# Measures to Augment the Resources of Panchayats Empirical Assessment 2018-19

Annex VIII: A Report on Tamil Nadu

Sponsored by



NITI Aayog
Government of India

Conducted by



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November 2019

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## List of Abbreviations

TNPA

|            | List of Appreviations |  |
|------------|-----------------------|--|
|            | BDO                   | Block Development Officer                          |
| 0          | CRP                   | Cluster Resource Persons                           |
|            | CFC                   | Central Finance Commission                         |
| 0          | CSS                   | Centrally Sponsored Schemes                        |
| 0          | DPC                   | District Planning Committee                        |
|            | DRDA                  | District Rural Development Agency                  |
| 0          | FDA                   | Forest Development Agencies                        |
| 0          | DDO                   | District Development Officers                      |
| 0          | GSDP                  | Gross State Domestic Product                       |
| $\bigcirc$ | GST                   | Goods and Services Tax                             |
|            | GPDP                  | Gram Panchayat Development Plan                    |
| 0          | ICDS                  | Integrated Child Development Scheme                |
| 0          | RTI                   | Right to Information                               |
|            | SIRD                  | State Institute for Rural Development              |
|            | NGO                   | Non-government Organization                        |
|            | TANGEDCO              | Tamil Nadu Generation and Distribution Corporation |
|            |                       | Limited  |
| $\bigcirc$ | TWAD                  | Tamil Nadu Water Supply and Drainage               |
|            | SHG                   | Self-Help Group                                    |
|            | NSAP                  | National Social Assistance Program                 |
| $\circ$    | MGNREGP               | Mahatma Gandhi National Rural Employment Guarantee |
|            |                       | Programme  |
|            | SC                    | Scheduled Caste                                    |
| $\circ$    | ST                    | Scheduled Tribe                                    |
|            | SFC                   | State Finance Commission                           |
|            | OBC                   | Other Backward Class                               |
|            | PMGSY                 | Pradhan Mantri Gram Sadak Yojana                   |
| ·          | PMAYG                 | Pradhan Mantri Awas Yojana Gramin                  |
| $\bigcirc$ | SFC                   | State Finance Commission                           |
|            | SOTR                  | State's own Tax Revenue                            |
| 40         | PPC                   | People's Plan Campaign                             |

Tamil Nadu Panchayat Act

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## Measures to Augment the Resources of Panchayats in Tamil Nadu-2018-19

#### Facts File (Basic)

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Capital : Chennai

Area :  $130,060 \text{ km}^2$ 

Population : 8, 37, 00000

Rural Population : 3, 95, 55747

GSDP (2019-20) : 17, 25,639 crores

Number of districts : 32

Number of district *Panchayats* : 31

Number of Intermediate *Panchayats* : 385

Number of village *Panchayats* : 12620

## 1. Basic Details of Panchayats including Constitutional Provisions

The history of the local self-government in Tamil Nadu can be traced back to the Uthiramerur stone inscriptions in Kancheepuram district, which bears evidence to the well-established local self-government which flourished during the period of the Chola Empire. There was system of village council which looked after the core services in the villages. The members of the Village Council were elected through a process of secret ballot called 'Kuda Olai Murai' and these Councils functioned as self-contained economic and administrative entities.

In Tamil Nadu, there are 12620 Village *Panchayats*, 385 *Panchayat* Unions, and 31 District *Panchayats*.

## 1.1. Constitutional Provisions Dealing With Panchayats in Tamil Nadu

Though the *Panchayai Raj* Institutions were in existence in various forms in various states, these institutions did not acquire the status and dignity of feasible and responsive people's bodies due to a number of reasons including absence of regular elections, prolonged supersession, insufficient representation of weaker sections like Scheduled Castes, Scheduled Tribes and Women, inadequate devolution of powers and lack of financial resources.

In the light of the experience gained and the short-comings that had been observed, the 73rd amendment of the Constitution was enacted in 1992, to enshrine in the Constitution certain basic

and essential features of *Panchayati* Raj Institutions to impart certainty, continuity and strength to them. A number of fundamental changes were brought about in the *Panchayat* Raj System by virtue of this Act. Pursuant to this, the Tamil Nadu *Panchayats* Act 1994 was enacted.

#### 1.2. Tamil Nadu Panchayat Raj Act, 1994:

The 73rd amendment added a new dimension to the existence of rural local self-government. Accordingly, the Government of Tamil Nadu enacted the Tamil Nadu *Panchayats* Act, which came into force on 22<sup>nd</sup> April, 1994. The 1994 Act brought a number of changes in the Tamil Nadu *Panchayat* Raj structure:

- A three tier *Panchayat* system came into existence in the state. Village *Panchayats* at the village level, *Panchayat* Unions or Block *Panchayats* at the intermediary level and District *Panchayats* at the district level. All the three tiers of *Panchayats* are independent of each other.
- If we talk about the respective heads of the three tiers of *Panchayat* System, President of Village *Panchayat* are directly elected whereas the Chairpersons of *Panchayat* Union Councils and District *Panchayats* are elected from among the elected ward members.
- All the three tiers of *Panchayats* are independent of each other and the President of village *Panchayats* are not members in the *Panchayat* Union Council.
- Tamil Nadu State Election Commission has been constituted.
- Reservation of seats and offices for SCs/STs in proportion to their population has been made and one-half of the total number of seats and offices is reserved for women.
- The rotation of offices in all three tiers has to be once in 10 years.
- Elections are conducted within 6 months from the date of occurrence of any vacancy and the tenure is fixed as 5 years for all the members and Chairpersons.
- State Finance Commission is being constituted quinquennially.
- District Planning Committee has been constituted to consolidate the Development Plans of Panchayats and urban local bodies in the districts.

Table 1: Acts of Panchayat Raj System in Tamil Nadu

| Panchayat Acts                     | Year |
|------------------------------------|------|
| Tamil Nadu Panchayat Raj Act       | 1994 |
| Tamil Nadu Panchayat Amendment Act | 2017 |

#### Reservation for Women, SC, ST, OBCs

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- As per Article 243D of the Constitution of India, seats shall be reserved for Scheduled Castes/Scheduled Tribes in every *Panchayat* and the number of seats reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that *Panchayat* as the population of Scheduled Castes in that *Panchayat* area or of the Scheduled Tribes in that *Panchayat* area bears to the total population of that area and such seats may be allotted by rotation to different wards in a *Panchayat*.
- Article 243 D of the Constitution relates to reservation and rotation of seats for Scheduled Castes, Scheduled Tribes and Women in rural Local Bodies. The relevant provisions of Tamil Nadu *Panchayats* Act, 1994 are Sections 11, 20, 32 & 57. These are supplemented by the Tamil Nadu *Panchayats* (Reservation of Seats and Rotation of Reserved Seats) Rules, 1995.
- The Tamil Nadu *Panchayats* Act, 1994 (Tamil Nadu Act 21 of 1994) provided for reservation of one third of total number of the seats and offices for women in Village *Panchayats*, *Panchayat* Union Councils and District *Panchayats*. It was considered necessary to increase the percentage of reservation for women from one third of the total number of seats and offices to one half (i.e. 50 Percent) so as to empower the women and facilitate the political participation of women in local governance. Accordingly, Government has enhanced reservation for women in Local Bodies from one-third to one-half by amending relevant sections of the Tamil Nadu *Panchayats* Act, 1994.
- In Tamil Nadu, reservation of seats has been made in the *Panchayat* elections for SCs and STs only and in respect of Other Backward Classes, no reservation has been made.
- As per Sections 11, 20, 32 & 57 of Tamil Nadu *Panchayats* Act, 1994, and supplemented by the Tamil Nadu *Panchayats* (Reservation of seats and rotation of Reserved Seats) Rules, 1995, the seats are reserved for SCs/STs in proportion to their population in the direct election of *Panchayat* Raj Institutions. The election of Presidents of Village *Panchayat* and

Chairpersons of *Panchayat* Union Councils and District *Panchayats* are also held on the same line. Accordingly, 23 percent reservation is provided to SCs in the *Panchayats* and 1 percent reservation is given to STs in the *Panchayats*' elections.

