Approval of beneficiary list  2. Monitoring lifting of food grains from FCI  5. Fixing up target for each Rice Mill 6. Monitoring milling of paddy and storing of rice in Godowns	1. Preparation of list of beneficiaries for BPL cards  2. Monitoring distribution of food grains to MR Dealers  3. Monitoring preparation and distribution of Ration Cards 4. Selection of Farmers' Co-operative Societies for purchase of paddy	1. Identification & selection of beneficiaries for distribution of BPL Cards, Antodaya Annya Yojana Cards & Annapurna Cards 2. Monitoring distribution of food grains from MR Shop to the beneficiaries  4. Providing certificate confirming procurement of paddy from the farmers at Minimum Support Price (MSP)
28	Maintenance of community assets	1. Development and maintenance of public assets, such as, buildings, shopping centres, passenger	1. Manage or maintain any institution for promotion of livelihood, education, health, communication,	1. Management and maintenance of any institution for promotion of livelihood, education,	1. Maintenance of community assets such as public tanks, ghats, public channels, reservoirs, wells, streets,

	sheds, bathing ghats, ferry ghats, tanks, community centres, auditoria, playground etc.	tourism or work of public utility including auditorium, dispensary, diagnostic clinic, bus-stand, guest house, eco-park, constructed by it or vested in it for control and management	health, communication, tourism or work of public utility including hat, market, auditorium, bus-stand, eco-park, guest house, constructed by it or vested in it for control and management:	drains, culverts, lamp posts etc.
	2. Construction and maintenance of public assets	2. Management of road side land		2. Construction and maintenance of sarais, dharmasalas, rest houses, cattle sheds, cart stands, and protection and repair of buildings or other property vested in it
	3. Fixation and collection of rents/user charges	3. Fixing and collection of toll, fee, rate as user charges	3. Fixing and collection of toll, fee, rate as user charges	3. Fixing and collection of toll, fee, rate as user charges

Source: Third State Finance Commission of West Bengal, *Report of the Third State Finance Commission West Bengal*, 2008, Annexure XII

The executive assistant of Raina GP recognised the Activity Mapping of West Bengal. The Block Development Officer of Raina I block was aware of the Activity Mapping and the demarcation of duties between the block office and PRIs on the subsidiarity rule. However, he said that there is some overlap in the actual execution of duties between the two bodies. Such encroachments into each other's responsibilities sometimes happen from actual administrative needs and mutual cooperation, and there may sometimes be conscious violations by officers of both bodies.<sup>42</sup>

As the State Finance Commission of West Bengal argued, executive orders with respect to Activity Mapping were not published in the official gazette,<sup>43</sup> even though the devolution of funds to panchayats needs to be patterned on the Activity Mapping that officially applies to them.

In addition, the scope of existing Activity Mapping is still limited even in West Bengal. The Panchayat and Rural Development Department of West Bengal argued that the devolution by most of the line departments has not yet been sufficiently carried out.

The Panchayats in the meantime gained deeper root in the rural society and started influencing decisions of the line departments in respect of their activities, which was supervised by the various Sthayee Samitis (Standing Committees) of the upper and the middle tier of the Panchayats. However, there has been little formal devolution by most of the departments.<sup>44</sup>

<sup>42</sup> Interview at Raina on February 2011.

<sup>43</sup> Third State Finance Commission of West Bengal (2008), pp. 21-22.

<sup>44</sup> Panchayat and Rural Development Department, Government of West Bengal, *Roadmap for the Panchayats in West Bengal: A Vision Document*, 2009, p. 10.

As shown in Table 7-1 and Table 7-2, the scope of the Activity Mapping of West Bengal is considerably limited, compared with the Activity Mapping suggested by the Task Force of MRD of the Central Government on Devolution of Powers and Functions upon Panchayati Raj Institutions.<sup>45</sup> Although assigned activities shown in Table 7-2 are solely for subject 1: “Agriculture, including agricultural extension” as per the Schedule XI of the Constitution, functions assigned to different tiers of panchayats in West Bengal is far from being sufficient compared with functions on the Activity Mapping suggested by the Task Force of MRD. The same holds true for subjects other than “Agriculture”.<sup>46</sup>

Table 7-2 Activity Mapping for “Agriculture” suggested by the Task Force on Devolution of Powers and Functions upon PRIs

Item-1	Activity	Distribution of Functions		
		Zila Panchayat (ZP)	Intermediate Panchayat (IP)	Gram Panchayat (GP)
Agriculture, Including Agricultural Extension.	1. Increasing Agricultural Production/ Horticulture production/ Vegetable Production	i) To develop necessary agricultural infrastructure ii) To prepare comprehensive crop plan iii) To develop and maintain data base for cropping pattern, land use and inputs use for planning iv) To maintain inventory of technological options v) To propagate adoption of new technologies vi) To organise Kisan Melas, Fairs and Exhibitions vii) To arrange awards to best progressive farmers viii) To protect bio-diversity and promote profitable crop technologies	i) To help in crop yield estimation through maintaining link with various agencies and GPs/farmers ii) To advise suitable cropping system based on location specific characteristics. iii) To assist DP in organizing Farmers fairs, Kisan Mela, etc. iv) To organise on farm verification trials and demonstration of new technologies v) Reporting and initiating action plan for different items vi) To coordinate activities of field level extension workers and officials vii) To act as a link between DP and GPs for To transfer of knowledge and technologies	i) Estimation of crop yield and maintain data base ii) To assist in preparation of crop plan iii) To assist in advising farmers about remunerative crop activities and crop diversification iv) To assist in identifying progressive farmers for adoption and diffusion of new technologies v) To help in providing custom hiring services for plant protection equipment and farm implements vi) To generate awareness in use of organic vermiculture, etc.

<sup>45</sup> Ministry of Rural Development, Government of India, *Report of the Task Force on Devolution of Powers and Functions upon Panchayati Raj Institutions*, 2001, pp. 47-49.

<sup>46</sup> In this circumstance the Panchayat and Rural Development Department of West Bengal had to suggest a concept of “concurrent jurisdictions” in certain areas for panchayats and the State Government. “One can argue that those are not exclusive functions but concurrent jurisdiction of the Panchayats in taking up those activities. The considered views of the State Government is that in the present context it is more logical, pragmatic and productive to provide concurrent jurisdictions in certain areas, which will help the Panchayats to acquire adequate capacities in voluntarily taking up those activities or utilizing the infrastructure and expertise of the government machinery on suitable occasions; the State Government shall in due course provide exclusive responsibilities as and when the same will be necessary and appropriate.” [Panchayat and Rural Development Department, Government of West Bengal (2009), pp. 13-14.]

	2. Assessment and Distribution of Inputs	<ul style="list-style-type: none"> <li>i) To prepare consolidated plan for input requirement</li> <li>ii) To acquire and arrange distribution of inputs in time</li> <li>iii) To improve adequate storage facilities for inputs</li> <li>iv) To monitor distribution of quality inputs</li> </ul>	<ul style="list-style-type: none"> <li>i) Assessing inputs needs for GPs and forwarding consolidated request to DPs</li> <li>ii) Ensuring timely availability of required inputs to GPs</li> <li>iii) Arranging storage and transport facilities for inputs</li> <li>iv) Close monitoring of inputs delivery system</li> </ul>	<ul style="list-style-type: none"> <li>i) To assist in assessing needs of various inputs such as seeds, fertilizers, pesticides.</li> <li>ii) To assist in timely distribution of adequate inputs to farmers</li> </ul>
	3. Credit Support	<ul style="list-style-type: none"> <li>i) Preparing credit plan</li> <li>ii) Ensure timely credit availability and linkage between agriculture development and credit institutions, and monitor credit mobilization.</li> <li>iii) Help in strengthening of cooperative credit institution</li> </ul>	<ul style="list-style-type: none"> <li>i) To assist in preparing credit plan</li> <li>ii) Ensuring timely credit from formal institutions.</li> <li>iii) Monitoring credit delivery system.</li> </ul>	<ul style="list-style-type: none"> <li>i) To assist in assessing credit needs of various groups of farmers and crops.</li> <li>ii) Exercising social control and regulating interest areas and recovery of loans from formal and informal credit institutions.</li> <li>iii) Help in formation of Self-Help Groups.</li> </ul>
	4. Extension support	<ul style="list-style-type: none"> <li>i) To maintain linkage with research and training organizations and agriculture department</li> <li>ii) to ensure regular visits of extension staff and To help in dissemination of new technologies.</li> <li>iii) To ensure regular training of extension officials for updating their knowledge of advancements in technologies.</li> </ul>	<ul style="list-style-type: none"> <li>i) to monitor the visit of extension workers to the village farms.</li> <li>ii) To prepare plan for visit of extension workers and monitor their work.</li> <li>iii) To advice and identify extension officials for training.</li> <li>iv) To assist scientists in identifying in local problems for designing their research work relevant to local needs.</li> <li>iv) Ensuring better linkages between farmers and extension staff.</li> </ul>	<ul style="list-style-type: none"> <li>i) Identifying suitable plots for conducting soil and demonstration.</li> <li>ii) Selecting farmers for participating in Kisan melas and training.</li> </ul>
	5. Soil Testing	<ul style="list-style-type: none"> <li>i) To establish soil testing laboratories and own it</li> <li>ii) To monitor Soil testing work</li> </ul>	<ul style="list-style-type: none"> <li>i) To monitor soil testing work</li> <li>ii) To help in identifying locations for soil testing work</li> <li>iii) To help farmers for improvement of soil fertility as per the soil testing results</li> </ul>	<ul style="list-style-type: none"> <li>i) To assist technical experts in conducting soil tests.</li> <li>ii) To help in ensuring feedback from soteesting to farmers.</li> <li>iii) Selection of beneficiaries for relief of Natural calamities an undertaking distribute of assistance.</li> </ul>

