

*Ministry of Panchayati Raj*

*Presentation to the  
National Commission for Scheduled Tribes*

# *Structure of the Presentation*

- Responsibilities of MoPR
- Responsibilities of PRIs
- District Planning Committees
- PESA Act
- Major Programmes of the Ministry
- MoPR & Welfare of STs
- Status of implementation of PESA
- Recruitment of Personnel in MoPR

# *Responsibilities of MoPR*

- Ministry of Panchayati Raj set up in May, 2004
- Responsibilities:
  - All matters relating to Panchayati Raj (PR)
  - Implementation of PESA Act, 1996
  - District Planning Committees (DPCs).
- **Accordingly, formulate laws, policies and programmes**
  - **and build systems, processes and institutions.**

## ***PR: Salient Features of Part IX***

- Constitution defines Gram Sabha.
- Three tier PR system. Two tiers for States below population of 20 lakhs.
- Reservation of seats for SCs / STs / women. (OBC reservation optional)
- Regular elections every 5 years through independent State Election Commission.
- State Finance Commissions set up once in 5 years for rational devolution of finances to Local Bodies.
- **Panchayats to function as institutions of self government**

## ***Powers & responsibilities of Panchayats-Art 243 G***

- State Legislature **may**, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government with respect to-
  - preparation of plans and implementation of schemes for economic development and social justice, as may be entrusted to them
  - including those 29 matters listed in the Eleventh Schedule.
- Devolution of Powers to PRIs lies with the State Govt.
- **Strong incentive mechanism required to Devolution of Powers to PRIs by the States**

## *Eleventh Schedule lists 29 matters for Panchayats*

Agriculture, incl. extension	Drinking water	Cultural activities
Land improvement, land reforms, consolidation soil conservation	Fuel and fodder	Markets and Fairs
Minor irrigation, water management watershed development	Roads, culverts, bridges, ferries, waterways other means of communication	Health and sanitation hospitals. Primary health centres dispensaries
Animal husbandry, dairying and poultry	Rural electrification, distribution of electricity	Family welfare
Fisheries	Non-conventional energy	Women & Child development
Social forestry farm forestry	Poverty alleviation programme	Social Welfare, Welfare of handicapped and mentally retarded
Minor forest produce	Education, including primary and secondary schools	Welfare of the weaker sections, in particular of SCs and STs
Small scale industries, food processing industries	Technical training vocational education	Public distribution System
Khadi, village and cottage industries	Adult and non-formal Education	Maintenance of community assets
Rural housing	Libraries	

## *Present status of Panchayats*

- Panchayats constituted in all States
- Mizoram, Meghalaya, Manipur, Nagaland Hill Areas and Sixth Schedule Areas exempted from Part IX of the Constitution (J&K has its own Act).
- 2.48 lakh Panchayats at the three levels.
- 2.8 million elected representatives.
- About 37% representation of women.
- About 19 % representation for SC and **12 % for ST** against 15% for SC and **7½ for ST.**

## *District Planning Committees (DPCs)*

- As per Article 243ZD, the State Governments are required to constitute the DPCs.
- All the States have constituted.
  - Strengthen DPCs and PRIs professionally for preparing truly integrated & participatory plans.
  - Planning Commission has to impress upon the State Governments for preparation of decentralized planning.

## ***PESA Act, 1996***

- Provisions for Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) came into force in 1996.
- This Act was extended to Scheduled V Areas of 9 States viz. AP, Chhattisgarh, Gujarat, HP, Jharkhand, MP, Maharashtra, Orissa and Rajasthan.
- PESA empowers Gram Sabhas in 9 PESA States to:
  - Preserve Tradition, Cultural Identity & Community Resources
  - Approve Schemes/Programmes, Identify beneficiaries
  - Control of minor minerals & forest produce, money lending, local market.
  - Prevent alienation of tribal land, etc.

## *Major Programmes of the Ministry*

- BRGF – Backward Regions Grant Fund
- PEAIS - Panchayat Empowerment & Accountability Incentive Scheme
- e-PRI – e-Governance in PRIs
- RGSY/RGPSA – Rashtriya Gram Swaraj Yojana / Rajiv Gandhi Panchayat Sashaktikaran Abhiyan

# ***BRGF***

- **Objective:** Redress Regional imbalance.
- **Applicability:** 272 Districts in 27 States.
- Out of 272 districts, 93 districts are tribal districts.
- Utilization going up inspite of the process-intensity.
- Budget allocation during 2012-13 is Rs. 5050 cr. under the scheme against which an amount of Rs. 1351 cr. has been utilized (till 31<sup>st</sup> Oct. 2012). However, sanction/release as on date is Rs. 1710 cr.
- During the corresponding period of 2011-12, an amount of Rs. 1510 cr. was utilized against the same allocation .
- BRGF is the only Scheme which insists on Integrated, Decentralized & Participatory Plans; consolidated by DPCs.
- Imperative for convergence of sectoral schemes/ resources and better outcomes.

# *PEAIS*

- **Objective** : Incentivise (100% grant) States to devolve 3Fs to PRIs.
- PRIs to be transparent, efficient & accountable.
  - Envisages a suitable PRI Empowerment Index –to capture the extent of empowerment.
- Procedure: Measures States' performance on Devolution Index (DI) independently through expert institution.