## 2. Constitution and functioning of District Planning Committee (DPC)

Formation of District Planning Committee (DPC) in Tamil Nadu:

- The Tamil Nadu *Panchayats* Act 1994 Section 241 provides for the Constitution of a District Planning Committee in each District. The main function of the District Planning Committee is to consolidate the plans prepared by the District *Panchayat*, *Panchayat* Unions, Village *Panchayats*, Town *Panchayats*, Municipal councils and Municipal Corporations in the District and to prepare a draft development plan for the district as a whole.
- The District Planning Committee comprises of (a) The Chairman of the District *Panchayat* who is the Chairman of the Committee; (b) The District Collector Vice-Chairman of the Committee; (c) The Mayor of the City / Municipal Corporation in the District; (d) Such number of persons, not less than four fifth of the total number of members of the Committee as may be specified by the Government elected from among the members of the District *Panchayats*, Town *Panchayats* and Councilors of the Municipal Corporations and the Municipal councils in the District in proportion to the ratio between the population of the rural areas and of the urban areas in the District.
- In addition, the following are permanent special invitees of the Committee,
- (a) Members of Parliament (both Lok Sabha and Rajya Sabha)
- (b) Members of Legislative Assembly
- (c) Chairman of all Panchayat Union Councils in the District
- (d) Chairman of all Municipal Councils; and
- (e) Chairman of all Town Panchayats in the District.
  - District Planning Committee meetings are conducted once in three months to discuss various developmental issues relating to the district such as water supply, rural

electrification, Education, Irrigation, etc. In order to assist the District Planning Committee, the Government has created a District Planning Cell in each district with District *Panchayat* Secretary as the District Planning Officer with support staff.

#### 3. Role of Panchayats in Parallel Bodies/Institutions

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The existence and operation of parastatals has a significant impact on the functional ambit of rural local bodies, particularly when they function in parallel, operating in areas which are in the functional domain of the latter, using funds provided by the State or Central Governments or donor funds. Parallel bodies are organizations created by communities and government departments to discharge certain responsibilities in parallel, while the constitutionally created *Panchayati* Raj institutions are in position, in the same geographical area, to discharge the same set of responsibilities.

- They are considered 'parallel bodies' because they have a separate system of decision making, resource allocation and execution of projects, which is independent and removed from the *Panchayat* Raj set up.
- Examples of parallel bodies are: DRDAs, Forest Development Agencies (FDAs), District Watershed Development Societies, the District Health Mission, District Education Mission, District Horticultural Missions and District Project Management Units of Externally-assisted Projects.
- The Village *Panchayats* in Tamil Nadu have several parallel bodies mainly to select the beneficiaries under various Government sponsored schemes.

The functioning of parallel bodies in Tamil Nadu can be seen from the following table:

Table 2: Role of *Panchayats* in Parallel Bodies

| SI. | Status/Parallel   | DRDA | Education | Water | Health     | Agriculture | Tribal      | Any   |
|-----|---|------|-----------|-------|------------|-------------|-------------|-------|
| No. | Bodies  |      |           |       | and        | Corporation | Development | other |
|     |   |      |           |       | Sanitation |             | (ITDA)      |       |
| 1.  | Parallel body<br>merged with<br>the<br>Panchayat<br>Institution | No   | No        | No    | No         |             |             |       |
|     | Parallel body made an unit of the <i>Panchayat</i>              | Yes  | Yes       | Yes   | Yes        |             |             |       |

| Institution  |     |     |     |     |  |  |
|--|-----|-----|-----|-----|--|--|
| Function of parallel body limited to Fund/accounts Management                                | Yes | Yes | Yes | Yes |  |  |
| Parallel body is Presided/ Chaired by Elected Representatives of the Panchayat               | Yes | Yes | Yes | Yes |  |  |
| Elected Representatives of Panchayats are represented in Board of the parallel body          | Yes | Yes | Yes | Yes |  |  |
| Parallel Body remains separate, but under the control of the Panchayat                       | Yes | Yes | Yes | Yes |  |  |
| Parallel Body remains separate and not under the control of the <i>Panchayat</i> Institution | Yes | Yes | Yes | Yes |  |  |

## 4. Autonomy to Panchayats

State government has the power to dismiss and dissolve the representatives of District *Panchayat* and Block *Panchayat*, whereas the District Collector can do the same with the representatives of Gram *Panchayat*.

**Dissolution of Village** *Panchayat*- "If, in the opinion of the Government, a Village *Panchayat* is not competent to perform or persistently makes default in performing the duties imposed on it by law, or exceeds or abuses its powers, it may direct that the Village *Panchayat* be dissolved with

effect from a specified date and reconstituted with effect from a specified date which shall be within a period of six months from the date of such dissolution."

**Dissolution of** *Panchayat* **Union Council-** "If, in the opinion of the Government a *Panchayat* Union Council is not competent to perform or persistently makes default in performing the duties imposed on it by law or exceeds or abuses its powers, they may, by notification- (a) dissolve the *Panchayat* Union Council from a specified date."

**Dissolution of District** *Panchayat*- "If, in the opinion of the Government, a District *Panchayat* is not competent to perform or persistently makes default in performing the duties imposed on it by law or exceeds or abuses its powers, it may dissolve the District *Panchayat* from a specified date."

Following table talks about the autonomy available to the three rungs of *Panchayats* in Tamil Nadu.

Table 3: Autonomy to Panchayats in Tamil Nadu

| Category                                       | Rungs of Panchayats   | Suspend<br>representatives/<br>Panchayats | Resend for<br>reconsiderati<br>on of<br>resolutions | Dismiss/Supersed<br>e/ Dissolve/Quash |
|--|-----------------------|---|---|---------------------------------------|
| Representatives of                             | District<br>Panchayat | State Government                          | ****  | State Government                      |
|  | Block<br>Panchayat    | State Government                          | ****  | State Government                      |
|  | Gram<br>Panchayat     | District Collector                        | ****  | District Collector                    |
| Panchayat Bodies of                            | District Panchayat    | State Government                          | ****  | State Government                      |
|  | Block<br>Panchayat    | State Government                          | ****  | State Government                      |
|  | Gram<br>Panchayat     | State Government                          |   | State Government                      |
| Provision of charge she<br>Government? (Yes/No | •                     | Gram Panchayat                            | Block<br>Panchayat                                  | District Panchayat                    |
|  |                       | No  | No  | No                                    |

## 5. Functions Assigned to Panchayats and Actual Involvement of Panchayats

Panchayats have been assigned certain functions as per the Tamil Nadu Panchayats Act of 1994. Among the three tiers, Gram Panchayats assume a pre-eminent role in view of the wide variety of civic duties and other functions entrusted to them under Sections 110 and 111 of the Tamil Nadu Panchayats Act, 1994.

Functions of Village *Panchayats*: Under section 110 of the Tamil Nadu *Panchayats* Act 1994, the obligatory functions of the *Gram Panchayat* have been indicated as shown below:

- Construction, repair and maintenance of all Village Panchayat roads;
- Lighting of Public roads and Public places in built up area;
- Cleaning the streets, removal of rubbish heaps; provision and maintenance of Public latrines;
- Opening and maintenance of burial and burning grounds;
- Provision and maintenance of water supply sources for washing and bathing purposes and
- Such other duties as the Government may by notification impose.

**Functions of** *Panchayat* **Unions:** The obligatory functions of the *Panchayat* Unions are given in Section 112 of the Act, which are narrated below:

Subject to the provisions of this Act and the rules made there under, it is the duty of a *Panchayat* Union Council, within the limits of its funds, to make reasonable provision for carrying out the requirements of the *Panchayat* Union in respect of the following matters, namely:

- Construction, repair and maintenance of all Panchayat Union roads;
- Establishment and maintenance of dispensaries and the payment of subsidies to rural medical practitioners;
- Establishment and maintenance of maternity and child welfare centres;
- Construction and maintenance of poor houses, orphanages, shops, stalls, plinths, training and employment of vaccinators, removal of congestion of population and the provision of house sites;
- Opening and maintenance and expansion of elementary schools including payment of grants to private managements in respect of elementary schools;
- Preventive and remedial measures connected with epidemic or with malaria;

- Control of Panchayat Union fairs and festivals;
- Veterinary relief;
- Extension of village sites and the regulation of buildings;
- Opening and maintenance of public markets which are classified as Panchayat Union Markets;
- Maintenance of Statistics relating to births and deaths;
- Establishment and maintenance countries;
- Improvement of agriculture, agricultural stock and holding of agricultural shows;
- Promotion and encouragement of cottage industries;
- Such other duties as imposed by the Government.

Functions of District *Panchayats*: The functions envisaged under the Act for the District *Panchayat* have been given in Section 163 of the Act. The District *Panchayat* at the district level is the main body for the purpose of planning, implementation, monitoring and reviewing all rural development programmes.

