

STATE PROFILE - GOA



Union Minister Panchayati Raj signing MOU with Goa CM Shri Pratap Singh Raoji Rane at Panaji

DEVOLUTION TO PANCHAYATS IN GOA: THE WAY FORWARD:

Statement of conclusions arrived at after the visit of the Union Minister for Panchayati Raj and Youth Affairs and Sports to Goa on 11 and 12 April, 2006.

1. Pursuant to the 73rd Constitutional amendment Act 1992, Goa enacted the Goa Panchayat Raj Act, 1994, repealing the Goa Panchayat Raj (Ordinance) 1994 and the Goa Daman and Diu Village Panchayats Regulations, 1962. Under this legislation, Panchayats at the two levels, namely District Panchayats and Gram Panchayats have been constituted and entrusted with duties and responsibilities with a view to enable them to function as institutions of self-government as envisaged under Part IX of the Constitution.
2. To accelerate and sustain development, there is a need to strengthen Panchayats at the Gram and Zilla levels so that they function in fact as institutions of self-government in the letter and spirit of Article 243G of the Constitution. Strengthening Panchayati Raj for the building of a vibrant Goa is a noble cause that needs to be urgently pursued.
3. The Government of Goa has taken several steps in the direction of empowerment of Panchayats at the Village and District levels. These include the following:
 - (a) The Village and Zilla Panchayats have been vested in law with powers and responsibilities as listed in Schedule I & II of the Goa Panchayat Raj Act 1994, which covers activities relating to all items listed in the Eleventh Schedule of the Constitution.
 - (b) The State Government has established the State Election Commission for superintendence and control of the elections to Panchayat Raj Institutions. The State Election Commission has conducted elections to Gram Panchayats in November 1997 and January 2002 and to Zilla Panchayats in February 2000 and March 2005.
 - (c) Steps taken by the State Government in the direction of strengthening the finances of Panchayats and Schemes formulated in this regard are as follows:
 - (i) To encourage Village Panchayats to meet their requirements through raising their own resources, unconditional grants for taking up any developmental work are released to Village Panchayats, matching the local taxes collected by them.
 - (ii) Grants are given to financially weaker Gram Panchayats whose annual income is less than Rs. 10 lakhs to pay salaries to Village Panchayat staff. Financially weaker Panchayats are also released grants for undertaking developmental works.
 - (iii) Loans are provided to Village Panchayats for taking up remunerative and income generating Village infrastructure projects.
 - (d) In order to enable elected representatives of Panchayats to better perform their responsibilities, monthly salary and allowances are paid to all elected and co-opted representatives of Zilla and Gram Panchayats.
 - (e) The State Government has provided to each Gram Panchayat in the State, a full-time Secretary whose salary and allowances are paid by the State Government.
 - (f) Under the Goa Panchayat Raj Act, 1994, Gram Sabhas have been empowered to consider and approve the Annual Budget, the Annual Administrative Report and Action Plan prepared by their Gram Panchayats. Gram Sabhas are also empowered to determine the priorities of works and schemes.
 - (g) District Planning Committees have been constituted in accordance with Article 243ZD of the Constitution.

- (h) Most recommendations made in the report of the First State Finance Commission have been accepted by the State Government. The Second State Finance Commission has been set up in 2005, to review the financial positions of PRI's and to make necessary recommendations. Its report is awaited.
- (i) In order to provide an impetus to cleanliness of villages, the State Government has formulated the Goa Rural Garbage Disposal Scheme 2005, under which it meets the capital expenditure for setting up garbage disposal sites for clusters of Village Panchayats and provides them with related accessories such as garbage bins.
- (i) The State Government has adopted accounting formats devised by the Comptroller and Auditor General of India for maintenance of accounts by Gram and Zilla Panchayats. In this regard necessary training has been imparted to the officials concerned of the Panchayats. Accounts of Gram Panchayats will be maintained in the prescribed formats from 2006-07 onwards.
- (k) In order to improve service delivery, promote better Citizen-Government interface through transparency and efficiency and improve decision making processes within Panchayats, The State Government is undertaking the following projects:
- (i) With Rs. 1 crore assistance obtained from the Ministry of Panchayati Raj, Government of India, e-Governance at the Panchayat level, using the 'Infogram' software prepared by the National Informatics Centre (Goa) is being implemented in 150 Gram Panchayats in the first instance.
- (ii) Village level databases are being created through the National Informatics Centre, so as to facilitate micro-level planning.
- (i) The Goa Institute of Rural Development and Administration (GIRDA) conducts awareness building programmes for elected Panchayat representatives and functionaries on important Acts and Rules and poverty alleviation Schemes.
4. The challenges before Goa in sustaining the pace of reform will require effective support and close coordination with the Central Government. In this endeavour the Government of Goa and the Union Ministry of Panchayati Raj, agree to accord priority to the following points.
- (a) A fresh national impetus has been given to the devolution of powers and responsibilities through the Seven Round Tables of State Ministers of Panchayati Raj which arrived by consensus, at 150 recommendations pertaining to 18 dimensions of Panchayati Raj. The Government of Goa will address itself with all deliberate speed to these recommendations and review the same regularly. Quarterly reports will be furnished to the Ministry of Panchayati Raj with regard to the status of implementation.
- (b) In fulfillment of the devolution of powers, responsibilities and activities under the Goa Panchayat Raj Act 1994, Goa has already commenced the process of examination of all Schemes of the Government, aimed at effectively devolving functions, funds and functionaries to Panchayats. Goa undertakes to complete this process and issue the necessary notifications transferring schemes based on Activity Mapping by September 2006. The Activity Map will be released by the Goa Government in the presence of the Chief Minister and the Union Minister of Panchayati Raj by September 2006.
- (c) For effectively performing the functions devolved to them through Activity Mapping, the Panchayats would need a matching transfer of funds in respect of the devolved functions. This will require creation of a Panchayat Sector in the State Budget for each department to entrust schemes pertaining to the activities devolved to the Zilla and Gram Panchayats in accordance with the Activity Map. The Government of Goa undertakes to commence taking steps in this direction so as to operationalise Activity Mapping, through transfer of funds for schemes entrusted to Panchayats during 2006-07.
- (d) Matching the transfer of functions and finances to the Zilla and Gram Panchayats, the technical and administrative staff required to implement such entrusted schemes will also be placed at the disposal of the Panchayats concerned.

