



**GOVERNMENT OF JAMMU AND KASHMIR**

...

**REPORT OF THE COMMITTEE**

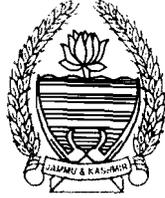
**on**

**DEVOLUTION OF POWERS**

**to the**

**PANCHAYATS**

*Madhav Lal*  
مادھولال



**CHIEF SECRETARY  
JAMMU & KASHMIR**

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### PREFACE

Vide Government Order No. 447-GAD of 2011 dated 13.04.2011, the Government constituted a Committee under the Chairmanship of the Chief Secretary to chalk out a roadmap for the Empowerment of Panchayati Raj Institutions in the State as also to make recommendations on other matters related thereto. The other Members of the Committee were Shri B.B. Vyas, Principal Secretary, Planning and Development Department, Shri Sudhanshu Pandey, Commissioner / Secretary to Government, Finance Department, Shri Mohammad Sayeed Khan, Commissioner/Secretary to Government, General Administration Department and Shri Yedullah, Commissioner/Secretary to Government, Rural Development and Panchayati Raj Department.

2. The Committee examined the issues connected with its mandate in detail, and held several meetings/deliberations with the government functionaries and other experts within and outside the State.

3. While presenting this report, I would like to place on record my sincere appreciation of the contributions of the Members of the Committee and the Administrative Secretaries of various Departments. I would also like to place on record my appreciation for Shri R. K. Varma, Special Secretary to Chief Secretary who very diligently helped in collecting and examining various documents.

(Madhav Lal)

**Chief Secretary  
(Chairman of the Committee)**

15<sup>th</sup> July, 2011

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# **REPORT OF THE COMMITTEE ON DEVOLUTION OF POWERS TO THE PANCHAYATS**

## **1. Background**

1.1 The J&K Panchayati Raj Act was enacted in 1989. The first elections under the Act were held in 2001, although they could not be completed in all parts of the state due to the prevailing situation. The panchayat bodies could not, therefore, become functional in the State in the last two decades. In the intervening years, panchayat institutions in other parts of the country have evolved with the backing of the 73<sup>rd</sup> Amendment to the Constitution of India. The strengthening of the Panchayati Raj Institutions (PRIs), with properly defined role in local planning, decision-making and supervision, is being advocated as an essential part of the governance reforms agenda by both the government as well as civil society groups.

1.2 The State Cabinet vide Cabinet Decision No: 40/3/2011 dated 09.02.2011 decided to hold the elections to the Halqa Panchayats and to establish Panchayati Raj Institutions at all three levels of local self Government. The Government notified the elections to be conducted in 17 phases. The response to the elections, conducted during the period 14.03.2011 to 27.06.2011 has been overwhelming in all the three regions of the State. In all, 4082 Sarpanches and 28,253 Panches have been elected, with State level average voter turnout of about 77.71 percent.

1.3 Underlying its commitment towards empowering the Panchayati Raj Institutions (PRIs), the State government constituted a Committee under the chairmanship of the Chief Secretary to chalk out road map for the empowerment of the PRIs in the State. A copy of the Government Order No: 447-GAD of 2011 dated 13<sup>th</sup> April, 2011, containing the composition and terms of reference of the Committee, is placed at **Appendix-A** to this report.

1.4 The Committee studied the devolution of functions, funds and functionaries, as well as the institutional arrangements followed by different States. It has also studied the Model Panchayat and Gram Swaraj Act framed by the Ministry of Panchayati Raj, Government of India, and the provisions contained in 73<sup>rd</sup> Constitutional Amendment (though not applicable to the state

of J&K). Interactions were held with experts from within and outside the State, including with Administrative Secretaries of different departments of the State Government.

1.5 This report specifically deals with the following:-

- Devolution and assignment of functions to the PRIs;
- Matters relating to devolution of funds to the PRIs;
- Issues connected with personnel and human resources;
- Power and functions of the Chairman and Vice-Chairman of the District Planning and Development Board;
- Organizational changes/strengthening in the Rural Development Department; and
- Amendments required to be made in the J&K Panchayati Raj Act, 1989.

## **2. Devolution of Functions**

2.1 Article 243 G read with the Eleventh Schedule of the Constitution of India stipulate that States may, by law endow the panchayats with such powers and authority as may be required to enable them to function as institutions of Self-government. Such laws may also endow powers and responsibilities upon Panchayats for the preparation and implementation of plans for economic development and social justice including in relation to the 29 matters listed in the Eleventh Schedule. Although Article 243G and the Eleventh Schedule are not applicable to J&K, they are relevant in the context of the local governance reforms agenda being pursued at the national level.

2.2 The Second Administrative Reforms Commission (SARC), in its 6<sup>th</sup> report relating to local governance, has recommended that there should be clear-cut delineation of functions for each level of local governance. This cannot be a one-time exercise, and has to be done continuously while working out locally relevant socio-economic programme, restructuring organization and framing subject matter laws.

2.3 In the context of the overall developments summarized above, the position obtaining in the State laws has to be considered.

### *Provisions for Panchayat Halqa*

2.4 As per section 12 of the Panchayati Raj Act 1989, the Panchayat Halqa shall have the following powers and functions:-

**12(1):- to make provision for the following subject to availability of funds at its disposal:-**

- i. to prepare the plans for the development of the halqa;**
- ii. to undertake measures for the implementation of the developmental plans;**
- iii. to specifically deal with the problems of soil conservation, water management, social forestry, rural industrisation, agriculture, sheep and animal husbandry, sanitation, health and other welfare programmes;**
- iv. regulations of buildings, shops and entertainment houses and checking of offensive or dangerous trades;**
- v. construction and maintenance of slaughter houses, regulation of sale and prevention of meat and processing of skins and hides;**
- vi. regulation of sale and preservation of fish, vegetables and other perishable articles and food;**
- vii. regulation of fairs and festivals;**
- viii. preparation and implementation of special developmental plans for alleviating poverty and employment generation through and besides programme, like Integrated Rural Development Programme, National Rural Employment Programme, Rural Landless Employment Guarantee Programme and Housing of Scheduled Castes and Backward Classes;**
- ix. all matters involving regulation, supervision, maintenance and support, incidental to, or necessary for the more efficient discharge of the above functions and those which may be entrusted to Halqa Panchayat under the provision of the Act.**

**(2) The Halqa Panchayat shall be involved in the implementation of scheme of universalisation of elementary education and other educational programmes.**

**(3) The Halqa Panchayat shall also perform such other functions and duties as may be assigned or entrusted to it by the Government, the District Planning and Development Board and the Block Development Council within the area of which Halqa Panchayat is constituted.**

#### *Provision for Block Development Council*

**2.5 As per section 31 of the Panchayati Raj Act 1989, the Block Development Council shall have the following powers and functions:-**

- i. constructions, maintenance and supervision of Inter-Halqa Panchayat Communication System;**
- ii. administrative and technical guidance to Halqa Panchayats and review of their work;**
- iii. to supervise plans relating to agriculture, rural development, animal husbandry/sheep husbandry , social forestry , education and public health;**

- iv. **supervise and monitor the implementation of poverty alleviation programmes like, Integrated Rural Development Programme, National Rural Employment Programme, Rural Landless Employment Guarantee Programme;**
- v. **undertake measures for effective supervision and monitoring of various developmental programmes;**
- vi. **to carry out such other functions as may be entrusted to it by the Government or by the District Planning and Development Board.**

*Provision for District Panchayat & Development Board*

2.6 As per section 46 of the Panchayati Raj Act 1989, the District Planning and Development Board shall have the following powers and functions:-

- i. **to consider and guide the formulation of development programmes for the District and indicate priorities for various schemes and consider issues relating to the speedy development and economic upliftment of the District;**
- ii. **to review periodically progress and achievements of developmental plans and schemes and make recommendations as it considers appropriate;**
- iii. **to function as a working group for formulation of periodic and annual plans for the District;**
- iv. **to formulate and finalize the plan and non-plan budget for the District;**
- v. **to lay down the policy guidelines for the Block Development Council and Halqa Panchayat;**
- vi. **to approve the budget of the Block Development Council and supervise and co-ordinate their work;**
- vii. **to undertake special measures for alleviating poverty and employment generation and extending assistance to Halqa Panchayats in this behalf;**
- viii. **to promote and assist co-operative institution;**
- ix. **to perform such other functions and duties as may be assigned or entrusted to it by the Government from time to time.**

2.7 The Eleventh Schedule of the Constitution of India lists 29 categories of subjects in which the local government could have a role. While many of these subjects find mention in sections 12, 31 and 46 of the J&K Panchayati Raj Act, 1989, the following subjects are not specifically mandated as functions to be performed by panchayats in J&K:-

- Land improvement, implementation of land reforms, land consolidation (entry 2).
- Minor irrigation, water management and water shed development (entry 3).
- Fisheries (entry 5).
- Drinking water (entry 11).
- Roads, culverts, bridges, ferries waterways and other means of communication (entry 12).
- Rural Electrification, including distribution of electricity.

- Non-conventional energy sources (entry 15)
- Tech. Training and Vocational Education (entry 18)
- Secondary Schools (part of entry 17).
- Women and Child Development (entry 25).
- Public Distribution system (entry 28).

2.8 While examining the question of devolution it would be erroneous to think that the State Government would have no role whatsoever in respect of the subjects being considered for devolution. Various experts have emphasized the need to identify the specific roles within the subject matter areas that could be assigned to the PRIs. Further more, each tier of the Panchayats has to be assigned appropriate roles. The overall division of responsibilities and functions must be done keeping in mind the principles of subsidiarity, role clarity and complementarity

2.9 Sub section (3) of section 12 , sub section (vi) of section 31 and sub section (ix) of section 46 of the Panchayati Raj Act, 1989 are the enabling sections in terms of which the Government may assign or entrust to the PRIs any more functions and duties from time to time. Even the other state governments have expanded the area of activities of the PRIs using similar provisions in their State legislations.

2.10 Keeping in view the local governance reforms agenda being advocated and pursued at the national level, the great enthusiasm shown by the voters in the recently concluded elections and the enabling provisions in the Jammu and Kashmir Panchayati Raj Act, 1989, the Committee is of the opinion that a substantive and considerable devolution of functions to the PRIs in the State would be in order. The role of the PRIs should not only be confined to the preparation of plans, but also extend to active supervision and oversight of the activities currently being performed by a number of departments at the local level. The Committee recommends that the functions and activities related to the following departments be devolved to the PRIs in the manner suggested in the **Annexures** shown against each:-

<b>S.No:</b>	<b>Name of the Department.</b>	<b>Annexure:</b>
1	Agriculture Department.	I
2	Animal & Sheep Husbandry Deptt.	II
3	Consumer Affair & Public Distribution Deptt.	III
4	Education (School) Department.	IV
5	Fisheries Department.	V
6	Forest Department.	VI
7	Health & Family Welfare Department.	VII
8	Horticulture Department.	VIII
9	Industries & Commerce Department.	IX
10	Public Health Engineering and I&FC Deptt.	X
11	Public Works (R&B) Department.	XI
12	Revenue Department.	XII
13	Rural Development Department.	XIII
14	Social Welfare Department.	XIV

2.11 The Committee further recommends that the devolution of the functions be reviewed periodically by the Panchayat Advisory Committee to be constituted under section 8-A of the Act and based on experience, additions and alterations may be made periodically on the devolution and activity maps proposed above.