The functions assigned to *Panchayats* and actual involvement of Tamil Nadu is mentioned in the following table:

Table 4: Functions Assigned to Panchayats and Actual Involvement of Panchayats

| SI.<br>No. | Functions   | Delegated by<br>Legislature | Level of <i>Panchayats</i> Actually Undertaking |                    |                    |  |
|------------|---|-----------------------------|---|--------------------|--------------------|--|
|            |   |                             | Gram<br>Panchayat                               | Block<br>Panchayat | District Panchayat |  |
| Cor        | e Functions                                       |                             |   |                    |                    |  |
| 1          | Drinking Water, Water Supply for Domestic Purpose |                             |   |                    |                    |  |
| 2.         | Roads   | Yes                         | Yes   | Yes                | Yes                |  |
| 3.         | Culverts  |                             |   |                    |                    |  |
| 4.         | Bridges   |                             |   |                    |                    |  |
| 5.         | Ferries   |                             |   |                    |                    |  |
| 6.         | Waterways   | Yes                         | Yes   | Yes                | Yes                |  |
| 7.         | Other means of Communication                      | Yes                         | Yes   | Yes                | Yes                |  |
| 8.         | Building Control                                  |                             |   |                    |                    |  |
| 9.         | Land Use and Building Regulation                  |                             |   |                    |                    |  |
| 10.        | Maintenance of Community Assets                   |                             |   |                    |                    |  |
| 11.        | Street Lighting, Parking Lots, Bus<br>Stops       | Yes                         | Yes   |                    |                    |  |

| 12. | Public Conveniences   |     |     |     |     |
|-----|---|-----|-----|-----|-----|
| 13. | Parks, Gardens, Playgrounds (Civic Amenities)   |     |     |     |     |
| 4.  | Primary Health Centre/Community Health Centre   | Yes | Yes |     |     |
| 15. | Sanitation & Solid Waste Management   | Yes | Yes |     |     |
| 16. | Cremation & Burial  | Yes | Yes |     |     |
| 17  | Public Safety (Noxious Vegetation,<br>Pests & Vermin's)   |     |     |     |     |
| Wel | fare Functions  |     |     |     |     |
| 18  | Poverty Alleviation Programmes  |     |     |     |     |
| 19. | Family Welfare  | Yes | Yes | Yes | Yes |
| 20. | Women & Child Development   | Yes | Yes | Yes | Yes |
| 21. | Social Welfare, Welfare of<br>Handicapped & mentally retarded   | Yes | Yes | Yes | Yes |
| 22. | Welfare of the weaker sections,<br>and in particular, of the Scheduled<br>Castes & the Scheduled Tribes | Yes | Yes | Yes | Yes |
| 23. | Public Distribution System  | Yes | Yes | Yes | Yes |
| 24. | Vital Statistics Including Registration of Births & Deaths  |     |     |     |     |
| 25. | Elementary Education  | Yes |     | Yes |     |
| 26. | Adult & Non-Formal Education  | Yes | Yes | Yes | Yes |
| 27. | Secondary Education   |     |     |     |     |
| 28. | Technical Training & Vocational Education   |     |     |     |     |
| 29. | Libraries   | Yes | Yes | Yes | Yes |
| 30. | Promotion of Cultural, Educational and Aesthetic Aspects  |     |     |     |     |
| 31. | Slum Improvement & Up gradation   |     |     |     |     |
| 32. | Fire Services   | Yes | Yes | Yes | Yes |
| 33. | Rural Housing   | Yes | Yes | Yes | Yes |
| 34. | Non-conventional Energy   | Yes | Yes | Yes | Yes |
| Agı | iculture and Allied Functions   |     |     |     |     |
| 35. | Watershed Development   |     |     |     |     |
| 36. | Water supply for Agriculture Purpose, Minor Irrigation, Water Management                                |     |     |     |     |
| 37. | Agriculture & Agricultural Extension  | Yes | Yes | Yes |     |
| 38. | Land Improvement  | Yes |     |     | Yes |
| 39. | Implementation of Land Reforms  |     |     |     |     |

| 40. | Land Consolidation                                 | Yes |     |     | Yes  |
|-----|--|-----|-----|-----|------|
| 41. | Soil Conservation                                  |     |     |     |      |
| 42. | Animal Husbandry                                   | Yes | Yes | Yes | Yes  |
| 43. | Dairying   | Yes |     |     | Yes  |
| 44. | Poultry  | Yes |     |     | Yes  |
| 45. | Fisheries  | Yes | Yes | Yes | Yes  |
| 46. | Social Forestry                                    |     |     |     |      |
| 47. | Farm Forestry                                      |     |     |     |      |
| 48. | Minor Forest Produce                               |     |     |     |      |
| 49. | Market & Fairs                                     | Yes | Yes | Yes | Yes  |
| 50. | Regulation of Slaughterhouses                      |     |     |     |      |
| 51. | Prevention of Cruelty to Animals                   |     |     |     |      |
| Ind | ustries  |     |     |     |      |
| 52. | Water supply for Commercial and Industrial Purpose |     |     |     |      |
| 53. | Small Scale Industries                             | Yes | Yes | Yes | Yes  |
| 54. | Food Processing Industry                           | Yes | Yes | Yes | Yes+ |
| 55. | Khadi, Gram & Cottage Industry                     | Yes | Yes | Yes | Yes  |
| 56. | Rural Electrification & Distribution               | Yes | Yes | Yes | Yes  |

#### 6. Involvement of Panchayats in Important Schemes

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Panchayats have been involved in various schemes of centre as well as of state. The focus of these schemes in Tamil Nadu is economic growth with social justice and improvement in the living standards of the rural population, by providing adequate and quality services efficiently. The role of Panchayats varies across different Centrally Sponsored Schemes (CSSs), which are administered by different Union Ministries. Among the major CSSs, Mahatma Gandhi National Rural Employment Guarantee Programme, Indira Awas Yojana, Total Sanitation Campaign, Accelerated Rural Water Supply Programme, National Programme of Nutritional Support to Primary Education (Mid-Day Meals), National Horticulture Mission, Macro Management of Agriculture, Micro Irrigation etc. are the schemes, which provide for roles and responsibilities for Panchayats.

Table 5: Involvement of Panchayats in Important Schemes

| SI.  | Important Union Government Schemes                                     | Levels of                  | Panchayats       | •                    |  |  |
|------|--|----------------------------|------------------|----------------------|--|--|
| No   |  | undertaking in each scheme |                  |                      |  |  |
| A.   | Centrally Sponsored Schemes  | Gram Panchayats            | Block Panchayats | District  Panchayats |  |  |
| 1    | National Social Assistance Program (NSAP)                              | Yes                        | Yes              | Yes                  |  |  |
| 2.   | Mahatma Gandhi National Rural Employment Guarantee Programme (MNREGP)  | Yes                        | Yes              | Yes                  |  |  |
| 3.   | Scheme(s) for Development of Scheduled Castes                          | Yes                        | Yes              | Yes                  |  |  |
| 4.   | Scheme(s) for Development of Scheduled Tribes                          |                            |                  |                      |  |  |
| 5.   | Pradhan Mantri Krishi Sinchai Yojana(PMKSY)                            |                            |                  |                      |  |  |
| 6.   | Green Revolution-Krishonnatti Yojana                                   | Yes                        | Yes              | Yes                  |  |  |
| 7.   | White Revolution- Rashtriya Pashudhan Vikas Yojana                     | Yes                        | Yes              | Yes                  |  |  |
| 8.   | Blue Revolution(Integrated Development of Fisheries)                   | Yes                        | Yes              | Yes                  |  |  |
| 9.   | Pradhan Mantri Gram Sadak Yojana (PMGSY)                               | Yes                        | Yes              | Yes                  |  |  |
| 10.  | Pradhan Mantri Awas Yojana-Gramin (PMAY-G)                             | Yes                        | Yes              | Yes                  |  |  |
| 11,, | National Rural Drinking Water Mission(NRDWM)                           | Yes                        | Yes              | Yes                  |  |  |
| 12.  | National Rural Health Mission (NRHM)                                   |                            |                  |                      |  |  |
| 13.  | Swachh Bharat Mission-Gramin (SBM-G)                                   | Yes                        | Yes              | Yes                  |  |  |
| 14   | National Programme of Mid-Day Meal in Schools                          | Yes                        | Yes              | Yes                  |  |  |
| 15.  | Integrated Child Development Services(ICDS)                            | Yes                        | Yes              | Yes                  |  |  |
| 16.  | Deendayal Antyodaya Yojana-National Rural Livelihood Mission(DAY-NRLM) | Yes                        | Yes              | Yes                  |  |  |
| 17.  | Rashtriya Swasthya Bima Yojana   | Yes                        | Yes              | Yes                  |  |  |
| 18.  | National Education Mission(NEM)  | Yes                        | Yes              | Yes                  |  |  |
| 19.  | Shyama Prasad Mukherji Rurban  | : 000                      | Yes              | Yes                  |  |  |
|      | Mission(SPMRM)/National Rurban Mission(NRuM)                           |                            |                  |                      |  |  |
| 20.  | Rashtriya Gram Swaraj Abhiyan (RGSA)                                   | ( mm)                      | (/ <del></del>   |                      |  |  |

