



# **ANNUAL ADMINISTRATIVE REPORT**

**2007-08**

**(1-4-2007 to 31-3-2008)**

**Panchayati Raj Department, Himachal Pradesh, Shimla-171009**

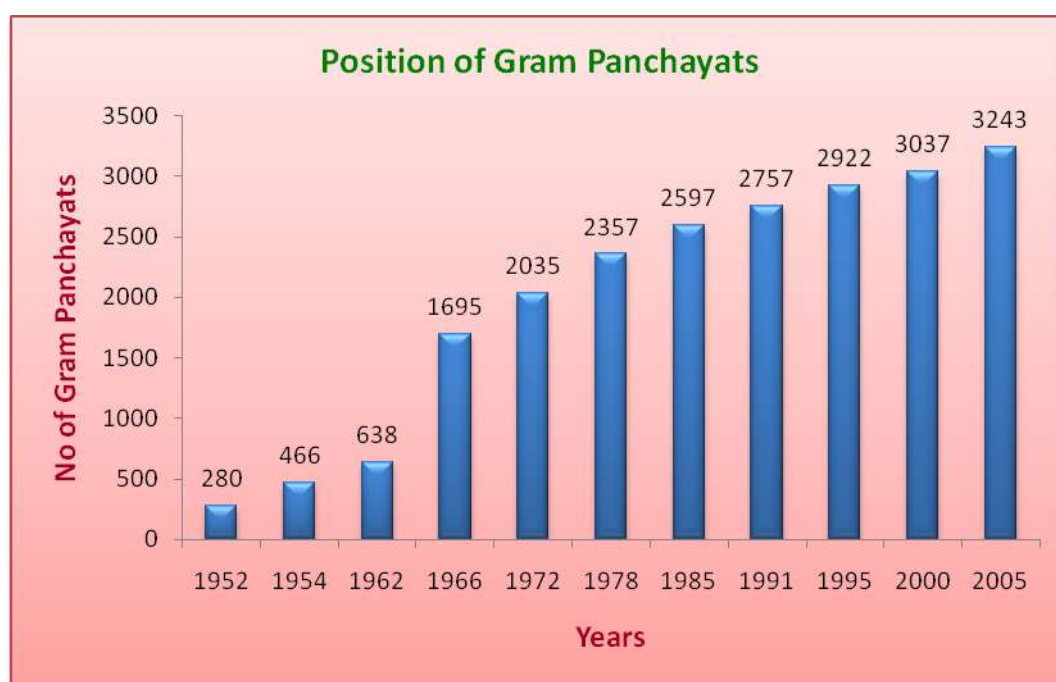
# **CHAPTER-1**

## **INTRODUCTION**

Panchayati Raj system in Himachal Pradesh was established under the provisions of the Himachal Pradesh Panchayat Raj Act, 1952 in the year 1954. Only 280 Gram Panchayats existed prior to the enactment of the Himachal Pradesh Panchayat Raj Act, 1952. However, after the enactment of the said Act, 466 Gram Panchayats were established in the year 1954 and the number of Gram Panchayats was increased to 638 during the year 1962. On 1<sup>st</sup> November, 1966, the hilly areas of Punjab were merged in this State and consequently the number of Gram Panchayats rose to 1695. In the merged area, a three tier Panchayati Raj system was in existence under the provisions of Punjab Panchayat Samiti and Zila Parishad Act, whereas two-tier system was prevalent in the then State of Himachal Pradesh. With a view to bring uniformity in the Panchayati Raj system of the old and the newly merged areas, the Himachal Pradesh Panchayati Raj Act, 1968 was enacted on 15<sup>th</sup> November, 1970 and the two tier Panchayati Raj system was established throughout the State. Besides this the Nayaya Panchayats were also in existence in this State for discharging judicial functions, but during the year 1977 the Nayaya Panchayats were abolished and the judicial functions were transferred to the Gram Panchayats. After the enactment of the said Act in the year 1970 the existing Gram Sabhas were reorganized /bifurcated from time to time and new Gram Sabhas/Gram Panchayats were established. At present there are 3243 Gram Sabhas, 75 Panchayat Samitis and 12 Zila Parishads constituted in the State. During the year 2005-2006 Government created 206 new Gram Sabha circles, thereby raising the number to 3243 Panchayats.

**The number of Gram Panchayats since 1952 is as under:**

S.No	Year	No. of Gram Panchayats
1	1952	280
2	1954	466
3	1962	638
4	1966	1695
5	1972	2035
6	1978	2357
7	1985	2597
8	1991	2757
9	1995	2922
10	2000	3037
11	2005	3243



**1. Enactment of State PR Act:**

With a view to bring law relating to the Panchayats in conformity with the provisions of the 73<sup>rd</sup> Constitutional Amendment Act, the Himachal Pradesh Panchayati Raj Act, 1968 has repealed and the Himachal Pradesh Panchayati Raj Act, 1994 was enacted w.e.f. 23<sup>rd</sup> April, 1994.

**2. Elections and establishment of three tier Panchayati Raj System:**

As per the requirements of the provisions of the Constitution and the State Panchayati Raj Act, 1994, the three tiers Panchayati Raj system was established in this State during the year 1995-96.

- First general elections of Panchayati Raj bodies of this State, except in Development Block Lahaul and Development Block Pangi, were held during December, 1995 and the Panchayats started functioning w.e.f. 23<sup>rd</sup> January, 1996 and the 5 years term expired on 22<sup>nd</sup> January, 2001. In Development Block Lahaul and Development Block Pangi the first general elections were held during May, 1996.
- Second general elections of Panchayati Raj bodies of this State, except in Development Block Lahaul and Development Block Pangi, were held during December, 2000 and the Panchayats started functioning w.e.f. 23<sup>rd</sup> January, 2001 and the 5 years term expired on 22<sup>nd</sup> January, 2006. In Development Block Lahaul and Development Block Pangi the second general elections were held during May, 2001.
- The third general elections barring 48 Gram Panchayats i.e. 28 Gram Panchayats of Sub-Divisions Lahaul of District Lahaul-Spiti and 16 Gram Panchayats of Sub-Division Pangi of District Chamba and 4 Gram Panchayats of District Kullu, two Panchayat Samitis namely Lahaul and Pangi and Zila Parishad Lahaul Spiti were held during December, 2005 and the presently elected office bearers started functioning w.e.f. 23<sup>rd</sup> January, 2006. The elections of remaining 48 Gram Panchayats, 2 Panchayat Samiti and 1 Zila Parishad were also held during June, 2006 and February 2007 respectively.

### **3. Details of various laws enacted:**

The following are the details of various laws enacted by the Panchayati Raj Department of the State Government:-