### **3. PRI Resources and Funds**

3.1 Section 14, section 34(2) and section 47 of Panchayati Raj Act, 1989 require Halqa Panchayat, Block Development Council and the District Planning and Development Board respectively to have their own accounts. Section 15 of the Act also vests the Halqa Panchayats to levy taxes and fees.

3.2 The Panchayati Raj Institutions cannot be expected to deliver on the substantive mandate proposed above in the absence of assured resources. While they need to be encouraged to raise resources on their own, they will require appropriate devolution and grants for administering the tasks and functions assigned to them.

3.3 The sources from which the PRIs would be receiving the funds, are discussed briefly below.

### *Devolutions from the 13<sup>th</sup> Central Finance Commission*

3.4 In the Thirteenth Finance Commission Award, an amount of Rs 918 crore has been given for rural local bodies of the State. Out of this, Rs 600 crores falls under General Basic Grant and Rs 318 crore falls under General Performance Grant. For accessing the General Basic Grant, the elected local bodies have to be in position and the utilization of funds has to be made as per the guidelines laid down by the 13<sup>th</sup> CFC, including submission of utilization certificates from time to time. The drawal of performance grants is subject to governance reforms measures including the adoption of an accounting framework, inclusion of PRI's budget statement in the State Budget document, adoption of eight data base formats, CAG being given TG&S or audit of PRIs, appointment of independent local body ombudsman, electronic transfer of funds to PRIs, prescribing the qualifications for the State Finance Commission Members and enabling provisions for empowering local bodies to levy property tax.

3.5 Under the 12<sup>th</sup> FC Award an amount of Rs 281 crore was earmarked for the PRIs. However, due to non-fulfillment of prescribed conditions State Government could not secure release of Rs 228 crore, i.e. 81 percent of the earmarked amount. It is important that the reform measures mandated by the Thirteenth Finance Commission are implemented so that the entire amount of over Rs 918 crores meant for PRIs can be accessed and transferred to the three tiers, as envisaged by the Commission.

### *Devolutions from the State Finance Commission*

3.6 To make the PRIs fully empowered, it is necessary that they have a sustained source of untied funds. While the J&K Panchayati Raj Act, 1989 does not have any provision for State Finance Commission, the State Government has enacted, consistent with the recommendations of the 13<sup>th</sup> Central Finance Commission, the J&K State Finance Commission for Panchayats and Municipalities Act, 2011. The mandate of the Commission for recommending devolution of funds to PRIs includes, inter-alia:

- a. The distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be

divided between them and the allocation between the Panchayats at all levels of their respective shares of such proceeds;

- b. The determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by, the Panchayats;
- c. The grants-in-aid to the Panchayats from the Consolidated Fund of the State;
- d. The measures needed to improve the financial position of the Panchayats;

3.7 The Committee recommends that the State Finance Commission be formed as early as possible under the Act, and mandated to give its recommendation within one year of its constitution. Until then, the Government may consider making an ad-hoc untied grant available to the Halqa Panchayats for meeting their urgent and pressing requirements.

#### *Grants/allocations from the State Plan*

3.8 Unlike the problem faced by many states at the time of inception of the Panchayati Raj Institutions, our State has been fortunate in having an existing set up (Single Line Administration) of district level planning which was introduced in 1976. The orders issued in 1976 (Government Order No:2380-GD of 1976 dated 14.10.1976 and 2973-GD of 1976 dated 28.12.1976) both allude to the two basic objectives which continue to be relevant for the PRIs today, namely, (a) decentralization of authority primarily to lend speed to development programmes, and (b) the involvement of the people with the process of development. These orders have been subsequently modified and amplified vide Government Order No: 343-PS/1985 dated 14.05.1985 and Government Order No:741-GD of 1993 dated 3.9.1993 and Govt. Order No:112-PD 1996 dated 1.12.1996. They lay down the structure of the District Development Board and the powers and authority vested with these Boards.

3.9 As the existing system, embodied the basic principles of decentralization of decision making and development to the district levels, the arrangements envisaged therein for the devolution of funds from the State level to the District level can continue with marginal changes. However, with the constitution of the District Planning and Development Board under section 45 of the J&K Panchayati Raj Act, 1989, the functions of the District Development Board should be subsumed and performed by the newly constituted District Planning and Development Board.

3.10 The existing guidelines of the District Development Board, however, do not provide for any transfer of funds or responsibility to the Block Development Councils or to the Halqa Panchayats, as these tiers of Local Government had not been in existence in the State earlier. With the elected membership of the Block Development Council and Panchayat Halqa, the District Planning and Development Board should be mandated to transfer funds for the performance of functions mentioned in the previous sections to the other two tiers of the PRIs.

3.11 Section 45(5) of the J&K Panchayati Raj Act, 1989 lays down that the District Development Commissioner shall be Chief Executive Officer of the District Planning and Development Board. This statutory provision will make sure that the supersession of the District Development Boards and subsuming its functions by the District Planning and Development Board, are carried out with minimal dislocation.

3.12 In a period of transition, the elected PRIs may require considerable guidance and support from the highest level in the state government. To resolve issues of coordination between the different levels of Government, namely between the State Government and the PRIs, between the PRIs and the Urban Local Bodies and inter-se between the three tiers of PRIs, it will be useful to retain the existing practice of the Honourable Chief Minister holding annual review meetings in the districts with the District Planning and Development Boards, accompanied by Members of his Council, the Chief Secretary, Secretaries of Administrative Departments and Heads of Department.

3.13 Keeping the above in view, the prevalent guidelines related to District Development Board are proposed to be superseded by a new set of guidelines. A Draft Government Order for the new Guidelines is enclosed as **Appendix- B**.

3.14 Furthermore, the mechanism for release of funds is proposed to be laid down through a Government Order, the draft of which is placed as **Appendix- C**.

#### *Grants in respect of the Central Schemes when PRIs perform agency function*

3.15 The Panchayati Raj Institutions (PRIs) at the district, block and village level are the principal authorities for planning and implementation of a number of central schemes such as Mahatma Gandhi National Rural Employment

Guarantee Act (MNREGA), Backward Regions Grant Fund (BRGF) and Border Area Development Programme (BADP). Central funding under these programmes alone could be over Rs 600 crore during 2011-12. Programmes like MNREGA additionally present possibilities for strengthening the administrative capabilities of PRIs (through provisions for funding of posts), and together with programmes like BRGF and BADP, for strengthening the infrastructure of the panchayats also.

3.16 In addition, several other schemes of the central government envisage a vibrant role for the elected representatives of the Panchayati Raj Institutions, eg. Sarva Shiksha Abhiyan, Rashtriya Madhyamik Shiksha Abhiyan, National Rural Health Mission, Integrated Child Development Scheme, Indira Awas Yajana etc. The quality of interventions under these schemes is expected to improve considerably with the oversight responsibilities of the PRIs.

3.17 With considerable flow of funds to the PRIs, it will be necessary to strengthen the accounting and reporting systems, as also envisaged by the Thirteenth Finance Commission. The Finance Department has separately worked on detailed guidelines in this behalf, which should be notified as soon as the PRIs are constituted.

#### **4. Functionaries to Assist the PRIs**

4.1 As stated above, section 45(5) of the J&K Panchayati Raj Act, 1989 lays down that the District Development Commissioner shall be Chief Executive Officer of the District Planning and Development Board. Similarly, section 28(3) requires that the Block Development Officer (BDO) shall be the Secretary of the Block Development Council. Section 4(8) lays down that the Village Level Worker or Multipurpose worker or Gramsevika shall be the Secretary of the Halqa Panchayat.

4.2 In addition, the PRIs shall require the assistance of other government officers to perform the functions and activities proposed to be assigned to them. The Committee has gone into this question in detail and has prepared an indicative list of the officials who will assist the three tiers of panchayat institutions. These have been listed for each department from **Annexures I to XIV**.

4.3 Every Department of the State Government has officers who are borne on the District, Divisional or State Cadre. The basic distinction between these cadres relates to the transferability of the officials within the prescribed jurisdiction. Other related issues like the appointing authority, supervisory authority and disciplinary authority are governed by the common rules such as Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956, Civil Service Regulations, etc.

4.4 The Committee recommends that the formal accountability system related to discipline and control, as envisaged in the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956 be maintained as it is not feasible to alter the designated appointing and disciplinary authorities in the short run. However, as would be seen from the section on devolution of functions, the PRIs are proposed to be assigned supervisory functions for the preparation of plans and monitoring of the implementation thereof. The PRI will naturally depend upon the Government functionaries to perform these functions. As such, therefore, it is proposed that the functionaries at the District level would be deemed to be transferred to the District Planning and Development Board. Such a provision would be more or less in line with the existing arrangements in Leh and Kargil districts where the Autonomous Hill Development Councils were put in place under the Ladakh Autonomous Hill Development Council Act, 1995.

4.5 In line with the above, the overall responsibility of supervision of functionaries working at the block or lower levels would vest with the Block Development Councils and Halqa Panchayats. It would be expected that the Chief Executive of the District Planning and Development Board will provide the overall leadership for such functions under the guidance of the District Planning and Development Board. It is also proposed that the District Development Commissioner, who is also the Chief Executive Officer of the District Planning and Development Board, be vested with the powers to impose minor penalties like censure on the government functionaries referred above, so as to strengthen the supervisory role assigned to the PRIs.

4.6 The Committee recommends that the devolution of the functionaries be reviewed annually by the Panchayat Advisory Committee to be constituted under section 8-A of the Act and based on experience, additions and alterations may be made periodically on the recommendations of the said Committee.

## **5. Powers of Vice-Chairman of District Planning and Development Board.**

5.1 The J&K Panchayati Raj Act, 1989 envisages that the Chairman of the District Planning and Development Board shall be nominated by the Government from amongst the members of the Board. In this, the State Act is substantively at variance with the 73<sup>rd</sup> Constitution amendment and the Panchayati Raj Institutions elsewhere in the country, where the Chairman of the Zilla Parishad is elected from amongst the elected members of the Zilla Parishad. This question has come in for public comment and debate in the past, and critics have questioned the democratic character of the District Planning and Development Board on this account. Therefore, this Committee was mandated to explore and recommend the powers to be vested in the Vice- Chairman of the Board, who is to be elected by the members of the District Planning and Development Board from amongst themselves.

5.2 Section 47(2) of the Act lays down that the District Planning and Development Board shall set up Committees to handle specialised jobs. This is a significant provision, which can enable not only professional inputs to come before the Board, but also give the decision-making processes of the Board a participatory character. The Committee recommends that the District Planning and Development Board should be mandated to set up Committees on the following subjects:-

- Committee on Planning and Budget.
- Committee on Social Sectors (Health, Education, Social Welfare, etc)
- Committee on Works (PW(R&B)D, PDD, PHE, I&FC)

5.3 It is recommended that the Vice-Chairman of the District Planning & Development Board should be the chairperson of these Committees, the exact composition of which can be left to be decided by the District Planning and Development Boards themselves. In addition to the above, the Vice-Chairman may also be specifically given the following mandates:-

- i. To chair quarterly review meeting;

- ii. To recommend re-appropriations authorized at district level which will be considered for approval by the Chairman;
- iii. To guide and monitor working of grievance redressal system at various levels in the district;
- iv. Approve the agenda for District Planning and Development Board;
- v. To exercise such other powers as will be assigned by the Chairman; and
- vi. To chair other meetings as required by the Chairman.

## **6. Amendments proposed in the J&K Panchayati Raj Act, 1989.**

6.1 A comparison between the J&K Panchayati Raj Act, 1989 and the 73<sup>rd</sup> Constitutional amendment (together with 11<sup>th</sup> Schedule of the Constitution of India) is often made in the context of the non-applicability of the latter to the State of J&K.