| 21. | Pradhan Mantri Sahaj Bijli Har Ghar Yojana (Rural)-  | Yes          | Yes       | Yes       |
|-----|--|--------------|-----------|-----------|
|     | PM-SAUBHAGYA   |              |           |           |
| 22. | Pradhan Mantri Annadata Aay SanraksHan               |              | *-        |           |
|     | Abhiyan(PM-AASHA)                                    |              |           |           |
| 23. | National Mission for Sustainable Agriculture(NMSA)   |              |           | ***       |
| В.  | Central Sector Schemes                               |              |           |           |
| 1.  | Crop Insurance Scheme(Pradhan Mantri Fasal Bima      | ***          | 1         |           |
|     | Yojana)  |              |           |           |
| 2.  | Interest Subvention Scheme (for Short Term Credit to | 94           |           |           |
|     | Farmers)   |              |           |           |
| C.  | Other Schemes  |              |           |           |
| 1   | Deen Dayal Panchayati Raj Infrastructure Scheme      | 100          | /##       |           |
| 2.  | Deen Dayal Upadhyaya Gram Jyoti Yojana               |              |           |           |
| 3.  | National e-Governance Programme(NeGP)                | Yes          | Yes       | Yes       |
| D.  | State Government Schemes                             |              |           |           |
| 1 🥫 | Pension Schemes                                      | MCD<br>Const |           |           |
| 2.  | Health and Sanitation                                | <u> </u>     | 24        |           |
| 3   | Agriculture and Employment                           | 504          |           |           |
| 4.  | Any other (specify)                                  | 3000         |           |           |
| Sch | eme Based Performance Measures                       | Gram         | Block     | District  |
|     |  | Panchayat    | Panchayat | Panchayat |
| l.  | Number of Panchayats availing Action Soft (a scheme  |              |           |           |
|     | implementation &monitoring software) or any such     |              |           |           |
|     | equivalent application in place                      |              |           |           |
| Mi  | ssion Antyodaya                                      |              | 2016-17   | 2017-18   |
| 2.  | Number of Panchayats covered under Mission Antyodaya |              | 12543     | 12543     |
|     | in the following financial years                     |              |           |           |
| 3,  | Number of Antyodaya Panchayats marked on NREGAsoft   | See See      |           | 75        |
|     | portal in the following financial years              |              |           |           |

Mission Antyodaya: Mission Antyodaya encourages partnerships with network of professionals, institutions and enterprises to further accelerate the transformation of rural livelihoods. Self Help Groups (SHG) plays a crucial role in this mission due to their social capital and their proven capacity for social mobilisation. The thrust is not only on physical infrastructure but also on social infrastructure with strengthening of agriculture, horticulture, animal husbandry activities with utmost priority given to SHG expansion in Mission Antyodaya clusters. Capacity for financial and social audit would also be built at grass root level. This would be accomplished by convergence of frontline worker teams, cluster resource persons (CRPs) and professionals at the Gram Panchayats level. Total number of Panchayats covered under Mission Antyodaya in the year 2017-18 was 12543.

# 7. Fourteenth Finance Commission (14th FC) Grants to the Panchayats

The 14th Finance Commission recommended the share of basic grants and performance grants to be transferred to the local government via state government. For the basic grants, states are liable to transfer the funds to *Panchayats* within 15 days of it being sent by the Union government. If they fail to do so, states have to pay back *Panchayats* with interest rates as may be prescribed.

#### 7.1. Basic Grants

The grants should go to Gram *Panchayats*, which are directly responsible for the delivery of basic services, without any share for other levels. The earmarked basic grants for gram *Panchayats* will be distributed among them, using the formula prescribed by the respective SFCs for the distribution of resources. The State Governments would apply the distribution formula of the most recent SFC, whose recommendations have been accepted. The state has released to Gram *Panchayats* the following installments of basic grants:

Table 6: Basic Grants awarded to Gram Panchayats

(Rs. in Crores)

| Installments of 14 <sup>th</sup> FC Grants | FFC Grant | s Released by Govt. of<br>India | Released by State |                                      |  |
|--|-----------|---------------------------------|-------------------|--------------------------------------|--|
| Ti zo oranio                               | Amount    | Received by State on DD/MM/YYYY | Amount            | Released to Panchayats on DD/MM/YYYY |  |
| 1 <sup>st</sup> for the year 2015-16       | 473.83    | 28-06-2016                      | 473.83            | 24-07-2015                           |  |
| 2 <sup>nd</sup> for the year 2015-16       | 473.82    | 30-12-2016                      | 473.82            | 25-02-2016                           |  |
| 1 <sup>st</sup> for the year 2016-17       | 656.09    | 30-12-2016                      | 656.1             | 28-06-2016                           |  |
| 2 <sup>nd</sup> for the year<br>2016-17    | 656.09    | 31-12-2016                      | 656.1             | 30-12-2016                           |  |
| 1 <sup>st</sup> for the year 2017-18       | 758.06    | 29-10-2017                      | 758.06            | 22-09-2017                           |  |

For the year 2018-19 an amount of Rs.876.94 crores has been released to *Gram Panchayats* as first installment. All the amount of basic grant has been distributed to the *Gram Panchayats* on the basis of population to perform their basic functions such as operation and maintenance of water supply, street lights and sanitation, payment of current consumption charges to TANGEDCO and water charges to TWAD Board.

#### 7.2. Performance Grants

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Performance grants are provided to address the following issues: (i) making available reliable data on local bodies' receipt and expenditure through audited accounts; and (ii) improvement in own revenues. In addition, the urban local bodies will have to measure and publish service level benchmarks for basic services. These performance grants have to be disbursed to give sufficient time to state governments and the local bodies to put in place a scheme and mechanism for implementation.

The state has released Performance Grants to *Gram Panchayats* for the financial years 2017-18 and 2018-19.

The 14th Finance Commission has recommended Grants-in-aid to the Village *Panchayats* as Basic Grant and Performance Grant. Out of the total grants-in-aid to village *Panchayats*, 90% of the Grant will be the Basic Grant and 10% will be the Performance Grant. The 14th Central Finance Commission has recommended a detailed procedure and operational criteria, including

quantum of incentives to be given for the distribution of performance grant to the Village *Panchayats*. The incentives are to be decided by the State Governments concerned, subject to the following eligibility conditions: the village *Panchayats* shall fulfill the mandatory conditions to avail the Performance Grant for the year 2017-18. i.e., village *Panchayats* have to submit audited accounts and report an increase in Own Source Revenue (OSR) as prescribed by FFC, with the maximum cap of 5 times the basic grant allocation for the respective year to village *Panchayats*.

The share of Tamil Nadu under the above components to *Panchayats* for the period from 2015-16 to 2019-20 is given below:

Table 7: Year-wise allocation of Grants under 14th FC to GP

(Rs in Crores)

| Financial Year(s)                        | Basic Grant | Performance Grant | Total   |
|--|-------------|-------------------|---------|
| 1 manetar 1 sur (e)                      |             |                   | Grant   |
| 2015-16                                  | 947.65      |                   | 947.65  |
| 2016-17                                  | 1312.19     | 172.12            | 1484.31 |
| 2017-18                                  | 1516.12     | 194.78            | 1710.90 |
| 2018-19                                  | 1753.87     | 221.20            | 1975.07 |
| 2019-20                                  | 2369.86     | 289.64            | 2659.50 |
| 2015-20 (Entire Award Period)            | 7899.69     | 877.74            | 8777.43 |
| % Share of Tamil Nadu (Among all States) | 4.38        | 4.38              | 4.38    |

#### 8. State Finance Commission (SFC)

Financial devolution to the *Panchayats* is made on the basis of recommendations of the State Finance Commission (SFC). State Finance Commission recommended a higher share of State's own tax revenues for the *Panchayats*.

In Tamil Nadu, the State Finance Commissions are constituted once in 5 years without any break. The First Finance Commission was constituted in April 1994 submitted its report in November 1996 for the period 1997-98 to 2001-02. The important recommendations of the first SFC are increasing the devolution of funds to local bodies from 8% to 12% of the States Own Tax Revenue, Sharing of Funds in Ratio of 60:40 to rural local bodies to and urban local bodies respectively, 90% share of entertainment tax to local bodies. The Government however has ordered the sharing of SFC Grant to Rural and Urban Local Bodies in the ratio of 55:45 and the rural share of 55% was apportioned among the Village *Panchayats*, *Panchayat* Unions and District *Panchayats* in the ratio 45:45:10 respectively.