	6. Postharvest management	<ul style="list-style-type: none"> <li>i) To establish and improve storage facilities</li> <li>ii) To develop marketing infrastructure at suitable locations.</li> <li>iii) Monitoring regulated marketing</li> <li>iv) To control private traders from exploiting farmers</li> <li>v) To ensure correct weights and measures.</li> <li>vi) Supervision of crop Insurance facility.</li> </ul>	<ul style="list-style-type: none"> <li>i) Maintenance of godowns</li> <li>ii) To organize Market Committees and maintain market yards</li> <li>iii) Regular market charges and ensure correct weights and measures</li> <li>iv) Ensuring quick sale of products and payment to the farmers</li> </ul>	<ul style="list-style-type: none"> <li>i) To help in organizing farmers for group sale in bulk</li> <li>ii) To assist in increase awareness about better storage facilities for seeds and foodgrains.</li> </ul>
	7. Risk Management	<ul style="list-style-type: none"> <li>i) To assess losses due to natural calamities and formulate rehabilitation plan</li> <li>ii) To monitor and supervise relief operations.</li> <li>iii) To arrange crop insurance schemes and coordination among insurance agencies.</li> <li>iv) Preparation of contingency Agricultural Plan</li> </ul>	<ul style="list-style-type: none"> <li>i) To estimate crop losses and report of action.</li> <li>ii) To monitor relief operations.</li> <li>iii) To help in identifying farmers for crop insurance schemes.</li> <li>iv) To assist in providing benefits from crop insurance schemes.</li> </ul>	<ul style="list-style-type: none"> <li>i) Reporting of losses due to natural calamities and rehabilitation requirements.</li> <li>ii) To supervise relief operations and distribution of material</li> <li>iii) To motivate farmers for taking crop Insurance schemes.</li> <li>iv) To assist in the implementation of contingency plan.</li> </ul>

Source: Ministry of Rural Development, Government of India, *Report of the Task Force on Devolution of Powers and Functions upon Panchayati Raj Institutions*, 2001.

Unlike the Second Administrative Reforms Commission of India, the Panchayat and Rural Development Department of West Bengal considers the Activity Mapping as an assignment of functions “to perform tasks on behalf of the State primarily as an agent of the Government.”<sup>47</sup> In fact, as observed above, major functions assigned to the GP are related to implementation of schemes, such as identification of beneficiary, location selection, or mobilization of people for the schemes of the Central or State government. Therefore, the Panchayat and Rural Development Department provided a “roadmap for developing various capacities within the Panchayats so as to respond to the need-based demands of the people and acquire more responsibilities of their own for realization of such demands, stemming from the local needs and aspirations.”<sup>48</sup>

### 3-2-2-8 Functional Domain of GPs

The Second Administrative Reforms Commission states:<sup>49</sup>

<sup>47</sup> Panchayat and Rural Development Department, Government of West Bengal (2009), p. 14.

<sup>48</sup> Panchayat and Rural Development Department, Government of West Bengal (2009), p. 13.

<sup>49</sup> Second Administrative Reforms Commission (2007), p. 137.

The spirit behind the proposed scheme for decentralization of rural governance as envisaged in the 73rd Amendment is reflected in Article 243 G and the Eleventh Schedule of the Constitution which seek to establish Panchayats as self-governing institutions entrusted with the preparation and implementation of plans for economic development and social justice. However, as observed earlier, in most parts of the country the intent of Article 243 G has been ignored by denying autonomous space to local bodies. Panchayats continue to function within the framework of what may be called a “permissive functional domain”, since very limited functional areas have been withdrawn from the line departments of State Governments and transferred to local bodies. Only minor civic functions have been exclusively assigned to the local self-government bodies. All the other so-called development functions assigned to the different tiers of Panchayats are actually dealt with by the line departments of State Governments or parastatals. Resources as well as staff also remain under the control of the State Government. Therefore, effective devolution of functions as envisaged in the Constitution has not taken place.

(Maharashtra)

The scope of autonomous space in the functional domain of GP in Maharashtra is narrower than that in West Bengal. GPs in Maharashtra continue to function within a “permissive functional domain”, for several reasons. First, the PRIs in Maharashtra act as agents of the State or the Central government for implementation of schemes. Even the chairman of each District Planning Committee (DPC) is a “guardian minister” (*Palak Mantri*) appointed by the Maharashtra State Government. The District Rural Development Agencies (DRDAs)—district-level development execution and monitoring agencies through which Central Government funds were transferred and routed under Centrally Sponsored Schemes—continue to control those schemes. Second, a hierarchy of revenue officials—*patwari*, *Tehsildar* and District Collector under the Revenue Department — has extensive administrative powers in Maharashtra. Unlike West Bengal, where the administrative duties of the Block level Land and Land Reform officer (BLLRO) are restricted to land reforms and land revenues, the *Tehsildars* in Maharashtra wield greater administrative powers. Third, within the PRIs, GPs—village-level panchayats— have limited authority over development schemes. Moreover, as witnessed by the *sarpanch* of Warwat Khanderao, the State Government is slowly taking away rights from the GPs and giving more rights to *Panchayat Samiti* (PS).<sup>50</sup>

In fact, except for schemes for drinking water, roads and culverts, sanitation, ICDS, public distribution, the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) etc., most of schemes in Warwat Khanderao are implemented by other agencies such as line departments, *Tehsildar*, PS and *Zilla Parishad* (ZP).

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<sup>50</sup> Interview with *sarpanch* at Warwat Khanderao in August 2011.

The *sarpanch* of Warwat Khanderao complained that the GP only fills forms for poverty alleviation schemes and social welfare schemes. PS has responsibility for the implementation of such schemes. According to *sarpanch*, the GP has no specific role in the implementation of schemes for SCs and STs.<sup>51</sup> As far as Warwat Khanderao is concerned, Self-help groups (SHGs) under *Swarna Jayanti Gram Swarozgar Yojana* (SGSY) are organised by NGO. PS implements the SGSY for Warwat Khanderao. The GP does not have a deep commitment to activities of the SHGs.

Subsidised pesticides and machines for agriculture are distributed by the Agricultural Department and PS. For schemes concerning minor irrigation, the GP is responsible just for the basic formalities such as filling forms, but the rest of the work is done by the office of the District Collector.

The *Indira Awaas Yojana* (IAY) is implemented by the PS. The Indira Gandhi National Old Age Pension Scheme (IGNOAPS) is implemented by *Patwari* under the supervision of *Tehsildar*. The *Sanjay Gandhi Niradhar Yojna* and the National Family Benefit Scheme (NFBS) are also primarily implemented by the *Tehsildar*. In this way *Tehsildar* generally helps or guides the officers of other departments in the execution of their respective duties in so far as his *tahsil* is concerned. The GP suggests only wish lists of beneficiaries for schemes such as the IAY and the *Sanjay Gandhi Niradhar Yojna*.

The Warwat Khanderao GP assists and oversees the functioning of ICDS centres, *Shishu Siksha Kendras*, primary and upper primary schools. There is a committee of the GP (*Mahila Baal Samiti*) to hear issues related to women and child welfare.<sup>52</sup> However, the GP as such is not directly involved in the funding and administration of these schemes. Improvement of infrastructure of schools was a responsibility of the GP until 2010, but it has now been given to the School Management Committee.

At present, autonomous space in the functional domain of Warwat Khanderao GP is limited to schemes for drinking water, roads and culverts, sanitation, ICDS, public distribution, MGNREGS etc. The scheme for drinking water ("*paani parota yojana*") is directly implemented by Warwat Khanderao GP. The GP determines the beneficiaries. According to the *sarpanch*, under the scheme called Maharashtra Gramin Paani Parota Yojana (MGP), two big water tanks of 18,000 litre capacity were constructed in the village. The GP also owns a tubewell and 110 households were given connection from that. One tank of 5,000 litre is also filled with this tubewell. 8 general taps were constructed. The schemes for connectivity between villages within the GP are also carried out under the responsibility of GP. The GP mobilises the funds and then lists the work to be done. The State Sanitation Scheme is also implemented by GP, which prepares the priority list. Construction of ICDS (*Anganwadi*) centre is a function assigned to the GP. The GP is responsible for identification of

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<sup>51</sup> Interview with *sarpanch* at Warwat Khanderao on August 2011.

<sup>52</sup> According to the *sarpanch*, *Mahila Baal Samiti* does not function properly. [Interview with *sarpanch* at Warwat Khanderao on October 2013.]

beneficiaries of *Antyodaya and Annapurna* schemes. The *Dekshata* Committee under the GP distributes ration cards to each beneficiary. Warwat Khanderao GP certainly acts as an implementing agency for the MGNREGS, but, as will be seen later, the MGNREGA Scheme is not functional in Warwat Khanderao, partly because the wages under MGNREGA are lower than those of agricultural work in this area.

The scope of functional domain of GP in Maharashtra is limited in comparison to that of GP in West Bengal. It is restricted to implementation of schemes for drinking water, roads and culverts, sanitation, ICDS, MGNREGS, public distribution. For schemes such as the IAY, the *Sanjay Gandhi Niradhar Yojna*, minor irrigation schemes, the GP can suggest wish lists of beneficiaries. However, the sarpanch believes that it is restricted to the basic formalities such as completing paperwork. It is mostly restricted to such schemes as have assurance of some resources from the Central or the State government.

(West Bengal)

GPs in West Bengal act as implementing agencies of the State or the Centre as is the case with GPs in Maharashtra. However, the scope of functional domain of GP in West Bengal is not as limited as in Maharashtra. (1) Among the PRIs in West Bengal, the focus of development activities is placed on the GP level. Numerous schemes are directly implemented by GPs in West Bengal. GP can select such schemes for their own priorities. (2) In addition, GP in West Bengal and its *Gram Sansads* have some important handles to mobilise their communities using government schemes such as MGNREGA and SGSY. Although such schemes are tied to pre-determined objectives provided by the Central Government, they leave considerable scope for the priorities of each GP.