6.2 The Committee has gone into the question and it is of the opinion that since the elections to the Panchayats have been only recently conducted under the State Act and the Panchayati Raj Institutions at all three tiers are just beginning to get established, it would not be at all desirable at this stage to consider any amendment that may lend uncertainty to the constitution of the bodies at Halqa Panchayat, Block and District level. All efforts of the Government should, therefore, be focused, for the present, to strengthen the three tiers of the Panchayati Raj Institutions for the duration of their term as envisaged in the Act, i.e. 5 years.

6.3 As the Panchayati Raj Institutions start functioning, it would be necessary to carefully watch their performance, especially in the light of the salient differences between the 73<sup>rd</sup> Constitution amendment and the State Act. Having said so, the following amendments to the Panchayati Raj Act may be considered for being applicable when panchayats are next constituted:-

- i. Amendment to section 6 of the J&K Panchayati Raj Act, 1989 so as to reduce the eligibility for election as Panch/ Surpanch from present 25 years to 21 years on the lines of the 73<sup>rd</sup> Amendment Act.

- ii. Amendment to section 45 of the J&K Panchayati Raj Act so as to create provision for election of the Chairman District Planning and Development Board by electoral College of Panches, Sarpanches of Halqa Panchayat and Chairman of Block development Council.
- iii. Amendment to section 4 and other relevant provisions of the J&K Panchayati Raj Act, 1989 to extend reservation of women and SC/ST to the levels of Sarpanch of Halqa Panchayat and Chairman Block Development Council and Chairman of District Planning and Development Board.

6.4 The Committee has noted that the Government has already enacted the Jammu and Kashmir State Finance Commission Act, 2011, and has also amended the Jammu and Kashmir Panchayati Raj Act, 1989 to constitute State Election Commission.

6.5 These legislations have substantively taken care of the institutional deficiencies of the J&K Panchayati Raj Act, 1989 vis-a-vis the 73<sup>rd</sup> amendment.

6.6 In line with these amendments, the Committee recommends that an amendment may be brought under the Ombudsman Act of local bodies so as to extend its applicability to the Rural Local Bodies (PRIs).

## **7. Capacity Building for PRIs.**

7.1 Capacity building of elected representatives and officials is critical for the proper functioning of the institutions of local self-government. As the PRIs are being assigned increasing responsibilities in both developmental and regulatory activities, there may be genuine concerns about their capacities to function in an organized framework. While the magnitude of the challenge is enormous (around 34,000 Elected Representatives have to be trained), this should not come in the way of devolving adequate powers and responsibilities to the PRIs because, in the ultimate analysis, the capacities of any institution cannot improve unless it is empowered.

7.2 The State Institutes of Rural Development (SIRD) under the overall umbrella of the J&K Institute of Management and Public Administration (IMPA) will be mandated to design training manual and materials for the elected representatives. These Institutes will work out partnerships with other Institutions such as Rural Development Extension and Training Centres (ETCs)

at Budgam and Miran Sahib, Non-Governmental Organisations (NGOs) and other relevant bodies, so as to deliver the capacity building programmes for the elected representatives (as indeed for the government functionaries) at the district and block levels of the state. To begin with, one-day orientation camps may be organized so as to cover all the elected representatives before the end of September, 2011.

7.3 As stated above, given the magnitude and the specialized nature of the capacity building, the Committee recommends that the Rural Development Department immediately undertakes an exercise to identify the NGOs who have experience in this area and also the funding mechanism through central and other programmes, for sustaining the training in an institutional manner over the next few years.

## **8. Re-organization of Rural Development Department**

8.1 At present the Rural Development Department appears to be inadequately geared to coordinate the variety of issues that may come up with the creation of the PRIs. While the department will need to carefully make appointments for the vacant posts of BDOs, VLWs etc, to provide critical institutional support, it is suggested that a senior officer be also appointed at the Secretariat level in the Department. The committee recommends the creation of a post of Director cum Special Secretary, Panchayati Raj (PR) in the Administrative department (Rural Development and Panchayati Raj).

## **9. Conclusion and Summary**

9.1 In making its recommendations, the Committee has been guided by the provisions in the J&K Panchayati Raj Act, 1989 as well as the agenda for local governance reforms being pursued and advocated at the national level, including through the amendments to the Constitution of India. We have tried to ensure that the principles of subsidiarity, role clarity and complementarity remain central to all recommendations made herein and recommend that these remain so in examining any changes subsequently.

9.2 The Committee recommends that the functions and activities related to the fourteen departments be devolved to the PRIs in the manner suggested in the **Annexures I to XIV** of this report.

9.3 To provide clarity on the institutional support for the performance of the functions/ activities by the PRIs, indicative lists of functionaries have been included as part of these **Annexures**.

9.4 It would be expected that the Chief Executive of the District Planning and Development Board will provide the overall leadership for such functions under the guidance of the District Planning and Development Board. It is also proposed that the District Development Commissioner, who is also the Chief Executive Officer of the District Planning and Development Board, be vested with the powers to impose minor penalties like censure on the government functionaries referred above, so as to strengthen the supervisory role assigned to the PRIs.

9.5 The Thirteenth Finance Commission has recommended significant grants for the PRIs subject to fulfilment of reform measures. It is important that the reform measures mandated by the Commission are implemented so that the entire amount of over Rs 918 crores meant for PRIs can be accessed and transferred to the three tiers. At the same time, it is recommended that the State Finance Commission be formally constituted, and mandated to give an early report so as provide a consistent flow of untied funds to the PRIs

9.6 As regards Plan funds, the prevalent guidelines related to District Development Board are proposed to be superseded by a new set of guidelines. A Draft Government Order for the new Guidelines has been proposed as **Appendix B**.

9.7 To adequately empower the elected Vice-Chairman of the District Planning and Development Board, the Committee has suggested he chair the proposed mandatory Committees on Planning and Budget, Social Sectors and on Works, besides performing other functions detailed in para 5.3.

9.8 The Committee is of the view that since the elections to the Panchayats have been only recently conducted under the State Act and the Panchayati Raj Institutions at all three tiers are just beginning to get established, it would not be desirable at this stage to consider any amendment to the State Act that may lend uncertainty to the constitution of the bodies at Halqa Panchayat, Block and District level. It is, however, recommended that the position of ombudsman be created for the PRIs by suitable amendment to the existing Act that is currently applicable to the Urban Local Bodies and that certain other amendments be considered in due course.

9.9 The Committee has emphasized the importance of capacity building for the elected representatives as well as for the government functionaries responsible for assisting the PRIs. In doing so, it has recommended that IMPA/SIRD be designated as the nodal agencies, and that suitable partnerships be built with NGOs of repute so that the programmes are properly structured and organized at the district and block levels.

Sd/=

(Sudhanshu Pandey)

Commr/Secretary to Govt  
Finance Department

Sd/=

(B.B.Vyas)

Prpl. Secretary to Govt  
Planning & Development Deptt

Sd/=

(Mohd Syed Khan)

Commr/Secretary to Govt  
General Adm. Deptt.

Sd/=

(Yedullah)

Commr/Secretary to Gov  
Rural Development Deptt

Sd/=

(Madhav Lal)

Chief Secretary, J&K

# **ANNEXURE – I**

## **AGRICULTURE DEPARTMENT**

## **AGRICULTURE DEPARTMENT.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<p><b>A. Formulation of Agriculture Plan.</b> A-1. Firm up and approve the agriculture plan for the Blocks and consolidate the same as aggregate of block plan in consultation with the Chief Agriculture Officer.</p>	<p>A-1. Prepare agriculture plan in consultation with the field functionaries of the Agriculture Production Department, at Block level for submission to the 'DP &amp; DB' for approval.</p>	<p>A-1. To prepare agriculture plan for the Panchayat in consultation with the extension staff of Agriculture Department and its submission to the 'BDC' for approval.</p>
<p><b>B. Agriculture Inputs.</b> B-1. Assess and consolidate demand for agriculture inputs, wherever made available by the department and ensure timely arrangements through the Chief Agriculture Officer for its supply to the blocks/Panchayats.</p>	<p>B-1. Consolidate demand received from HPs and submit to the DP&amp;DB</p>	<p>B-1. Assess demand for inputs for timely submission to the BDC for arrangements.</p>
<p><b>C. Extension and Training.</b> C-1. Supervision and Monitoring of agriculture extension activities.</p>	<p>C-1. Supervision and Monitoring of agriculture extension activities.</p>	<p>C-1. To facilitate the conduct of demonstrations on improved technology and training of farmers through the extension staff of the department.</p>

<p><b>D. Soil and Water Conservation.</b> D-1. Allocation of resources to BDC for execution of approved schemes by the functionaries of the department. Monitoring of performance and utilization of resources allocated.</p>	<p>D-1. Approval of schemes received from HPs within resources allocated by the DP&amp;DB. Monitoring of execution of approved schemes by the functionaries of the Agriculture Department.</p>	<p>D-1. Identification of schemes in consultation with the concerned local staff of the department for approval by BDC. The Halqa Panchayat shall monitor and supervise the actual execution of the schemes by the functionaries of the department. Preparation of cropping plans in command areas of irrigation schemes in consultation with the staff of the department for execution.</p>
<p><b>E. Biogas Development.</b> E-1. Allocation of resources and monitoring of performance.</p>	<p>E-1. Supervision and monitoring of approved cases under technical guidance of Departmental staff.</p>	<p>E-1. Identification of beneficiaries, as per norms of eligibility under various schemes and programmes, and submission of proposals to the BDC for approval.</p>
<p><b>F. Crop Protection.</b> F-1. Preparation of information based on the reports from BDC and furnish to the Headquarters.</p>	<p>F-1. To ensure close surveillance of spread of diseases and timely ties with the DP&amp;DB/State Headquarter for control measures.</p>	<p>F-1. To organize crop protection and pest management campaigns under technical guidance of the extension staff of the department and to ensure closer surveillance of diseases/epidemics and report to the BDC/ DP&amp;DB/ State headquarters for immediate control</p>

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**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
Chief Agriculture Officer	Sub-Divisional Agriculture Officer	Jr. Agriculture Extension Officer Rehbar-e-Zairat

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# **ANNEXURE - II**

## **ANIMAL & SHEEP HUSBANDRY DEPARTMENT**

## **ANIMAL/SHEEP HUSBANDRY DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. Preparation of animal/sheep husbandry plans in respect of the district.</li> <li>2. Implementation and monitoring of feed and fodder development schemes at district level.</li> <li>3. Supervision of functioning, construction and maintenance of veterinary dispensary building falling in the jurisdiction of BDCs.</li> <li>4. Constant monitoring of contagious diseases and popularisation of preventive measures.</li> </ol>	<ol style="list-style-type: none"> <li>1. Co-ordination in respect of policy planning of animal/sheep husbandry programme at block level.</li> <li>2. To recommend holding of animal sterility/ health camps.</li> <li>3. To conduct exhibitions, livestock shows, animal fairs, milk yield competitions and calf rallies.</li> <li>4. Construction and maintenance of veterinary dispensary buildings in rural areas in the block.</li> </ol>	<ol style="list-style-type: none"> <li>1. Promote the formation of milk/wool/ poultry co-operative societies for the benefit of village community.</li> <li>2. Monitoring and supervision of milk collection centres/ societies.</li> <li>3. To report outbreak of epidemic diseases amongst livestock/poultry to the nearest veterinary institution and Block level functionary of the department for taking immediate control measures.</li> <li>4. To identify and recommend beneficiaries under various schemes/ programmes of animal/sheep husbandry.</li> <li>5. Periodical supervision and inspection of veterinary dispensaries, artificial insemination centres in the village and recommend the remedial measures.</li> </ol>