- The Second SFC was formed on 1-12-1999 for the period from 2002-03 to 2006-07 submitted its report during May 2001. The important recommendations are; vertical sharing of devolution funds between Rural Local Bodies and Urban Local Bodies in the ratio of 58:42 respectively. The Government Ordered that the Rural Local Bodies share should be distributed in the ratio of 8:45:47 to District *Panchayats*, *Panchayat* Unions, and Village *Panchayats*.
- The Third SFC was formed on 02-12-2004 for the period from 2007-08 to 2011-12, it submitted its report on 30-09-2006. Important recommendations are; devolution of funds for Local Bodies shall be 10% of the States Own Tax Revenue, vertical sharing of devolution between rural Local Bodies and urban Local Bodies should be in ratio of 58:42 respectively and horizontal sharing of devolution among *Panchayat* Raj Institutions in the ratio of 8:32:60 for District *Panchayat*, *Panchayat* Unions and Village *Panchayats* respectively.
- The Fourth SFC was formed on 01-12-2009 for the period from 2012-13 to 2016-17. It submitted its report during September 2011. Important recommendations are: 10% of States Own Tax Revenue (SOTR) to be devolved to rural and urban local bodies and shall be shared in the ratio of 58:42 respectively.
- The Fifth SFC was formed on 01-12-2014 for the period 2017-18 to 2021-22. It submitted its report in December, 2016.

Table 8: Constitution of State Finance Commissions: A Status

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| Chronology          | Period Covered       | MM/YY of  | MM/YY of      | MM/YY of ATR    |
|---------------------|----------------------|-----------|---------------|-----------------|
| 0                   |                      | Formation | Submission of | laid before the |
|                     |                      |           | Report        | Legislature     |
| 1 <sup>st</sup> SFC | 1997-98 to 2001-02   | 04/ 1994  | 11/1996       | 04/97           |
| 2 <sup>nd</sup> SFC | 2002-03 to 2003-04   | 12/ 1999  | 05/2001       | 05/02           |
| 3 <sup>th</sup> SFC | 2007-08 to 2011-12   | 12/2004   | 09/2006       | 05/09           |
| 4 <sup>th</sup> SFC | 2012-2013 to 2016-17 | 12/2009   | 09/2011       | 05/13           |
| 5 <sup>th</sup> SFC | 2017-18 to 2021-22   | 12/2014   | 12/2016       | Security        |

## 9. Money Transfers to Panchayats on account of the SFC recommendations

The Fifth State Finance Commission constituted by the State Government has given its report with the recommendations in the month of December 2016 for the award period between 2017 and 2022. The Government has accepted the recommendations of 5th State Finance Commission and accordingly, action taken report on the recommendations of the Fifth State Finance

Commission was tabled in the Legislative Assembly on 24th March, 2017. The following are the major recommendations regarding devolution for which orders are issued by the Government.

- Bodies. The existing overall vertical devolution proportion of 10 per cent of the net State's Own Tax Revenue (SOTR) may be retained for the award period of the Commission (2017-2022). It is also recommended that 56:44 sharing ratio between rural local bodies and urban local bodies may be adopted while the vertical sharing between the rural local bodies may be determined at 8:37:55 among District *Panchayats*, *Panchayat* Unions and *Gram Panchayats*.
- Devolution grant will be shared in the ratio of 56:44 between Rural and Urban Local Bodies.
- The vertical sharing ratio among three tiers of *Panchayats* shall be 8:37:55 for District *Panchayats*, *Panchayat* Unions and *Gram Panchayats*.
- Minimum lumpsum grant to the village *Panchayats* increased from Rs.5 lakh to Rs.7 lakh per year from the year 2017-18.
- Minimum lumpsum grant to Panchayat Unions increased to Rs.40 lakhs per annum per Panchayat Union.
- Horizontal Distribution of SFC devolution to rural local bodies to be done on the basis of the following formula:

| a) Population as per 2011 census | : 60% |
|----------------------------------|-------|
| b) Area                          | : 15% |
| c) SC/ST population              | : 15% |

d) Per capita consumption Expenditure Distance : 10%

- Capital Grant Fund has been established to replace the infrastructure Gap Filling Fund, which aggregates 20% of the devolution, intended for *Panchayats*.
- The proportion of revenue from minor minerals to be shared with local bodies should be fixed at 60 per cent to leave the government with an incentive to levy and collect this revenue more effectively at higher rates. Sixty per cent of revenue from sand quarrying should also be transferred to local bodies on the same basis as other minor mineral-based revenue.

The Government has provided (Budget estimate) Rs. 6573 crore as grant to rural local bodies for the year 2019-20.

Table 9: Type of grants as per the SFCs of Tamil Nadu

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| State Finance<br>Commission | Recommended Grants by the SFCs                        |  |  |  |  |
|-----------------------------|---|--|--|--|--|
| First SFC                   | Specific Purpose                                      |  |  |  |  |
|                             | lighting grants, water-supply grant, drainage grants, |  |  |  |  |
|                             | Maintenance   |  |  |  |  |
|                             | Road maintenance grant,                               |  |  |  |  |
|                             | Maintenance of maternity centers and dispensaries     |  |  |  |  |
|                             | General Purpose (Revenue)                             |  |  |  |  |
|                             | Matching grants(House tax)                            |  |  |  |  |
| Second SFC                  | Specific Purpose                                      |  |  |  |  |
|                             | Reserve fund  |  |  |  |  |
|                             | Equalization Fund                                     |  |  |  |  |
|                             | Incentive Fund  |  |  |  |  |
| Third SFC                   | Special Purpose                                       |  |  |  |  |
|                             | General Purpose                                       |  |  |  |  |
| Fourth SFC                  | General Purpose (Lump Sum)                            |  |  |  |  |
| Fifth SFC                   | Capital Grant Fund                                    |  |  |  |  |
|                             | Minimum Lumpsum Grant                                 |  |  |  |  |

Table 10: Financial credentials provided to Panchayats through SFCs

(Rs. in Crore)

| Financial Year | Amount<br>Recommended | Amount<br>Budgeted | Amount Sanctioned | Amount<br>Released |
|----------------|-----------------------|--------------------|-------------------|--------------------|
| 2014-15        | 4249.35               | =                  |                   | 4273.84            |
| 2015-16        | 4359.34               | 2                  | -                 | 4332.96            |
| 2016-17        | 4984.60               |                    | F#1               | 4711.68            |
| 2017-18        | 5432.78               | -                  |                   | 5159.39            |
| 2018-19        |                       |                    |                   |                    |

## 10. Empowerment of Panchayats to Impose/Collect revenue

In Tamil Nadu, all the three tier *Panchayats* depend on Assigned Revenues and grants in aid from the State Government right from the beginning of the *Panchayat* Raj System. The financial position of local bodies are highly depend on the State Government since almost all the functions and functionaries related to development and revenue are controlled in State Government.

The Village *Panchayat* is the only body, empowered to levy and collect taxes including fees and charges among the three tiers of *Panchayati Raj* Institutions and the *Panchayat* Unions and District *Panchayats* are completely depend on the State for Revenue.

The major resource base of *Panchayati Raj* Institutions in the State of Tamil Nadu is Own Revenue, Assigned Revenue, State Finance Commission (SFC) grants, Central Finance Commission (CFC) grants, State and Centrally Sponsored Schemes (CSS) grants.