According to the Panchayat and Rural Development Department of West Bengal:<sup>53</sup>

In implementation of these programmes, the role of Panchayats to all intents and purposes actually transcends mere agency function. Because of nearness to the people, they can select the right nature of schemes that will not only generate employment but create durable assets of the society for sustained development and for improvement of quality of life of the people. Besides, the Panchayats are best placed to select the proper group of beneficiaries for the related schemes and programmes with special emphasis on the disadvantaged groups of the community.

The schemes implemented by GPs in West Bengal are *Sampoorna Grameen Rozgar Yojana* (SGRY), MGNREGS,<sup>54</sup> IAY, IGNOAPS, Provident Fund for Landless Agricultural

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<sup>53</sup> Panchayat and Rural Development Department, Government of West Bengal (2009), p. 14.

<sup>54</sup> Panchayat receives grant of Institutional Strengthening of Gram Panchayat (ISGP) to construct community infrastructure and buildings that cannot be otherwise constructed under NREGS. The Scheme has become functional from 2010-11.

Labourers (PROFLAL), National Maternal Benefit Scheme (NMBS) and the State Sanitation Programme. In each of these schemes the GP receive funds for implementation of the scheme from the government agencies. The GP is also responsible for maintaining financial accounts for such schemes.

The GP also oversees the implementation of certain other schemes, though they are not directly involved in their funding and administration. The GP assists in the formation and functioning of self-help groups under the SGSY, works with the Health and Family Welfare Department to implement programmes under National Rural Health Mission, and oversees the functioning of ICDS centres, *Shishu Siksha Kendras*, primary and upper primary schools.

The GP takes initiative for convergence of public health activities. GPs in West Bengal tried to arrange monthly meetings of GP health related functionaries to discuss activities and problems. In other words, the Fourth Saturday Meeting is held at the GP office with the ICDS supervisor, the ANM and health supervisor, representatives of self-help groups (SHGs), and panchayat officials.

The GUS is responsible for implementation and monitoring of schemes at the *Gram Sansad* level. As mentioned before, whenever the Agricultural Department distributes minikits, fertilizers, seeds and other benefits, the Department informs the GP, specifying the number of beneficiaries to select from each Panchayat or *Gram Sansad*. When the GP informs the *Gram Sansads* of it, the GUS of each *Gram Sansad* selects beneficiaries.

The GUS also mobilises people to participate in the *Sajaldhara* scheme. The households that benefit from the *Sajaldhara* scheme have to pay 10 per cent of the cost of installation of the drinking water tank and pipelines. Once a location has been selected by the GUS, the construction agency undertakes project planning and construction work.

Unlike Warwat Khanderao GP, poverty alleviation was a core activity of Raina GP. Poverty alleviation has been traditionally a core activity of panchayats in West Bengal.<sup>55</sup> As shown in Table 13, 40.2 per cent of the total schematic fund of PRIs in West Bengal was spent on poverty alleviation in 2007-08. Panchayats in West Bengal stand in sharp contrast with Maharashtra panchayats, where expenditure incurred on poverty alleviation is relatively low.<sup>56</sup>

Besides, GPs in West Bengal and its *Gram Sansads* can utilise certain schemes such as the MGNREGS and the SGSY schemes as a measures to mobilise their communities.

The GP is the most important unit of local government in respect of the MGNREGS, since GP has a responsibility to prepare a development plan and maintain a shelf of possible works to be taken up under the scheme as and when demand for work arises. According to section 16 of the National Rural Employment Guarantee Act, 2005

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<sup>55</sup> Panchayat and Rural Development Department, Government of West Bengal (2009), p. 9.

<sup>56</sup> Interview with *sarpanch* at Warwat Khanderao on August 2011.

- (1) The Gram Panchayat shall be responsible for identification of the projects in the Gram Panchayat area to be taken up under a Scheme as per the recommendations of the Gram Sabha and the Ward Sabhas and for executing and supervising such works.
- (2) A Gram Panchayat may take up any project under a Scheme within the area of the Gram Panchayat as may be sanctioned by the Programme Officer.
- (3) Every Gram Panchayat shall, after considering the recommendations of the Gram Sabha and the Ward Sabhas, prepare a development plan and maintain a shelf of possible works to be taken up under the Scheme as and when demand for work arises.
- (4) The Gram Panchayat shall forward its proposals for the development projects including the order of priority between different works to the Programme Officer for scrutiny and preliminary approval prior to the commencement of the year in which it is proposed to be executed.

Under this scheme, GP can identify the projects in the GP area to be taken up under a scheme and can prepare a development plan, considering the recommendations of the *Gram Sabha* and the Ward Sabhas. In this way the MGNREGS leaves scope for the priorities of each GP. Raina GP can mobilize its communities on the basis of this development plan. On the other hand, in Warwat Khanderao, the MGNREGS scheme is not functional.

Raina GP and its *Gram Sansads* assist in the formation and functioning of SHGs under SGSY. Raina GP and its *Gram Sansads* can mobilize communities utilising SHGs. Convergence of SGSY with MGNREGS is also pursued in West Bengal, getting assistance of the SHGs for MGNREGS.<sup>57</sup> In contrast, Warwat Khanderao GP does not have a strong commitment to the activities of the SHGs, since SHGs are organised by NGOs.

Although GPs in West Bengal are implementing agencies of the State or the Centre like the GP in Maharashtra, the scope of their functional domain is broader than that in Maharashtra. The schemes such as SGRY, MGNREGS, IAY, IGNOAPS, PROFLAL, NMBS and the State Sanitation Programme were implemented by the GP in West Bengal. In each of these schemes the GPs receive funds from the government agencies for implementation of the scheme. The GP also takes initiative for the convergence of public health related activities. As far as Raina GP is concerned, we found some autonomous space in such activity areas.

Nevertheless, the devolution of functions by most of the line departments has not yet been carried out sufficiently even in West Bengal. It is considered a major issue in West Bengal.<sup>58</sup>

### *3-2-2-9 Financial position of PRIs and GPs* (Maharashtra)

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<sup>57</sup> Panchayats and Rural Development, Government of West Bengal, *Annual Administrative Report 2008-09*, pp. 95-97

<sup>58</sup> Panchayat and Rural Development Department, Government of West Bengal, *Roadmap for the Panchayats in West Bengal: A Vision Document*, 2009, p. 10; Panchayats and Rural Development, Government of West Bengal, *Annual Administrative Report 2007-08*, pp. 13-14; Third State Finance Commission of West Bengal (2008), pp. 19-26.

The PRIs receive grants from the State and Central Governments. The State Government releases grants to the ZPs, which then finance the PSs and GPs. The finances of the ZP comprise self-raised resources like taxes, fees, cess on land revenue, assigned revenues and grants from the State and Central Governments.

Although different sources indicate different figures for the income and expenditure of the PRIs,<sup>59</sup> the Comptroller and Auditor General of India (C&AG) uses data furnished by the Rural Development Department, Government of Maharashtra (Table 8). According to this data source, the scale of funds for PRIs is considerably larger in Maharashtra than West Bengal. Total funds received by ZPs in Maharashtra alone are many times higher than total funds received in West Bengal by PRIs as a whole (see Table 11).

The government grant-in-aid constitutes about 96 per cent of total revenue of ZPs in Maharashtra. It is reported that the share of government grants in relation to the total revenue of the ZPs has noticeably increased. The share of the own source of revenue (OSR) at the ZP level is less than 2 per cent of total revenue in 2007-08. Large capital receipt of ZP is also the salient feature in Maharashtra.

**Table 8 Receipts and Expenditure of ZPs in Maharashtra (Rupees in crore)**

Year	Receipts						Expenditure		
	Own revenue*	Government Grants	Other revenue	Total revenue	Capital receipts	Total receipts	Revenue	Capital	Total
2006-07	144	7784	188	8116	2691	10807	8161	2314	10475
2007-08	161	8246	183	8590	2521	11111	8494	1923	10417

Source: C&AG of India, Audit Report (Local Bodies) for the year ended March 2008, p. 5.

Note: Information furnished by Rural Development Department (RDD).

\* excludes opening balance

A PS does not have independent sources of revenue, as it is not considered a corporate body. It receives block grants from the State Government through the ZP. The PSs accounts are incorporated in their ZP's account.

According to the data from the Directorate of Economics and Statistics of Maharashtra,<sup>60</sup> the average income of each GP in Buldhana district is about Rs. 5 lakhs (less than Rs. 4 lakhs on average of the State)<sup>61</sup>, which includes government grants as well as grants from the ZP and the PS. As shown in Table 9, the share of own source of revenue (OSR) in total receipt of GPs is quite large in Maharashtra, as much as 46 per cent of total

<sup>59</sup> As mentioned before, the State Finance Commissions have in their reports repeatedly indicated low quality of accounting data in most States. [Twelfth Finance Commission (2004), p. 154] This is the matter of concern in §3 of Chapter 5.

<sup>60</sup> Directorate of Economics & Statistics, Statistical Abstract of Maharashtra State 2007-08, 2010, pp. 636-637.

<sup>61</sup> As shown in Table 4, number of GPs is 27,906 in Maharashtra.

receipt in 2007-08. Tax receipt of Rs. 482 crore for GPs in Maharashtra is much larger than receipt of Rs. 70.7 crore from “own source” for GPs in West Bengal (see Table 12). On the one hand, the per capita OSR from GPs is much larger in Maharashtra than West Bengal, considering that the two States have almost the same rural population (see Table 4). On the other hand about 40 per cent of the total receipts of the GPs in Maharashtra come from grants from the State and Central Governments.

The grants allocated for Centrally Sponsored Schemes of the Central Government and special purpose programmes of the State Governments usually have pre-determined objectives, leaving little scope for the priorities of a GP. The large OSR enable the GP to autonomously develop and implement programmes focused on specific local problems not often addressed by programmes from above (Centre and State). The large OSR enables GPs to prioritize activities that meet local needs and preferences.