**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. Chief Animal Husbandry officer.</li> <li>2. Superintendent Distt. Veterinary Hospital.</li> <li>3. Officer Incharge Artificial Breeding Station.</li> <li>4. Disease Investigation Officer.</li> <li>5. Poultry Development Officer/</li> <li>6. District Sheep Husbandry Officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Live Stock Development Officer.</li> <li>2. Lock Veterinary Officer.</li> <li>3. Sheep development Officer.</li> <li>4. Block Veterinary Officer.</li> </ol>	<ol style="list-style-type: none"> <li>1. Veterinary Asstt. Surgeon.</li> <li>2. Asstt. Veterinary Officer/Extension Asstt.</li> <li>3. Veterinary Pharmacist/Stock Assistant.</li> <li>4. Flock Supervisor.</li> <li>5. Stock Assistant.</li> </ol>

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# **ANNEXURE – III**

## **CONSUMER AFFAIRS & PUBLIC DISTRIBUTION DEPARTMENT**

## CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION DEPARTMENT

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. To periodically review the availability of essential commodities in its jurisdiction and suggest/take remedial measures in the event of their shortage.</li> <li>2. Assess the requirement of additional storage godowns and recommend to the Government their location and construction.</li> </ol>	<ol style="list-style-type: none"> <li>1. Supervision and monitoring of the public distribution system including movement and availability of essential commodities in the BDC area.</li> <li>2. Assess the coverage of consumers by Fair Price Shops/State Centres especially of weaker sections in consultation with the HP.</li> <li>3. To take steps for identification and elimination of bogus ration cards.</li> <li>4. To co-ordinate in the establishment of linkage of Public Distribution System schemes with other welfare schemes.</li> <li>5. To send periodical reports and returns about Public Distribution System to the DP&amp;DB.</li> <li>6. Disseminate information about Consumers Protection Welfare.</li> </ol>	<ol style="list-style-type: none"> <li>1. To act as grievances redressal agency and issue directives to Fair Price Shops/Govt Sale Centres as and when required.</li> <li>2. To identify and recommend elimination of bogus ration cards and issuance of new ration cards to the competent authorities.</li> <li>3. Supervise functioning of the Fair Price Shops/Govt Sale Centres under the jurisdiction of the HPs.</li> <li>4. To assist BDC in preparing plan of action to link Public Distribution System with ICDS Mid Day Meals scheme etc.</li> <li>5. To recommend internal adjustment wherever required.</li> </ol>

### **Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. Dy. Director CAPD of the concerned District.</li> <li>2. Assistant Director CAPD of the concerned District.</li> </ol>	<ol style="list-style-type: none"> <li>1. Tehsil Supply Officer of the concerned Block.</li> <li>2. T.S.O./Inspector of Legal Metrology Department of the concerned Block.</li> </ol>	<ol style="list-style-type: none"> <li>1. Govt. Salemen/Ration Dealer of F.P.S</li> </ol>

# **ANNEXURE – IV**

## **EDUCATION DEPARTMENT**

## EDUCATION DEPARTMENT

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. Regularly assess the requirement of teachers and infrastructure in High School in the district and plan accordingly.</li> <li>2. To launch campaigns for full enrolment and reduction of dropouts.</li> <li>3. Supervision and monitoring of the quality of education services in the district.</li> <li>4. To have vigil on regular attendance of 10+2 teachers, non-teaching staff and students and reporting to the concerned authorities.</li> <li>5. To supervise distribution of uniforms, books etc. for target group students in High Schools.</li> <li>6. Assess of requirement of hostels for target group students and plan for them.</li> </ol>	<ol style="list-style-type: none"> <li>1. To assess the drop-out position and initiate appropriate action to reduce it.</li> <li>2. Oversee the utilization of School Maintenance Grants (SMG), Teaching Learning Material (TLM) and Teaching Learning Equipments (TLE) as per norms in Middle Schools.</li> <li>3. Assist in identification of students for coverage under various scholarship schemes in Middle Schools.</li> <li>4. Oversee distribution of study material, uniforms and scholarship to the target group students.</li> <li>5. Monitor and supervision of Mid Day Meal Scheme in Middle Schools.</li> <li>6. Oversee and report on the functioning of Village Education Committees (VECs)/School Management Committees(SMCs).</li> <li>7. Assess and Plan requirement of drinking water and Lavatory facilities in Middle Schools.</li> </ol>	<ol style="list-style-type: none"> <li>1. Ensure full enrolment of school age children in PS and transition of students from one class to other in PS to reduce drop outs</li> <li>2. To oversee the utilization of School Maintenance Grants (SMG), Teaching Learning Material (TLM) and Teaching Learning Equipments (TLE) as per norms.</li> <li>3. Vigilance on regular attendance of primary school teachers, non-teaching staff and students and reporting to the concerned authorities.</li> <li>4. Assist in identification of students for coverage under various scholarship schemes in Primary Schools.</li> <li>5. Oversee distribution of study material, uniforms and scholarship to the target group students.</li> <li>6. Monitoring and supervision of Mid Day Meal scheme in Primary schools.</li> <li>7. Oversee and report on the functioning of Village Education Committees (VECs)/School Management Committees (SMCs).</li> <li>8. Assess and Plan requirement of drinking water and Lavatory facilities in PS.</li> </ol>

**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"><li>1. Chief Education Officer.</li><li>2. Deputy Chief Education Officer.</li></ol>	<ol style="list-style-type: none"><li>1. Zonal Education Officer</li><li>2. Zonal Education Planning Officer.</li><li>3. Principal, Hr.Sec.School.</li><li>4. Head Master, Govt.High School.</li></ol>	<ol style="list-style-type: none"><li>1. Teachers</li><li>2. Rehber-e-Talims.</li></ol>

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# **ANNEXURE – V**

## **FISHERIES DEPARTMENT**

## **FISHERIES DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. Sanction of subsidy as per approved government norms for repair and construction of ponds under FFDA schemes for a maximum of 5 hectares of water-body subject to completion of all codal formalities and physical verification by the officials of FFDA.</li> <li>2. Monitoring and implementation of Fisheries Act.</li> <li>3. Protection, Conservation and development of other protected waters duly notified under the Fisheries Act. Assistance and other valuable information regarding development of fisheries in particular district to enable the department to take detailed survey in close coordination with the district level body and formulate an appropriate developmental programme. Promotion and development of fish culture programme.</li> <li>4. Procurement and supply of fish seed / FRY through functionaries of the department.</li> </ol>	<ol style="list-style-type: none"> <li>1. Sanction of subsidy as per approved government norms for repair and construction of ponds under FFDA schemes, for a maximum of 3 hectares of water body subject to completion of all codal formalities and physical verification by the officials of FFDA.</li> <li>2. Identification of fish farmers for training in fish culture and arranging their training with the assistance of Department of Fisheries.</li> <li>3. Collection of demand and distribution of seedlings to the fish farmers with technical support from fisheries department.</li> <li>4. To formulate cooperative societies with a view to assist in the marketing of fish produce within the BDC areas .</li> </ol>	<ol style="list-style-type: none"> <li>1. Identification of community ponds for stocking of fish.</li> <li>2. Right to lease community ponds to the beneficiaries and realization of lease money.</li> <li>3. Maintenance and control of community ponds.</li> <li>4. Conservation of Aquatic fauna of rivers and streams within the jurisdiction of halqa panchayat.</li> <li>5. Renovation of existing community ponds and construction of new community ponds.</li> <li>6. Identification of beneficiaries under Govt. Schemes as per norms.</li> </ol>

### **Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
Asstt. Director.	Field Supervisor.	Extension Workers.

# **ANNEXURE – VI**

## **FOREST DEPARTMENT**

## **FOREST DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<p><b><u>A. Other Afforestation Scheme</u></b></p> <ol style="list-style-type: none"> <li>1. Plantation and finalization of micro plans proposed by BDCs in consultation with D.F.O concerned and approval of Afforestation Scheme.</li> <li>2. Submission of annual action plan to Forest Department for allotment of funds from Forest Department to DP&amp;DB and for further allocation to BDC/HPs as per approved plans.</li> <li>3. Fixation of targets as per approved micro plans.</li> <li>4. Dispute resolution regarding benefit sharing in respect of Afforestation Scheme, if any.</li> <li>5. Monitoring of the execution and implementation of action plans.</li> </ol> <p><b><u>B. Forest Fires:</u></b></p> <ol style="list-style-type: none"> <li>6. Supervision, monitoring and coordination in case of forest fires.</li> <li>7. Monitor the forest fire cases and recommend awards for the Panchayats and individuals doing exemplary work.</li> </ol> <p><b><u>C. Minor Forest Produce:</u></b></p>	<ol style="list-style-type: none"> <li>1. Preparation of action plans in respect of lands identified by the HPs in consultation with concerned Range Officers. This will also include nursery raising.</li> <li>2. Monitor and execution of micro plans through HP as per approved physical and financial targets.</li> <li>3. Submission of periodical consolidated accounts and reports to DP&amp;DB.</li> <li>4. To facilitate and ensure benefit sharing.</li> <li>5. To recommend action against major and habitual defaulters/offenders to report concerned authorities of the Department.</li> <li>6. Monitor the cases of over exploitation and submit recommendations to Forest Department for its regulation.</li> <li>7. To send the consolidated monthly report to Range Officer for action.</li> </ol>	<ol style="list-style-type: none"> <li>1. Identify village common lands, other community and non forest lands for development of village wood lots in consultation with the local forest guards/block officers.</li> <li>2. Implementation and monitoring of micro plans by HPs.</li> <li>3. Periodical submission of physical and financial reports including monthly accounts to BDC.</li> <li>4. Benefit sharing out of the assets so created as per the policy of the Government.</li> <li>5. Constitution of Fire Protection Committees to assist Forest Department in extinguishing Forest Fires in co-ordination with the local people.</li> <li>6. Assess availability of minor forest produce and report any incidence of its misuse.</li> <li>7. Report the encroachment cases to DFO concerned.</li> </ol>

<p>8. Propagate MFP plantations.</p> <p><b><u>D. Illicit Felling/Poaching:</u></b></p> <p>9. To create awareness among the people against illicit felling and poaching. Monitoring of offences of illicit felling/poaching.</p> <p><b><u>E. Encroachment cases:</u></b></p> <p>10. To co-ordinate with the Forest Department for ejection of encroachers from the forest area.</p>	<p>8. Supervision of Soil Conservation work of Forest Deptt.</p> <p>9. Supervise afforestation, plantation and nursery works within their area.</p> <p>10. Supervise the protection of wildlife.</p>	<p>8. Report cases of illicit felling/poaching to the DFO concerned and keep vigil over patrolling of Forest Guards in their jurisdiction.</p> <p>9. Supervise afforestation, plantation and nursery works within their area and report to the concerned Forest officer.</p> <p>10. Supervise the protection of wildlife.</p>
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**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<p align="center"><b>District Planning &amp; Development Board (DP &amp; DB)</b></p>	<p align="center"><b>Block Development Council (BDC)</b></p>	<p align="center"><b>Halqa Panchayat (HP)</b></p>
<p>1. Divisional Forest Officer. 2. Deputy Director Forest Protection Force. 3. District Soil Conservation Officer 4. DFO Social Forestry.</p>	<p>1. Range Officer.</p>	<p>1. Forest Guard and Watchers/Helpers.</p>

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# **ANNEXURE – VII**

## **HORTICULTURE DEPARTMENT**

## **HORTICULTURE DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
1. To liaise and co-ordinate with the Horticulture Deptt in respect of all the Horticulture Development Programmes.	1. Monitoring and reviewing of all functions and activities entrusted to HPs in respect of horticulture.	1. Identification and selection of beneficiaries under different schemes of the department as per prescribed norms of eligibility.
2. Monitoring and reviewing of all the functions and activities entrusted to BDCs in respect of Horticulture.	2. Coordinating with the Horticulture Department in assessing the demand in organizing horticultural inputs distribution system, wherever made available by the department.	2. Promotion of horticulture producers/ cooperative societies.
3. Coordination and monitoring of procurement and distribution of packing material for horticulture produce, wherever facilitated by the department.	4. Coordinating with the Horticulture Department in Organizing farmers training camps, study tours, seminars etc.	
4. To coordinate with the Horticulture Department in organizing campaigns, exhibitions, seminars, etc.	4. Organizing of demonstrations on improved varieties/ technology/ package through the Horticulture Department.	
	5. Conducting Village-wise horticultural census through the Horticulture Department.	
	6. Preparation of action plan for each water-shed through the Horticulture Department.	