## *e-PRI*

- Computing facilities & connectivity to all 2.40 lakh PRIs
- To provide a whole range of IT related services :
  - Decentralized database & planning, GIS application
  - PRI budgeting & accounting
  - Monitoring of Central & State Schemes
  - Citizen Centric Services
  - Online self-learning medium etc.

# ***RGSY/RGPSA***

- **Objective:**

- To provide training, manpower and Panchayat infrastructure to all districts.
- Performance linked Financial Assistance.
- All the small Schemes namely RGSY, PMEYSA, e-PRI, PEAIS etc. are being merged with RGPSA during the Twelfth Plan.

## *Ministry of Panchayati Raj and Welfare of Scheduled Tribes*

- Planning Commission issued guidelines to implement Tribal Sub Plan (TSP) by separate earmarking of funds from Annual Plan 2011-12.
  - Ministry of Panchayati Raj has been placed in Category-III for the purpose of earmarking of funds.
  - Ministry of Panchayati Raj required to earmark 15% to 16.2% for SCSP and 8.2% for TSP under Category-III\*.
- \* *Category-I exempted from earmarking, Category-II partial earmarking (less than 7.5%) and category-III required to earmark 7.5% to 8.2% and category-IV required to be earmarked more than 8.2%.*

## *Initiatives taken by MoPR*

- During 2011-12, provisions for the following schemes are made under TSP: -

(Rs. in Crore)

<i>Scheme</i>	<i>Revised Budget Estimates</i>	<i>Funds earmarked for TSP</i>	<i>Expenditure</i>	<i>% of Expenditure</i>
RGSY	84.80	6.88	7.24	8.54
BRGF	3917.00	321.19	781.62	19.95
Total	4001.80	328.07	788.86	19.72

- *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%.*
- *Under BRGF, releases to each district under TSP, SCSP and General component was based on their percentage of population. Hence, the funds from the general component was re-appropriated to TSP component.*

## *Initiatives taken by MoPR*

- During 2012-13, provisions for the following schemes are made under TSP: -

(Rs. in Crore)

<i>Scheme</i>	<i>Budget Estimates</i>	<i>Funds Earmarked for TSP</i>	<i>Amount released</i>	<i>% of Expenditure against earmarked funds</i>	<i>% of Exp. Against BE</i>
RGSY	115.00	9.43	0.49	5.20	0.42
RGPSA	50.00	4.10	-	#	-
BRGF	5050.00	414.10	252.48	60.97	5.00
Total	5215.00	427.63	252.97	59.15	4.85

# *RGSPA is yet to be approved. Once approved, other small schemes such as RGSY, PMEYSA, e-PRI, PEAIS etc. will be merged with this Scheme.*

# *Status of implementation of PESA*

- Implementation of PESA is a critical for the empowerment of tribal population and Schedule V Areas.
- MoPR have taken the following initiatives for its effective implementation: -
  - MoPR have commissioned a study to suggest specific modification in Central Laws to make them PESA compliant. The recommendation of the Report is circulated to the concerned Central Ministries.
  - 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 AP, HP and Rajasthan have framed their own Rules. Other States are being requested to frame their rules.
  - Detailed Guidelines for effective implementation of PESA have been issued to all the 9 States.

## *Status of implementation of PESA*

- Workshops was organized at Mohan Lal Sukhadia University, Udaipur in January, 2011 to discuss the future agenda for the implementation of PESA.
- One day National Consultation was held on 21.9.2012 in MoPR to discuss the Capacity Building of Elected Representatives including women and Gram Sabha members in PESA States.
- A Committee on Harmonization of Central Laws has been set up under the Chairmanship of the Union Law Secretary. Recommendations of the Committee are awaited.
- A Committee was also set up to look into the aspects of minimum support price, value addition and marketing of Minor Forests Produce in the Fifth Schedule Areas. Committee has submitted its report which have been considered by Ministry of Tribal Affairs in framing a scheme to implement Minimum Support Price to some times of Minor Forest Produce.
- MoPR have commissioned an Action Research Study for preparation of Training Module on PESA by NIRD. The module has since been prepared and shared with the PESA States.

## *Suggestions & Advisories issued to PESA States for effective implementation*

- To adopt Model PESA Rules circulated by MoPR with suitable modifications.
- Amend State Panchayati Raj Act for consonance with PESA.
- Amend laws, rules and executive instructions on Mines & Minerals, Minor Forest Produce, Excise, Money Lending etc. to make them PESA compliant.
- Include a prominent section on the implementation of PESA in the Annual Governor's Report, as mandated in Schedule V.
- Strengthen administrative machinery in the PESA Areas.
- Full videography record of all Gram Sabha Meetings to improve the transparency and accountability.

## *Recruitment of Personnel in MoPR*

- Recruitment of Central Secretariat Service (CSS) is being done by the Department of Personnel & Training (DoPT).
- The personnel recruited through deputation from All India Services and other Central Services are managed by their respective Cadre Controlling Authorities.
- For the personnel below Section Officer, Ministry of Rural Development is the Cadre Controlling Authority of the Ministry of Panchayati Raj. Posting and recruitment is made by the Ministry of Rural Development.
- No recruitment made by the MoPR on their own.

***THANK YOU***