



सत्यमेव जयते

डा. रामेश्वर उराँव

अध्यक्ष

(भूतपूर्व सांसद-लोकसभा)

(पूर्व जनजातीय कार्य राज्यमन्त्री)

Dr. RAMESHWAR ORAON

Chairman

(Ex Member Parliament-LS)

(Former Minister of State for Tribal Affairs)

भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

छठी मंजिल, लोकनायक भवन,

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Government of India

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D.O.No. 23/10/Review/MoPanchayati Raj/2012/RU-I

21st November, 2012

The Commission has reviewed the performance of the Ministry of Panchayati Raj on 19/11/2012 with regard to implementation of Tribal Sub-Plan and safeguards provided for STs. The summary record of the proceedings of the review meeting is enclosed.

2. The Commission has noted with appreciation the efforts and the innovative approach by the MoPR to ensure special focus on the issues concerning STs and scheduled/ tribal areas with regard to effective implementation of various schemes and devolution of functions, funds and functionaries to the PRIs with transparency and accountability.

3. The MoPR has already taken initiatives with regard to harmonization of Central as well as the State Laws with PESA. It is requested that the matter may be closely followed for aligning these laws with the PESA at the earliest.

Yours sincerely,

Sd/-

(Dr. Rameshwar Oraon)

Encl: As above

Shri V. Kishore Chandra Deo,
Minister of Tribal Affairs & Panchayati Raj,
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Shastri Bhawan,
New Delhi - 110001

Copy to:

Ms. Loretta Mary Vas,
Secretary,
Ministry of Panchayati Raj,
Krishi Bhawan,
Dr. Rajendra Prasad Road,
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Along with a copy of the summary record of the proceedings

Rameshwar Oraon
(Dr. Rameshwar Oraon)

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जारी किया
ISSUED

National Commission for Scheduled Tribes

Summary record of the proceedings of the review meeting taken by Dr. Rameshwar Oraon, Chairman, NCST on 19/11/2012 at 1530 hrs. to review the Ministry of Panchayati Raj with regard to implementation of Tribal Sub-Plan and safeguards provided for STs.

1. List of the officials present in the meeting is annexed.
2. The meeting was convened in pursuance of the Commission's letter No. 23/01/12-Coord dated 18/05/2012 to review implementation of various schemes being run by the Ministry of Panchayati Raj in relation to the STs and also the representation of STs in the Ministry.
3. Chairman, NCST observed that the Commission was concerned with the meaningful and effective devolution of functions, funds, and functionaries to the PRIs in the scheduled/tribal areas and also establishment of a robust accounting and audit system to ensure transparency and accountability of the PRIs, particularly in view of the substantial increase of flow funds. He desired that the MoPR should apprise the Commission of details of its various schemes in relation to the Scheduled Tribes and performance of the concerned States with regard to their implementation.
4. Thereafter, Secretary, MoPR made a presentation on major programmes of the Ministry, implementation of Tribal Sub-Plan in various schemes and safeguards/welfare provided for STs, status of implementation of PESA, recruitment of personnel in MoPR etc.
5. In his presentation, the Secretary, MoPR mentioned that during 2011, MoPR had made provisions towards TSP as per the guidelines of the Planning Commission i.e.

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8.2% of the Plan Outlay in its main schemes, viz. Rashtriya Gram Swaraj Yojana (RGSY) and Backward Regions Grant Fund (BRGF). In fact, in respect of BRGF, against the provision of Rs. 321.19 crore for TSP as per the guidelines, an allocation of 781.62 crore was provided as many of the 250 districts under the Scheme have a larger percentage of tribal population as compared to the national average and the funds released against the scheme under the TSP are based on the percentage of STs in the concerned districts. Against the total Revised Allocation of Rs. 4113.76 crores for the MoPR (including all other small schemes), the percentage for TSP was 19.17%. During of 2011-12, the amount allocated (Rs.1510 cr.) was fully utilized.

6. Secretary, Ministry of Panchayati Raj also apprised the Commission that during the 12th Plan, 6 existing schemes of MoPR would be rationalized in RGPSA and BRGF. As per the present proposal, BRGF will be an ACA to the State Plan while RGSPA would be a CSS.

7. The Commission noted that the BRGF programme was being implemented in 272 Districts (27 States), out of which 93 districts are tribal districts. The programme represents a major shift in approach from top-down plans to bottom up participative plans. The Commission noted that special provisions have been made in the guidelines for those districts in J&K, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura which do not have Panchayats, where village level bodies and institutions mandated under the frameworks such as the Sixth Schedule are to plan and implement the programmes.

8. Joint Secretary, NCST mentioned that in respect of 91 tribal districts since 2007-08, the amount released was considerably lower than the entitlement. MoPR has attributed its reasons to the non-submission of UCs, Progress Reports and Audit Reports for previous releases for many States. He further mentioned that the funds released towards capacity building to Chattisgarh, Jharkhand, Meghalaya, Mizoram were nil, while in respect of Arunachal Pradesh, Manipur, Orissa, these were

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insignificant. During 2011-12, the number of elected representatives and functionaries of PRIs was also considerably less in respect of Jharkhand and Orissa. Further, in respect of Manipur, Sikkim and Tripura no ERs and functionaries were trained.