### **Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
Chief Horticulture Officer concerned	Horticulture Development Officer concerned	Horticulture Technician concerned

# **ANNEXURE – VIII**

## **HEALTH & FAMILY WELFARE DEPARTMENT**

## HEALTH AND FAMILY WELFARE DEPARTMENT

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<p><b><u>A. Health &amp; Family Welfare :</u></b></p> <p>1. Formation of Health &amp; Family Welfare Advisory Committee to oversee the functioning of C.H.Cs and Rural Hospitals, improvement thereof and ensure that all the functionaries of these institutions are residing at the places of posting. However, the functioning of District Hospitals and referral Hospitals are excluded from the purview of the Committee. The chairman of the DP&amp;DB and its members, Superintendents of these hospitals, B.M.Os shall be the members of the Committee. The Committee shall be Chaired by the Chairman of DP&amp;DB.</p> <p>2. Organising of Family Welfare, immunization and health education camps for the community.</p>	<p>1. Constitution of Health &amp; Family Welfare Advisory Committees for all health institutions upto the level of C.D. &amp; P.H.C. comprising of B.M.O., Samiti members, N.G.O. representatives, Male/ Female supervisors etc. to oversee the functioning of the Health institutions, improvement thereof and ensure that all the functionaries of C.D. and P.H.C are residing at the place of posting. The Committee shall be chaired by Chairman of the BDC.</p> <p>2. To create awareness among the masses about the National Health programmes by way of organising health and family camps and exhibitions in Melas.</p> <p>3. Construction and maintenance of Community latrines in the BDC areas with the help of local Panchayat.</p> <p>4. Construction and maintenance of Health Sub-Centers and staff quarter.</p> <p>5. To take all effective measures with the assistance of health functionaries to control epidemics in the BDC areas.</p>	<p>1. Constitution of Health &amp; Family Welfare Advisory Committee for sub-centres consisting of Panchayat members, opinion leaders, trained birth attendant Male/Female Health Workers, NGO representatives etc. to oversee the functioning of each health institutions improvement thereof and ensure that the functionaries of the sub-centers are residing at the place of posting. The Committee shall be chaired by the Sarpanch of the Halqa Panchayat in whose area institution falls.</p> <p>2. Facilitate organising School health check up programmes.</p> <p>3. Chlorination of wells/bowlies, clearing of roads, drains, sanitation and destruction of stray dogs.</p> <p>4. Sanitation, clearing of roads, drains, chlorination of wells/bowlies and destruction of stray dogs and their disposal.</p> <p>5. Reporting the outbreak of Gastroenteritis and any other epidemic and starting measures for containment with the assistance of Health Committees.</p> <p>6. Educating the community for adopting</p>

<p><b><u>B. Ayurveda &amp; Unani</u></b></p> <p>1. Supervision and monitoring of the functioning, construction and maintenance of the hospitals of Indian System of Medicine.</p> <p>2. To ensure that Ayurvedic &amp; Unani doctors and staff reside at the places of postings.</p>	<p>1. Construction and maintenance of buildings of ISM dispensaries.</p> <p>2. To organising free medical camps.</p> <p>3. To keep vigil that the Ayurvedic staff reside at the places of postings at I.S.M dispensaries.</p>	<p>family planning methods/ immunization etc. and organising the camps.</p> <p>7. Registration of births and deaths.</p> <p>1. Constitution of Dispensaries Welfare Advisory Committees with representatives of Panchayats, Pharmacist and A.N.M/F.H.W of Ayurveda Department, Panchayat, Members, N.G.O.s etc. to oversee and monitor the services provided by each dispensary, improvement thereof and ensure that the Ayurvedic staff reside at the places of postings. The Committee shall be chaired by the Sarpanch of Halqa Panchayat.</p> <p>2. To co-ordinate in organising school health check-up programmes and family welfare camps.</p> <p>3. Maintenance and up-keep and of I.S.M dispensaries and quarters.</p>
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**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
1. Medical Superintendent in Sub-District Hospital	1. Block Medical Officer in PHC	1. Pharmacist in Health Sub-Centres
2. Doctors in Sub-District Hospital	2. Doctors/ Assistant Surgeon/ Lady Assistant Surgeon in PHC	2. Doctor/ Medical Officer in Dispensaries (Allopathic & Ayurvedic)
3. Pharmacist in Sub-District Hospital	3. ANM in PHC	3. Pharmacist in Dispensaries (Allopathic & Ayurvedic)
4. ANM in Sub-District Hospital	4. Pharmacist in PHC	
5. FMW in Sub-District Hospital	5. Medical Superintendent in CHC	
6. MMW in Sub-District Hospital	6. Doctors (Specialists) in CHC	
7. Medical Superintendent in District Hospital	7. Pharmacist in CHC	
8. Doctors in District Hospital	8. Female Multipurpose Worker in CHC	
9. Pharmacist in District Hospital	9. Male Multipurpose Worker in CHC	
10. ANM in District Hospital		
11. FMW in District Hospital		
12. MMW in District Hospital		

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# **ANNEXURE – IX**

## **INDUSTRIES & COMMERCE DEPARTMENT**

## **INDUSTRIES AND COMMERCE DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<p><b><u>A. Planning:</u></b></p> <p>1. The District Action Plan of the Department as per the discussion with Block Development Council (BDC) will be presented to DP&amp;DB by the General Manager, District Industries Centres (DICs), Assistant Director Handicrafts, Assistant Director Handlooms for approval before he/she submits to Director of Industries, Director, Handicrafts and Director, Handloom respectively.</p> <p>2. Supervision and monitoring the overall progress in this sector</p>	<p>1.The draft District Action Plan of the Department as prepared by the General Manager, DIC, Assistant Director, Handicrafts and Assistant Director Handlooms will be discussed with the BDCs.</p>	
<p><b><u>B. Credit and Financial Assistance from various Government Departments/ Agencies for Small Scale Industries Handicrafts/Handlooms</u></b></p> <p>1. The General Manager, District Industries Centres/ Assistant Director, Handicrafts/ Assistant Director, Handlooms/ District Officer, KVIB, will send detail of cases which have been recommended to various banks every month. The information in regard to the status for past cases which had already been recommended will also be furnished. The respective Banks will send a list of defaulters to DP&amp;DB every month for monitoring. The General Manager, DIC/ Assistant Director, Handicrafts/ Assistant Director, Handloom/ District Officer, KVIB will provide similar information with regard to departmental loans.</p>	<p>1. Assistance in the recovery of loans</p>	<p>1. The General Manager DIC / Assistant Director, Handicrafts/ Assistant Director, Handlooms/ District Officer, KVIB will endorse a copy of letter to the concerned Halqa Panchayat vide which a recommendation is made to any Bank for grant of industrial units/ Weavers/ Artisans/ Societies etc.</p>

<p>2. Coordinating credit support activities of various financial institutions</p>	<p>2. The General Manager, District Industries Centre/ Assistant Director, Handicrafts/ Assistant Director, Handlooms/ District Officer, KVIB will endorse a copy of the letter to the concerned BDC vide which a recommendation is made to any Bank for grant of loan to the industrial units/ Weavers/ Artisans/ Societies etc.</p>	<p>2. The HPs will facilitate the implementation of the Handicrafts/ Handlooms Micro Credit Scheme for artisans/ weavers.</p> <p>3. Assistance in the recovery of loans</p>
<p><b><u>C. Skill Development:</u></b></p> <p>1. The District Planning and Development Board (DP&amp;DB) will collect the information in regard to skills available, the list of interested persons who are interested to acquire the skills as per the requirements of the industrial units, prioritize the same and send to the Department of Industries and Commerce for organizing the skill development training programmes.</p>	<p>1. The Department of Industries and Commerce will bring to the notice of the concerned BDC the manpower skill requirements of the proposed industry to be set up in the area. The BDC will provide information with regard to availability of skill in the area. In case the particular type of skill is not available the BDC will bring to the notice of the DP&amp;DB the list of the persons interested to acquire the required skills.</p>	
<p><b><u>D. Entrepreneur Development:</u></b></p> <p>1. The DP&amp;DB will collect the information in regard to the conducting of Industrial Awareness/ Entrepreneurship Development program/ Programmes conducted by Handicrafts &amp; Handloom department and target group viz SC/ST, women, Ex-Servicemen, general categories etc. for which the programmes are proposed. The DP&amp;DB will then prioritize and send the same to the Department</p>	<p>1. The BDC shall identify the locations in their respective area of operation where there is a potential of conducting Industrial Awareness programmes/Entrepreneurship Development programmes/ awareness camps for artisans, weavers, crafts persons etc. The target groups for which these programmes are proposed will be</p>	

<p>of Industries &amp; Commerce for conducting the programmes.</p>	<p>furnished to the DP&amp;DB.</p>	
<p><b><u>E. Prime Ministers Employment Guarantee Program (PMEGP):</u></b></p> <p>1. Under Prime Ministers Employment Guarantee Program (PMEGP) training for the beneficiaries in whose favour loan is sanctioned for setting up of self employment ventures under Industry, Service &amp; Trade sectors is arranged by the General Manager DIC at the District and Block level as per guidelines/instructions of Development Commissioner, Micro, Small and Medium Enterprises (MSME), New Delhi. Member(s) nominated by Chairman, DP&amp;DB/ BDC can be included in the District Task Force Committee.</p>	<p>1. BDC can assist in the identification of beneficiaries under PMEGP.</p>	<p>1. The HPs can assist in the identification of beneficiaries under PMEGP.</p>
<p><b><u>F. Development of Infrastructure for Small Scale Industries</u></b></p> <p>1. The DP&amp;DB will consider the proposals forwarded by BDC and take a decision as it may deem fit.</p> <p>2. The DP&amp;DB can also on its own identify land for such purposes after taking views, if it considers necessary, of the respective BDCs/ Panchayats.</p> <p>3. After the DP&amp; DB has considered the identified land and approved the proposal, the same will be forwarded with its recommendations through the General Manager, DIC to the Director of Industries and Commerce for further action.</p>	<p>1. The BDC will examine the proposals submitted by the HPs of their areas and take appropriate action before forwarding the recommendation to the DP&amp;DB.</p> <p>2. The BDC concerned may also, of its own, identify land for establishing Industrial Areas/ Estates within their jurisdiction and submit the proposal to DP&amp;DB for consideration.</p>	<p>1. The HPs can forward proposal for setting up industrial Areas/ Estates in case sufficient chunk of land is available in the Panchayat.</p>
<p><b><u>G. Handicrafts and Handloom</u></b></p> <p>1. The DP&amp;DB will consider the proposals forwarded by</p>	<p>1. To consider the recommendations in respect of</p>	<p>1. The HPs will assist in identifying locations for</p>