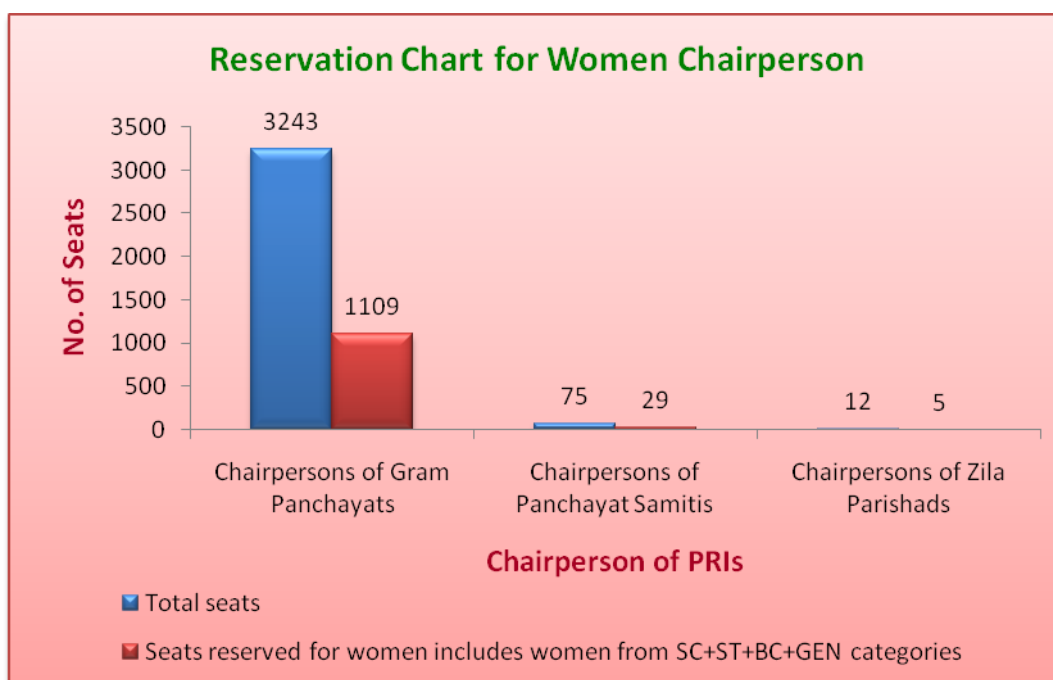
1. The Himachal Pradesh Panchayati Raj Act, 1994.
2. The Himachal Pradesh Panchayati Raj (Election) Rules, 1994.
3. The State Election Commissioner (Condition of Service) Rules, 1994.
4. The Himachal Pradesh Panchayati Raj (General) Rules, 1997.
5. The Himachal Pradesh Panchayati Raj (Finance, Budget, Accounts, Audit, Works and Allowances) Rules, 2002.
6. The Himachal Pradesh Panchayati Raj (Conditions of Services of Panchayat Sahayaks in Gram Panchayats) Rules, 2005.
7. The Himachal Pradesh Panchayati Raj (Conditions of Services of Personnel Assistants in Zila Parishads) Rules, 2005.

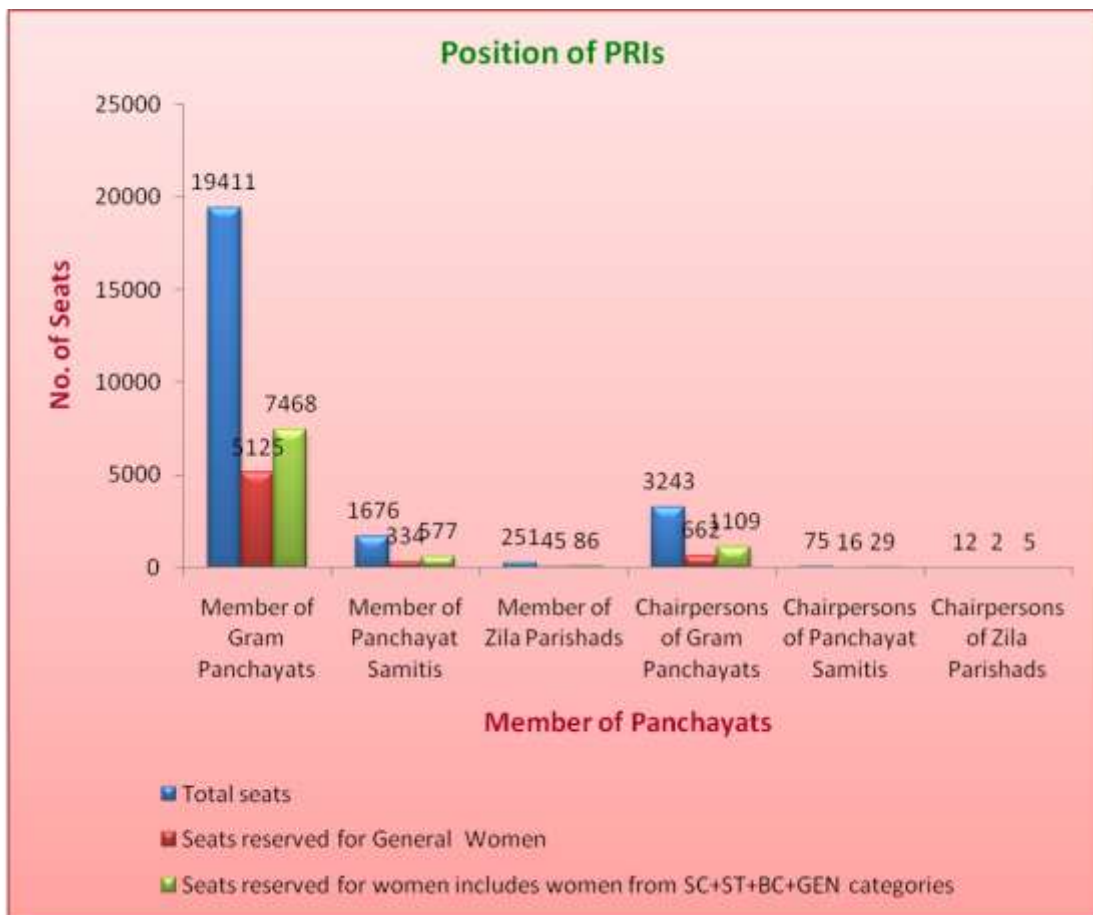
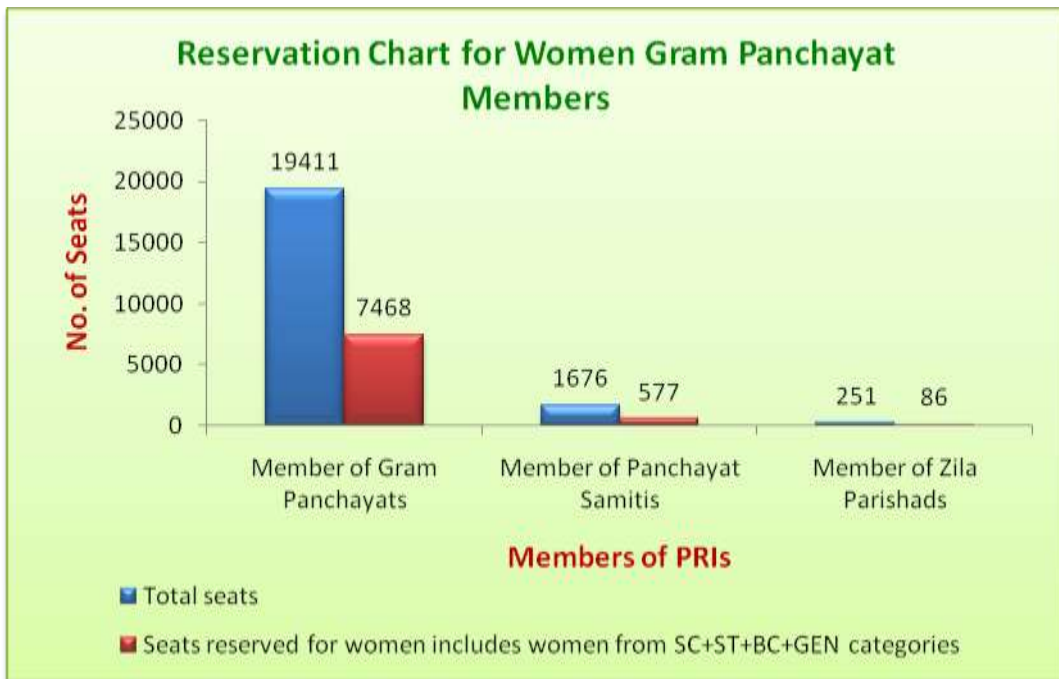
### **4. Reservation for office bearers of PRIs:**

As per the provisions of Constitution, reservation is being provided in the seats of members and offices of Chairpersons of PRIs at all the three levels for persons belonging to the categories of the Scheduled Castes, Scheduled Tribes and women. However, reservation is also provided to the persons belonging to the category of Backward Classes in the offices of Pradhans of Gram Panchayats, members and Chairpersons of Panchayat Samitis and Zila Parishads.