The OSR meets a half of the expenditure on salary of the employee in a GP in Maharashtra. The expenditure on salary of the employee in GP is to be borne equally by the State Government and the concerned GP. In Warwat Khanderao GP, besides salaries of workers and officials, expenses for sewage cleaning and electricity bills are paid by this OSR.

Large OSR of GPs reflects an aspect of their self-governance. GPs in Maharashtra have high potential for their self-governance in terms of their own source of revenue, although the devolution of functions to them is substantially limited as mentioned in §3-2-2-9.

**Table 9 Receipts and Expenditure of GPs in Maharashtra (Rupees in crore)**

Year	Receipts					Expenditure
	Government grants	Taxes	Contributions	Other receipts	Total receipts	
2006-07	376	430	113	71	990	938
2007-08	377	482	131	69	1059	1075

Source: C&AG of India, Audit Report (Local Bodies) for the year ended March 2008, p. 7.

Note: Figures furnished by RDD (August 2009). These figures are excluding opening balance.

As shown in Table 10, most of the expenditure of the ZPs in Maharashtra is on education. Most expenditures of the GPs in the State are for public works, health and sanitation, and administration.<sup>62</sup> The expenditures of the GPs incurred for poverty alleviation and social security are lower than those in West Bengal. In fact, the *sarpanch* of Warwat Khanderao has found that the GP’s responsibilities for poverty alleviation are considerably limited.<sup>63</sup>

<sup>62</sup> Planning Commission of the Government of India (2007), p. 250.

<sup>63</sup> Interview at Warat Khanderao on August 2011.

**Table 10 Receipts and Expenditure of GPs in Maharashtra**

(Rupees in crore)

Components	Gram Panchayats expenditure		Zilla Parishad expenditure	
	2006-07	2007-08	2006-07	2007-08
Administration	154	179	576	610
Health and Sanitation	241	250	947	965
Public Works	352	423	591	692
Education	20	25	3638	3917
Irrigation	-	-	239	211
Agriculture	-	-	92	128
Social Welfare	44	42	735	700
Public lighting	47	50	-	-
Animal Husbandry	-	-	115	123
Forests	-	-	7	6
Other expenditure	80	106	1221	1142
Capital expenditure	-	-	2314	1923
<b>TOTAL</b>	<b>938</b>	<b>1075</b>	<b>10475</b>	<b>10417</b>

Source: C&AG of India, Audit Report (Local Bodies) for the year ended March 2008, p. 8-9.

Note: These figures are as furnished by RDD of the Maharashtra Government

Total expenditure of ZPs in Maharashtra (2007-2008) is Rs. 10,417 crore, whereas total expenditure of GPs is only Rs. 1,075 crore. This reveals that greater resources are allocated in Maharashtra to the ZP-level than at the GP-level.

(West Bengal)

The revenue receipts of PRIs in West Bengal comprise the receipts from their own sources, assigned revenue (little amount of State tax share [Entertainment Tax, Profession Tax etc.]), and grants-in-aid from State Government and Central Government (directly or through State).<sup>64</sup>

Although different sources cite different figures for the income and expenditure of the PRIs,<sup>65</sup> the Examiner of Local Accounts West Bengal provides data on receipts and expenditure of entire PRIs during 2008-09 as shown<sup>66</sup> in Table 11. According to this data

<sup>64</sup> Third State Finance Commission of West Bengal (2008), p. 31.

<sup>65</sup> As mentioned before, the Central Finance Commissions have in their reports repeatedly indicated low quality of accounting data in most States. [Twelfth Finance Commission (2004), p. 154]

<sup>66</sup> Examiner of Local Accounts West Bengal, *The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year*

source, only about 3.7 per cent of total revenues of the entire PRIs is derived from own source of revenue (OSR) and 96.3 per cent comes from grants, of which 64.6 per cent from Central Government and 31.7 per cent from State Government.

Therefore, PRIs in West Bengal are overwhelmingly dependent on grants from the Central and State Governments. The share of OSR in total receipt of PRIs is quite small in West Bengal.

**Table 11 Receipts and expenditure of PRIs in West Bengal during 2008-09**

(Rupees in crore)

Receipts		Expenditure	
Central fund	2303.85	Salary & allowance	293.03
State fund	1131.87	Scheme	2527.43
Own fund	130.97	SFC & TFC	360.93
		Other	150.85
<b>Total</b>	<b>3566.69</b>	<b>Total</b>	<b>3332.24</b>

Source: Examiner of Local Accounts West Bengal, The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009, p. 7.

From 2002-03 to 2008-09, State government grants to PRIs have increased by 191 per cent, and Central grants have increased by 418 per cent in comparison to the funds received by PRIs in 2002-03. Although OSR collection has also increased by 218 per cent during this period, it constitutes a very small portion of the total revenues.<sup>67</sup>

Own revenue for GPs is from tax and non-tax sources, and own revenue for PSs and ZPs is only from non-tax in West Bengal. PSs and ZPs do not have taxation powers in West Bengal. GPs can collect taxes on land and building.

ZPs have been taking Rural Infrastructure Development Fund (RIDF) loans for some medium-sized rural programmes. The loan liabilities including interest payments are, however, borne by the State Government.<sup>68</sup>

Financial position of the ZPs, PSs and GPs are depicted in Table 12. Table 12 reveals that relatively greater resources are allocated in West Bengal to PRIs at the GP-level than to PRIs at the ZP level. It contrasts sharply with Maharashtra where greater resources are allocated to the PRIs at the ZP level. Greater resources are allocated to the PRIs at the GP level in West Bengal in comparison to those in Maharashtra: a total of Rs. 2,099 crore for the

ending 31 March 2009, p. 7.

<sup>67</sup> Examiner of Local Accounts West Bengal, *The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009*, p. 8.

<sup>68</sup> Third State Finance Commission of West Bengal (2008), p. 31.

former and a total of Rs. 1,059 crore for the latter. Further, the average income of each GP in West Bengal was about Rs. 80 lakhs<sup>69</sup> for 2008-09, which is much larger than Maharashtra. The scale of each GP in West Bengal is financially much larger than Maharashtra.

Table 12 also reveals that the share of OSR in total receipt of GPs is quite small in West Bengal.<sup>70</sup> It is only 2.6 per cent of total receipt, unlike Maharashtra GPs, where the share of OSR is as much as 46 per cent of total receipt.<sup>71</sup> In Maharashtra the share of OSR in total receipt of ZPs is also small, but it is quite large particularly at the GP-level.

Small share of OSR and overdependence on grants restrict autonomous space of GPs to utilise their funds. The grants allocated for Centrally Sponsored Schemes of the Central Government and special purpose programmes of the State Governments are customarily utilised strictly following the rules or guidelines framed by the Central or State government. However, “Other Grants”<sup>72</sup> in Table 12 include “untied funds”— funds that do not impose any specific rules regarding their utilization on the spending agency<sup>73</sup>— such as the 12th Finance Commission Fund and the 2nd State Finance Commission Fund etc.<sup>74</sup> These untied funds could enable GPs to prioritize activities that reflect local needs and preferences, not covered by programmes initiated from above (Centre and State). The share of total “Other Grants” in total receipt of GPs is 8.6 per cent in 2007-08.

In West Bengal, “Salary and Allowance Grants” are provided by the State Government for meeting establishment costs, including salary and pension of the employees of GPs, while in Maharashtra half of that cost is incurred by the OSR of the GPs.

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<sup>69</sup> As shown in Table 4, number of GPs is 3,239 in West Bengal.

<sup>70</sup> According to Annual Reports of Panchayat and Rural Development Department of West Bengal, the per capita OSR from three-tier Panchayats is Rs. 18.65 and that from GPs is Rs. 10.13 for the years 2007-08. [Panchayat and Rural Development Department, Government of West Bengal, *Annual Administrative Reports 2007-2008*, pp. 106-107] However, the Third State Finance Commission of West Bengal suggests that the per capita collection of own revenue may be much less than what has been shown in the Annual Reports of the Department, although the collection has increased, indeed, in all the districts. [Third State Finance Commission of West Bengal (2008), p. 30.]

<sup>71</sup> M. Govinda Rao and U. A. Vasanth Rao of National Institute of Public Finance and Policy (NIPFP), New Delhi has shown large scale variations in inter-state performances in this regard. The OSR-primary sector GSDP ratio in 2002-03 varied from 1.48 per cent in Kerala and 1.10 per cent in Maharashtra to 0.07 per cent in West Bengal. [M. Govinda Rao and U. A. Vasanth Rao, “Expanding the Resource Base of Panchayats: Augmenting Own Revenues”, *Economic and Political Weekly*, Vol.43, Issue No.4, January 26, 2008.]

<sup>72</sup> “Other Grants” for GPs (Rs. 231.07 crore) in Table 12 include the 12th Finance Commission Fund (Rs. 152.52 crore) and the 2nd State Finance Commission Fund (Rs. 72.30 crore) etc.. [Panchayats and Rural Development Department, Government of West Bengal, *Annual Administrative Report 2006-2007*, 2007, p. 125.]

<sup>73</sup> Ambrish Dongre et al., *Do Gram Panchayats Get their Money? : A Case Study of Gram Panchayat Fund Flows in Birbhum District, West Bengal*, PAISA Report, Accountability Initiative, 2011, p. 1. The Third State Finance Commission of West Bengal (2008) stated that “The Commission feels that the idea behind the concept of “untied” fund allocation to LSGs still remains somewhat unclear to its beneficiaries.” [Third State Finance Commission of West Bengal (2008), p. 5.]

<sup>74</sup> In addition, selected GPs received untied funds under the “Strengthening Rural Decentralisation” (SRD) programme supported by the Department for International Development (DFID), United Kingdom (UK). GPs in turn, devolved the SRD untied funds to the GUS.