- (e) For Panchayats to effectively plan and implement the functions that have been devolved upon them it is necessary that funds pertaining to these schemes are transferred to them without delay or diversion. As part of this process, the Government of Goa agrees to put in place systems that are capable of tracking transfers of funds to Panchayats, both through Banks and treasuries, preferably, electronically
- (f) Grants-in-Aid given to the Panchayats for infrastructure development will be devolved to them as block grants to them on the basis of agreed norms
- (g) In Goa, Gram Panchayats are raising substantial local taxes. There is a need to encourage all Gram Panchayats to levy taxes and user charges as empowered under the Goa Panchayat Raj Act. Panchayats will be permitted to levy, collect and appropriate such taxes, collected by them at their level in terms of Article 243 H of the Constitution, without any restriction or delay. In enabling them to do so, the State agrees to undertake relevant reforms to the taxation provisions
- (h) For the effective performance of functions devolved to Panchayats, it is necessary that the functionaries concerned with them be accountable to Panchayats. The Government of Goa commits itself to further strengthening this process, so that all employees concerned are accountable to Panchayats
- (i) Detailed operational guidelines will be issued to ensure effective bottom up participative planning through Gram and Zilla Panchayats.
- (j) Detailed operational guidelines will also be issued for the consolidation of Gram and Zilla Panchayat and Municipal plans into the Draft District Development Plan by the District Planning Committees, in accordance with Article 243 ZD of the Constitution. This will be done so as to ensure that the 11th Five Year Plan of the State beginning with the Annual Plan for 2007-08, is built through a participative bottom up process at each Panchayat level, involving the Gram Sabha and the Panchayats
- (k) The laws and regulations relating to environment and spatial planning, such as town planning regulations, would be examined to provide a clear role for Panchayats in local land use planning.
- (l) The Government of Goa and the Union Ministry of Panchayati Raj commit themselves to continuing consultation with each other on the modalities of eventual merger of DRDAs with the Zilla Panchayats.
- (m) The effective and transparent functioning of Panchayats depends to a large degree on the intensity and quality of participation of all elected members in activities of the Panchayats. This is best done through strengthening Standing Committees at the Panchayat level, which are given a degree of flexibility and are held accountable for the performance of specific assigned functions. The State undertakes to take up training programmes for Standing Committees constituted under the Goa Panchayati Raj Act, 1994 which will be oriented to the responsibilities of the Committees concerned. The district and sub-district level bureaucracy will be entrusted with the responsibility for the hands-on training of members of the Standing Committees
- (n) At the Gram Panchayat level, various sub-committees of the Gram Sabha dealing with matters such as education, health, midday meals, women and child welfare, agriculture and animal husbandry, PWD works and other subjects listed in the Eleventh Schedule of the Constitution will be harmonized with the Panchayats so that there is an organic linkage and synergy between them.
- (o) The Government of Goa will consider constituting Disaster Management Committees within every Panchayat to provide effective first response in times of calamities or crisis. In order to provide immediate relief the Government would consider favourably the provision of funds, which can be reimbursed from a revolving Calamity Relief Fund.
- (p) Gram Sabhas will be strengthened, through providing them powers with respect to
- (i) selection of beneficiaries,
- (ii) approval of plans, programmes and schemes,

- (iii) authorization of utilization certificates and
- (iv) conduct of social audit.
- (q) There is a need for constituting Sabhas below the Gram level at the Ward level with the objective of deepening peoples' participation in local decision-making. Goa would examine the modalities of implementing this system, keeping in mind best practices from other States.
- (r) In order to build capacity and leadership among categories for whom seats are reserved, Goa shall consider favourably, extending the period of the reservation cycle from one to two or more terms.
- (s) A compendium of the Panchayati Raj legislation and rules and all important circulars and instructions would be prepared in the local language and widely circulated among all elected representatives of Panchayats and officials.
- (t) The Government of Goa will mobilize the Village and Zilla Panchayats to forward proposals to the Union Ministry of Panchayati Raj to establishing at least one Rural Business Hubs in each block to promote at least one product or skill in each Block through a partnership between the local Panchayat(s) and business houses identified by the Confederation of Indian Industry and other interested entrepreneurs.
5. The Union Ministry of Panchayati Raj agrees to support the Government of Goa with technical assistance in undertaking further Panchayati Raj reform including Activity Mapping and Fiscal devolution.
6. The Union Ministry of Panchayati Raj will pursue the establishment of a capacity and infrastructure development window - Gram Swaraj - so as to provide support to Panchayats to strengthen their administration. The Union Ministry of Panchayati Raj shall assist the Government of Goa in capacity building and training of elected representatives and officials of Panchayats. This may include support to the Goa State Institute of Rural Development for faculty and resource persons for training and exposure visits to other States for Panchayat members, trainers and officials.
7. The Union Ministry of Panchayati Raj undertakes to assist the Government of Goa in creating awareness among the youth and the student community, women, aspirants to office in Panchayati Raj Institutions and elected representatives of the significance of Panchayati Raj. To this end, it would assist in conducting orientation and training of persons aspiring to posts in Panchayats, particularly youth and women and pre-election voter education campaigns.
8. The Union Ministry of Panchayati Raj shall support the development of Rural Business Hubs (RBHs) through Public-Private-Panchayat Partnerships, so as to upgrade local skills and products and find markets for them. The effort would particularly be on RBHs focusing on rural tourism, organic farming, food processing, handicrafts, horticulture, floriculture, micro-hydel and other renewable energy technologies.
9. The Union Ministry of Panchayati Raj undertakes to provide technical assistance to Goa to build capacity of Panchayats to undertake the obligations of the recording and preserving of bio-diversity in their areas, as mandated by the National Biodiversity Act.
10. The Ministry of Panchayati Raj will pursue the devolution of Central funds through untied block grants and systemic reform of Centrally Sponsored Schemes, including the establishment of a Panchayat Empowerment Incentive Fund to bring these in conformity with the constitutional provisions for good governance at the district and village levels as set out in Part IX read with the relevant articles of Part IX A.

Sd/-

Shri Mani Shankar Aiyar
Union Minister for Panchayati Raj
and Youth Affairs & Sports.

Sd/-

Shri Pratapsingh Raoji Rane
Chief Minister
Goa

**STATUS OF PANCHAYATI RAJ
STATE PROFILE - GOA STATE**

Introduction:

Goa has a unique history of institutions of local self-government dating back to ancient times. Descendants of ancient settlers of the villages, called *Gaunkars*, organized themselves into "Communidades" or "Communities" which functioned as an autonomous unit of village administration. The Government was vested in the assembly of elders of each clan or *vangor*. Members of Comunidades consisted of (i) Zoneiros (ii) Acsaocars (iii) Gaonkars. The primary activity of the Comunidades consisted in leasing out their commonly held agricultural land, orchards, ponds etc through auction. The income was utilized to fund common services for the village like those of priests, barber, construction and maintenance of markets, halls etc. This Village Governance was allowed to exist alongside the Portuguese administrative machinery.

The second form of local government prior to liberation in Goa was the "Camara Municipals", introduced by the Portuguese, having their jurisdiction over both urban and rural areas of the entire Taluka. They collected various taxes and received government grants, performed civil functions including the erection of buildings. Until a few years before liberation, these self-sustaining bodies were neither elected nor local. Their offices were reserved for 'Casados.'

It was only in 1959 that Juntas de Freguesias (rural self government bodies) were established by the Portuguese through the Portaria (notification) no.7575 of 23rd July, 1959, allocating to them the responsibility of repairs of village roads, drains, bridges, gutters, street lights etc. falling within their jurisdiction.

Goa, Daman & Diu Village Panchayat Regulation, 1962

Following liberation from Portuguese rule on 19th December 1961, the President of India promulgated the Goa, Daman & Diu Village Panchayat Regulation, 1962 under Article-240 of the Constitution of India. This provided for a single tier Panchayati Raj system in the Union Territory of Goa, Daman & Diu and accordingly, village Panchayats were set up in Goa Daman & Diu in 1962. The 1962 Regulation reserved one seat for a woman in each Panchayat. Three types of Panchayats were created, having 5, 7 or 9 members respectively, depending upon the population. The term of the Panchayat was for four years.