**The details of reservation made during the existing term of Panchayats are as under:**

Particulars	Total seats	Seats reserved for Scheduled Castes		Seats reserved for Scheduled Tribes		Seats reserved for Backward Classes		Seats reserved for General Women	Seats reserved for women (SC+ST+ BC+GEN)
		General	Women	General	Women	General	Women		
Member of Gram Panchayats	19411	3320	1961	604	382	-	-	5125	7468
Member of Panchayat Samitis	1676	261	155	69	36	76	52	334	577
Member of Zila Parishads	251	40	24	11	8	13	9	45	86
Chairpersons of Gram Panchayats	3243	528	286	122	68	151	93	662	1109
Chairpersons of Panchayat Samitis	75	11	7	4	3	4	3	16	29
Chairpersons of Zila Parishads	12	2	1	1	1	1	-	2	5





## **5. Structure of Panchayati Raj in Himachal Pradesh:**

### **a) Gram Sabha:**

Gram Sabha, which forms the core of the democratic decentralization, needs to be given utmost attention. Thus the state government has already taken steps to strengthen the institution of Gram Sabha. Gram Sabhas have been empowered to form vigilance committee(s) from amongst its members to supervise Gram Panchayat works, schemes and other activities. No member of the Gram Panchayat shall be eligible to become member of the Vigilance Committee. It has been made mandatory for every Gram Sabha to hold four general meetings in a year, besides special meetings. These meetings are required to be held on first Sunday of January, April, July and October. The accounts of the Panchayats are to be placed before the Gram Sabha meetings for consideration and approval. In addition to this, audit notes and replies thereto are also required to be placed in the meetings of the Gram Sabha. In this way Social Audit is being practiced in our State. The Government has also entrusted the Gram Sabhas with authority to select beneficiaries under various poverty alleviation programme.

### **b) Up-Gram Sabha:**

The Himachal Pradesh Panchayati Raj Act has also been amended and under the amended provisions there shall be constituted an Up-Gram Sabha for each ward of the Gram Sabha and all members of the Gram Sabha residing in the area of the ward shall be the members of Up-Gram Sabha. Every Up-Gram Sabha is required to hold two general meetings in each year and it shall be the responsibility of the member of the Gram Panchayat to convene such meetings. The meeting of the Up-Gram Sabha shall be presided over by the member of the Gram Panchayat representing the ward, who shall also record the proceedings. The Up-Gram Sabha may deliberate on issues relating to its area and make recommendations to the Gram Panchayat or Gram Sabha. It shall also nominate its members to represent it in the general meetings of the Gram Sabha and these members shall be nominated in such a manner that 15% of the total families residing in the area of the ward get nominated provided that 1/3<sup>rd</sup> of the nomination shall be of women. However this nomination shall not debar any member of Up-Gram Sabha to attend the general meeting of the Gram Sabha.

**c) Gram Panchayat:**

Gram Panchayats in our state are constituted for a village or group of villages having population ranging from 1000 to 5000. In Scheduled and other far flung areas Gram Panchayats are also constituted for the population of less than 1000. The numbers of members of Gram Panchayat are determined on the basis of population which ranges from 5 to 13 excluding Pradhan. Pradhan and members of Gram Panchayats are elected directly by the voters of the Panchayat area whereas Up-Pradhan is elected amongst the members of Gram Panchayats.

**d) Panchayat Samiti:**

Intermediate body of the three-tier Panchayati Raj system in the State is called Panchayat Samiti. This institution is co-terminus with the development blocks. Members of Panchayat Samitis are elected directly, whereas the Chair-Persons and Vice-Chairperson are elected indirectly by the elected members. The numbers of elected members of Panchayat Samiti are determined by the Govt. at the rate of one member for every 3500 population or part thereof subject to a minimum of 15 members. There is no separate office of Panchayat Samitis but office of the block development officer functions as the Samiti office. Block Development Officer has been designated as Executive Officer-cum-Secretary of the Panchayat Samitis.

**e) Zila Parishads:**

This is the uppermost body of the Panchayati Raj System. In our state, Zila Parishads were constituted for the first time after the enactment of new law relating to Panchayati Raj system consequent upon 73<sup>rd</sup> Constitutional Amendment. Presently there are 12 Zila Parishad in our State. The members of Zila Parishad are elected directly by the people. However the Chairpersons and Vice-Chairpersons are elected by the elected members indirectly. Elected members of Zila Parishad are determined by the State Government at the rate of one member for every 25000 population or part thereof subject to a minimum of 10 members. The members of Lok-Sabha, Members of State Legislative Assembly representing a part or whole of the District and the members of council of States where they are registered as voters and chairpersons of Panchayat Samiti of the District will also be the members of Zila Parishad. Additional Deputy Commissioner has been designated as Chief Executive Officer, whereas District Panchayat Officer is the Secretary of Zila Parishad.

## **6. Rural Business Hubs:**

The Constitutions of State Rural Business Hubs council was notified vide notification number PCH-HA(2)9/2006, dated 24<sup>th</sup> July, 2006. The first meeting of the HP RBH Council was held on 6<sup>th</sup>. January 2007. As a follow up of the said meeting the TRIFED, NCDC, Mother Dairy, Adani group have been requested vide letters dated 22<sup>nd</sup>. March 2007 to send proposals for formalizing partnership with the PRIs for setting up RBHs on one or more of the 14 activities identified or any other activity they might be interested in.

## **7. District Planning Committee:**

As per the requirement of Article 243 ZD of the Constitution of India, the District Planning Committees have been constituted in all the 12 Districts. In view of making the DPCs functional, the State Government has placed the District level Planning cells of Planning Department under the control of Zila Parishad concerned to provide technical assistance to the District Planning Committees. It has also been decided that the Backward Region Grant Fund (BRGF) of the two Districts namely Chamba and Sirmour will be utilized for augmenting resources of the District Planning Committees of these 2 Districts and Panchayati Raj Department has been made the Nodal Department for BRGF.

## **8. Provisions of PESA in the Scheduled Areas:**

### **Status of Panchayats in the Schedule-V (Tribal) Area in the State.**

#### **General:**

- Whole of the districts of Kinnaur and Lahaul-Spiti and Development Blocks, namely Pangti and Bharmour of Chamba District comprise the Schedule-V area in this State.
- There are 2 Zila Parishads, namely Kinnaur and Lahaul-Spiti and a part of Chamba District of Zila Parishad Chamba, 7 Panchayat Samitis namely Kalpa, Nichar, Pooh, Lahaul, Spiti, Bharmour, Pangti and 151 Gram Panchayats constituted in this State in the Scheduled-V areas. Following are the number of Gram Panchayats, development block wise in the Schedule-V area:

<b>Kinnaur:</b>	<b>65</b>	
	1. Kalpa	: 23
	2. Nichar	: 18
	3. Pooh	: 24

<b>Lahaul-Spiti:</b>	<b>41</b>	
	1. Lahaul	: 28
	2. Spiti	: 13

<b>Chamba:</b>	<b>45</b>	
	1. Bharmour	: 29
	2. Pangi	: 16

- As per the figures of 2001 Census the total population of the Schedule-V area in the State is 1, 66,402 and there are 1423 villages out of which 688 villages are habited while the other 735 villages are uninhabited.
- The average population of the Gram Sabha in the Schedule-V area is 1102 and if Gram Sabha for every village is to be constituted then another 537 Gram Sabhas would be required to be constituted. In that event, the average population of the Gram Sabha would be 241 and ward of the Panchayat on an average will have to be delimited for a population of 40 to 50 out of which voters would be 25 to 35 in number.
- The seats of members are being reserved for the persons belonging to the Scheduled Tribes and the Scheduled Castes in the Schedule-V areas as per the provisions of the PESA.
- State Government has provided 100% reservation in the offices of Chairpersons of Panchayats at all the three levels for the persons belonging to the Scheduled Tribes in Schedule-V areas of the State and one-third of the total offices are further reserved for women belonging to the Scheduled Tribes. Demand from the Schedules Castes within the Scheduled Tribes was also received by the Government for providing reservation to them in proportion to their population, which ranges from 15% to 27%, for the offices of Chairpersons, who are otherwise debarred under section 4 (g) of the central Act No.40. In this State, this problem has cropped up particularly in district Kinnaur as there is scheduled castes population within the scheduled Tribe

population and the population is enjoying the status of both the Scheduled Caste as well as the Scheduled Tribe.