<p>BDC and take appropriate decision.</p> <p>2. The DP&amp;DB can also on its own identify locations for such purposes after taking views, if it considers necessary, of the respective Panchayats /BDCs.</p> <p>3. After the DP&amp; DB has considered the identified locations and approved the proposal, the same will be submitted with its recommendations through the Assistant Director Handicrafts/Assistant Director Handlooms for approval to the Director, Handicrafts and Director, Handlooms respectively.</p>	<p>Handicrafts/ Handloom centres of the Gram Halqa and take appropriate action before forwarding the recommendation to the DP&amp;DB.</p> <p>2. The BDC concerned may also, of its own, identify locations for establishing Handicrafts, Handloom, Knitting, Readymade Garments etc. training centres and submit the proposal to DP&amp;DB for decision.</p>	<p>establishing Handicrafts, Handloom, Knitting, Readymade Garments etc. training centres and recommend to the BDC for taking appropriate decision.</p> <p>2 The HPs will assist in the identification of artisans and weavers for social security schemes of the Handloom and Handicrafts Department such as Janshree Bima Yojana, Bunkar Bima Yojana , Education loan etc.</p> <p>3. The HPs will assist in identifying beneficiaries for distribution of sewing machines for needy persons and loom for weavers in their jurisdiction</p> <p>4. Monitor the working of the Handicraft &amp; Handloom Training Centres.</p>
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### Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. General Manager,</li> <li>2. Functional Manager.</li> <li>3. Project Manager.</li> <li>4. Industrial Promotion Officer.</li> <li>5. Asstt. Director, Handlooms.</li> <li>6. Cooperative Supervisor (Handlooms).</li> <li>7. Asstt. Director, Handicrafts.</li> <li>8. Handicrafts Training Officer concerned.</li> <li>9. Asstt. Training Officer (Handicrafts)</li> </ol>	<ol style="list-style-type: none"> <li>1. Block Investigator.</li> <li>2. Industrial Promotion Officer.</li> <li>3. Asstt. Extension Officer.</li> <li>4. Asstt. Handicrafts Training Officer.</li> <li>5. Instructors.</li> </ol>	--

# **ANNEXURE – XI**

**PUBLIC HEALTH ENGINEERING**

**AND**

**IRRIGATION & FLOOD CONTROL DEPARTMENT**

## **PUBLIC WORKS (R&B) DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. Monitoring and supervision of execution of works by BDCs like construction of mule roads, culverts and foot bridges upto 10 mtrs. span on these paths and roads.</li> <li>2. Construction/ maintenance of buildings belonging to DP &amp; DB within the budgetary allocation.</li> <li>3. Identification of village link roads, mule roads, tractor roads, village paths, culverts and foot bridges upto 10 mtrs. span on these roads and paths.</li> <li>4. Maintenance and running of boats and ferries under the provisions of J&amp;K Ferries Act.</li> <li>5. To keep vigil and bring to the notice of appropriate authority of the Pubic Works Department the cases of gross misultization of funds, corrupt practices etc., by the staff of the Department contractors and sub-contractors while executing various schemes.</li> <li>6. Monitoring and supervision of construction of buildings belonging to BDCs and HPs. Constructions/ maintenance of Jhullas across rivers and streams on village paths mule paths covering more than two blocks.</li> </ol>	<ol style="list-style-type: none"> <li>1. Monitoring and supervision of construction of buildings by HPs.</li> <li>2. Construction and maintenance of Jhullas across rivers/streams on village path/mule paths within its area.</li> <li>3. Construction/maintenance of buildings belonging to BDCs.</li> <li>4. Identification, construction and maintenance of mule roads, tractor roads and village link roads.</li> <li>5. Maintenance of such of the rural roads which may be transferred by P.W.D. to PRIs.</li> <li>6. To keep vigil and bring to the notice of appropriate authority of the Public Works Department the cases of gross, misutilization of funds, corrupt practices etc., by the staff of department contractors and sub-contractors while executing various schemes.</li> <li>7. Monitoring and supervision of construction of village paths, culverts and village lanes and drains.</li> </ol>	<ol style="list-style-type: none"> <li>1. Identification, construction and maintenance of village paths, culverts, lanes and drains.</li> <li>2. Identification of village link roads.</li> <li>3. Construction and maintenance of buildings belonging to the HPs.</li> <li>4. Construction and maintenance of small foot bridges upto 10 metres span on Nallahs/streams falling on village paths.</li> <li>5. To keep vigil and bring to the notice of appropriate authority of the Public Works Department, the cases of gross misutilization of funds, corrupt practices etc. by the staff of Department contractors and sub-contractors while executing various schemes</li> </ol>

	8. Supervision of construction of small foot bridges upto 10 mtrs. span falling on village paths/mule paths and tractor roads over nallahs, khads and streams.	
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**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
1. Superintending Engineer. 2. Executive Engineer.	1. Asstt. Executive Engineer. 2. Asstt. Engineer.	Junior Engineer.

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# **ANNEXURE – X**

## **PUBLIC WORKS (R&B) DEPARTMENT**

## **PUBLIC HEALTH ENGINEERING AND IRRIGATION & FLOOD CONTROL DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. To keep vigil and bring to the notice of appropriate authority of the PHE/I&amp;FC Departments the cases of gross mis-utilization of funds, corrupt practices etc. by the staff of the Departments, contractors and Sub-Contractors while executing various schemes.</li> <li>2. Identification of potential schemes including water harvesting covering more than one blocks.</li> </ol>	<ol style="list-style-type: none"> <li>1. Identification of potential schemes including water harvesting covering more than one HP within the jurisdiction of BDC.</li> <li>2. To take measures for prevention and control of water pollution.</li> <li>3. To keep vigil and bring to the notice of appropriate authority of the PHE/I&amp;FC Departments the cases of gross mis-utilization of funds, corrupt practices etc. by the staff of the Departments, contractors and Sub-Contractors while executing various schemes.</li> </ol>	<ol style="list-style-type: none"> <li>1. Maintenance of hand pumps by the staff to be provided by the Department.</li> <li>2. Maintenance of drinking water, and irrigation schemes which have been executed at a cost of one lakh and below, including Zamindari Khuls.</li> <li>3. To take measures for prevention and control of water pollution.</li> <li>4. Identification of potential schemes within HP jurisdiction.</li> <li>5. Sharing information regarding status of water supply schemes with the BDCs.</li> <li>6. To keep vigil and bring to the notice of appropriate authority of the PHE/I&amp;FC Departments the cases of gross mis-utilization of funds, corrupt practices etc. by the staff of the Departments, contractors and Sub-Contractors while executing various schemes.</li> </ol> <p><i>Functional minor irrigation and water supply scheme in phases and in a manner as may be determined by the PWD in consultation with the RDD.</i></p>

**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
1. Superintending Engineer(Hydraulic). 2. Executive Engineer (Hydraulic) 3. Executive Engineer (Mechanical)	1. Asstt. Executive Engineer. 2. Asstt. Engineer.	1. Junior Engineer. 2. Supervisor.

# **ANNEXURE – XII**

## **REVENUE DEPARTMENT**

## REVENUE DEPARTMENT

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<p><b><u>A. Supervision, Monitoring, Assistance and removal of encroachments from common/ State land</u></b></p> <ol style="list-style-type: none"> <li>1. Assist the revenue officials in identification of landless/houseless persons and formulation of policies for utilization of Waste/vacant State land not required for any other public purpose at District level.</li> <li>2. Supervise the duties and functions of block level functionaries regarding revenue matters.</li> </ol>	<ol style="list-style-type: none"> <li>1. To help the revenue officials in identification of landless/houseless families/ persons for formulation of a policy regarding utilization of Waste/vacant State land, identification thereof, which is however not required for any other public purpose at block level.</li> <li>2. Supervise the work entrusted in revenue matters to Panchayats and formulation of policy at the block level for removal of encroachments on State/Kahchrai.</li> </ol>	<ol style="list-style-type: none"> <li>1. To prevent encroachments on village common land the management of which is entrusted to the PHs.</li> <li>2. The Patwari will paste his monthly working chart on the notice board of Patwar khana indicating the working days he will visit the PH areas. Any departure from and to the PH will be reported to the Gram Panchayat concerned.</li> <li>3. The concerned HPs will ensure that all eligible kisans are issued Kisan Pass Books as required under the J&amp;K Land Revenue Act and that the same are updated regularly by the concerned revenue field functionaries.</li> <li>4. In case of any difficulty being faced by a land owner in getting the extracts of revenue records after following due course of law he can approach the concerned HP which may refer the matter to the concerned Tehsildar for directing the concerned Patwari to issue the requisite revenue extracts through Panchayat, as early as practicable. In case no response is received from the Tehsildar concerned, the HPs may refer the matter to</li> </ol>

		<p>the District Panchayat through Block Council, which may take up the matter with the District Collector for appropriate action against the delinquent officers/ officials under law.</p> <p>5. Providing necessary assistance to the Tehsil and District administration in providing relief to the affected families/persons in case of natural calamities.</p> <p>6. Assisting the administrative machinery in removing encroachments from un-authorized occupants of common land reserved for grazing purposes under law.</p>
<p><b><u>B. Coordination.</u></b></p> <p>1. The DP&amp;DB will co-ordinate with the legally constituted machinery in all stages of its work and render necessary assistance to it either directly or through the BDC and/or through HPs, as the case may be.</p>	<p>1. Assistance to the legal machinery in conduct of legal proceedings (e.g publication of notices in the entire area, identification of vacant State land in different Halqa Panchayats areas etc).</p> <p>2. To report to the regarding wrong change in revenue entries, malpractices, tampering of records and issue of wrong certificate and not issuing certificate in genuine case to reported to Tehsildar concerned and in case of any delinquency on part of Tehsildar reporting the matter to the District Collector or higher authorizes as the case may be.</p> <p>3. Co-ordination of the work between the HPs.</p>	<p>1. To co-ordinate within HP and revenue filed functionaries in all matters relating to formulation of policies, identification of beneficiaries under various schemes of the Government,</p>

<p><b><u>C. Implementation of land Ceiling Measures and assistance in conduct of legal proceedings by the officers in quasi-judicial capacity.</u></b></p> <p>1. To creation of public awareness for facilitating the work of land ceiling as well as other elements of land reforms.</p>		<ol style="list-style-type: none"> <li>1. Providing assistance in identification of potential surplus land owner/their total land in the HP area.</li> <li>2. Assistance to the legal machinery in conduct of legal proceedings.</li> <li>3. Assistance in identification of families/ individuals needing allotment of surplus land as required under various laws on the subject matter.</li> </ol>
<p><b><u>D. Participation in updating &amp; Maintenance of land Records.</u></b></p> <p>1. Periodic monitoring regarding the updating and maintenance of the work of land records in the entire District and issuing necessary instructions to BDCs and HPs, not inconsistent with the law governing the subject matter and issues relating thereof.</p>	<ol style="list-style-type: none"> <li>1. Assisting the local administration in periodic updating of land records relating to the actual status of village commons lands viz wasteland, Kahchrai land waterways, roads, embankments etc at the Block level.</li> </ol>	<ol style="list-style-type: none"> <li>1. Assisting in continuous updating of data relating to the conduct of harvest inspections (Girdawari) as provided under law and reporting to the higher authorities with regard to the violations in utilisation of agricultural land or providing assistance in doing so to the designated machinery where it has been separately constituted.</li> <li>2. Assistance to the legal machinery in the</li> </ol>

	2. To adhere to the instructions issued by the DP & DB in this regard and report progress on this account to the DP & DB.	updating of land records and attestation of mutation proceedings.
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**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
		1. Patwaries.