The Goa Panchayat Raj Ordinance 1994

Following the enactment of 73rd Constitutional amendment, the State of Goa promulgated the Goa Panchayat Raj Ordinance, 1994 on 20th April, 1994. The Ordinance was superseded by the Goa Panchayat Raj Act, 1994, which was assented to by the Governor of Goa on 9th July, 1994. The Act repealed both the 1962 and the 1994 regulation. The provisions of the Act fully came into force with effect from 26th October 1995.

Initially, in keeping with the provisions of Article 243 B, the Goa Panchayat Raj Act, 1994 provided for setting up of a two tier Panchayati Raj System at the village level and at the district level. However, in 1999 the Act was amended and provision was made for the intermediate level Panchayat also, namely, the Taluka Panchayat. However, the same has not been set up.

Statistical Data:

The terms used for the two levels of Panchayats in Goa are as follows:

Table 1: Nomenclatures for the two levels of Panchayats in Goa¹

Level of Panchayat	Name used
District Panchayat	Zilla Panchayat
Village Panchayat	Gram Panchayat

Source : Government Of Goa

Table 2: Basic Statistics concerning Number of Panchayats at each level¹:

	Level of Panchayat	No. of PR Institutions	No. of Wards/ Constituencies
1	Zilla Panchayat	2	50
2	Gram Panchayat	189	1509
	Total	191	1559

Source : Government of Goa

Table 3: Number of Elected Panchayat Representatives at each level:

3-A: Gram Panchayat

	No. of Elected Representatives				
	General	SC	ST	Total	Women
1	2	3	4	5	6
Total	1509	0	181	1509	513
Percentage	100.0	0.0	12.0	100.00	34.0

Source : Government of Goa

3-B: Zilla Parishad¹

	No. of Elected Representatives				
	General	SC	ST	Total	Women
1	2	3	4	5	6
Total	44	0	6	50	20
Percentage	100.0	0.0	0.0	100.00	40.0

Source : Government of Goa

- TWO NEW PANCHAYAT WERE FORMED NAMELY HARVALEM IN BICHOLIM TALUKA (NORTH-GOA) AND QUELOSIM IN MORMUGAO TALUKA (SOUTH-GOA)

¹ Source : Government of Goa
Election last held : GP-Jan 2002, ZP-Jan-2005

Composition of the Zilla Panchayats in Goa

Table 3-C

Zilla Panchayats	Elected Rep. Gen.	Reserved For Women	Reserved ST	Reserved for OBC	SC Co-opted	# MPs	# MLAs	# Indirectly elected from Sarpanches	Total
North Goa	14	10	04	02	01	1 Lok Sabha	06	11	50
South Goa	10	07	02 *W	01	01 *W	1 Lok Sabha	05	06	32
						1 Rajya Sabha			01
Total	24	17	06	03	02	03	11	17	83

Presently there are 20 nos. of women seats including unreserved seats.

* Reserved for women
Ex-Officio Members

Table 4: Classification of Village Panchayats in Goa¹

Table 4A (i)- North Goa

Name of Block	A	B	C	D	Total No. of Village Panchayats	Total No. of Wards
	2a	2b	2c	2d		
1					3	4
Sattari	-	3	9	-	12	90
Bicholim	2	3	8	4	17	125
Bardez	7	9	16	1	33	275
Pernem	1	3	11	5	20	140
Tiswadi	6	3	9	1	19	161
Ponda	5	6	7	1	19	163
Total	21	27	60	12	120	954

Table 4B (ii)- South Goa

Name of Block	A	B	C	D	Total No. of Village Panchayats.	Total No. of Wards
	2a	2b	2c	2d		
1					3	4
Mormugao	3	3	2	1	9	79
Salcete	8	4	15	3	30	244
Quepem	-	2	9	-	11	81
Sanguem	-	5	7	-	12	94
Canacona	-	4	3	-	7	57
Total	11	18	36	4	69	555
GrandTotal	32	45	96	16	189	1509

- NEW 12th TALUKA DHARBANDORA IS CREATED AND ADDED TO SOUTH-GOIA DISTRICT.
- PONDA TALUKA IS ADDED TO SOUTH-GOIA DISTRICT FROM THE NORTH-GOIA DISTRICT.

Source: Government of Goa

Dimension 1: Effective Devolution of Functions

Legislative devolution of functions:

Schedule-I appended to the Goa Panchayat Raj Act, 1994 gives the list of functions and responsibilities to be transferred to the Village Panchayats and Schedule-II to the Zilla Panchayats as follows:

Schedule I- Village Panchayats:

Functional powers

The functional powers of the Village Panchayats are as follows:

- (a) Imposition of taxes, fees on certain items independently;
- (b) Issuing license for construction of buildings, factories and to run business trade and occupation;
- (c) Licensing of hotels, shops, restaurants, etc., including licenses for aerated water manufacturers
- (d) Remove obstructions and encroachments on public streets and open sites;
- (e) Removing ruined structures, trees likely to fall.
- (f) Improving sanitary conditions, conservancy and drainage;
- (g) Providing water supply;
- (h) File complaints before the Appropriate Court for prohibiting public nuisance;
- (i) Impound stray cattle etc.
- (j) Exercise functions listed in the Schedule of the 1994 Act.

Administrative powers

- a) Appoint employees other than the Secretary or Gram Sevak and pay their salaries from Panchayat funds. Village Panchayats have full control over such staff.
- b) Appoint keeper for cattle pound with the approval of Director of Panchayat.
- d) Acquire, hold, dispose off its property both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property vested or acquired by it subject to the rules made by the Government and sanction of the Zilla Panchayat.
- e) Prepare Annual Development Plan, Budget and Administration Report of the Panchayat.
- f) Constitute various standing committees.
- g) Make bye-laws with previous sanction of the Zilla Panchayat on:
 - i. Purification and pollution protection of all water sources;
 - ii. Prohibiting use of impure water sources for drinking purposes,
 - iii. Prohibiting manure, refuse or other offensive matter storage prejudicial to public health,
 - iv. Regulation of dangerous or offensive callings or trade;
 - v. Disposal of corpses by burning or burial;
 - vi. Excavation and filling up of earth,
 - vii. Removal of noxious vegetation;
 - viii. Repair and removal of dangerous or ruinous buildings;

- ix. Preventing erection of buildings without adequate provisions for ventilation or the laying out and location of streets;
- x. The control of fairs and bazaars and the regulation of markets, slaughter houses and cart stands;
- xi. The inspection and destruction of unfit food and drink exposed for sale;
- xii. General regulation of sanitation and conservancy;
- xiii. Management and maintenance of cattle pounds.

Schedule II- Zilla Panchayat

Functional powers

Zilla Panchayats exercise functions mentioned in Schedule II and partly in Schedule I(A) of the Goa Panchayat Raj Act, 1994. Funds provided by the Government are mainly spent on the works like construction and repairs of the road, minor irrigation, drinking water and rural water supply, repairs and maintenance of Primary Health Centres and training to farmers.

Administrative powers

- (a) The Chief Executive Officer and Adhyaksha of Zilla Panchayat have full control over Zilla Panchayat staff,
- (b) The Chief Executive Officer of Zilla Panchayat is the appointing and disciplinary authority in respect of Group "C" and "D" posts of the Zilla Panchayat.
- (c) Acquire, hold, dispose off its property both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property vested or acquired by it with previous sanction of the Government.
- (d) Prepare the annual District Development Plan after including the development plans of Panchayat and submit it to the District Planning Committee.
- (e) Appoint various Standing committees and regulate their working as per the regulation prepared by respective Zilla Panchayat.
- (f) Prepare Budget and Administration Report of the Zilla Panchayat and submit it to the Government.
- (g) Make regulations with previous sanction of the Government to carry out the purpose of the Act in so far as it relates to its powers and duties.
- (h) Divert, discontinue or close or permanently close any road which is under the control and administration of or is vested in the Zilla Panchayat
- (i) Adhyaksha of Zilla Panchayat is the Ex-Officio Chairman of the District Planning Committee.