Table 11: Taxes collected by the *Panchayats* 

| Tamil<br>Nadu | Taxes    | Levi<br>ed | Approp<br>riated | Depo<br>sited | Provisi<br>ons                        | Non-<br>Taxes | Le<br>vie | Approp riated      | Depo<br>sited | Provi<br>sions |
|---------------|----------|------------|------------------|---------------|---------------------------------------|---------------|-----------|--------------------|---------------|----------------|
|               |          | Coll       |                  |               | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |               | d         |                    |               |                |
|               |          | ecte       |                  | -1            | 2.25                                  |               | Col       |                    |               |                |
|               |          | d          |                  |               | ev,                                   | -             | 1         | ×                  |               |                |
|               |          |            |                  |               |                                       |               | Ect       |                    |               |                |
|               | - "      |            | 12               |               | 34                                    |               | ed        |                    |               |                |
| (Villa        | Local    | V,I        | I(10%pr          | GF,I          | S/167                                 | Local         | V,I       | I(10%pr            | GF,I          | S/167          |
| ge            | cess     | ,D         | oceeds)          | F,DF          |                                       | cess          | ,D        | oceeds)            | F,DF          |                |
| Panch         |          |            | ,D               |               |                                       |               |           | ,D                 |               |                |
| ayat-         | Duty     | V          | =                | GF            | S/171                                 | Local         | +         | (), <del>m</del> ( | IF            | S/182          |
| V;            | on       |            |                  |               | S/175                                 | Roads         |           |                    |               |                |
| Panch         | transfer |            |                  |               |                                       | grant         |           |                    |               |                |
| ayat          | of       |            |                  |               |                                       |               |           |                    |               |                |
| Union         | propert  |            |                  |               |                                       |               |           |                    |               |                |
| Counc         | у        |            |                  |               |                                       |               |           |                    |               |                |
| ils-I;        | House    | V          |                  | GF            | S/171                                 | Local         | :         | -                  | IF            | S/180          |
| Distri        | tax      |            |                  |               | S/172                                 | Cess          |           |                    |               |                |
| ct            |          |            |                  |               |                                       | Surcha        |           |                    | 1             |                |
| Panch         |          |            |                  |               |                                       | rge           |           |                    |               |                |
| ayats-        |          |            |                  |               |                                       | Match         |           |                    |               | ł              |
| D)            |          |            |                  |               |                                       | ing           |           |                    |               |                |
|               |          |            |                  |               |                                       | Grant         |           |                    |               |                |
|               | Vehicle  | V          | -                | GF            | S/171                                 | Fees          | I         | -                  | IF            | S/186          |
|               | tax      |            |                  |               | S/173                                 | on            |           |                    |               | (e)            |
|               |          |            |                  |               |                                       | licenc        |           |                    |               |                |

|                          |   |   |    |   | es and permis sions by Panch ayat Union |   |     |           |  |
|--------------------------|---|---|----|---|---|---|-----|-----------|--|
| Enterta<br>inment<br>tax | I | - | IF | S/13, Tamil Nadu Enterta inment tax act, 1939   | Fee levied in public market s           | I | I,V | IF,G<br>F | S/186<br>(f)                                 |
| Profess<br>ional<br>tax  | V | V | GF | S/188;<br>[Tamil<br>Nadu<br>Tax on              | Fee for use of choult ries              | I | -   | IF        | S/186<br>(i)                                 |
|                          |   |   |    | Professi ons, Trades, Callings and Employ ments | Incom e from ferries and fisheri es     | - | -   | IF,G<br>F | S/186<br>(o)<br>S/188<br>(n)<br>S/188<br>(o) |

| V | Taxes   | V        | V | GF |          | Incom   | I | <b>*</b>      | IF,G | S/186 |
|---|---------|----------|---|----|----------|---------|---|---------------|------|-------|
|   | and     |          |   |    | S/188;   | e from  |   |               | F    | (k)   |
|   | tolls   |          |   |    |          | endow   |   |               |      | S/188 |
|   | levied  |          |   |    | S/ 117   | ments   |   |               |      | (k)   |
|   | in the  |          |   |    | and 118, | and     |   |               |      |       |
|   | village |          |   |    | Tamil    | trusts  |   |               |      |       |
|   |         |          |   |    | Nadu     |         |   |               |      |       |
|   |         |          |   |    | Public   |         |   |               |      |       |
|   |         |          |   |    | Health   |         |   |               |      |       |
|   |         |          |   |    | Act,     |         | - |               |      | ě!    |
|   |         |          |   |    | 1939     |         |   |               |      |       |
|   |         | <u> </u> |   |    |          | Sale    | - | E <u>Sa</u> S | IF   | S/186 |
|   |         |          |   |    |          | procee  |   |               |      | (n)   |
|   |         |          |   |    |          | ds of   |   |               |      |       |
|   |         |          |   |    |          | tools,  |   |               |      |       |
|   |         |          |   |    |          | plants, |   |               |      |       |
|   |         |          |   |    |          | stores, |   |               |      |       |
|   |         |          |   |    |          | avenu   |   |               |      |       |
|   |         |          |   |    |          | e       |   |               |      |       |
|   |         |          |   |    |          | produc  |   |               |      |       |
|   |         |          |   |    |          | e       |   |               |      |       |
|   |         |          |   |    |          | Incom   | - | -             | GF   | S/188 |
|   |         |          |   |    |          | e       |   |               |      | (r)   |
|   |         |          |   |    |          | derive  |   |               |      |       |
|   |         |          |   |    |          | d from  | ı |               |      |       |
|   |         |          |   |    |          | poram   |   |               |      |       |
|   |         |          |   |    |          | boke    |   |               |      |       |

| Incom  | -  | -  | GF  | S/188  |
|--------|--|--|---|--|
| e from |  |  |   | (t)  |
| leases |  |  |   |  |
| of     |  |  |   |  |
| Gover  |  |  |   |  |
| nment  |  |  |   |  |
| proper |  |  |   |  |
| ty     |  |  |   |  |
| Fee    | I  |  | IF,G  | S/186  |
| for    |  |  | F   | (h)  |
| tempo  |  |  |   | S/188  |
| rary   |  |  |   | (i)  |
| occup  |  |  |   |  |
| ation  |  |  |   |  |
| of     |  |  |   |  |
| roads  |  |  |   |  |
|        |  |  |   |  |
|        |  |  |   |  |
|        |  |  |   |  |
|        |  |  |   | 3  |
|        |  |  |   |  |
|        | 1  | T.   | 1   | U.   |
|        | e from leases of Gover nment proper ty Fee for tempo rary occup ation of | e from leases of Gover nment proper ty Fee I for tempo rary occup ation of | e from leases of Gover nment proper ty  Fee I for tempo rary occup ation of | e from leases of Gover nment proper ty  Fee I - IF,G for tempo rary occup ation of |

Note: GF=Gram Panchayat Fund, IF=Intermediate Panchayat Fund, DF=District Panchayat Fund

## 11. GST Implications on Panchayats

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The Government of Tamil Nadu has passed the Goods and Services Tax Act, 2017 to make a provision for levy and collection of tax on intra-State supply of goods or services or both by the State of Tamil Nadu and the matters connected therewith. The legislation has also affected the

tax-handles of *Panchayats* in the State. A brief picture of taxes affected by the State GST Act is presented in the Table 12.

After coming into force of the GST Act, following taxes have been withdrawn from *Panchayats* in Tamil Nadu:

- House Tax,
- Entertainment Tax,
- Advertisement Tax, and
- Fee on entry of motor-vehicle into local areas.

Table 12: Major Alterations in Tax-handles of Panchayats of Tamil Nadu post-GST

| SI  | Selected Sample<br>States | Important/major chan | ndles of Pane | chayats in State |                                     |
|-----|---------------------------|----------------------|---------------|------------------|-------------------------------------|
| No. |                           | Pre-GST              | Post- GST     |                  | (As per the State GST               |
|     |                           | Taxes                | Subsumed      | Status           | Act)                                |
| 1.  |                           |                      |               | Considered       |                                     |
|     |                           | House tax            | ✓             | as supply        |                                     |
|     | Tamil Nadu                | [S/172(c),TNPA,1994] |               | of service       | S/51(1)(b) – Tax                    |
|     |                           |                      |               | under            | deduction at                        |
|     | Tamil Nadu                |                      |               | Schedule         | source/TDS- The                     |
|     | Panchayat                 |                      |               | II (5),          | Government may                      |
|     | Act,1994                  |                      |               | Section-7,       | mandate local authority             |
|     | [TNPA,1994]               |                      |               | Tamil            | to deduct tax at source             |
|     |                           |                      |               | Nadu             | or TDS at the rate of 1             |
|     | Tamil Nadu State          |                      |               | SGST Act,        | per cent from the                   |
|     | GST Act, 2017             |                      |               | 2017             | payment made to the                 |
|     |                           |                      |               |                  | supplier /deductee of               |
|     | Tamil Nadu Tax            |                      |               |                  | taxable goods & services, where the |
|     | on Entry of Motor         |                      | 1             |                  | total value of such                 |
|     | Vehicles into Local       |                      |               |                  | supply > INR                        |
|     | Areas Act, 1990           |                      |               |                  | 2,50,000/-                          |
|     | TD TINI- A.               |                      |               |                  | 2,50,0001                           |
|     | Tamil Nadu Entertainments |                      |               |                  | S/52- Collection of tax             |
|     |                           |                      |               | 1                | at source                           |
|     | Tax Act, 1939;            |                      |               |                  | at source                           |
|     | 4                         |                      |               |                  |                                     |
|     |                           |                      |               |                  | S/173                               |
|     |                           |                      |               |                  | Tamil Nadu Panchaya                 |
|     |                           |                      |               |                  | Act, 1994,—                         |
|     |                           |                      | 1             |                  | (a) section 172-A shall             |
|     |                           |                      | 1             | l.               | be omitted;                         |
|     |                           |                      |               |                  | (b) in section 172-B,               |
|     |                           |                      |               |                  | the expression "after               |
|     |                           |                      |               |                  | the levy of the tax                 |
|     |                           |                      |               |                  | under section 172-A a               |
|     |                           |                      |               |                  | determined by the                   |
|     |                           |                      |               |                  | collector" shall be                 |