**Table 12 Financial position of ZPs, PSs and GPs in West Bengal (2008-09) (Rs. in crore)**

Heads	Receipt				Total Expenditure
	ZPs	PSs	GPs	Total	
(A) Grants:					
(i) Salary and Allowances Grant	31.93	21.66	214.73	268.32	293.04
(ii) Schematic fund	404.02	162.55	2183.49	2750.06	2527.43
(iii) Other Grants	108.94	77.33	231.07	417.34	390.56
(A) Total Grants	544.89	261.54	2629.29	3435.72	3211.03
(B) Own Source	39.51	20.72	70.74	130.97	121.21
Total (A+B)	584.40	282.26	2700.03	3566.69	3332.24

Source: Examiner of Local Accounts West Bengal, The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009, p. 9.

It is difficult to obtain data on expenditure by the three tiers of panchayats. The state of data availability and reliability is more precarious in this field.<sup>75</sup> According to our interview with a Panchayat Accounts and Audit Officer at the BDO office in Raina, there was no standardised format to give a detailed breakdown of expenditure in their accounting system. The Examiner of Local Accounts West Bengal presented in its report data on expenditure of the schematic fund (Table 13). Table 13 shows that PRIs spent most of the schematic funds on poverty alleviation and rural housing. Expenditures incurred under these two sectors ranged from 68 to 82 per cent of all schematic expenditures from 2006-07 to 2008-09. The Panchayat and Rural Development Department of West Bengal states that “alleviating poverty has been a core activity of the Panchayats of the State right from the beginning.”<sup>76</sup> This is in contrast to Maharashtra GPs, where there was limited expenditure for poverty alleviation.

**Table 13 Sector-wise Receipts and Expenditure of Schematic Fund as per Records of Panchayat & Rural Development Department, Government of West Bengal (Rs. in crore)**

Name of sector	2006-07		2007-08		2008-09	
	Receipts	Expenditure	Receipts	Expenditure	Receipts	Expenditure
Poverty alleviation	706.88	841.8	1,190.48	1,177.58	1,104.94	1,016.71
Social Security						
Health & Family welfare	265.52	129.42	351.71	323.09	503.78	481.03
Backward area development	-	-	266.35	127.04	183	125.2

<sup>75</sup> Third State Finance Commission of West Bengal (2008), p. 32.

<sup>76</sup> Panchayat and Rural Development Department, Government of West Bengal, (2009), p. 9.

Development of natural resources	10.95	6.34	1.51	7.68	15.75	1.97
Rural Development	44.44	44.44	73.57	73.31	91.17	90.05
Rural roads	3.96	3.96	5.94	5.94	5.99	5.67
Rural Housing	274.14	280.51	344.24	269.83	702.92	701.97
Education	31.87	31.87	106.59	106.59	90.76	90.76
Other sectors	-	-	0.17	-	0.16	0.91
<b>Total expenditure</b>	<b>1,341.73</b>	<b>1,369.38</b>	<b>2,460.81</b>	<b>2,137.64</b>	<b>2,750.06</b>	<b>2,527.44</b>

Source: Examiner of Local Accounts West Bengal, The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009, p. 10.

Thus, we can observe financial position of PRIs and GPs in the two States as follows:

- (1) The scale of funds received by PRIs as a whole is considerably larger in Maharashtra than in West Bengal. Even receipts of panchayats solely at the ZP-level in Maharashtra are as much as Rs. 11, 111 crore in 2007-08, whereas total receipts of all three tiers panchayats in West Bengal in the same period are only Rs. 3,343 crore. The financial scale of PRIs as a whole is much larger in Maharashtra than West Bengal.
- (2) Greater resources are allocated to PRIs at the ZP level in Maharashtra. In contrast, more resources are allocated to PRIs at the GP level in West Bengal than to Maharashtra: a total of Rs. 2,099 crore for the former and a total of Rs. 1,059 crore for the latter. In fact, for the untied fund allocation, the State Finance Commissions of West Bengal has provided a principle to calculate inter-PRI shares of 12:18:70 for ZPs, PSs and GPs within a PRI body. The Commission states that “there is a growing shift in the focus of development activities towards the GP level under the evolving decentralized planning environment.”<sup>77</sup> This is a striking contrast to the situation in Maharashtra.
- (3) The scale of each GP is financially much larger in West Bengal than in Maharashtra. The average income of each GP in West Bengal is about Rs. 80 lakhs, whereas the average income of each GP in Maharashtra is less than Rs. 4 lakhs.
- (4) The share of OSR in total receipt of GPs is considerable in Maharashtra— the share of OSR in total receipt of GPs is as much as 46 per cent in Maharashtra, but in West Bengal it is only 2.6 per cent. The large OSR of GPs in Maharashtra reveals their high potential of self-governance, although the devolution of functions to them is substantially limited as mentioned in §3-2-2-9.
- (5) GPs and PRIs in West Bengal are overwhelmingly dependent on grants from the Central and State Governments. However, these grants include “untied funds” such as the 12th Finance Commission Fund and the 2nd State Finance Commission Fund.

<sup>77</sup> Third State Finance Commission of West Bengal (2008), p. 134.

(6) Alleviating poverty is a core activity of the panchayats in West Bengal.<sup>78</sup> This is quite a contrast to Maharashtra GPs, where less is spent on poverty alleviation.

### 3-2-2-10 Financial Management in PRIs and GPs

“The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by the Panchayata and the auditing of such accounts (Article 243J of the Constitution).” Internal and statutory audits are carried out for PRIs in the two States. However, some weaknesses in financial management have been pointed out by auditors in both States.

(Maharashtra)

The Chief Auditor, Local Fund Accounts (CALFA), Maharashtra has acted as the statutory auditor in accordance with provisions of the Bombay Local Fund Act, 1930, the Maharashtra Village Panchayat (Audit of Accounts) Rules, 1961 and the Bombay Village Panchayats Act, 1958. The Comptroller and Auditor General of India (C&AG of India) also conduct audits of ZPs and PSs under Section 14 of the Comptroller & Auditor General of India’s (Duties, Powers and Conditions of Services) Act, 1971 and under Section 142A of the Maharashtra Zilla Parishad and Panchayat Samitis Act, 1961. During the audit of PSs, selected GPs under the PSs are also audited.<sup>79</sup>

Each ZP in Maharashtra has a financial management system not only for the ZP itself but also for PSs and GPs under the ZP. Under the provisions of Section 136 (2) of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, the BDOs forward the accounts approved by the PSs to the ZPs and these form part of the ZPs’ accounts. Under provisions of Section 62 (4) of the Bombay Village Panchayats Act, 1958, the Secretaries of the GPs (*Gram Sevaks*) are required to prepare annual accounts of the GPs. The approved accounts of the GPs are to be forwarded to the ZPs. Annual account of Warwat Khanderao GP is consolidated at the block level and audited by Local Fund Audit Department annually and by the C&AG once every three years.<sup>80</sup> The BDO has annual account in the Maharashtra State Gram Panchayat Annual Report. The abstracts of the approved accounts of the ZPs/PSs and GPs are prepared by Chief Accounts and Finance Officer (CAFO) at the ZP

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<sup>78</sup> Panchayat and Rural Development Department, Government of West Bengal (2009), p. 9.

<sup>79</sup> The C&AG conducted a performance audit in Maharashtra between December 2008 and May 2009. The C&AG selected some Panchayats by random sampling method. That is, there are 33 ZPs, 351 PSs and 27909 GPs in the State. Out of 33 ZPs, eight (Akola, Chandrapur, Jalna, Nasik, Ratnagiri, Satara, Thane and Yavatmal) ZPs representing at least one ZP from each of the six regions (Amravati, Aurangabad, Nasik, Mumbai/Thane, Nagpur and Pune) in the State alongwith sixteen PSs (Balapur, Chiplun, Chimur, Deola, Jalna, Karad, Mahabaleshwar, Murbad, Murtizapur, Nasik, Partur, Pusad, Ratnagiri, Vasai, Wani and Warora) and eighty GPs were selected by random sampling method for the performance audit covering the period from 2003-04 to 2007-08. Performance Audit conducted between December 2008 and May 2009, involved scrutiny of records maintained in the department, selected ZPs, PSs and GPs. [Comptroller and Auditor General of India (C&AG), *Audit Report (Local Bodies) for the year ended March 2008*, p. 20]

<sup>80</sup> Interview at the BDO of Sangrampur on April 25, 2014.

level and forwarded to the Chief Auditor, Local Fund Accounts (CALFA) for audit, certification and publication in the Maharashtra Government Gazette.<sup>81</sup>

However, the C&AG observes some weakness in financial management of PRIs in Maharashtra. The findings of the C&AG reveal problems with internal control of financial management not only at the GP-level but also at the ZP and PS-levels in PRIs:

The C&AG found arrears in finalisation of accounts by the ZPs and certification thereof by the CALFA. According to the C&AG,<sup>82</sup> “it was observed from the information collected (August 2009) from CALFA that out of the 33 ZPs except Akola, Bhandara, Kolhapur, Pune, Sangli, Satara and Solapur, all others had not finalized their accounts for 2007-08. Arrears in finalisation of accounts by the ZPs and certification thereof by the CALFA ranged from one to four years.” The C&AG states that “arrears in finalisation and publication of accounts is indicative of inefficient internal controls” and “absence of a proper management information system and the increasing arrears in finalisation and publication of accounts are fraught with the risk of misappropriations and other irregularities.”<sup>83</sup>

The C&AG observes not all ZPs and PSs reconcile their cash book balances with bank balances.<sup>84</sup> Non-reconciliation of cash book balances with bank balances in some ZPs and PSs reveals poor quality of some accounts even at the ZP and PS levels.