## **CHAPTER-2**

### **MAIN FUNCTIONS OF THE DEPARTMENT**

The Department, under the provisions of Himachal Pradesh Panchayati Raj Act, 1994 is empowered to establish/constitute Gram Panchayats, Panchayat Samitis and Zila Parishads, and also re-organize and bifurcate the Gram Sabha circles. Besides supervision of works entrusted to Panchayati Raj Institutions, the department exercises financial control on the grants, loans provided to PRIs and expenditure incurred by them. With a view to solve the problems faced by PRIs the department provides guidance to them. Besides this the department ensures that the provisions of Act and Rules are properly complied with and imparts training to the elected representatives of PRIs as well as to the concerned officials.

## CHAPTER-3

### ADMINISTRATIVE SET UP OF DEPARTMENT

This department is under the direct control of Rural development and Panchayati Raj Minister, and Secretary (Panchayats) at the State level. The Secretary is assisted by the Director. In this department posts of Gazetted and Non-Gazetted officers/officials as on 31.3.2008 were as under:-

Category	Name of the post	Sanctioned posts	Filled up posts	Vacant posts
Gazetted (Class-I)	1. Director, IAS	1	1	-
	2. Addl./Joint Director/Deputy Director, HAS	1	1	-
	3. Deputy Director,	1	1	-
	4. Deputy Controller.	1	1	-
	5. Supdt. Gr-1	1	1	-
	6. P S to HOD	1	-	1
	7. District Panchayat Officer	12	11	1
	8. Principal, Panchayati Raj Trg. Institute.	2	2	-
	9. Law officer	1	1	-
Gazetted (Class-II)	1. Superintendent, Grade-II	13	13	-
	2. Editor-cum-Panchayat Information Officer	1	1	-
	3. District Audit Officer/Instructor	19	19	-
	4. Personal Assistant	1	1	-
Non-Gazetted (Class-III)	1. Senior Assistant	22	21	1
	2. Junior Stenographer	2	1	1
	3. Panchayat Inspector	75	65	10
	4. Panchayat Auditor	88	78	10
	5. Sub-Inspector	75	75	-
	6. Clerk	67	40	27
	7. Driver	20	14	6

<b>Category</b>	<b>Name of the post</b>	<b>Sanctioned posts</b>	<b>Filled up posts</b>	<b>Vacant posts</b>
Non-Gazetted (class-iv)	1. Gestetenor Operator	1	1	-
	2. Daftari	1	1	-
	3. Jamadar	1	1	-
	4. Peon	60	57	3
	5. Chowkidar	11	11	-
	6. Cook	2	2	-
	7. Sweeper	1	1	-
	<b>Total:</b>	<b>481</b>	<b>421</b>	<b>60</b>

## **CHAPTER-4**

### **POWERS & FUNCTIONS OF PANCHAYATS**

#### **A. Powers and functions specified under the H.P. Panchayati Raj Act, 1994 and the rules made there under:**

- Gram Panchayats have been empowered to enquire and make report about misconduct of certain officials such as peon, bailiff, constable. Head Constable, Chowkidar, of the Irrigation Department, forest Guard, Patwari Vaccinator, canal overseer, game watcher, Panchayat Secretary, etc.
- Gram Panchayats have been empowered to hear and decide cases relating to minor offences under I.P.C., the vaccination Act, 1880, the cattle tress pass Act, 1871, the Himachal Pradesh Juveniles (Prevention of smoking Act), 1952 and the Public Gambling Act, 1867 and also to hear and decide applications for maintenance under section 125 of the Cr. P.C.
- Gram Sabhas have been empowered to approve the annual budget of the Gram Panchayat as well as to consider and take appropriate action in respect of the annual statement of accounts of the Gram Panchayat, report of the administration of the preceding financial year and the last audit note and the replies, if any, made thereto;
- Gram Sabhas have been empowered to approve plans, programmes and budget prepared by the Gram Panchayat for economic development and social justice and also to authorize, after being satisfied, issuance of utilization certificates of funds spent on the implementation of the plans, projects and programmes of the Gram Panchayat.
- Gram Sabhas have been empowered to constitute Vigilance Committees to supervise the Gram Panchayat works, schemes and other activities and to put reports concerning them in its meeting and shall also send a copy of the said report to the BDO.
- Developmental works costing upto Rs.5.00lacs will be executed by the Gram Panchayats.
- Gram Panchayats are authorized to accord administrative approval and expenditure sanctioned for the work costing upto Rs.3.00 lakhs for which technical sanction of Junior Engineer is required. However, for the work costing upto Rs.50,000/- technical sanction of Takniki Sahayak is required. If the cost of

work is more than Rs.3.00 lacs and upto Rs.10.00 lacs then administrative approval of Panchayat Samiti and technical sanction of Assistant Engineer is essential and in the case of works costing more than Rs.10.00lacs administrative approval of Zila Parishad and technical sanction of Executive Engineer is essential.

- With a view to achieve maximum participation in the meetings of the Gram Sabhas it has been made mandatory that every Gram Sabha shall hold four general meetings in each year on the predetermined days i.e. on 1<sup>st</sup> Sunday of January, April, July and October.
- There shall be constituted Up-Gram Sabha for each ward of the Gram Panchayat and all members of the Gram Sabha residing within the area of the ward shall be members of the Up-Gram Sabha.
- Panchayats at all the three levels have been empowered to constitute standing committees.
- Panchayats at all the three levels have been empowered to raise loans for creation of income generating assets without previous sanction of the Government if the project is assessed by the financial institutions as economically/financially viable. However the Gram Panchayat shall be required to obtain prior approval of the Gram Sabha for raising a loan.
- The Gram Panchayats have been empowered to protect public property such as sign boards, mile stones on public roads, paths, irrigation and water supply schemes, public taps, public wells, hand pumps, community centers, mahila mandal bhavans, school buildings, health institution buildings. In case of violation of the orders of the Gram Panchayats in the matter, the Gram Panchayat can also impose penalty upto Rs.1000/- and in case of recurring breach, further penalty @ Rs.10/- per day with maximum upto Rs. 5,000 can be imposed.
- Panchayats have been authorized to levy taxes, fees, fines and cess.
- It has been made mandatory that the village level functionaries of the Agriculture, Animal Husbandry, Primary Education, Forest, Health and family Welfare, Horticulture, Irrigation & Public health, Revenue and Welfare department shall attend the meetings of the Gram Sabha.