The Schedule of the Goa Panchayati Raj Act itself gives a fairly detailed list of activities (listed under each function) devolved to the Zilla and the Gram Panchayats. Therefore, this is a good example of a State operationalising the resolution of the 1st Round Table in this regard, which reads as follows:

"With a view to promoting a measure of irrevocability of devolved functions, devolution may be routed through legislative measures or, alternatively, by providing a strong legislative framework for devolution through executive orders."

Details are as follows:

Table 5:

Sl. No	Subjects In the Eleventh Schedule	Zilla Panchayat under Schedule II of the Goa Panchayat Raj Act, 1994	Gram Panchayat Village Panchayats, under Schedule 1 of the Act
1	Agriculture, including agricultural extension.	Conducting training classes for farmers in improved Agriculture, Horticulture	
2	Land improvement, implementation of land reforms, land consolidation and soil conservation.		
3	Minor irrigation, water management & watershed development.	Construction, improvement repairs and maintenance of MI works excluding irrigation wells	
4	Animal husbandry, dairying and poultry.	Conducting training classes for farmers dairy, poultry and piggery	
5	Fisheries.		
6	Social forestry and farm forestry.		Social Forestry and Farm Forestry, tree planting and preservation on roadsides and Panchayat lands.
7	Minor forest produce.		
8	Small-scale industries, including food-processing industries.		
9	Khadi, village and cottage industries.		
10	Rural housing.		Rural Housing including acquisition of land for house sites
11	Drinking water.	Implementation of Rural Water Supply Scheme	Drinking water including construction, repairs and maintenance of drinking water wells, tanks and ponds
12	Fuel and fodder.		
13	Roads, culverts, bridges, ferries, waterways and other means of communication.	Repairs and maintenance of roads, culverts and roadside drains.	Construction, maintenance and repairs of Village roads, culverts, roadside drains, etc.
14	Rural electrification, including distribution of electricity.		Rural Electrification including providing and maintenance of street lights and lighting of public places
15	Non-conventional energy sources.		Non-Conventional Energy sources including promotion and development of Non-Conventional Energy Schemes of Goa Energy Development Agency
16	Poverty alleviation		Public awareness and participation in poverty

18	Technical training and vocational education.		
19	Adult and non-formal education.		Promotion of adult literacy through programmes of Education Department.
20	Libraries		Village Libraries and Reading Rooms
21	Cultural activities	Promotion of social and cultural activities.	promotion of social and cultural activities
22	Markets and Fairs		Regulation of Markets, fairs and festivals
23	Health and sanitation, including hospitals. Primary health centres and dispensaries	Sanitation for Primary Schools	Maintenance of general sanitation, cleaning of public roads, drains, taps wells and nallah and other public places, maintenance of burning and burial grounds, maintenance of public latrines
		Repairs and maintenance of buildings of Rural Health Centres, Sub-Centres, Cottage Hospitals and Community Health Centres.	
24	Family Welfare		Participation in schemes of Directorate of Health Services as regards public health and family Welfare
25	Women and Child Development		Participation in the implementation of programmes of Directorate of Women and Child Development
26	Social Welfare, including welfare of the handicapped and mentally retarded		Participation in implementation of programmes of Social Welfare Department for the Welfare of the handicapped, mentally retarded and destitute
27	Welfare of the weaker sections, particularly of SCs and STs		Welfare of weaker sections including Scheduled Castes and Scheduled Tribes by implementing the Schemes of Goa SC/ST/OBC Development Corporation
			Promotion of public awareness with regards to the welfare of weaker sections, Scheduled Castes and Scheduled Tribes and implementation of programmes of Social Welfare Department for their welfare
28	Public distribution system		
29	Maintenance of community assets.		Maintenance of Community assets created through the Panchayat fund on transferred to the Panchayats by the DRDA or by the Government.
			Construction and maintenance of Cattle Sheds
	Other Functions		General functions under Goa Panchayat Raj Act, 1994.
	Total	7	18

- a. While 7 matters and 18 matters respectively are devolved to the Zilla Panchayat and the Gram Panchayat, there is a large measure of concurrency in assignment of responsibilities, such as in drinking water and rural roads.
- b. Gram Panchayats have been devolved the majority of functions, as compared to Zilla Panchayats,
- c. In the case of some aspects, the actual function devolved is only nominal. For instance, family welfare, women and child development, social welfare, including welfare of the handicapped and mentally retarded and welfare of the weaker sections, particularly of SCs and STs, only promotional responsibilities are devolved, which in real terms means very little in terms of actual participation. Certainly, centrality of Panchayats in the implementation of programmes in these matters is not envisaged.
- d. A rather interesting provision in the law is Section 244A of the Goa Panchayat Raj Act, 1994, which empowers the Government to undertake any developmental works in the Panchayat and Zilla Panchayat areas specified in the schedules to the Panchayat Act *without consultation with the Panchayat and Zilla Panchayat*. This section, at least of papers, detracts from the otherwise powerful Panchayati Raj Act.

Status of Activity Mapping:

The real crux of Activity Mapping lies in entrustment of Schemes by various departments to the Panchayats in accordance with the Act. It is reported that an activity-mapping matrix has been prepared, but the work of consultation with line departments is sluggish. Meetings with the Heads of various Departments to work out the modalities of transferring the activities/schemes related to the subjects devolved to the Panchayats. When the Minister visited Goa in April 2006, in the Statement of Conclusions signed with the Chief Minister it was agreed that the necessary notifications transferring schemes based on Activity Mapping would be released in the presence of the Chief Minister and the Union Minister of Panchayati Raj by September 2006. However, this has not been achieved.

The Goa Panchayat Raj Act, 1994 covers the subject matter reflected under Article 243-G i.e. Schedule XI appended to the Constitution. Accordingly, the Village Panchayats and the Zilla Panchayats have been statutorily empowered to carry out the functions as specified in Schedule-I and Schedule-II respectively of the said Act, subject to conditions as specified by the Government. Though the functions have been assigned to PRIs under the Act, in reality only a few of these functions are being implemented by them. In order to look into the aspect of devolution of powers to the PRIs, a Sub-Committee was constituted by the Government on 7.9.2006. The Sub-Committee has initially identified certain schemes/activities presently being implemented by other departments that can be immediately transferred to the PRIs. This transfer envisages devolution of consultative powers and financial powers to the PRIs. The said recommendations have been approved by the Government on 18.1.2007 and accordingly, the matter is under consideration of the Government for issuing necessary directions to the concerned departments for working out the modalities for transferring the identified schemes/activities. The State Government has further assigned the exercise of conducting the detailed Activity Mapping to the Second State Finance Commission. The recommendations of the Second State Finance Commission along with the Report of the Activity Mapping will be placed before the Cabinet for their approval and thereafter further devolution of powers to the PRIs will be effected.