9. The Commission desired that the performance of the scheme in BRGF districts in Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa, Maharashtra, where the number of tribal districts was considerably higher, should be closely reviewed, with much closer interaction with the State Govts. The BRGF as well as RGSY were demand-driven, which due to their design itself, cannot assure required focus on the most backward, particularly inaccessible Scheduled/ Tribal Areas as poor, less educated/illiterate and innocent tribals are not able to raise their demands and avail the benefits of the schemes while Officials and the political representatives have vested reasons for implementing the scheme in the easily accessible and vote bank areas respectively. The parameters to identify backwardness should also consider extra weightage for STs as they require greater resource support under such schemes, particularly BRGF.

10 MoPR mentioned that the Ministry had taken pro-active approach to ensure desired focus on backward regions through assessment of training needs, which would itself generate demands against the schemes from such regions. MoPR have also commissioned an Action Research Study for preparation of training module of PESA to LNIMD. The Module has since been prepared and shared with PESA States. Further, the progress in respect of such regions is critically reviewed through visits of higher officials to the States. The State Govts. have also been requested to timely project their proposals against the schemes to ensure effective utilization of funds. The best practices revealed during the review of the States with regard to implementation of schemes have also been hosted on the website of the Ministry for guidance.

11. The Commission desired to know the nature of deficiencies revealed in the reports of the National Level Monitors, in relation to the Scheduled Tribes Areas/ Districts and the action taken by the State Govt. in the matter. MoPR mentioned that the

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scope of work of NLM was being reviewed to have specific focus on performance evaluation of the schemes.

12 Joint Secretary, NCST mentioned that as in respect of NE States, Panchayati Raj institutions do not exist, the Commission may be apprised of the initiatives of the Ministry to establish the process of decentralized governance in these areas. Secretary, MoPR informed that initiatives have been taken to deepen decentralized governance in the areas of NE State and progress has also been achieved in States like Assam, Meghalaya, Tripura and Mizoram

13. The Commission desired to know the action taken by the MoPR with regard to harmonization of Central laws with PESA, steps taken to ensure implementation of PESA Act and also the confirmation that the important bills viz. Land Acquisition, Rehabilitation and Resettlement Bill, 2011, Mines and Minerals (Development & Regulation) Bill, 2011 and the Food Security Bill were PESA compliant.

14. Secretary, MoPR informed that a study to suggest specific modification in Central Laws had been commissioned to make them PESA compliant. The recommendation of the Report has been circulated to the concerned Central Ministries. MoPR have also given appropriate recommendation in respect of the three Bills mentioned above with a view to making them PESA compliant. Necessary modifications in these Bills have also been incorporated. Suggestions & Advisories have also been issued to PESA States for effective implementation of the Act.

MoPR have also commissioned a study to identify the specific provisions of the State subject laws which need to be amended to make them PESA compliant. Reports have also been circulated to the PESA States for consideration and necessary amendments. However, Panchayat being a State subject, most States are yet to frame appropriate Rules under PESA. Draft Model Rules for PESA were prepared by the Ministry and circulated to all PESA States for framing their own Rules. 3 States namely

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AP, HP and Rajasthan have framed their own Rules. Other States are being requested to take action in this regard. The Commission desired that the Report may also be forwarded to the Commission.

Action: MoPR

15. Joint Secretary, NCST mentioned that the studies under the Action Research and Research Studies (ARRS) scheme should also include special provision for studies in relation to STs and scheduled/tribal areas. MoPR informed that such studies have been taken under ARRS like study to assess the status of fiscal devolution to the PRIs in States having majority of ST population, study to review the parameters to identify backwardness and to identify Backward Blocks requiring greater resource support etc.

16. Regarding the observations of the Commission with regard to establishment of a robust accounting and audit system to ensure transparency and accountability of the PRIs, the Commission was informed that performance of the states was being measured through a Devolution Index (DI). The study for preparation of DI and ranking has been entrusted to IIPA which would also take into account the incremental progress in addition to cumulative progress. A new simplified accounting format, namely the 'Model Accounting System of Panchayats' has been developed. Further, MoPR and NIC has developed and rolled out a web enabled accounting software, namely, PRIASoft. The implementation of MAS/PRIASoft by the States is being vigorously followed.

17. In his concluding remarks, Chairman, NCST appreciated the efforts made by the MoPR and its innovative approach to ensure special focus on the issues concerning STs and scheduled/tribal areas.

The meeting ended with a Vote of thanks to the Chair.

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Annexure

The following were present in the sitting on 19/11/2012.

NCST

1. Dr. Rameshwar Oraon, Hon'ble Chairman in Chair
2. Shri. Aditya Mishra, Joint Secretary
3. Shri. M.S.Chopra, Director
4. Smt. K.D.Bhansor, Deputy Director
5. Shri. S.P.Meena, Assistant Director
6. Shri. B.Ram, Research Officer
7. Shri. R.C.Durga, Consultant
8. Shri. Pradeep Aggrawal, SSA

Ministry of Panchayatiraj

1. Ms. L.M.Vas, Secretary, MoPR
2. Dr. Hrusikesh Panda, AS, MoPR
3. Shri. A.K. Angurara, AS, MoPR
4. Dr. Avatar Singh Sahota, Senior Economic, Advisor