| omitted; (c) in section 174, for the expression "sections 171, 172 and 172-A", the expression "sections 171 and 172" shall be substituted; (d) Section 175-A shall be omitted. 174.(1)  Repeals (i) the Tamil Nadu Value Added Tax Act, 2006 except in respect of goods included in Entry 54 of the State List of the Seventh Schedule to the Constitution; (ii) The Tamil Nadu Betting Tax Act, 1935; (iii) The Tamil Nadu Entertainments Tax Act, 1939;  (iv) The Tamil Nadu Tax on Luxuries Act, |
|---|
| 1981; (v) The Tamil Nadu Advertisement Tax Act, 1983;  (vi) The Tamil Nadu Tax on Entry of Motor Vehicles into Local Areas Act, 1990;  (vii) The Tamil Nadu Tax on Entry of Goods into Local Areas Act, 2001; (hereafter referred to as the repealed Acts) are hereby repealed.  Schedule III S/3 (a) Exemption of functions performed by   |

| M.P/MLA/Panchayat<br>members from both |
|--|
| Goods & Services                       |
| Category.                              |

#### 12. Expenditure Details of Panchayats

All the three tiers spent the grants broadly on two items i.e., developmental works & administration expenditure. Salaries, TADA, transportation and office maintenance constitute Administrative Expenditure. Roads, sanitation, Street Lights, water supply, building maintenance and other infrastructure needs constitute the developmental expenditure.

Table 13: Expenditure by Panchayats in Tamil Nadu

|           | Expenditure of Panchayats (Average of 2012-13 to 2017-18 Rs. in cross |           | n crore) | Per-capita Expenditure<br>(Rs. in thousands) |
|-----------|---|-----------|----------|--|
| District  |   | Village   | Total    |  |
| Panchayat | Union   | Panchayat |          | 1293.5                                       |
| 3499.6    | 1384.2  | 232.8     | 5116.6   |  |

#### 13. Gram Sabha

The *Gram Sabha* is the basis of the *Panchayati Raj* and village development. People use the forum of the Gram Sabha to discuss local governance and development, and make need-based plans for the village.

As per the Tamil Nadu Panchayats Act, 1994, Section 3:

- There shall be a *Grama Sabha* for every village *Panchayat*.
- The *Grama Sabha* shall meet at least twice in a year but six months shall not intervene between any two meetings.
- Every, meeting of the *Grama Sabha* shall be convened by the president of the Village *Panchayat*.
- If the president fails to convene the meeting of the *Grama Sabha*, the Inspector shall convene the meeting.
- The *Grama Sabha* shall approve the village plan; approve the village budget for the year; approve the audit report on the village *Panchayat* accounts of the previous year; and review the progress of the implementation of all schemes entrusted to the Village *Panchayat*.

- The Government may by notification, entrust to the Gram Sabha such other functions as may be specified.
- The Village *Panchayat* shall give due consideration to the recommendations and suggestions of the *Grama Sabha*.
- The *Gram Sabha* shall meet at a public place within the jurisdiction of the Village *Panchayat* in each of the ward by rotation on the date appointed by the President of the Village *Panchayat*.

## 14. Gram Panchayat Development Plan (GPDP)

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The 73rd Constitutional Amendment Act and the Tamil Nadu *Panchayat* Act lays emphasis on planning for local economic development and social justice by the *Panchayats*. In Tamil Nadu, 12513 *Gram Panchayats* have formulated GPDP in the State till 31<sup>st</sup> December 2018. *Gram Panchayats* have been mandated for the preparation of *Gram Panchayat* Development Plan (GPDP) covering all the resources over which the *Panchayats* have command including the 14<sup>th</sup>FC funds, MGNREGS funds, Swachh Bharat funds, etc.

As per Section 420 of Tamil Nadu *Panchayats* Act, 1994 every *Gram Panchayat* is supposed to prepare a development plan for the village every year. Accordingly, a draft plan would be prepared by the *Gram Panchayat* after the prioritization.

Table 14: Number of Plans Prepared under GPDP

| Financial Year       | Number of Plans Prepar |  |  |
|----------------------|------------------------|--|--|
| 2015-16              | 12524                  |  |  |
| 2016-17              | 12524                  |  |  |
| 2017-18              | 12513                  |  |  |
| 2018-19              | 10240                  |  |  |
| 2019-20              | 1747                   |  |  |
| Total GPDP (2015-20) | 49548                  |  |  |

People's Plan Campaign (PPC) for Gram Panchayat Development plan (GPDP) - Sabki

Yojana Sabka Vikas: Gram Panchayats have been mandated for the preparation of Gram Panchayat Development Plan (GPDP) for economic development and social justice utilizing the resources available to them. The GPDP planning process has to be comprehensive and based on

participatory process which involves the full convergence with Schemes of all related Central Ministries related to 29 subjects enlisted in the Eleventh Schedule of the Constitution. *Panchayats* have a significant role to play in the effective and efficient implementation of flagship schemes on subjects of National Importance for transformation of rural India. The People's Plan Campaign was commenced from 2nd October to 31st December, 2018 for preparing GPDP for 2019-20. The campaign initiated under "Sabki Yojana Sabka Vikas" is an intensive and structured exercise for planning at *Gram Sabha* through convergence between *Panchayati Raj* Institutions (PRIs) and concerned line departments of the State.

Table 15: Consolidated Status of Peoples Plan Campaign as on 07/01/2019 in Tamil Nadu

| Important Credentials                       | Number | Per Cent |
|---|--------|----------|
| Gram Sabha Scheduled                        | 12524  | 100      |
| Gram Sabha Held                             | 12504  | 99.8     |
| GPDP Approved as per Facilitator's Feedback | 10934  | 87.3     |
| GPDP uploaded on PlanPlus                   | 15     | 0.1      |
| GPDP under process on PlanPlus              | 509    | 4.1      |
| Total GPDP (Uploaded & Under process)       | 524    | 4.2      |

#### 15. Transparency and Anti-corruption

Transparency, accountability and integrity of public administration are pre-requisite to, and underpin, public trust as a keystone of good governance. Right to Information is the key to strengthening participatory democracy. The Right to Information Act, 2005 came into effect on October 12<sup>th</sup>, 2005. The aim of this Act is to promote transparency, accountability, predictability, and participation and to secure the citizens' access to information from public authorities.

Director of Local Fund Audit (DLFA) is the statutory Auditor for Block *Panchayats* and District *Panchayats*. The DLFA conducts only test audit of VPs' accounts. The DLFA takes up audit of 20 per cent of VPs in addition to 2 per cent of the VPs selected by DRDPR (Director of Rural Development and *Panchayat Raj*) every year. Deputy Block Development Officer audits the accounts of the VPs and certifies them.

The Tamil Nadu Local Bodies Ombudsman Act, 2014, enacted by the State Legislature in December 2014, does not cover Block *Panchayats* and Village *Panchayats*.

As per Section 15(5) (d) of the National Rural Employment Guarantee Act, 2005, Social Audit of all works in the jurisdiction of VP is to be carried out by the *Gram Sabha* and prompt action has to be taken on the objections raised during social audit.