Dimension 2: Effective Devolution of Functionaries

The Government has provided one Village Panchayat Secretary to each Village Panchayat, whose salaries and allowances are paid directly by the Government. The Village Panchayats have also employed their own staff like clerks-cum-typists and peons. The State Government has undertaken to sanction grants to economically weaker Panchayats with effect from 1.4.2001 in order to enable them to make payment of the salaries and dearness allowance to the staff employed by them as follows:-

- "A" Class Panchayat with 11 members - Rs. 1,40,000/- p.a.
- "B" Class Panchayat with 9 members - Rs. 90,000/- p.a.
- "C" Class Panchayat with 7 members - Rs. 90,000/- p.a.
- "D" Class Panchayat with 5 members - Rs. 40,000/- p.a.

The Government has appointed a Sr. Grade Officer of the Goa Civil Service in each Zilla Panchayat as the Chief Executive Officer. The Government has also appointed an Officer of the cadre of Dy. Director of Accounts as an Accounts Officer in each Zilla Panchayat. Other functionaries like Stenographers, Accountants, Clerks, Peons, Sweepers and Drivers have also been provided to each Zilla Panchayat. The services of Executive Engineers, Assistant Engineers and Jr. Engineers from the Public Works Department of the State have been placed at the disposal of the Zilla Panchayats for execution of technical works like preparation of estimates of different works, recording of measurements, tendering of works, preparation of running account bills, issue of valuation certificates, etc. Since the Zilla Panchayats have come into existence about six years back, the Government will provide additional staff and allot additional functions to them after taking a review of their performance and on verification of the utilization of grants sanctioned to them during the last six years.

Dimension 3: Effective Devolution of Finances

Village Panchayats

Every Panchayat has a 'Panchayat Fund', comprising the following:

- a) Amounts that may be granted or passed on to the Panchayat by the Government or Zilla Panchayat;
- b) The proceeds of any tax, rate and fee imposed by the Panchayat;
- c) All loans or contributions received by the Panchayat
- d) The rent or other income from, or sale proceeds of any immovable or movable property owned by or vesting in the Panchayat;
- e) All other sums received from any source whatsoever.

The amounts at the credit of the Panchayat Fund are being kept in any Scheduled Bank or a Co-operative Bank situated in the Panchayat area or in the neighbouring Panchayat area.

Village Panchayats in Goa have been empowered with wide powers to raise their income by taxation, fees, rates etc. Schedule-III of the Goa Panchayat Raj Act, 1994 specifies levy of taxes, fees, rates etc. by Panchayats. The sources of finance for Village Panchayats are as follows:

Table 7: Non-Tax Revenue Fees

1	Construction permission	2	Sale of goods in markets, melas,	3	Registration of births and deaths	4	Certified copies
5	Octroi fees	6	Registration of cattle brought for sale	7	Grazing cattle on grazing lands	8	extraction of sand, laterite stones
9	Various certificates issued by Panchayats	10	Sale of premises for transfer of house tax	11	Licensing of hotels, shops etc.	12	Construction permission of factories
13	Cattle pound	14	Buses, taxi and Auto Stands	15	Pilgrims, for arrangements for water supply and sanitation	16	garbage collection
17	Occupation of public landing places.						

Table 8: Rent and sale proceeds

1	Sale of News Papers	2	Sale of tender forms	3	Sale of number plates	4	Auction sale of garden produce
5	Auction sale proceeds of stray cattle	6	Rent for lease of premises shops, community hall	7	Rent for hiring of Village Panchayat goods vehicle		

Table 9: Grants:

1	Matching Grants linked to tax collections of previous year	2	Grants in lieu of Octroi	3	Salary Grants/Establishment Grants	4	Grants to weaker Panchayats for strengthening administration
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a) Establishment Grants to Zilla Panchayats	120.00
b) Grants to Zilla Panchayats for Rural Infrastructure Development (for Implementation of Schemes for construction/repairs of Health Units, Rural water supply, Rural Roads Farmers Training Minor Irrigation)	430.00
Total	550.00

Table 10(b): Village Panchayats:

1) Assistance to Village Panchayats (Matching Grants)	365.50
2) Grants to weaker Panchayats for strengthening their Admn.	362.00
3) Grants to Village Panchayats in lieu of octroi	400.00
4) Salaries to directly elected Panchayat Members, Co-opted Members	304.00
5) Salaries to V.P. Secretaries/Gram Sevaks	250.50
6) Financial Assistance for Village Panchayat for Infrastructure Development in Health and Rural Sanitation, Roads and urgent Development works	516.00
7) Infrastructure Development of Villages	5.00
8) Rural Garbage Disposal 2005	80.00
9) Supply of Plastic Shredders to Village Panchayats	1.00
Total	2834.00

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a. **Financial Assistance to Village Panchayats for Infrastructure Development:-**

This scheme envisages providing financial assistance to Village Panchayats for Infrastructure development, covering (i) Health & Rural Sanitation (ii) Roads & Communications (iii) Release of special grant to the weaker Village Panchayats whose annual income is less than Rs.3.00 lakhs in a year. The grants shall be released to Village Panchayats as per the function & responsibilities specified in schedule I.

b. **Grants to the Zilla Panchayats for Rural Infrastructure Development:-**

From 1999-2000 onwards, funds have been provided to Zilla Panchayats for strengthening their administration. From 2000-2001, funds are provided for various development works, namely, farmers training, minor irrigation, construction/repairs of rural roads, repairs to Government Primary School buildings, repairs and maintenance of Primary Health Centres & Cottage Hospitals and water supply.

c. **Grants to Weaker Panchayat for strengthening their administration:**

Weaker Panchayats unable to pay adequate salaries to their staff due to insufficient incomes are given additional assistance. This covers 164 out of 190 Village Panchayats, who have been identified as financially weak, because they have annual income of less than Rs.10.00 lakhs each.

d. **Grants to Village Panchayat in lieu of Octroi:-**

From 2001-2002 onwards, octroi on petroleum products levied by the Panchayats was abolished, in lieu of which sales tax on these items was increased by 2% of which 1.5 % is ploughed back to the respective village Panchayats from where it is collected. During the current financial year an amount of Rs.400.00 lakhs are provided.

e. **Rural Garbage Disposal Scheme 2005:-**

The State Government has formulated the Goa Rural Garbage Disposal Scheme 2005, to assist Village and Zilla Panchayats to tackle garbage disposal in rural areas. The State Government bears the land acquisition expenditure and setting up of garbage disposal sites for Village Panchayats clusters. Village Panchayats are entrusted with operation of these projects after they have been set up. The State Government has also provided compactors and related accessories such as bins, to the Zilla Panchayats.

f. **Supply of Plastic Shredders to Village Panchayats**

Under this new scheme aimed at disposing of plastic waste the State Government provides plastic shredders to Village Panchayats. Shredded plastic is used for mixing with asphalt for surfacing roads.

g. **Infrastructure Development of Villages**

This scheme is operated under Section 244A of the Act, under which the Government can, without reference to the Panchayat undertake works in Panchayats with an income upto Rs.3.00 lakhs. These works are to be identified by the Government and are

executed through the Housing Board/P.W.D. Strictly; therefore, this is not a Panchayati Raj Scheme.

h. Salaries for elected Members, Co-opted Members of Zilla Panchayats and Village Panchayats:-

Goa is unique in that the State government provides grants for salaries to the Sarpanchas, Dy. Sarpanchas, members of Village Panchayats, and Adhyakshas, Upadhyakshas and members of Zilla Panchayats. The following table shows the rates of salaries paid under the Scheme:

Table 11:

Sl.No	Designation	Monthly salary & allowances (Rs)
	Zilla Panchayat Adhyaksha	6,500/-
	Zilla Panchayat Upadhyaksha	5,500/-
	Elected/Coopted ZP Member	5,000/-
	Village Panchayat Sarpanch	2,000/-
	Village Panchayat Dy. Sarpanch	1,750/-
	Elected/Coopted VP Member	1,500/-

i. Assistance to Village Panchayats (Matching Grants)

Village Panchayats receive untied grants matching their tax collections, as per an approved pattern of assistance. If any Panchayat registers a fall in the income during the year in question as compared to previous year's income, the Government reserves the right to release matching grants to such Panchayats at 50% of the admissible amount.

j. Grants to Local Bodies under XIIth Finance Commission

Panchayats in Goa receive Rs. 3.6 crore per annum during 2005-2010 as grants as per the recommendations of the 12th Finance Commission. These are to be used for rural drinking water supply, health, sanitation and database management, as per the recommendations of the 12th Finance Commission.