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# **ANNEXURE – XIII**

## **RURAL DEVELOPMENT DEPARTMENT**

## **RURAL DEVELOPMENT DEPARTMENT**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. To develop marketing infrastructure/ marketing network/ tie up arrangements for the marketing of products in Rural Areas.</li> <li>2. Monitoring and evaluation of all poverty alleviation programmes and the coverage of women, SC, ST &amp; other BPL beneficiaries in these programmes.</li> <li>3. To monitor loan and subsidy disbursement in co-ordination with Banks and other Financial Institutions in Rural Development Programmes.</li> <li>4. Evaluation of all poverty alleviation programmes and the coverage of women, SC, ST &amp; other BPL beneficiaries in these programmes.</li> <li>5. Prevention of misuse of community assets of the BDC.</li> <li>6. Arrange wide publicity of watershed guidelines amongst people of the concerned areas.</li> </ol>	<ol style="list-style-type: none"> <li>1. To organize training and awareness camps for SGSY/NRLM beneficiaries.</li> <li>2. To ensure that the funds provided by the DRDA to the HPs are utilized as per the scheme guide-lines within its jurisdiction.</li> <li>3. To monitor the distribution of Vikas Patrikas and Kissan Credit Cards to the beneficiaries.</li> <li>4. coordinate with Banks and other Financial Institutions for release of subsidy and loans.</li> <li>5. To assist banks and other Financial Institutions in recovery of loans.</li> <li>6. To monitor the use of community assets created under various RD schemes.</li> <li>7. To supervise and monitor the implementation of IAY through an implementation Committee under the Chairmanship of Chairman BDC with AEE, BDO concerned and some BDC members as members of this Committee. The Committee will also look into the complaints regarding wrong</li> </ol>	<ol style="list-style-type: none"> <li>1. Ownership and maintenance of the community assets viz. Panchayat Ghars/BNRGSKs, Common Facility Centres, community latrines and Rural Haats. etc</li> <li>2. Identification and selection of beneficiaries for SGSY/NRLM.</li> <li>3. Supervise the implementation of SGSY, NRLM, MGNREGA and other CD Plan schemes</li> <li>4. Helping SGSY/NRLM beneficiaries to procure raw material and marketing of products.</li> <li>5. To assist Banks and other financial Institutions in the recovery of loans.</li> <li>6. Obtaining technical personnel of the concerned department.</li> <li>7. Preparing village plan for works under CD Plan and their implementation.</li> <li>8. Implementation of Rural Sanitation Programme (State/Central).</li> </ol>

	<p>selection of beneficiaries under these schemes.</p> <ol style="list-style-type: none"> <li>8. To oversee the implementation of various insurance schemes for rural poor.</li> <li>9. To organize auction of produce from community assets of BDC.</li> <li>10. Prevention of misuse of community assets of the HPs.</li> <li>11. Development and maintenance of places for Fairs/Mandis/Weekly markets at BDC level.</li> <li>12. Supervision and monitoring of Rural Sanitation Programme (Central/State) executed by the HPs.</li> </ol>	<ol style="list-style-type: none"> <li>9. Identification and selection of beneficiaries under IAY.</li> <li>10. Maintenance of community assets created under TSC/MGNREGA and other RD schemes.</li> <li>11. Assist the PIAs and other agencies in the implementation of the Watershed Development programme.</li> <li>12. Motivation and formation of village level user groups for the watershed programmes.</li> <li>13. Reporting against misuse of assets/subsidy and loans to the concerned department.</li> <li>14. Maintenance of cremation Grounds and grave Yards.</li> <li>15. Development and maintenance of places for village fairs/markets.</li> <li>16. Organize a auction of produce from community assets of HP.</li> <li>17. Other assets if any of the Rural Development Department at Halqa Panchayat level.</li> <li>18. Village panchayat road.</li> </ol>
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**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<ol style="list-style-type: none"> <li>1. Project Director DRDA (Additional DDC)</li> <li>2. Project Officer (Wage Employment (ACD))</li> <li>3. Project Officer (Self Employment)</li> <li>4. Project Officer (Watershed)</li> <li>5. Exen REW</li> <li>6. AEE</li> </ol>	<ol style="list-style-type: none"> <li>1. Block Development Officer</li> <li>2. Inspector Panchayat/Panchayat Supervisor/ Mukhya Savikas/AEs</li> </ol>	<ol style="list-style-type: none"> <li>1. VLW/MPW/Gram Savika</li> </ol>

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# **ANNEXURE - XIV**

## **SOCIAL WELFARE DEPARTMENT**

## SOCIAL WELFARE DEPARTMENT

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
<b>A. Integrated Child Development Services.</b>		
<p>1. Monitor the implementation of the scheme in the district.</p> <p>2. Monitor the attendance of District level staff in the office of Programme Officer (ICDS)</p>	<p>1. Guide and assist the staff at the Project level in implementing the scheme in the BDC area as per the guidelines of the scheme.</p> <p>2. Assist in providing logistic support to facilitate smooth implementation of the programme.</p>	<p>1. Help in identification of beneficiaries under Supplementary Nutrition Programme.</p> <p>2. Assist in identification of sites for construction of Anganwadi centers.</p> <p>3. Supervision of Anganwadi Centres.</p> <p>4. Monitor the construction/ repair/ renovation of buildings for AWCs.</p> <p>5. To coordinate with the Mahila Mandals in smooth functioning of the Programme.</p>
<b>B. Welfare of Disabled/Old Aged/ Destitute/Widows/Children</b>		
<p>1. Monitoring the implementation of Pension/Scholarship Schemes for Disabled/Old Aged Persons/ Destitute/ Widows.</p> <p>2. Monitor the attendance of District level staff in District Social Welfare Offices.</p> <p>3. Oversee the functioning of Old aged Homes/ Bal Ashrams/Nari Niketans etc.</p>	<p>1. Guide and assist the staff in implementing the scheme in the BDC area as per the guidelines of the concerned scheme guidelines.</p> <p>2. Assist in providing logistic support to facilitate smooth implementation of the schemes.</p> <p>3. Coordinate with DP&amp;DB in execution of schemes for the welfare of Disabled/Old Aged/ Destitute/Widows/ Children.</p>	<p>1. Assist in identification of deserving persons under National Social Assistance Programme (NSAP) and Integrated Social Security Scheme (ISSS) and re-verify the existing pensioners.</p> <p>2. To assist in identification of beneficiaries for Bal Ashrams/ Nari Niketans etc.</p> <p>3. To coordinate with the BDC.</p>

<p>4. Carry out inspections of Old aged Homes/ Bal ashrams/Nari Niketans etc. to check the quality of diet and other facilities to improve the quality of service.</p> <p>5. Oversee the functioning of various Non-governmental Organisations receiving grant-in-aid from the Central/State Govt.</p> <p>6. Inspect the Justice Juvenile Homes and suggest steps to prevent exploitation of children.</p>		
<p><b>C. Welfare of SCs/STs/OBCs</b></p>		
<p>1. Coordinate in implementation of schemes for the welfare of SCs/STs/OBCs.</p> <p>2. Suggest measures to prevent atrocities against Harijans/SCs/STs.</p> <p>3. Suggest schemes for Libration and Rehabilitation of manual scavengers, if any.</p> <p>4. Monitor the functioning /carry out inspections of Hostels for Gujjar &amp; Bakerwals and Pahari Speaking students.</p>	<p>1. Coordinate with DP&amp;DB in execution of schemes for the welfare of SCs/STs/OBCs.</p>	<p>1. Co-ordinate with BDC in execution of schemes for the welfare of SCs/STs/OBCs.</p> <p>2. Identify discriminatory practices against SCs/STs and report to BDC/ DP&amp;DB/concerned authorities for action.</p> <p>3. Identify Harijan basties and suggest measures for their socio-economic upliftment.</p>
<p><b>D. Prevention of Drug abuse</b></p>		
<p>1. Create awareness and educate people about the ill-effects of drug abuse.</p> <p>2. Guide and assist the NGOs in eradicating drug addiction.</p>	<p>1. Coordinate with DP&amp;DB in creating awareness among the people about the ill effects of drug abuse.</p>	<p>1. Coordinate with BDC in creating awareness among the people about the ill effects of drug abuse.</p>

<b>E. Domestic Violence against Women</b>		
1. Educate women about their rights. 2. Suggest measures to prevent domestic violence against women and report incidents of violence to the concerned.	1. Organize camps for creating awareness among the women about the laws enacted to prevent domestic violence against women.	1. Coordinate with BDC and DP &DB in creating awareness among the people about the ill effects of drug abuse.

**Indicative list of functionaries of the Deptt. to assist the PRI in the delegated functions.**

<b>District Planning &amp; Development Board (DP &amp; DB)</b>	<b>Block Development Council (BDC)</b>	<b>Halqa Panchayat (HP)</b>
1. District Programme Officer and his staff. 2. District Social Welfare Officer and his staff. 3. Warden, Gujjar & Bakerwal and Pahari Hostels alongwith staff.	1. Child Development Project Officer and his staff. 2. Assistant CDPO. 3. Supervisor, ICDS. 4. Tehsil Social Welfare Officer and his staff.	Anganwadi Worker/ Anganwadi Helper

# APPENDIX - A

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0191-2545702 (Jmu)  
E-mail gad-jk@nic.in



Government of Jammu and Kashmir  
General Administration Department  
(Administration)  
Civil Secretariat, Srinagar/Jammu

Subject: Constitution of a committee for devolution, of Powers to Panchayats and matters related thereto.  
Reference: U.O.No:RD/Panch/29/2011 dated 13.04.2011 from Rural Development Department.

Government Order No. 447 -GAD of 2011  
D a t e d : 13 -04- 2011

Sanction is hereby accorded to the constitution of a committee under the Chairmanship of Chief Secretary comprising the following Administrative Secretaries as its Members to chalk out a road map for empowerment of Panchayati Raj institutions in the State:-

01.	Principal Secretary to Government, Planning and Development Department	Member
02.	Commissioner/Secretary to Government, Finance Department	Member
03.	Commissioner/Secretary to Government, General Administration Department	Member
04.	Administrative Secretary of any other Department as may be necessary.	Member
05.	Commissioner/Secretary to Government, Rural Development Department	Member Secretary

The terms of reference of the committee shall be as under:-

1. To identify the subjects of various Departments, maintenance, operation and supervision of which will be looked after by the PRIs.
2. To suggest devolution of funds, functions and functionaries (3Fs) to PRIs with time line commensurate to the Capacity Building of Panchayats.
3. To review existing decentralized Planning Mechanism and suggest structural changes to be made for smooth transition to the new system.
4. To recommend powers to be given to the Vice Chairman District Planning and Development Board in pursuance of Cabinet Decision No.40/03/2011 dated: 09.02.2011.
5. To suggest re-organization of RDD keeping in view the emerging responsibilities and smooth implementation of programmes.
6. To suggest amendments in J&K Panchayati Raj Act, 1989 on the basis of recommendation made by various Committees from time to time.