Table 16: Transparency and Anti-corruption Parameters

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| SI. | Parameters  | Gram   | Block                              | District                             |  |  |  |  |
|-----|---|--|------------------------------------|--------------------------------------|--|--|--|--|
| No. |   | Panchayat  | Panchayat                          | Panchayat                            |  |  |  |  |
| 1   | Whether the following <i>Panchayats</i> provide information to the public under RTI Act (Yes/No)  | Yes  | Yes                                | Yes                                  |  |  |  |  |
| 2   | Designated Information Officer under RTI<br>Act at each Panchayat                                 | Deputy BDO (Pts)                                   | Deputy<br>BDO<br>(Admn.)           | Superintendent,<br>Dist. Pt. Office. |  |  |  |  |
| 3   | Designated 1st Appellate Authority under RTI Act  | Block Development Officer (VP)                     | Block Development Officer (BP)     | Secretary,<br>District<br>Panchayat  |  |  |  |  |
| 4   | Designated 2 <sup>nd</sup> Appellate Authority under RTI Act                                      | State<br>Information<br>Commission                 | State<br>Information<br>Commission | State<br>Information<br>Commission   |  |  |  |  |
| 5   | Any policy for disclosure of information by the <i>Panchayat</i> to the public (Yes/No)  Yes  Yes |  |                                    |                                      |  |  |  |  |
|     | If yes, what are the modes used for disclosure of information?  Display on Notice Boards  Yes     |  |                                    |                                      |  |  |  |  |
|     | Website   | Yes  |                                    |                                      |  |  |  |  |
|     |   | Reading out in the Meeting, printing in bills etc. |                                    |                                      |  |  |  |  |
| 6   | Others (Specify) Provision of Citizens' Charter at each level of Panchayats (Yes/No)              | Yes  |                                    |                                      |  |  |  |  |
|     | If yes, does the charter have the following? Please tick  |  |                                    |                                      |  |  |  |  |
|     | List of services  | √  |                                    |                                      |  |  |  |  |
|     | Procedure for obtaining the service   | N  |                                    |                                      |  |  |  |  |
|     | Time required for providing service   | √  |                                    |                                      |  |  |  |  |
|     | Grievance redress Mechanism(GRM)  | √  |                                    |                                      |  |  |  |  |
|     | Others (Specify)  |  |                                    |                                      |  |  |  |  |
| 7   | Authorized Institution undertakes the complaints of Panchayat: Please tick                        |  |                                    |                                      |  |  |  |  |
|     | Ombudsman   |  |                                    |                                      |  |  |  |  |
|     | Lokayukta   | V  |                                    |                                      |  |  |  |  |
|     | Govt. Agency  | √  |                                    |                                      |  |  |  |  |

#### 16. Infrastructure of Panchayats

In the state of Tamil Nadu there are 12620 Gram *Panchayats*, 385 Block *Panchayats*, and 31 District *Panchayats* have *Pucca* building. Computers have been installed in 12524 Gram *Panchayats*, 385 Block *Panchayats*, and 31 District *Panchayats*. Telephones are operational in 12524 Gram *Panchayats*, 385 Block *Panchayats*, and 31 District *Panchayats*. Internet works in 9345 Gram *Panchayats*, 385 Block *Panchayats*, and 31 District *Panchayats*.

Availability of infrastructure in Tamil Nadu for *Panchayats* can be inferred from the following table:

Table 17: Availability of infrastructure for Panchayats in Tamil Nadu (TN)

| Sl. | <b>Equipments &amp; Applications</b>   | Gram      | Block     | District  |
|-----|--|-----------|-----------|-----------|
| No. |  | Panchayat | Panchayat | Panchayat |
| 1.  | Number of Panchayats having Panchayat 'Ghar' (Pucca building)                        | 12620     | 385       | 31        |
| 2.  | Number of <i>Panchayats</i> having Computers, Printers, Scanners & other peripherals | 12524     | 385       | 31        |
| 3.  | Number of Panchayats having Telephone  | 12524     | 385       | 31        |
| 4.  | Number of <i>Panchayats</i> having Internet  | 9345      | 385       | 31        |

Source: Government of Tamil Nadu

#### 17. Training Institutions and Training Activities

In Tamil Nadu SIRD i.e. State Institute for Rural Development is responsible for imparting training to elected representatives of the PRIs. SIRD comes under Department of Rural Development and Department of *Panchayati Raj*. Its mandate is to impart trainings for elected representatives of PRI, functionaries of rural development and line departments, NGOs, bankers and rural micro credit institutions.

**Table 18: Training Institutions and Training Activities** 

| Whether the State have its own capacity building framework to train the elected         | Yes                 |
|---|---------------------|
| representatives and Panchayat officials (Yes/No)  |                     |
|   |                     |
| If yes, please specify State Institute of Rural Development at the State level and five | Regional Institutes |
| of Rural Development at the regional level to impart.                                   |                     |
| SIRD - State Institute for Rural Development is responsible for imparting t             | raining to elected  |
| representatives of the PRIs. SIRD comes under Department of Rural Development           | and Department of   |
| Panchayati Raj.   |                     |

#### 18. E-Connectivity & ICT Measures

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Use of ICTs in Tamil Nadu is important, not for the mere ability to transact by electronic means, or to improve the delivery of government and business services to isolated rural and disadvantaged communities, but it is central to the core objective of empowering people through literacy, education, knowledge, employable skills, and poverty reduction.

National e- Governance Plan (NeGP) was introduced in 2006 with the objective of transforming the governance landscape by ensuring participation of citizens in policy making and providing easy access to information to the citizens. The purpose with which NeGP was launched includes accessibility of government services to people, it is through common service delivery outlets that efficiency, transparency and reliability of such services at affordable costs can be ensured. The e-Governance project aims to transform the *Panchayati Raj* Institutions (PRIs) into symbols of modernity, transparency and efficiency making it one of a kind nationwide IT initiative introduced by the Ministry of *Panchayati Raj* (MoPR) that strives to ensure people's participation in programme decision making, implementation and delivery.

BharatNet is a project of the Government of India to provide broadband connectivity to all village *Panchayats* in the country. Under phase II of this project all the 12,524 Village *Panchayats* in Tamil Nadu are planned to be covered for internet connectivity.

Table 19: E-Connectivity & ICT Measures Taken by Panchayats in Tamil Nadu

| Applications               | District Panchayats |         | Intermediate  Panchayats |     | Village <i>P</i> | anchayats |
|----------------------------|---------------------|---------|--------------------------|-----|------------------|-----------|
|                            | Total               | Adopted | Total Adopted            |     | Total            | Adopted   |
| Local                      | 31                  | 31      | 385                      | 385 | 12524            | 12524     |
| Government                 |                     | ,       |                          |     |                  |           |
| Directory                  |                     |         |                          |     |                  |           |
| (LGD) <sup>1</sup>         |                     |         | L                        |     |                  |           |
| Area Profiler <sup>2</sup> | 31                  | 9       | 385                      | 18  | 12524            | 183       |

<sup>1</sup> Captures all details of local governments and assigns unique code. Also maps Panchayats with Assembly and Parliamentary Constituencies.

<sup>&</sup>lt;sup>2</sup> Captures geographic, demographic, infrastructural, socio-economic and natural resources profile of a village/panchayat. Universal database for planning of all sectoral programmes and provides details of Elected Representatives & Panchayat Functionaries, Election details etc. AreaProfiler is a centralized database also providing various details of the *Panchayats* such as neighbouring local bodies, tourist places and lodging facilities etc. AreaProfiler.

| PRIA Soft <sup>3</sup>  | 31  | 31 | 385 | 385 | 12524 | 12524 |
|-------------------------|-----|----|-----|-----|-------|-------|
| ActionSoft <sup>4</sup> | 31  | 2  | 385 | 8   | 12524 | 1     |
| National                | 31  | 17 | 385 | 198 | 12524 | 7488  |
| Asset                   |     |    |     |     |       |       |
| Directory <sup>5</sup>  |     |    |     |     |       |       |
| Social Audit            | :=: | 71 |     | ÷1  | =     | 100   |
| and Meeting             |     |    |     |     |       |       |
| Management <sup>6</sup> |     |    |     |     |       |       |
| Training and            | 31  | 0  | 385 | 0   | 12524 | 0     |
| Management <sup>7</sup> |     |    |     |     |       |       |

<sup>3</sup> It is a web based Application that captures receipt & expenditure details through voucher entries and automatically generates cash book, registers, utilization certificates, etc.

<sup>5</sup> Captures details of assets created/maintained; helps avoid duplication of works and provides for maintenance.

<sup>&</sup>lt;sup>4</sup> It aims at monitoring and keeping record of the progress of the works being undertaken as part of the finally approved plans (Action Plan) of various ULB, RLB and Line departments as available in PlanPlus. It facilitates proper recording of the Financial and Physical progress of the works.

<sup>&</sup>lt;sup>6</sup> Social Audit application aim to understand, measure and verify work under different schemes done by the *Panchayat* and further to improve social performance of respective *Panchayats*. Social Audit process involves Auditing of various schemes by Social Auditor and Social Audit Facilitator and submission of audit report.

Auditing of various schemes by Social Auditor and Social Audit Facilitator and submission of audit report.

Portal to address training needs of stakeholders including citizens, their feedback, training materials etc. It is a single platform for government officials and elected representatives in a State to log in their training needs and training organizations including Government to address and manage these requirements.

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