**B. Powers and functions devolved under executive orders from time to time:**

With a view to strengthen democracy at the grass root level and to make the PRIs viable institutions of self governance, the State Government has devolved powers, functions and responsibilities relating to 15 departments, namely Agriculture, Animal Husbandry, Ayurveda, Education, Food & Supplies, Forest, Health & Family Welfare, Horticulture, Industries, Irrigation & Public Health, Public Works, Revenue, Rural Development and Social & Women Welfare to the Panchayati Raj Institutions on 31<sup>st</sup> July, 1996 covering 27 subjects out of the 29 subjects as mentioned in the 11<sup>th</sup> Schedule of the Constitution. Besides the above, Government has also delegated following powers by way of executive orders to the PRIs.

1. Preparation of Micro-Plans by Gram Panchayats.
2. Powers to decide about location of Institutions of public utility.
3. Powers to report on the physical attendance in their assigned areas of work with regard to the grass root level functionaries.
4. Village level committees of the department to be integrated with the standing committees of the PRIs set up.
5. Selection of beneficiaries under various schemes shall be done through Gram Sabha.
6. PRIs have been empowered to report about the physical attendance of Ayurvedic, Allopathic and Animal Husbandry Doctors, School Teachers, Patwaris, Forest Guards etc. at their places of posting.
7. Chairpersons of Zila Parishads have been designated as the chairpersons of the Governing Body of the respective DRDAs.
8. Pradhan or Up-Pradhan of Gram Panchayats have been empowered for issuing fishing license to anglers for sport fishing and Chairperson and Vice-Chairperson Panchayat Samitis for issuing license to professional fishermen for general and trout water fishing and the money realized as license fee would be retained by the concerned Panchayats as its revenue.
9. Cess of Rs.1/- per bottle of liquor sold in the rural area will be collected and transferred to the Gram Panchayats for utilization in developmental activities.

10. Before grant of any lease for mining any minerals a resolution from the concerned Panchayat has been made compulsory.
11. Zila Parishads have been empowered to appoint Assistant Engineers against the vacant post of Assistant Engineers in DRDA on contract basis for giving technical guidance to PRIs.
12. Panchayat Samitis have been empowered to appoint Kanisht Lekhapal against the vacant posts of clerk/steno typist.
13. The Gram Panchayats have been made the appointing authority in respect of the grass root level functionaries such as Panchayat Chowkidar, Panchayat Sahayak, Tailoring Mistress, Anganwari Worker/helper, Part time Water Carrier in Primary School, Para Teacher etc.
14. Ownership of Primary School Buildings have been transferred to the Gram Panchayats and the maintenance/repair and control of Primary School buildings would be the responsibility of Gram Panchayats.
15. Zila Parishad and Panchayat Samitis have been empowered to supervise the duties and functions regarding revenue matter, to assist the revenue officials in identification of landless/houseless persons and formulation of policies for utilization of government land and giving no objection certificates for such land on lease at district and Block level.
16. Gram Panchayats have been empowered to collect the land revenue from the land owners/right holders and Gram Panchayats will use the collected land revenue at their own level.
17. Gram Sabha resolution has been made compulsory before granting of any area on money lease and installation of mineral based industry. The Gram Panchayats have also been given powers to issue permits for the personal bonafide use for extraction of sand, stone, bajri and slates.
18. Pradhans of Gram Panchayats have been appointed as Forest Officers to carry out the purposes of rule 11 of the Himachal Pradesh Forest Produce Transit (Land Routes) Rules, 1978 for the issuance of pass for transport of Minor Forest Produce collected from the Forest in respect of 37 items.

### **Financial Resources of Panchayats:**

1. Grant in aid from the Govt.
2. House tax.
3. Tax on extraction and export of sand, stone, Bajri and slates.
4. Liquor cess @ Re.1/- per bottle sold in rural areas.
5. Land revenue.
6. 1% contingency.
7. Interest money.
8. Teh-bazari from the shopkeeper.
9. Service fee.
10. Income from own assets such as shops orchards etc.
11. License fee for fishing.
12. Permit fee for minor forest produce.
13. Duty on Mobile Communication Service providers.

### **C. Levy of taxes and fees by the Panchayats:**

Presently Zila Parishad and Panchayat Samitis are not levying any tax, fees, cess etc. However, Gram Panchayats have been empowered to levy the following taxes and fees subject to the maximum rates fixed by the Government vide notification dated 2<sup>nd</sup> November, 1999:-

#### **(i) House tax :**

<b>S. No</b>	<b>Particulars</b>	<b>Maximum rate of house tax</b>
1.	Where the person is liable to house tax own house having the total built up area upto 40 Sq. mts.	Rs.10/- per annum
2.	Where the person is liable to house tax own house having the total built up area from 40 to 100 Sq. mts.	Rs.25/-per annum
3.	Where the person is liable to house tax own house having the total built up area above 100 Sq. mts.	Rs.50/-per annum

#### **(ii) Tax on extraction and export of sand, stone, bajri and slates:**

- (a) Tax on extraction and export of sand, stone, bajri not exceeding Rs.10/- per truck and Rs.5/- per trolley.

(b) Tax on slates not exceeding Rs.50/- per truck.

**(iii) Fees :**

- (a) Teh-Bazari from the shopkeepers in the fairs at the rates as it may deem proper but not exceeding Rs.30/- per Sq. mtr. Per day.
- (b) Service fee including fee on cleaning streets and lighting of streets and sanitation at the rates as the Gram Panchayats may deem proper but not exceeding Rs.20/- per month from those individual households/ shopkeepers/business establishments, who are being provided such services by the Gram Panchayats, keeping in view their paying capacity.
- (c) Fee for registration of animals sold in the Sabha areas at such rates as may be fixed by the Gram Panchayats subject to a maximum of 2% of the sale price.

At present Gram Panchayats are collecting house tax based on flat rates and not on the built up area. The average rate of house tax ranges from Rs.10/- to 15/- per annum. In addition to this very few Gram Panchayats are also levying tax on sand, stone, bazari and slates because these items are not exported from every Panchayat. Teh-bazari is being also collected by Gram Panchayats in whose areas fairs are being organized.

**D. Duty on the Mobile Communication Service Providers:**

The Government vide notification dated 9 November, 2006 has authorized the Gram Panchayat to levy duty on the Mobile communication Service providers, for installation of Mobile Communication Tower at the rate of Rs. 4000/- per tower and annual renewal fee at the rate of Rs. 2000/\* per annum per tower with the following conditions:-

- i. An option for lump sum payment of renewal fee may be given in blocks of 5 years (with 40% discount for upfront payment of the entire amount including renewal fees for 5 years).
- ii. There shall be periodic increase in renewal fee by 25% after every 5 years.
- iii. An additional amount at the rate of 60% shall be levied for every additional antenna which shares the same tower.

### **Honorarium to elected representative of Panchayati Raj Institutions:**

Himachal Pradesh is perhaps one of the few states in India which is providing monthly honorarium to all the elected representatives of Panchayati Raj Institutions. State Government is providing honorarium of Rs.3500 for Chairpersons, Rs. 2500 for Vice-Chairpersons and Rs.1500 per member of the Zila Parishads. For Panchayat Samitis the rates of honorarium for Chairpersons, Vice-Chairpersons and Members are Rs.1800, Rs.1500 and Rs.1200 per month respectively. The rates of honorarium at Gram Panchayat level are Rs.1200 for Pradhan, Rs.1000 for Vice-Pradhan, whereas the member of the Gram Panchayat is given as sitting fee of Rs.150 per meeting up to two meeting in a month.