The C&AG claims that “accumulation of huge fund with ZPs needs to be examined.”<sup>85</sup> According to the C&AG, scrutiny of records of eight test-checked ZPs revealed that unspent grants under agency scheme amounting to Rs 97.29 crore as on 31 March 2008 were not refunded to the Government. “Audit has noticed many cases of failure to refund unspent balances leading to huge blocking of public money for no purpose.”<sup>86</sup>

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<sup>81</sup> Comptroller and Auditor General of India (C&AG), *Audit Report (Local Bodies) for the year ended March 2008*, pp. 9-10.

<sup>82</sup> *Ibid.*, p. 10. “However, information regarding the status of publication of the ZPs' accounts made available by the Government indicated arrears of one to three years in publication of annual accounts of ZPs, although procedure for ensuring timely finalisation and publication of the accounts had been prescribed.”

<sup>83</sup> *Ibid.*, pp. 10-11. The C&AG observed “from records of two ZPs [Chandrapur ZP and Yavatmal ZP] that there were delay ranging between six and 22 months in compilation of accounts whereas there were delays ranging from seven months to 23 months in publishing of annual accounts by three ZPs [Akola ZP, Chandrapur ZP and Yavatmal ZP] during 2003-04 to 2007-08.” [*Ibid.*, p. 23]

<sup>84</sup> *Ibid.*, pp. 33-34. “Scrutiny of records revealed that reconciliation of cash book balances with bank balances as on 31 March 2008 was not carried out by ZP Thane and four selected PSs for the period 2003-08. As a result, the difference of Rs 12.20 crore between Cash Book and Bank Pass Books remained unreconciled as of March 2008.” [*Ibid.*, p. 34]; “Fraud and embezzlement cannot be ruled out due to non-reconciliation of balances between cash book and bank accounts. The facts were accepted (September 2009) by the Government and they stated that instructions were issued in August 2009.” [*Ibid.*, p. 34]

Maharashtra State Development Report mentioned that “The major challenge that the PRIs in the state face is the corruption at various levels, which is the common practice in many states. Instances of misappropriation of funds by sarpanchs, gram sevaks often appear in the local newspapers. However, the recent initiatives of the government to empower the gram sabha by recalling panchayat representatives under certain circumstances, in response to social crusader Anna Hazare's demand, may check such incidents. Moreover, the wider anti-corruption movement initiated by Anna Hazare and his campaign for the people's right to information could generate effective and vigilant public opinion against the individuals and groups involved in such practices.” [Planning Commission of the Government of India (2007), pp. 250-251.]

<sup>85</sup> Comptroller and Auditor General of India (C&AG), *Audit Report (Local Bodies) for the year ended March 2008*, p. 42.

<sup>86</sup> *Ibid.*, p. 32.

Upon further scrutiny of the records the C&AG found that a surplus fund of Rs 592.33 crore was accumulated in the eight ZPs only.<sup>87</sup>

Unlike the funds received by ZPs through State budget, it is difficult to incorporate Centrally Sponsored Schemes (CSS) funds in the accounts of ZPs, because the CSS funds are received by the PSs directly from DRDA. The C&AG points out weaknesses of Maharashtra PRIs in financial management for the flow of funds through DRDA for the CSS, such as Indira Awas Yojana (IAY) and Rajiv Gandhi Niwara Yojana (RGNV).<sup>88</sup>

As a result, different sources indicate different figures on expenditure of ZPs. The expenditure of Rs 10417 crore during 2007-08 (Table 8) is based on the figures adopted from the Rural Development Department (RDD) of Maharashtra. However, on the basis of the information received from all ZPs for 2007-08, the C&AG noticed that these ZPs may have incurred an expenditure of Rs 12329 crore (Rs 483.44 crore on their own schemes, Rs 10289.43 crore on transferred schemes by the State Government and Rs 1556.06 crore on schemes funded by other agencies).<sup>89</sup>

The C&AG of India also observes problems at the GP level concerning internal control over financial management.

According to the C&AG, 17 out of 80 selected GPs had not submitted 65 annual accounts for 2003-08 to *Gram Sabha* for approval, and none of the selected 80 GPs had submitted their annual accounts to ZPs for 2003-08.<sup>90</sup> The C&AG indicates that accounts and related records are often not properly maintained by GPs in Maharashtra. The C&AG's scrutiny of records revealed that 70 GPs out of test checked 80 GPs did not maintain Forms 3 to 27 required in the Bombay Village Panchayats (Budget and Accounts) Rule, 1959. The C&AG states that "this also shows lack of proper control and supervision of GPs by higher officials like BDO of PS and CEO [Chief Executive Officer] of ZP."<sup>91</sup>

GPs prepare budgets only for work that can be done with their own resources. However, as mentioned in §3-2-2-8, the Central and State schemes implemented directly by GPs are substantially limited in Maharashtra. A GP is not responsible for maintaining annual accounts for the schemes not directly implemented by the GP. Therefore, as far as Warwat Khanderao GP is concerned, annual account in the "Annual Budget Report on Gram Panchayat in Maharashtra" provides little information on grants from State and Central Government. Accounting data for the Central and State schemes implemented within the GP's jurisdiction constitutes an information vacuum for the financial management in the GP.

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<sup>87</sup> Thirteenth Finance Commission (2009), p. 423. The Thirteenth (Central) Finance Commission summarises the major recommendations of the State Finance Commissions. It states that there is no information ("no data available") on the State Finance Commission Report in Maharashtra. According to the people in the major libraries in Mumbai, i.e. Mantralaya, the report "is not in public domain".

<sup>88</sup> Comptroller and Auditor General of India (C&AG), *Audit Report (Local Bodies) for the year ended March 2008*, p. 23.

<sup>89</sup> *Ibid.*, p. 9. Expenditure figures furnished by RDD of State Government and varies from figures given in Economic survey of Maharashtra. [*Ibid.*, p. 5]

<sup>90</sup> *Ibid.*, p. 37.

<sup>91</sup> *Ibid.*, pp. 38-40.

Test check of cash books of six GPs from three ZPs revealed that the cash books were not always maintained during the 2003-08 period. The C&AG observed that GPs were making huge cash payments in violation of all codal instructions.<sup>92</sup>

(West Bengal)

The Examiner of Local Accounts (ELA), West Bengal has been the statutory auditor for examining cent per cent accounts of all the ZPs and PSs since 1980. In 2003 the ELA of West Bengal was appointed as statutory auditor for examining cent per cent accounts of all the GPs and since then ELA has audited the accounts of GPs every year.

The Panchayat Accounts and Audit Officer posted at each block examine accounts and undertake an internal audit of all GPs within the Block in every quarter. The Samiti Audit and Accounts Officer posted at each subdivision examine the accounts and audit all PSs within the subdivision every quarter. Similarly, the Parishad Accounts and Audit Officer posted at each district are responsible for supervision of works of the Panchayat Accounts and Audit Officer and the Samiti Audit and Accounts Officer, and inspection of books of accounts of all PSs within the district every quarter. The Regional Accounts and Audit Officer posted at each Division examine the accounts and conduct an internal audit of all ZPs within the Division every quarter.

Unlike Warwat Khanderao GP, Raina GP even provides accounting data for many grants from State and Central Government. Raina GP is responsible for maintaining financial accounts for numerous schemes for which the GP receives funds from the government agencies. The schemes directly implemented by GPs in West Bengal are *Sampoorna Grameen Rozgar Yojana* (SGRY), MGNREGS, IAY, IGNOAPS, Provident Fund for Landless Agricultural Labourers (PROFLAL), National Maternal Benefit Scheme (NMBS) and the State Sanitation Programme. Unlike Warwat Khanderao GP, Raina GP also provides information on “untied funds” such as the Central and State Finance Commission Funds.

However, both the State Finance Commission and the ELA, West Bengal are concerned about weakness of financial management of PRIs in West Bengal.

In the audit of 18 ZPs, 151 PSs and 3,214 GPs during 2008-09, the ELA found that internal audit of Bankura and Bardhaman ZPs, 67 PSs and 1,252 GPs was not conducted for the periods ranging from one to five years.<sup>93</sup> The ELA found that 29 PSs and 28 GPs did not prepare the account in the prescribed format. The ELA found, among other things, that 735 PRIs did not maintain the Demand and Collection Register, 1,039 PRIs did not maintain the Appropriation Register, 1,589 PRIs did not maintain the Advance Register and 2,059

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<sup>92</sup> *Ibid.*, p. 37. “According to Rule 5(A) of the BVP [Bombay Village Panchayats], (Budget & Accounts) Rules, 1959 payment of any sum in excess of Rs 500 out of the village fund shall be made by cheque signed by the Sarpanch and Secretary of the GP”

<sup>93</sup> Examiner of Local Accounts West Bengal, *The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009*, p. 17, p. 19 and p. 20.

PRI did not maintain the Works Register.<sup>94</sup> That is indicative of inefficient internal controls in some of the PRIs in West Bengal.

The ELA found in its audit scrutiny that Jalpaiguri ZP, 17 PSs and 85 GPs did not reconcile difference between the Cash Book and the Pass Book balances of Banks and Treasuries as on 31 March 2008.<sup>95</sup>

Therefore, the Third State Finance Commission of West Bengal suggests that “the accounts keeping by all the three tiers are not in order.”<sup>96</sup> Both the State Finance Commission and the ELA of the State point out differences between the allocation of funds in the State Budget and their actual release, and between the actual release and their utilization (Table 14). According to the ELA, the Panchayat and Rural Development Department of West Bengal was requested to explain the shortfall in allocation and utilization but no reply has been received.<sup>97</sup> The Third State Finance Commission of West Bengal claims that “Large amount of specific purpose funds remain unutilized for years together.”<sup>98</sup>

**Table 14 State Budget Allocation, Actual Released and Utilization in West Bengal**  
(Rs. in crore)

State Budget Allocation	Actual Released	Utilization
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<sup>94</sup> Examiner of Local Accounts West Bengal, *The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009*, p. 19 and pp. 85-86.