Establishment of SFCs and their reports:

The first State Finance Commission was constituted by the Government on 1.04.1999 under the Chairmanship of Dr. V.A. Pai Panandikar, which submitted the report on 5.06.1999. The award period recommended by the Commission was from 1.04.2000 to 31.03.2005. A Committee of Ministers appointed by the Government to study the recommendations made by the State Finance Commission submitted its report on 12.11.2001. Out of 26 recommendations, 9 recommendations were rejected by the Committee and 2 recommendations were partly accepted. The Committee accepted the remaining 15 recommendations.

The report of the First State Finance Commission was placed on the table of the State Legislature on 25.07.2002 along with the Explanatory Memorandum as to the action taken thereon.

The recommendations of the first SFC are as follows:

Recommendations on resource sharing:

- 36 % of State's own tax revenue and share in central taxes is recommended to be devolved to local bodies (27% for PRIs and 9% for ULBs).
- 16 % of Annual State Plan, excluding earmarked negotiated loan components and project specific central assistance for devolution to local bodies (13% for PRIs and 3% for ULBs).

No recommendations were made in respect of assignment of taxes

Recommendations on Allocation

The following criteria should be used for inter-se distribution among local bodies:

Table 12:

Population	40 %
Geographical Area	20 %
Backwardness	10 %
Performance	25 %
Discretionary quota	5 %

The devolution of plan grants from Zilla Panchayats to Village Panchayats should be in the nature of 'gap filling', subject to the formula based allocation.

The Second State Finance Commission has been constituted under the Chairmanship of Mr. Alban Couto, to review the finances of PRIs and Municipalities. The Report of the said Committee is awaited for further necessary action.

Manner of transfer of funds to Panchayats:

It has been ascertained that the transfer of funds to the Panchayats is through the treasuries. However, Gram Panchayats can keep their own funds in Banks.

Dimension 4: Gram Sabhas

Goa has a single level Gram Sabha. There is no provision for Ward Sabhas. The Act provides that there shall be four ordinary meetings of the Gram Sabha to be held on any Sunday of January, April, July and October of every year. Meetings of the Gram Sabha shall be convened by the Sarpanch. There shall also be special meetings of the Gram Sabha to be convened by

the Sarpanch on 26th January, 15th August, 2nd October and 19th December, every year. The functions and responsibilities assigned to the Gram Sabha are as follows:

- a) Approval of Annual statement of Accounts, Annual administration report, Budget estimates;
- b) Approval of development and other programmes
- c) Examination of the last audit report and replies made thereto;
- d) Proposal for fresh taxation and enhanced taxation;
- e) Identification of beneficiaries under various programmes of the Government.
- f) Determination of the priorities of the work to be undertaken by the Panchayat.
- g) Approving issue of Utilization certificate in respect of the developmental works undertaken by the Panchayat from the grants-in-aid or Panchayat funds.
- h) Proposal for organizing community service, voluntary labour or mobilization of the local people for any specific work included in any programme.

There are two unique powers of the Gram Sabhas in Goa, as follows:

Mandatory constitution of Supervisory Committees by the Gram Sabha:

Every Gram Sabha is mandated to constitute a minimum of two Supervisory Committees to supervise Panchayat works and other activities undertaken by the Panchayat.

Ward Development Committees:

Every Gram Sabha has to constitute two or more Ward Development Committees. The Ward Development Committees shall prepare the developmental plan for each ward and submit the same to the Panchayat. The Panchayat shall consolidate reports of all Ward Development Committees and place them before the Gram Sabha for its approval. The framing of the rules to make the Ward Development Committees functional is under process.

The Rules for constitution of the Ward Development Committees and the Preparation of Annual Development Plans by the Village Panchayats have been framed and approved by the Law Department. The same will be notified shortly. These Annual Development Plans after approval of the Gram sabhas will then be forwarded by the village Panchayats to their respective District Planning Committee for consolidation and onward submission to the State Government.

Decisions of the Gram Sabha:

The decisions of the Gram Sabha passed in accordance with the provisions and rules are binding on the Panchayat provided it is not contrary to the rules and regulations framed under the Goa Panchayat Raj Act or any other law for the time being in force. This is a powerful provision in the law.

Right to Information:

The Goa Panchayati Raj Rules also makes it clear that any member of the Gram Sabha shall have the right to obtain the information relating to any developmental work undertaken by the Panchayat as well as certified copies of the proceedings of the meeting of the Panchayat and Gram Sabha.

All the Village Panchayats secretaries have been appointed as the Public Information Officers under the Right to Information Act, 2005, for their respective village Panchayats. Also the Block Development Officers have been appointed as PIOs for their respective Blocks.

While the above provisions of the law are very favourable to the conduct of effective Gram Sabhas, there are two provisions that act as checks and balances on the powers of the Gram Sabhas. More has to be ascertained about how these provisions operate in practice. Details are as follows:

Vigilance Committees:

Sub-Section (3) of Section 6 of the Panchayati Raj Act empowers the Government to constitute Vigilance Committees to oversee the quality of the work, schemes and other activities for each Gram Panchayat. In order to constitute these Vigilance Committees the preparation of draft rules is under process.

Appeal:

Any person aggrieved by the decision of the Gram Sabha, may prefer an appeal against the decision of the Gram Sabha before the Director of Panchayat within a period of 30 days from the date of passing of such decision by the Gram Sabha and Director's decision on such appeal shall be final. This provision gives the Director substantial powers to overturn decisions of the Gram Sabha. However, details need to be ascertained on how these provisions are operated in practice.

Sometimes the decisions taken by the Gram Sabhas are contrary to the Rules and Regulations framed under the Act or the prevailing laws and since the decisions of the Gram Sabha are binding on the Panchayat the only remedy open to the aggrieved party is to prefer an appeal to the Director whose decision on such appeal is final.

Dimension 5: Planning

Constitution of District Planning Committees:

The Government has constituted District Planning Committee for each District in Goa, in order to consolidate plans prepared by the Village Panchayats, Zilla Panchayats and the Municipal Councils as well as Corporation in the District as a whole every year. The Adhyaksha of the Zilla Panchayat is the Ex-Officio Chairman and the Chief Executive Officer of the Zilla Panchayat is the Ex-Officio Member Secretary of the District Planning Committee.