### **Annual expenditure on account of payment of Honorarium to elected representative of PRIs**

<b>S.No.</b>	<b>Particular</b>	<b>Total sheets</b>	<b>Total Expenditure (Rs. In lakh)</b>
1	Chairperson of ZP	12	5.04
2	Vice-Chairperson of ZP	12	3.60
3	Member of ZP	227	40.86
4	Chairperson of PS	75	16.20
5	Vice-Chairperson of PS	75	13.50
6	Member of PS	1526	219.74
7	Pradhan of G Ps	3243	466.99
8	Up-Pradhan of G Ps	3243	389.16
9	Members of G Ps	16168	582.04
	Total:-	24581	1737.13

### **Accountability and transparency in the functioning of PRIs :**

To make grass root level democratic institutions more responsive, accountable and to ensure transparency in their day to day functioning, instructions have been issued with respect to, access to information, publicity, accountability, promptness in dealing with public etc. It has been decided that any voter of the Panchayat area can inspect the record of the Panchayat and can have copy thereof after paying the nominal fee prescribed for the purpose. Permanent as well as variable information including list of beneficiaries and list of

schemes along with sanctioned amount thereto, will be displayed on the notice boards of the Panchayats. Besides this, attendance of the Panchayat Secretary in a particular Panchayat will be verified by the concerned Pradhan.

### **Technical Staff of PRIs.**

With a view to provide technical guidance and assistance in the execution of development works being by Panchayats, a panel of Takniki Sahayak is drawn at Block level so as to have one Takniki Sahayak for every two Gram Panchayats in the Block. The Gram Panchayat are free to take the services of any of the Takniki Sahayak from the panel drawn for each work. The Takniki Sahayak would be paid 2% of the total cost of each work as service fee. Panchayat Samitis and Zila Parishad have been empowered to appoint Junior Engineers and Assistant Engineers respectively on contract basis, who are also selected by a committee on the basis of the approved criteria. The monthly remuneration paid to the Junior Engineers is Rs. 8,700/- (i.e. Basic Pay= 5800 + Dearness Pay= 2900) and Assistant Engineers in the office of Zila Parishads are paid fixed amount of Rs. 8000/- respectively which is paid by the Panchayat concerned. The above technical staff is placed under the overall control of the concerned Panchayats. The detail of staff engaged is given below:

<b>S.No.</b>	<b>Name of District</b>	<b>Sanctioned Post A.Es.</b>	<b>Sanctioned Post J.Es</b>
1	Shimla	1	22
2	Solan	-	7
3	Sirmour	-	13
4	Kinnaur	2	7
5	Kullu	-	9
6	Lahul-Spiti	1	4
7	Mandi	-	18
8	Chamba	-	17
9	Kangra	-	28
10	Hamirpur	-	7
11	Bilaspur	-	5
12	Una	-	12
	Total	4	147

**Administrative staff of PRIs:**

At present, Panchayat secretaries are posted in 1025 of the Gram Panchayats, who are the employees of the State Government and 2084 Gram Panchayats have been authorized to appoint Panchayat Sahayaks on contract basis and their services have been placed under the overall control of the Gram Panchayats concerned. They are paid a monthly remuneration of Rs. 600 for performing 3 hours duty per day in the office of the Gram Panchayat. As per scheme notified the Panchayat Sahayaks would be imparted 3 months training and at the end of the training there will be conducted an examination. Only successful candidate will be eligible for appointment as Panchayat Sahayak and after training they will be paid a monthly remuneration of Rs. 1000.

In addition to above, with a view to train rural women for generation of self employment, Gram Panchayats have also been authorized to appoint Tailoring Teacher on contract basis. They are being paid a monthly remuneration of Rs. 700. Besides this, every Gram Panchayat has appointed one Panchayat Chowkidar, who is being paid remuneration of Rs. 500 per month. The expenditure on account of payment of remuneration of Panchayat Chowkidar is shared by the State Government and the concerned Gram Panchayat in the ratio of 90:10.

**The annual expenditure on account of payment of remuneration  
to the Contractual staff of Panchayati Raj Institutions**

Rs in lakh.

Post	Shimla	Solan	Sirmour	Kinnour	Kullu	LahulSpiti	Mandi	Chamba	Kangra	Hamirpur	Bilaspur	Una	Total Annual Expenditure
<b>J. E.</b>	25	10	15	5	12	4	28	19	37	10	8	14	195.23
<b>A.E.</b>	1	-	-	2	-	1	-	-	-	-	-	-	3.84
<b>Tailoring Teacher</b>	310	192	213	60	177	39	374	259	698	204	126	213	309.42
<b>Panchayat Sahayaks</b>	225	135	157	48	126	29	312	220	441	127	98	152	581.26
<b>Panchayat Chowkidars</b>	363	211	228	65	204	41	473	283	760	229	151	235	311.33
<b>Kanishath Lekhapal</b>	2	-	-	3	2	2	-	1	-	-	-	-	3.00
<b>Personal Assistant</b>	-	1	1	1	1	1	1	1	1	1	1	1	3.96
<b>Total</b>													708.69

**Audit:**

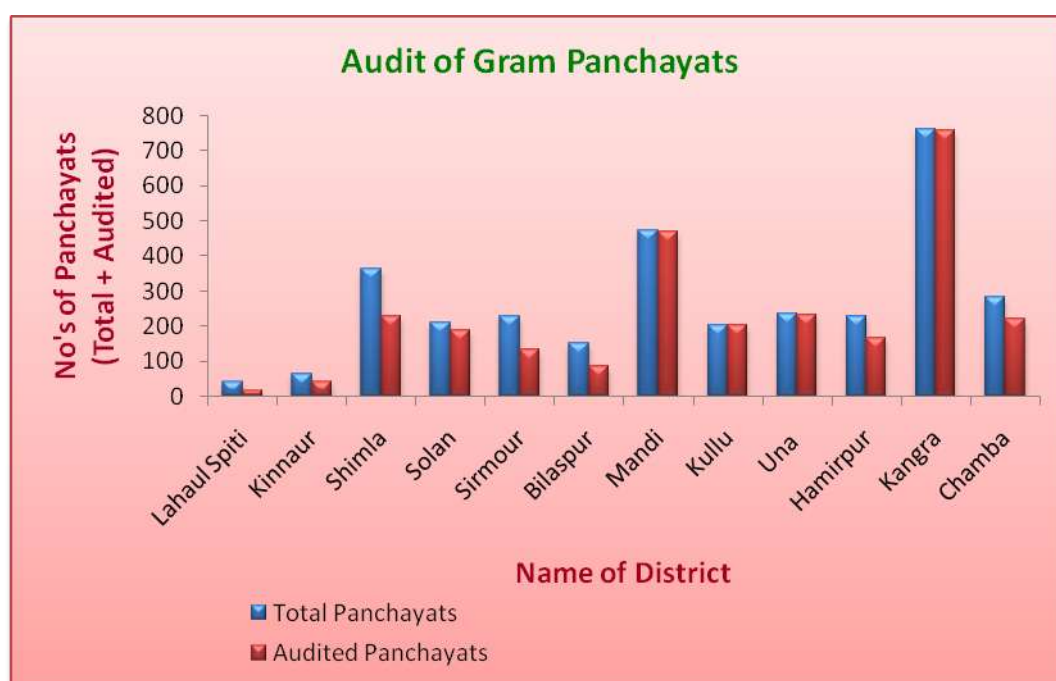
It has been provided Under sub-section (1) of section 118 of the Himachal Pradesh Panchayati Raj Act, 1994 that there will be a separate and independent Audit Agency under the control of the Director of Panchayati Raj to audit the accounts of the Panchayats and with a view to have proper financial control on income and expenditure of Panchayats Deputy Controller (Audit) and Distt. Audit Officer at the Headquarter and one District. Audit Officer in each district has been appointed. The District Audit Officers at Distt. level have been placed under the control of District Panchayat Officers and Panchayat Auditors have been posted in each district in proportion to the number of Gram Panchayats i.e. one Auditor against 35 Panchayats.