<sup>95</sup> The Third State Finance Commission of West Bengal (2008) indicates that “Considerable amounts are found to have remained un-reconciled between Cash Book and Pass Book every month leaving the risk of misappropriation of funds going undetected” (The third State Finance Commission of West Bengal, 2008, p. 109)

<sup>96</sup> Third State Finance Commission of West Bengal (2008), p. 33. The Commission states “The analysis vindicates the evidence adduced by the Auditors and Examiner of Local Accounts before the Commission.”

<sup>97</sup> Examiner of Local Accounts West Bengal, *The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009*, p. 19 and pp. 7-8. The third State Finance Commission of West Bengal argues that “Apparently, the difference is on account of the facts that P & RD Department has shown less releases in respect of some schemes and has not included funds released on account of pensionary benefits.” [Third State Finance Commission of West Bengal (2008), p. 32.]

<sup>98</sup> Third State Finance Commission of West Bengal (2008), p. 109. The Third State Finance Commission of West Bengal, in course of interaction with the ELA of the State, found the following issues with regard to financial accountability of local bodies in West Bengal;

- (i) GPs prepare receipts and payments accounts under single accounting system, while PSs and ZPs under double entry system. Supporting Vouchers, Ledgers, etc. are however not maintained properly;
- (ii) Basic registers like Asset Registers, Works Register are not maintained and as such, it is not possible to know whether the same works are being done again;
- (iii) Diversion of funds is very common—often out of compulsion, and late receipt of guidelines;
- (iv) Most of the GPs cannot collect revenue because there is no employee for tax collection. Demand and Collection registers are not maintained properly;
- (v) Substantial funds are spent by the PRIs without budget preparation/provision;
- (vi) Considerable amounts are found to have remained un-reconciled between Cash Book and Pass Book every month leaving the risk of misappropriation of funds going undetected;
- (vii) Irregularities in selection of beneficiaries, irregular engagement of contractors, irregular payments etc. are some of the problems;
- (viii) Large amount of specific purpose funds remain unutilized for years together;
- (ix) Capacity building of the employees should be given importance.

Most points listed above are also pointed out in the audit of selected PRIs in Maharashtra conducted by the C&AG of India.

2006-07	1,272.65	1,233.95	787.60
2007-08	2,168.93	1,880.77	980.72
2008-09	2,048.07	1,830.89	1,687.89

Source: Examiner of Local Accounts West Bengal, *The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009*, p. 7.

### 3-2-2-11 State Finance Commission (SFC)

The governor of a State “shall” constitute a Finance Commission to review the financial position of the panchayats (Article 243I(1) of the Constitution). It is a mandatory provision of the Constitution (73rd Amendment) Act, 1992. It may not be different in the two States.

(Maharashtra)

The first State Finance Commission (SFC) was established in April 1994 and its report was submitted in November 1996. The Second SFC was established in May 1999 and its report was submitted in October 2002. The Third SFC was set up but its recommendations have not been received. However, details of recommendations and reports of the Third SFC are not available in the public domain.<sup>99</sup>

(West Bengal)

The first State Finance Commission (SFC) was appointed in May 1994 and its report was submitted in November 1995. All the recommendations of the SFC were accepted by the State Government. The second SFC was set up in July 2000 and its report was submitted in February 2002. The State Government accepted most of the recommendations. The third SFC was set up in February 2006 and its report was submitted in October 2008. All of these reports are available in the public domain.

### 3-2-2-12 Planning in PRIs and GPs

As mentioned before, devolution of powers and responsibilities upon panchayats at each level with respect to the planning and implementation of schemes for economic development and social justice, is at the discretion of the Legislature of a State (Article 243G of the Constitution). Therefore, it may be different for each State.

The District Planning Committees (DPCs) in both States are not considered functional. In particular, the DPCs in Maharashtra are not as functional as they should be under the Constitution (73rd Amendment) Act, 1992.

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<sup>99</sup> The Thirteenth (Central) Finance Commission summarises the major recommendations of the State Finance Commissions. It states that there is no information (“data not available”) on recommendations of the State Finance Commission of Maharashtra. [Thirteenth Finance Commission, 2010, p. 423] According to the people in major libraries in Mumbai, i.e Mantralaya, the report “is not in public domain”.

As for the GP-level planning, the authority of GP to carry out planning exercises is considerably more limited in Maharashtra than in West Bengal. Although GPs in both States act as implementing agencies of the State or the Centre, autonomous space for the GP to function is not so limited in West Bengal as in Maharashtra.

(Maharashtra)

As mentioned before, Article 243ZD of the Constitution envisages that District Planning Committees (DPCs) are constituted in every State at the district level to consolidate the plans prepared by the panchayats and the Municipalities in the district and to prepare a draft development plan for the entire district. Each DPC prepares a draft Development Plan of the district having regard to the matters of common interest between the Panchayats and the Municipalities, such as spatial planning, sharing of water and other physical and natural resources, integrated development of infrastructure and environmental conservation.

However, according to the Maharashtra State Development Report, “the District Planning Committees (DPCs) as per the provision prescribed under Article 243 ZD (1) of the Constitution have not yet been constituted like that of Karnataka, West Bengal, Kerala, Madhya Pradesh and many other states.”<sup>100</sup> In Maharashtra the Department of Rural Development and Panchayati Raj is under the Maharashtra Ministry of Rural Development of the State. A cabinet minister of the State Government is appointed “guardian minister” (*Palak Mantri*) for each district, who has to oversee the implementation of all schemes and programmes in the district. He/she is the chairman of the DPC. The DPC comprises of the Guardian Minister, the Projector Director and selected member of the Zilla Parishad. The District Rural Development Agency (DRDA) has not been abolished and prepares plans for schemes and programmes under its jurisdiction. Therefore, the Maharashtra State Development Report stated that “the Line Departments and District Rural Development Agencies (DRDAs) continue to have major control over the planning and implementation of the schemes. The PRIs mostly act as the delivery units.”<sup>101</sup>

At the Block level there are several extension officers for different programmes and departments (e.g. extension officer for agriculture, industry, and statistics). These extension officers are given additional charges as “sector planning officer.” A sector, in this case, refers to a geographical area comprising 10-15 villages. The sector planning officer is responsible for all planning activities for each scheme/programme (of the Ministry of Rural Development) in this sector, with the help of the *Gram Sevak*. Block level engineers/technical officer provide technical support to the sector planning officer. Planning and implementation of schemes of other departments (such as health, education, agriculture, and animal

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<sup>100</sup> Planning Commission of the Government of India, *Maharashtra State Development Report*, Academic Foundation, 2007, p. 247.

<sup>101</sup> Planning Commission of the Government of India (2007), p. 251.

husbandry) are done by the relevant department officials. The sector planning officers report them to BDO and DPC.

However, according to the BDO of Sangrampur, the powers of the BDO are limited. As mentioned in §3-2-2-5, at the sub-district level there are two overlapping administrative units in Maharashtra, the block and the tehsil. The block is the development administrative unit; the *tehsil* is the revenue administrative unit. The BDO represents the block-level administration and the *Tehsildar* represents the *tehsil*-level administration. The BDO is the executive officer for all matters related to the panchayat, while the *Tehsildar* is the Programme Officer for all programmes under the Ministry of Rural Development. Unlike West Bengal, where the administrative duties of the Block Land and Land Reform Officer (BLLRO) is restricted to the areas of land reforms and land revenues, the *Tehsildars* in Maharashtra wield greater administrative powers. The *Tehsildars* guide the officers of other departments in the execution of their duties insofar as his *tehsil* is concerned.<sup>102</sup>

On the basis of Activity Mapping, the GP can prepare its own plan. Indeed, “Preparation of plans for the development of the village” is included in Schedule I (Village List) of the Bombay Village Panchayats Act, 1958. Section 8 (1) of the Bombay Village Panchayats Act, 1958 stipulates:

The first meeting of the *Gram Sabha* in every financial year shall be held within two months from the commencement of that year, and the *panchayat* shall place before such meeting— (i) the annual statement of accounts; (ii) the report of the administration of the preceding financial year; (iii) the development and other programme of work proposed for the current financial year; (iv) the last audit note and replies (if any) made thereto; (v) any other matter which the Standing Committee, *Panchayat Samiti* or Chief Executive or any officer authorised by the Standing Committee or *Panchayat Samiti* in this behalf, requires to be placed before such meeting.

Here “the development and other programme of work proposed for the current financial year” is comparable, to some extent, to the “annual plan” provided in Section 19 of the West Bengal Panchayati Raj Act, 1973.

In principle, GP can appoint sub-committees. “A panchayat may from among its members, constitute committees for the purpose of exercising such powers, and discharging such duties and performing such functions as may be delegated or assigned to them by the panchayat, and may appoint any member or a committee of members to enquire into and report on any matter referred to them.” (Article 49 of the Bombay Village Panchayats Act, 1958)

However, the authority of GP in Maharashtra to carry out planning exercises was considerably limited. As far as Warwat Khanderao GP is concerned, the scope of autonomous space in the functional domain of GP in Maharashtra is significantly less than

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<sup>102</sup> See <[http://akola.nic.in/gazetteers/maharashtra/gen\\_admin\\_tahsildar.html](http://akola.nic.in/gazetteers/maharashtra/gen_admin_tahsildar.html)> Retrieved on 30 November 2014.

that in West Bengal. As described in §3-2-2-8, the Warwat Khanderao GP continues to function within the “permissive functional domain.” The line departments and DRDAs control the planning exercises, and furthermore a hierarchy of revenue officials— *patwari*, *Tehsildar* and District Collector under the Revenue Department — has extensive administrative powers in Maharashtra. The GP does not demonstrate initiative for rural development except for schemes for drinking water, sanitation, ICDS, MGNREGS, public distribution etc. The GP prepares wish lists of beneficiaries for schemes such as the IAY and the *Sanjay Gandhi Niradhar Yojna* but it acts as an agency of *Panchayat Samiti* (PS), or the State or Central government for implementation of schemes. Capabilities of the *Gram Sabha* for planning exercise are quite limited in this regard. Therefore, it is presently very difficult for the GP to have a holistic vision of development to prepare a plan.