Section 238 of the Goa Panchayat Raj Act, 1994 provides that every Panchayat shall prepare every year a Development Plan and submit it to the Zilla Panchayat before such date and in such form as may be prescribed. The Rules for constitution of Ward Development Committees and preparation of the Annual Development Plans by the Panchayats is under process.

However, it is ascertained that so far, such plans are not being consolidated at the State level. The State has reported that it will endeavour to ensure the centrality of Panchayats in participative planning from the Village level upward and that detailed operational guidelines will be formulated in this respect.

The Rules for constitution of Ward Development Committees and preparation of the Annual Development Plans by the Panchayats have been framed and vetted by the Law Department. The same will be notified shortly.

Dimension 6: Implementation

Prior to the 73rd Constitutional Amendment and the enactment of the Goa Panchayati Raj Act, 1994, Block Advisory Committees (BACs) were set up at the Block level comprising of non-official and official members. They were only administrative bodies and their decisions were recommendatory in nature. However Goa Panchayati Raj Act does not envisage the constitution of B.A.C.

The Government vide Notification No.19/115/DP/PAN/BAC/05 dated 21.9.05 has reconstituted the BAC for every Block to advise the BDOs in implementation of developmental schemes in Blocks and for direct interaction between the Officials and Non-Officials, comprising of the following members:

Non-Official Members:

- (a) Member of Parliaments of the Lok Sabha/ Rajya Sabha Constituency concerned.
- (b) Members of the Legislative Assembly of the concerned Assembly Constituency falling within the block.
- (c) Elected Members of Zilla Panchayat from the Block concerned.
- (d) The Sarpanchas of the Village Panchayats from the Blocks concerned.
- (e) One Co-opted Member of the Village Panchayat elected by the Co-opted members for the VPs from the block concerned.

Official Members:-

- (a) All the Directors of various Directorates and Principal Chief Engineer of the Public Works Department, Chief Engineer of the Water Resources Department and Chief Engineer of the Electricity Department.
- (b) The Block Development Officer of the Block concerned is the Member Secretary of the BAC of the Block.

The Chairperson and Vice Chairperson of the BAC are the Sarpanches who are elected by the Sarpanches of the Village Panchayats falling under the Blocks concerned. Four posts of Chairpersons and four posts of Vice Chairpersons in eleven BACs in Goa are reserved for women. Meetings of the BACs are held once in a quarter in the Offices of the Block Development Officer concerned. The term of the BAC is up to 31st of January 2007.

Doubtless, the BACs are interesting institutions. If it is used as a meeting for coordination and collaboration between elected representatives of the various levels of the Government, it can actually aid in improving the implementation of programmes through closer coordination.

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However, in case it assumes to itself functions of approval of plans and programmes already approved by the Gram Panchayats, then it could be a parallel institution that undermines the Panchayati Raj system. It has also to be ascertained as to the future of the BAC in the light of the decision to establish the Intermediate Panchayats. Details of functioning of the BACs and their interaction with the Panchayats at the ground level have to be ascertained. The Block Advisory Committees were effective in activating the development schemes at village level, since there was direct interaction and debating between the concerned officials of the department and the elected Sarpanchas of the Block. Since the State Government has adopted the two tier system of Panchayati Raj i.e. the Zilla Panchayats at the District level and the gram Panchayats at the village level, there is a void created at the Block level in the State. Thus the BACs provide a platform for the elected representatives at the block level to discuss all problems concerning the villages within the block. Such meetings are also attended by the Chief Minister and the Ministers. The lacunas and the problems are discussed at the BACs and often sorted out then and there itself. In the light of above and in order to speed up the development in the rural areas, the Government has reconstituted the B.A.C. for every Block, to advice the B.D.O's in the implementation of the developmental schemes in Blocks and for direct interaction between the Officials and Non-Officials. The term of the B.A.C. was upto 31st of January 2007. The BACs are not assigned any functions under the Goa Panchaya Raj Act and their role at present is only advisory.

Prior to enactment of the Goa Panchayat Raj Act, 1994, the control and supervision over the PRIs in the State of Goa was with the respective Collectors. By virtue of the Act, a separate Directorate of Panchayats has been set up and all the powers, which were earlier, exercised by the respective Collectors, have now been assigned to the Directorate. The Director is the Appellate Authority under the Act and exercises full control and supervision over the PRIs. The question is whether this is a good system.

Dimension 7: Parallel Bodies

DRDAs continue to exist independent of the Panchayats and are powerful institutions. All the Centrally Sponsored Schemes pertaining to rural development are implemented by them. The ZP Adhyaksha is the ex-officio chairperson of the DRDA and the Director Panchayats, the Budget Controlling Authority. DRDAs implement the following schemes, which are directly related to Poverty alleviation programmes:

1. Swarnajayanti Gram Swarozgar Yojana (SGSY)
2. Sampoorna Gramin Rozgar Yojana (SGRY)
3. Rural Housing
 - i) Indira Awaas Yojana (IAY)
 - ii) Pradhan Mantri Gramodaya Yojana (PMGY)
 - iii) Credit-cum-Subsidy Scheme
4. National Social Assistance Programme (NSAP)
 - i) National Old-Age Pension Scheme (NOAPS)
 - ii) National Family Benefit Scheme (NFBS)
5. Balika Samrudhi Yojana (BSY)

6. Pradhan Mantri Gram Sadak Yojana (PMGSY)

7. Integrated Wasteland Development Project (IWDP)

Rural Business Hubs

The Government in consultation with Confederation of Indian Industries (CII) has decided to set up Rural Business Hubs in Goa. Accordingly, the initial meeting has been held and activities such as Bamboo work, Pottery, Brass work Carpentry, Coir, Handloom, Power loom, Shell craft etc. has been identified for promotion. The inventory of artisans whose activities will be identified for promotion by setting up Rural Business Hubs is in progress. The CII has agreed to provide the necessary assistance and advise on appropriate marketing channels for the activities in the proposed Rural Business Hubs.

There are more than 500 Self Help Groups (SHGs) in various activities. These SHGs are assisted by Banks, DRDAs and various other NGOs. The Village Panchayats with the assistance of other Agencies provides support to these SHGs in various aspects, like marketing, holding of exhibitions, providing infrastructural facilities, etc. These SHGs could also become the focus of RBHs.

Dimension 8: Implementation of the Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)

The provisions of PESA are not applicable to the State of Goa.

Dimension 9: Reservation for Women in Panchayats

The Goa Panchayat Raj Act, 1994 provides for reservation of one-third seats in favour of women and also one-third offices of Sarpanchas and Deputy Sarpanchas are reserved for women on rotation. Thus, in the State of Goa as on today, 487 seats are reserved for women. Details of the reserved seats are given in Table 3. Similarly, 64 offices of Sarpanchas and 63 offices of Deputy Sarpanchas are reserved in favour of women respectively. All such seats as well as offices are to be reserved on rotation for every five-year term and are to be filled by direct election in every Panchayat. Though the seats/ offices are reserved in favour of women, the women can also contest the elections from the general seats. The total number of women seats including unreserved is 513.

No special safeguards have been provided in the Panchayati Act in the matter of removal of women Adhyakshas through no confidence motions.

Dimension 10: Reservations for Scheduled Castes and Scheduled Tribes

Reservation for Scheduled Tribes In Gram Panchayats:

It has been reported by the State that since there is hardly any ST population in Goa, so no reservation has been made for ST Communities in the Goa Panchayat Raj Act, 1994. However, the Government has now notified communities such as Gawda, Kunbi and Velip as STs. Reservation of seats/offices will have to be made for them based on their population in the Panchayat areas in future Village Panchayat elections.