The Audit of Gram Panchayats, Panchayat Samitis and Zila Parishads is being conducted every year, audit of Zila Parishad is conducted by Deputy Controller (Audit) Panchayati Raj Department Audit of Panchayat Samitis is conducted by the District Audit Officer whereas audit of Gram Panchayat is conducted by the Auditors.

Besides this test audit of ten percent Gram Panchayat is conducted by the District. Audit Officer. Re- audit of those Gram Panchayat and Panchayat Samitis are also conducted where serious cases of embezzlement come to the notice of department.

**The details of audit of Gram Panchayat and Panchayat Samitis of the year 1.4.2007 to 31.3.2008 are as under:-**

Sr No	Name of the District.	No. of Zila Parishad		No. of Panchayat Samitis		No. of Gram Panchayats	
		Total	Audited	Total	Audited	Total	Audited
1.	Lahaul Spiti	1	-	2	1	41	18
2.	Kinnaur	1	-	3	3	65	42
3.	Shimla	1	1	9	4	363	229
4.	Solan	1	1	5	5	211	190
5.	Sirmour	1	-	6	4	228	133
6.	Bilaspur	1	1	3	3	151	87
7.	Mandi	1	1	10	10	473	471
8.	Kullu	1	-	5	5	204	204
9.	Una	1	1	5	4	235	233
10	Hamirpur	1	1	6	6	229	167
11	Kangra	1	1	14	5	760	757
12	Chamba	1	1	7	2	283	220
TOTAL		12	8	75	52	3243	2751

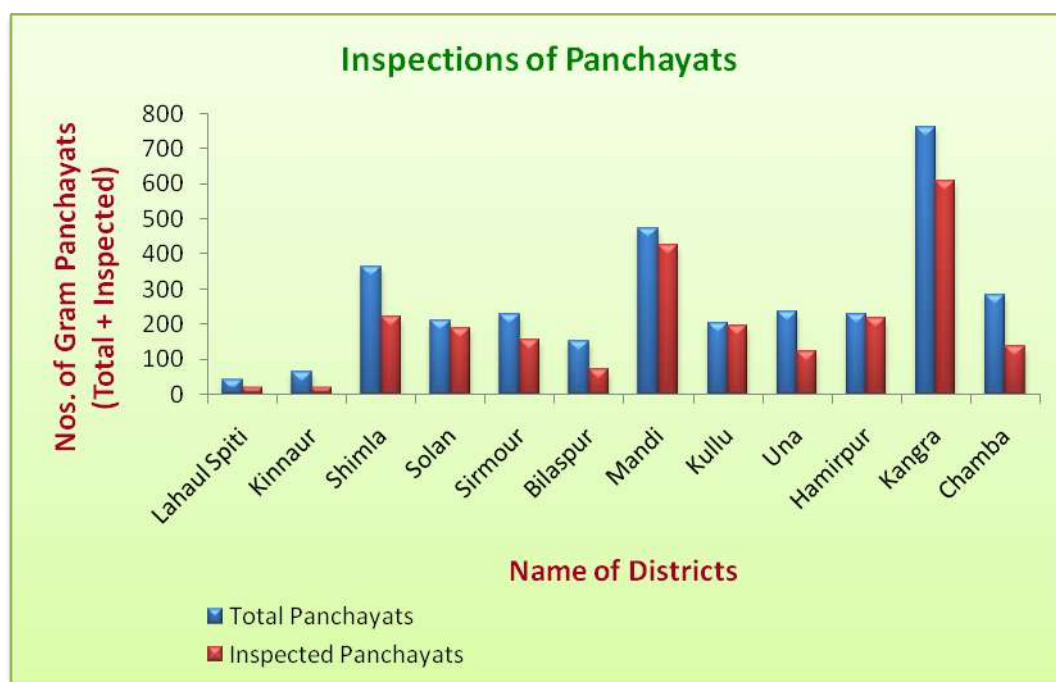


## Inspection:

Every year Gram Panchayats are inspected by the Panchayat Inspectors whereas the inspection of Panchayat Samitis is conducted by the district Panchayat Officer or other senior officer of the Department.

**The details of inspection of Gram Panchayats from 1.4.2007 to 31.3.2008 are as under:**

S.No.	Name of the District	No. of Gram Panchayats	
		Total	Inspected
1.	Lahaul Spiti	41	19
2.	Kinnaur	65	19
3.	Shimla	363	221
4.	Solan	211	190
5.	Sirmour	228	154
6.	Bilaspur	151	72
7.	Mandi	473	427
8.	Kullu	204	194
9.	Una	235	121
10.	Hamirpur	229	219
11.	Kangra	760	607
12.	Chamba	283	139
	Total:-	3243	2382



## **CHAPTER 5**

### **Training**

For the smooth functioning of any institution, development of concerned human resource is essential and to achieve the same two departmental training institutes, one situated at Mashobra and the other at Baijnath, impart training to the elected representatives of PRIs as well as to the officials of the department. The main objectives of training are as under:-

1. To provide knowledge of the Act and Rules.
2. To acquaint them with the procedure of accounts and other records.
3. To give training regarding judicial functions of Gram Panchayats especially the procedure and maintenance of record.
4. To give guidance for solving local problems.
5. To make them aware of various developmental schemes of rural areas.

### **Staffing Position:**

There is one post of Principal and three posts of instructor, besides 2 posts of clerk, 2 posts of peon and one post of cook in each Panchayati Raj Training Institutes i.e. Mashobra and Baijnath.

#### **Infra-structure facilities in PRTI Mashobra**

- i. There is a hostel facility along with the mess facility for the participants. There are 10 rooms in the hostel building and each room having 5 beds and as such total capacity is 50 participants at a time.
- ii. There is a one big training /conference hall for organizing training & workshop which has a sitting capacity of 60 participants at a time, besides this one computer laboratory has been setup.
- iii. A guest faculty hostel with 6 sets is also under construction.
- iv. Separate women hostel is under construction which will have capacity for 25 to 30 participants at a time.

#### **Infra-structure facilities in PRTI Baijnath**

1. There is a hostel facility along with the mess facility for the participants. There are 2 dormitories in the hostel building and

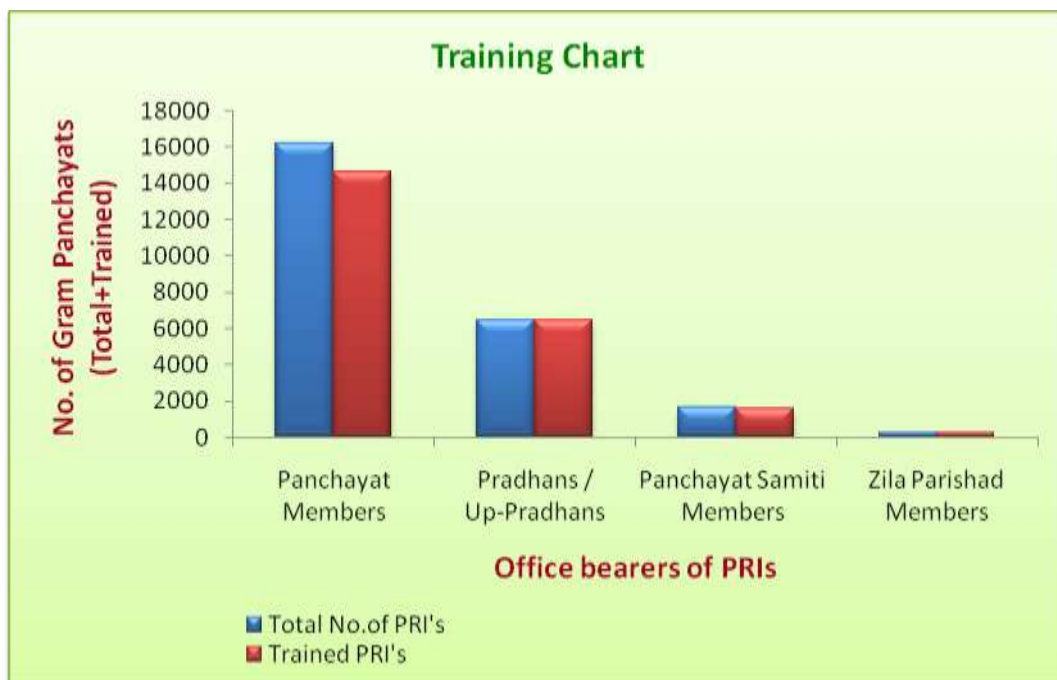
each dormitory having 20 beds and as such total capacity is 40 participants at a time.