(West Bengal)

In West Bengal, District Planning Committees (DPCs) have been constituted in conformity with the West Bengal District Planning Committee Rules, 1994, based on Article 243 ZD of the Constitution. The DPC’s Plan is considered independent of the State Plan and is not integrated with the State Plan. As mentioned before, the District Rural Development Agencies (DRDAs) have, reportedly, been merged with *Zilla Parishads* (ZP) in April, 2000 and their resources, facilities and manpower are available to PRIs.

However, the ELA of West Bengal found that Bardhaman district, to which the Raina GP belongs, prepared draft Development Plans (DPs) for 2005-06, 2007-08 and 2008-09, which were duly accepted by the DPC, but no draft DP was prepared for 2003-04, 2004-05 and 2006-07.<sup>103</sup> Moreover, the district did not prepare the statement showing annual execution of plan prepared.

The Third State Finance Commission of West Bengal argued that “DPCs in West Bengal have failed in the mandatory responsibility of preparing the District Plan scientifically.” The Commission stated that “a disparate set of schemes stitched together without proper integration have been put into volumes and labeled now as District Plans in all the districts. The terms like integrated District Plan, consolidation of schemes, comprehensive plan etc. are being loosely used in most of the instruction manuals, plan guidelines, Government orders and training materials without conceptual clarity or operational directions.”<sup>104</sup> According to the Commission, one reason for this failure is that

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<sup>103</sup> However, ELA points out that functioning of (DPCs) is not necessarily effective. The ELA found, for example, that Bardhaman District prepared draft Development Plans (DPs) for the years 2005-06, 2007-08 and 2008-09 which were duly accepted by the DPC but no draft DP was prepared for the years 2003-04, 2004-05 and 2006-07 and did not prepare the statement showing annual execution of plan prepared. [Examiner of Local Accounts West Bengal, *The Report of the Examiner of Local Accounts on Panchayat Raj Institutions for the year ending 31 March 2009*, pp. 11-12]

<sup>104</sup> Third State Finance Commission of West Bengal, *Report of the Third State Finance Commission West Bengal*, 2008, pp. 131-132. The commission seeks causes for that as follows; “one cannot blame the DPCs for such conditions as, in addition to the primary deficiency in respect of devolution, they do not have adequate expertise and office support for effective functioning,” and states that “West Bengal may, perhaps, review the situation and draw upon the benefit of Kerala’s experience for rejuvenation of the DPC and the District Plan.” [*Ibid.*, p. 132]

Activity Mapping, on which the devolution of funds to each local body is to be patterned, does not give effect appropriately in West Bengal.<sup>105</sup> Another reason is that the DPCs in West Bengal do not have the expertise and office support that they need to function.<sup>106</sup> Therefore, the Commission urgently recommended the rejuvenation of the DPCs in West Bengal, and stated that “West Bengal may, perhaps, review the situation and draw upon the benefit of Kerala’s experience for rejuvenation of the DPC and the District Plan.”<sup>107</sup>

The West Bengal Panchayat Act authorizes all tiers of PRIs to prepare annual and five-year plans. West Bengal Panchayati Raj Act, 1973 envisages that:

“A Gram Panchayat shall function as a unit of self-government and, in order to achieve economic development and secure social justice for all, shall, subject to such conditions as may be prescribed or such directions as may be given by the State Government,—

- (a) prepare a development plan for the five-year term of the office of the members and revise and update it as and when necessary with regard to the resources available;
- (b) prepare an annual plan for each year by the month of October of the preceding year for development of human resources, infra-structure and civic amenities in the area;
- (c) implement schemes for economic development and social justice as may be drawn up by, or entrusted upon it.” (Section: 19)

Further, GP in West Bengal adopted a bottom-up style planning exercise. In the decentralization process the focus of development activities in West Bengal has shifted towards the GP or sub GP (*Gram Sansad*)-level.<sup>108</sup> The Raina GP prepared an Action Plan each year for implementation in the succeeding financial year and the preparation of the

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<sup>105</sup> *Ibid.*, p. 130. “The Panchayat Plans should refer to the assigned Functions / Activities. Unfortunately, such assignment of functions with appropriate division of sub-functions and subactivities (activity mapping) has not been done by the State Government as yet, as discussed. The Panchayats at all the three tiers, therefore, do not know what their specific responsibilities are. They do not know exactly what role they are to play in respect of Primary Education, Primary Health Care, Water Supply and so on. Along with the functions, the finance is also not known.”

<sup>106</sup> *Ibid.*, pp. 127-132. “The Panchayat Plans should refer to the assigned Functions/Activities. Unfortunately, such assignment of functions with appropriate division of sub-functions and subactivities (activity mapping) has not been done by the State Government as yet, as discussed. The Panchayats at all the three tiers, therefore, do not know what their specific responsibilities are. They do not know exactly what role they are to play in respect of Primary Education, Primary Health Care, Water Supply and so on. Along with the functions, the finance is also not known.” (*Ibid.*, p. 130), “Of course, one cannot blame the DPCs for such conditions as, in addition to the primary deficiency in respect of devolution, they do not have adequate expertise and office support for effective functioning and as such, they cannot facilitate the preparation of the District Plans by ensuring the participation of official experts, elected members of local bodies, nonofficial experts nominated by the State Government and the local bodies and also individual and voluntary groups interested in joining the planning process.” (*Ibid.*, p. 132) “It is worth mentioning in this connection that the same situation was prevailing in Kerala a few years back. Kerala has, however, changed the position now. Apart from the steps taken to clarify the devolution of functions, allocation of resources etc., the State has strengthened the DPCs by associating them with experts from various sources - technical people from the departments, colleges, universities and various institutes including NGOs working on development and related activities.” (*Ibid.*, p. 132)

<sup>107</sup> *Ibid.*, p. 132.

<sup>108</sup> *Ibid.*, p. 134.

Action Plan began at the *Gram Sansad*-level general meetings (in November). The people attending the meeting make an assessment of the work that needs to be done in the year in the village and an Action Plan is drawn up for each *Gram Sansad* based on these demands. The Panchayat receives all Action Plans from the *Gram Sansads* to prepare the GP Action Plan. The GUS may assist the *Gram Sansad* “in the preparation and implementation of its perspective plan for five years and annual plan” (Section: 74) for achieving economic development and social justice. As mentioned before, GP cannot omit or refuse to act upon any recommendation of a *Gram Sansad* relating to prioritization of any list of beneficiaries or schemes or programmes insofar as it relates to the *Gram Sansad*.

At the sub-GP level, therefore, GUS has now been entrusted with the preparation of village-level plans (“Action Plan”) of the *Gram Sansad*, which shall be the basis of the GP plan. The GP receives all Action Plans from the *Gram Sansads* to prepare the GP Action Plan. The GUS is also responsible for the implementation and monitoring of the schemes at the *Gram Sansad*-level. GPs devolve a part of the funds to the GUS for implementation of different developmental programmes. The implementation of the Annual Action Plan is assessed in the *Gram-Sansad*-level meeting. In this way the West Bengal State Government engaged in a bottom-up style planning exercise with a special focus on GPs and their *Gram Sansads*. In fact, the Panchayats and Rural Development Department of West Bengal with the support of Department for International Development (DFID), Government of UK, intended to upscale this planning process under the Programme for Strengthening Rural Decentralisation (SRD).<sup>109</sup> Thus, *Gram Sansad* plan based GP planning, GP plan based PS planning and PS plan based ZP planning were pursued in West Bengal.

GPs in West Bengal and their *Gram Sansads* are also implementing agencies of the State or the Centre as in Maharashtra. The authority of GPs in West Bengal and their *Gram Sansads* to carry out planning exercise is more or less limited as it is in Maharashtra. Most of the projects that can be taken up under the different types of schemes and funds are specified by the funding authority of the State or the Centre. Even the Panchayat and Rural Development Department of West Bengal recognises that panchayats in West Bengal “perform tasks on behalf of the State primarily as an agent of the Government.”<sup>110</sup> Nevertheless, the authority of GP in West Bengal to carry out planning exercises was not as limited as in Maharashtra. As mentioned in §3-2-2-8, Raina GP has some autonomy with regard to poverty alleviation, the MGNREGA schemes, SHG activities. The GP also has some autonomous space of function through its initiative for the convergence of public

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<sup>109</sup> Julian Barr, Setthalli Basavraj, Alison Girdwood, Jan Willem Harnmeijer, Anuradha Mukherjee, Siddartha Prakash, Hilary Thornton, ITAD with KIT and Verulam Consultants Private Ltd., *Evaluation of DFID Country Programmes Country Study: West Bengal State Programme, Final Report* <<http://www.oecd.org/derec/unitedkingdom/39770200.pdf>> Retrieved on 30 November 2014.

<sup>110</sup> Panchayat and Rural Development Department, Government of West Bengal, *Roadmap for the Panchayats in West Bengal: A Vision Document*, 2009, p. 14.

health related activities.

Nevertheless, as mentioned before, the devolution of functions by most of the line departments has not yet been sufficiently carried out even in West Bengal. The Panchayat and Rural Development Department of West Bengal has a “Roadmap for developing various capacities within the Panchayats so as to respond to the need-based demands of the people and acquire more responsibilities of their own for realization of such demands, stemming from the local needs and aspirations.”<sup>111</sup> In order to follow up on this roadmap and prepare a plan, GPs in West Bengal need a vision of holistic development.

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<sup>111</sup> Panchayat and Rural Development Department, Government of West Bengal (2009), p. 13.