Kto

The Committee will submit its report by or before 15<sup>th</sup> June, 2011.

By order of the Government of Jammu and Kashmir.

Sd/-  
(G.S. Chib) KAS  
Special Secretary to Government  
General Administration Department.

No:GAD(Adm)98/2011-V

Dated:- 13 -04-2011

Copy to the:-

1. Principal Secretary to Government, Planning and Development Department.
2. Commissioner/Secretary to Government, Finance Department.
3. Commissioner/Secretary to Government, General Administration Department.
4. Commissioner/Secretary to Government, Rural Development Department. **His U.O. file is also returned herewith.**
5. PPS to Chief Secretary.
6. Pvt. Secretary to Commissioner/Secretary, GAD.
7. Government Order file/Stock file/GAD website.

*Recd  
15/4/2011*

*Praveen*  
Deputy Secretary Government  
General Administration Department  
*13/4* *13/4*

## Appendix-B

### Government of Jammu and Kashmir, Planning and Development Department

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Sub: Guidelines for Preparation and Implementation of plans by  
the Panchayati Raj Institutions (PRIs)

- Ref: (a) Cabinet Decision no. 526 of 07-10-76 :  
Government  
Order No. 2380-GAD of 1976 dated 14-10-1976.
- (b) Cabinet Decision no. 201 of 20-04-1985 :  
Government Order No. 34-PS of 1985 dated 14-05-  
1985.
- (c) Administrative Council Decision no. 85 of 11-08-  
1993 : Government Order No. 741-GAD of 1993  
dated 03-09-1993.

1. The Government had, in 1976, introduced the concept of single-line administration and created the District Development Boards with a view to lending speed to the development programmes by decentralizing planning and involving the people with the same. The District Development Boards continued to form the framework of planning and programme implementation at the district level since then.

2. Underlying its commitment towards local governance, based on the principle of subsidiarity, the State Government decided to constitute the Panchayati Raj Institutions (PRIs) at all three tiers, and to hold elections to the Halqa Panchayats, Block Development Councils and District Planning and Development Boards under the Jammu and Kashmir Panchayati Raj Act, 1989. Through a separate order, the Government has delineated the functions to be performed by the three tiers of PRIs.

3. After the constitution of the District Planning and Development Boards, the functions hitherto performed by the District Development Boards will be subsumed by the former. In addition, the Block Development Councils and the Halqa Panchayats will perform the functions mandated/assigned to them.

4. In the changed context, while the State Finance Commission will, in due course determine the principles governing the transfer of resources to the PRIs, the following guidelines will be observed for local level plans:-

4.1 The State Plan as a whole will continue to be centrally determined in the Planning and Development Department, with reference to available resources, basic plan objectives and priorities and the main targets to be achieved in each sector.

4.2 In keeping with the principle of subsidiarity plans formulated by the plans formulated by the Halqa Panchayats and Block Development Councils will form the basis for the District plans, subject to sectoral ceilings and overall priorities laid down by the State Government. In other words, all such programmes which can be planned and executed at the Block level without sacrificing planning efficiency, will be included in the Block Plan. Similar approach will be followed in respect of Panchayat Halqa level activities.

4.3 An indicative outlay of the Annual Plan shall be conveyed by the Government to each district sometime in December of the previous year, so as to enable the Draft Plan to be formulated by the Halqa Panchayats, Block development Councils and District Planning and Development Boards.

4.4 Once the Annual Plan outlay for the State has been settled, and sectoral provisions and priorities determined by the State Government, the total outlay for the District Plan will be communicated to each District Development Commissioner,

together with the sectoral breakup. The District Development Commissioner shall cause suitable instructions to be issued to the Block Development Councils and the Halqa Panchayats to prioritize their programmes keeping in view these outlays. Based on the consolidation of the revised plans received from the Halqa Panchayats and the Block Development Councils, the District Development Commissioner shall submit the District plan for approval to the District Planning and Development Board.

4.5 The District Development Commissioner shall function as Chief Executive Officer to the District Planning and Development Board. They shall also oversee the development of the district and shall continue to exercise the powers of a Major Head of the Department for all development departments functioning in the district. The intention behind the above arrangements is to ensure that the bulk of administrative approvals and technical/financial sanctions that are involved, in respect of the District Plans, are issued at the district level itself, instead of losing time in making references to the Divisional or state headquarters to seek such sanctions.

4.6 A minimum critical level of resources will need to be made available for the District plan by ensuring that at least 30% of the total plan outlay for a year constitutes the District Plan. The determinant factors in deciding the quantum of District Plan component will be as under:-

- (i) Schemes of local nature in various sectors and which impinge upon the district priorities will constitute the District Plan.
- (ii) Inter-District projects or projects that have State wide ramifications shall not form part of the District Plan.
- (iii) Schemes that are likely to take more than three years to complete should not generally be included in the district plan.

- (iv) Cumulative commitments will be monitored and should not normally exceed three times the size of the annual district plan.
- (v) New schemes should be taken up only after the technical scrutiny and preparation of estimates by the competent authorities;
- (vi) The staff component proposed as per the approved norms will require the approval of the Administrative Department and approval of the Finance and Planning Departments as per the arrangements in vogue.

4.7 In respect of the Centrally Sponsored Schemes, funds would not be authorized by the District Development Commissioner without a formal sanction being issued by the Competent Authority viz. the Governing Boards/Administrative Department/Planning and Development Department as the case may be.

4.8 In addition, the Divisional Commissioner will have the authority to inspect the progress of development works in the District and issue suitable instructions to the District Development Commissioner from the perspective of overall coordination and delivery of the mandated objectives.

4.9 All Heads of Departments, including State Chief Engineers shall continue to function as Technical Advisors to the State Government.

4.10 Ladakh already has certain administrative arrangement in place in terms of the Ladakh Autonomous Hill Development Council Act. These arrangements will continue so far as both Leh and Kargil districts are concerned.

4.11 In order to ensure good coordination between different levels of Government( State- PRIs, PRIs-Urban Local Bodies, three tiers of PRIs themselves), it is proposed tha Chief Minister accompanied by Members of his Council, the Chief Secretary and the Secretaries and the Heads of the Departments concerned, shall hold a meeting in the District with the District Planning and Development Board. These meetings will review the progress of development plans of each district, including the components devolved to the Block and Halqa Panchayat levels.

Principal Secretary to Govt.,  
Planning and Dev. Department

Distribution

## Appendix-C

Government of Jammu & Kashmir  
Finance Department

Subject: Devolution of Powers to PRIs- release of funds.

Government Order No. –F of 2011  
Dated. – 06 – 2011

The State Government is in the process of empowering the Panchayati Raj Institutions (PRIs). In this connection, following set of instructions are issued to be followed in letter and spirit by concerned Departments:

- a- Pay and Allowances of the transferred staff shall continue to be drawn and disbursed by the respective Drawing and Disbursing Officers wherefrom they are transferred to PRIs, as per procedure to be notified by the concerned Administrative Department. However, Pay and Allowances of fresh staff engaged for PRIs under norms shall be drawn by debit to grant funds provided under various schemes in their bank accounts by Panchayat Development Officer or other such functionary as may be notified by the Rural Development Department.
- b- Funds related to transferred functions, being managed by the PRI formations, including funds under central flagship schemes, shall be transferred to PRIs by the respective Administrative Department.
- c- While implementing the transferred activities/subjects, the PRIs shall follow financial rules and directions/guidelines/decisions of the Government issued from time to time. Rural Development Department shall take appropriate action against the PRIs in case of non-compliance of such financial rules and directions/guidelines/decisions and initiate suitable action wherever required.
- d- Available budgetary provisions already allocated so far during 2011-12 for implementation of the transferred

activities/subject shall be utilized by the DDOs through the Treasury as hithertofore.

- e- From the financial year 2012-13 onwards, all the money devolvable to PRIs other than through off-Treasury mode of which direct remittances are made to individual bank accounts of PRIs by Government of India, shall be regulated by way of release of 1/4<sup>th</sup> of the budgeted amount by the concerned administrative departments in the individual bank accounts of PRIs at the beginning of the year. The balance amount shall remain available in the Public Account under MH: 8443-Civil Deposits and withdrawals therefrom can be made with the concurrence of Finance Department in case the amount exceeds the limit of ₹ 25.00 lakh at a time. After the receipt of Utilization Certificate in respect of the initially deposited money into their (PRIs) bank accounts, the administrative departments will authorize credit of further 1/4<sup>th</sup> of the budgeted amounts into their individual bank accounts by way of withdrawal from the amount held under Civil Deposit. The State share of CSS, wherever, applicable, shall also be regulated in the same manner.
- f- Any unspent balance remaining available in the Civil Deposit Account at the end of the financial year shall be non-lapsable and shall be released in the bank accounts of individual PRIs as soon as the UCs against earlier amount credited to their bank accounts are received by concerned Administrative Departments.
- g- In the current financial year, keeping the total expenditure, including expenditure incurred by the concerned departments and the PRIs within the limit of approved budget allocation, shall be the responsibility of the administrative departments concerned.
- h- Starting with financial year 2012-13, the budget proposals, both under plan and non-plan, will clearly set apart fund provisions for devolution in favour of three tiers of Panchayats and devolution will be made in the manner as laid down in clauses (b), (c), (d) and (g) supra.
- i- Examiner, Local Fund Audit Cell shall be responsible for conducting audit of accounts of various tiers of PRIs and for this purpose the audit programme will be chalked out

in consultation with District Panchayat Officer concerned, who will be responsible for overseeing correctness and upto date maintenance of accounts by all the three tiers of Panchayat in the PRIASOFT form.

- j- The above order shall come into force with immediate effect.

By order of the Government of Jammu & Kashmir.

Commr./Secretary to Government,  
Finance Department.

No.FD-VII-

Dated: -06-2011

Copy to the:-

1. Director General of Police, J&K.
2. All Financial Commissioners.
3. All Principal Secretaries to Government.
4. Principal Resident Commissioner, Govt. of J&K, New Delhi.
5. Principal Accountant General (A&E), J&K.
6. Chairman, J&K Special Tribunal.
7. Commissioner of Vigilance, J&K.
8. Chief Electoral Officer, J&K.
9. Principal Secretary to HCM/ HEG.
10. All Commissioners / Secretaries to Government.
11. Registrar General, J&K High Court.
12. Divisional Commissioner, Kashmir/Jammu.
13. Director General, Accounts & Treasuries.
14. Director, Audits & Inspections.
15. Director Finance, Finance Department.
16. Secretary, J&K Legislative Assembly/Council.
17. Secretary, J&K Public Service Commission.
18. All Heads of Departments.
19. All Deputy Commissioners.
20. Managing Directors of all PSUs/Boards/Societies.
21. Secretary, J&K State Information Commission.
22. Secretary, J&K Accountability Commission.
23. Secretary, J&K Services Selection Board.
24. Examiner, Local Fund Audit.
25. Principal Private Secretary to Chief Secretary.
26. Special Assistant/ Private Secretaries to all Ministers.
27. Special Assistant to Advisor to HCM.
28. OSD to Political Advisor to HCM.
29. Pvt. Secretary to Economic Advisor, Govt. of J&K.
30. Pvt. Secretary to Commr./Secretary to Govt. Finance Deptt.
31. Government Order file(w2scs).
32. Incharge Website GAD.

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