2. There is a one training hall for organizing training & workshop which has a sitting capacity of 40 participants at a time.

**Others Facilities:**

Library facilities are also provided in these institutes with provision for audio-visual aids (LCD, computer). These Institutes provide training to the elected representatives of the Panchayati Raj Institutions as well as the officials of the Panchayati Raj & Rural Development Department, such as Panchayat Inspectors, Panchayat Auditors and Panchayat Secretaries. After completion of training there is a provision for conducting an examination of Government officials who are required to qualify the same.

During the year 2007-08, the Panchayati Raj functionaries have been imparted training in the Panchayati Raj Training Institutes Mashobra and Baijnath besides imparting training to them at district level. During the year 2007-08, 1600 Panchayat Samiti Members (95.46%) out of 1676 & 251 Zila Parishad Members (100%) out of 251 were provided training. Also, 14631 members of Gram Panchayat (90.49%) out of total 16168 members were provided training. Besides this during the year 2006-07, 6473 Pradhans & Up pradhans (99.79%)out of 6486 Pradhans & Up Pradhans were trained.



## **CHAPTER 6**

### **Panchayat Bhawan**

With a view to provide board and lodging facilities to the elected representatives of PRIs Panchayat Bhawans at the district headquarters have been constructed. The construction work of these Bhawans has been completed except in district Una. State level Panchayat Bhawan is situated at Shimla, which is placed under the control of the State level Governing Body under which an executive committee is also constituted, which approves the income and expenditure of Panchayat Bhawan and also approves the action plan for smooth functioning of the Panchayat Bhawan. The meeting of the Governing Body is held as and when needed. Bye-laws have also been framed to ensure smooth functioning of Panchayat Bhawan.

### **Zila Parishads Buildings:**

In the light of the provisions of 73<sup>rd</sup>. constitutional amendment and Himachal Pradesh Panchayati Raj Act, 1994, three tier system of Panchayat was established in the state and as a result of which Zila Parishad came to existence for the first time in the year 1996. The budget provision for the construction of Zila Parishad buildings were made and the office buildings of the Zila Parishad Bilaspur , Kangra , Sirmour, Solan, Hamirpur, Kullu and Mandi have completed and their offices have started functioning in these buildings. The construction work of office buildings of Zila Parishad in Chamba, Una, and Kinnaur is in progress. The construction work of the office buildings of Shimla and Lahul-Spiti is yet to start. The Zila Parishad where the construction work is not completed or yet to start is functioning in others buildings of Government.

## CHAPTER 7

### A Funds:

The five year plan 2007-2012 has been submitted to the planning department for its approval.

The budget provisions of the department for the year 2007-08 under plan and expenditure incurred were as follows:-

S. No	Particulars.	Plan (Rs. in lacs.)	
		Provision for 2007-2008	Expenditure up to 31.3.2008.
1.	Assistance to PRIs for Training sammelan, Printing of training Material Establishment of newly created Gram Panchayat and entertainment & Hospitality etc.	67.00	67.00
2.	Traditional water sources in District Kullu.	-	-
3.	Up gradation & Maintenance of Panchayat Ghar & Training Centre under RGSY.	279.50	279.50
4.	Award to Un-opposed Gram Panchayat	667.50 Tribal 82.50	750.00
5.	Assistance to Panchayati Raj under SCSP.	247.62	247.62
6.	Loan to Village Panchayats.	20.00	20.00
7.	C/O Residence of DPO/Principal Training Institute	100.00	100.00
8.	C/o PRIs Building.	342.66 Tribal 30.45	373.11
9.	Grant to PRIs under 12 <sup>th</sup> Finance Commission.	2856.83 Tribal 83.17	2940.00
10	Honorarium to elected representatives/contractual Staff/pay of Chowkidar/office expenses to Gram Panchayat, Panchayat Samiti and Zila Parishad, Giriraj Saptahiki.	2619.45 Tribal 148.77	2768.22
11	Maintenance of office Building	25.00	25.00
12	G.T.Z. capacity building	72.34	72.34

13	BRGF	2000.00	2000.00
14	BRGF	220.00	220.00
15	Minor Mineral	76.88	76.88
16	C/o residence of P.I.s/S.I.s	162.50	162.50
17	GIA to various departments for delegated functions TFC (Tribal)	2.00	2.00
	Total:	10104.17	10104.17

**B. Funds sanctioned for the construction of Panchayat Ghar under general budget & RGSY during 2007-08**

Rs. In Lakh.

S.No.	Name of District	Nos. of Panchayat	Funds provides
1	Bilaspur	14	28.00
2	Una	15	30.00
3	Chamba	20	40.00
4	Solan	19	38.00
5	Sirmaur	10	19.00
6	Kangra	39	78.00
7	Kullu	16	32.00
8	Mandi	39	78.00
9	Hamirpur	13	26.00
10	Shimla	36	65.805
	Total		434.80

**Right to Information Act**

In pursuant to section-4 of the Right to Information Act, 2005 the following officers has been designated to provide information's:-

**State Level**

Sr. No.	Name of the Officers with designation present	Designation under RTI Act, 2005
1.	Sh. Kishori Lal Addl. Director- cum- Joint Secretary	Appellate Authority.
2.	Sh. Kewal Sharma Deputy Director	Public Information Officer
3.	Sh. J.L. Kanan Deputy Controller (Audit)	Assistant Public Information Officer.

## Panchayati Raj Training Institutes

<b>Sr. No.</b>	<b>Name of the Post to be designated</b>	<b>Designation under RTI Act, 2005</b>
1.	Principal	Appellate Authority
2.	Senior most Instructor	Public Information Officer.
3.	Junior Assistant/ Clerk	Assistant Public Information Officer.

## District Level

<b>SN</b>	<b>Name of the post to be designated</b>	<b>Designation under RTI Act, 2005.</b>
1.	Distt Panchayat Officer	Appellate Authority
2.	Distt Audit Officer, Distt Panchayat Office	Public Information Officer
3.	Superintendent, Distt Panchayat Office	Assistant Public Information Officer

## Block Level

1.	Executive Officer- cum- BDO, Panchayat Samiti	Appellate Authority
2.	Inspector ( Panchayat)	Public Information Officer
3.	Sub Inspector ( Panchayat)	Assistant Public Information Officer

## Zila Parishad Level

<b>SN</b>	<b>Name of the post to be designated</b>	<b>Designation under RTI Act, 2005.</b>
1.	Chief Executive Officer	Appellate Authority
2.	Distt Panchayat Officer	Public Information Officer
3.	Distt Audit Officer,	Assistant Public Information Officer

### **Panchayat Level**

<b>SN</b>	<b>Name of the post to be designated</b>	<b>Designation under RTI Act, 2005.</b>
1.	Executive Officer Panchayat Samiti	Appellate Authority
2.	Sub-Inspector Panchayat	Public Information Officer
3.	Secretary of Concerned Panchayat	Assistant Public Information Officer

All information pertaining to Panchayati Raj Department is available on departmental website i.e. [www.hppanchayat.nic.in](http://www.hppanchayat.nic.in).