As there was no ST population notified in the State of Goa prior to 2003 there was no reservation for ST Communities during the last two general elections. However, the Government in the year 2003 has notified the three earlier OBC Communities namely, *Gawda*, *Kunbhi* and *Velip* as STs. During the recent general elections held on 5th May 2007, 181 seats out of a total of 1483 seats were reserved for members of the ST communities.

Reservation for Scheduled Castes in Gram Panchayats:

Since the population of SC people is only 1.77%, which is negligible therefore, no provision for reserving seats for SC has been made in the Goa Panchayat Raj Act, 1994. However, subsequently, the Act was amended and provision was made to co-opt a member belonging to SC communities from the Panchayat areas where there was a sizeable population belonging to SC. As on date, there are 52 members belonging to SC who are co-opted as members of the Village Panchayats. These members have got full voting right and also to take part in the Panchayat meetings except that they have no voting right in the matter of no confidence motion against the Sarpanch / Deputy Sarpanch and in the matter of election. The provision of cooption on SC members is intriguing particularly in those Panchayats which are said to have a sizeable SC population, in which case there is no reason why reservations cannot be given in proportion to the population of SCs in the Panchayat concerned.

The term sizable should not be misconstrued to mean that there is a large number of SC community in the village panchayats chosen for co-option of the members of SC. The population of the SC communities even in the villages termed as sizeable is so less that the proportion of the SC population to the total population of the village does not add up to reserve even one seat for the SC community. However through co-option the total number of seats reserved for SC is higher than the overall population of SC in the State.

Reservation for OBCs in Gram Panchayats:

The Goa Panchayat Raj Act, 1994 provides that the Government may by notification reserve such number of seats in any Panchayat as may be considered necessary taking into account the population of the backward classes in the Panchayat areas for persons belonging to the backward classes. The Government has therefore, reserved 77 seats in various Panchayats for the Communities belonging to OBCs wherever there is such population.

During the recent elections which were held on 05.05.2007, a total number of 297 seats were reserved for OBCs out of a total number of 1483 seats.

Reservations in Zilla Panchayats:

One-third of the total 50 seats of the Zilla Panchayats are reserved for women, 6 seats are reserved for STs and 3 seats are reserved for OBCs in Goa. No seats are reserved for SC. However, the Government has proposed to co-opt one SC member in each Zilla Panchayat. One office of Chairperson/Adhyaksha of the Zilla Panchayat and one office of Vice Chairperson/Upadhyaksha of the Zilla Panchayat are reserved for women in rotation. It has to be ascertained as to why 6 seats have been reserved for STs in the Zilla Panchayats, when none have been reserved in the Gram Panchayats on the ground that ST population is negligible. Total women seats in the Zilla Panchayats including unreserved is 20.

Dimension 12: Panchayati Raj Jurisprudence

It has been reported that Panchayats are provided assistance and guidance to deal with jurisprudential issues by the various authorities prescribed under the Goa Panchayati Raj Act,

1994. Issues which may sometimes require legal advice are referred to the State Law Department and the panchayats are advised accordingly. Village Panchayats whose annual income is less than Rs.50,000/- are provided with the services of authorised Legal Counsel by the Government to file and defend their cases.

It is to be ascertained whether any exercise of harmonisation of State laws with the Panchayati Raj Acts of States has been undertaken.

Dimension 13: Annual Reports on the State of the Panchayats (Including preparation of a Devolution Index)

It is ascertained that no State of the Panchayats report has been prepared in the State.

Dimension 14: Elections

The elections to PRIs are held regularly in the State of Goa. The Government has set up State Election Commission headed by State Election Commissioner to deal with all the election matters and to conduct elections to PRIs and Municipal Councils in Goa.

Village Panchayats: General elections to the Village Panchayats were held on 12.01.1997 for the first term and on 20.01.2002 for the second. The third general election was held on 05.05.2007. Out of 189 village panchayats, elections were held to 185 village panchayats whose term of 5 years have expired. Accordingly elections were held to 1483 wards out of the total of 1509 wards. The election to the remaining 4 village panchayats (26 wards) will be held on completion of the term.

Zilla Panchayats: General elections to Zilla Panchayats were held on 6.02.2000 for the first term and on 13.03.2005 for the second. The second five-year term of the Zilla Panchayats began w.e.f. 29th March 2005.

The details of the authorities vested with the power under the law for preparation of electoral rolls, delimitation of constituencies, reservation and rotations, qualifications of candidates and trying of elections disputes is to be ascertained.

Details are also awaited on whether a model code of conduct has been prescribed for Panchayat elections.

Details are also awaited on whether Panchayat Electoral Rolls are the same as that used for the Assembly Electoral Rolls.

Under the Goa Panchayat Raj Act, 1994 the Director of Panchayats is vested with the powers of delimitation of constituencies and reservation and rotation of the seats.

The electoral Roll of the Goa Legislative Assembly prepared under the provisions of the Representation of the People Act, 1950 is used for preparation of the Panchayat Electoral Rolls. The superintendence, direction and control of the preparation of electoral rolls for and the conduct of all elections to the village panchayats and the Zilla Panchayats are vested with the State Election Commission. The detail Model Code of Conduct for such elections has been prescribed by the State Election Commission.

The qualifications of candidates have been laid down under the Act and any questions as to whether any member of a Panchayat has become subject to any disqualification shall be referred to the State Election Commission for decision and its decision thereon shall be final.

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Under the Goa Panchayat Raj (Election Petition Dispute Procedure) Rules 1998 the Goa Administrative Tribunal is empowered to hear and decide the election disputes.

Dimension 15: Audit

The Goa Panchayat Raj Act and Rules provides that the accounts of the Village Panchayats are maintained properly and annually audited by such Officer authorised by the Director of Accounts of the Government. Audit paras found in the Audit Report are rectified/complied by the concerned Panchayat. At present the audit of local bodies like Panchayats and Zilla Panchayats are undertaken as follows: -

Village Panchayats:

Accounts of every Panchayat are audited yearly by officer authorized by the Director of Accounts. The auditor has to forward a copy of audit report to the Panchayat and to the Government. Panchayats are given three months' time to rectify any defects or irregularities pointed out and intimate the Chief Executive Officer within 3 months.

Zilla Panchayat:

Zilla Panchayat accounts are presently audited by the Comptroller and Auditor General of India in accordance with the provision vested under Comptroller and Auditor General's (Duties, Powers and condition of service) Act, 1971, (Central Act, 56 of 1971).

Database of Finances of PRIs:

The State Government has decided to adopt the accounting formats devised by the Comptroller and Auditor General of India for maintenance of accounts by Village Panchayats and Zilla Panchayats respectively. In this regard necessary training have been imparted to the concerned officials of the Panchayats and the accounts of the Village Panchayats will be maintained in the prescribed formats from 2006-07 onwards.

The Village Panchayats in the State of Goa are presently maintaining their accounts in the formats prescribed under the Goa Panchayat (Accounts, Audit and Custody of Funds) Rules, 1997. In order to adopt the formats prescribed by the Comptroller and Auditor General of India the said Rules have to be discontinued and new Rules prescribing the new formats have to be framed. The same have now been framed and vetted by the Law Department and will be notified shortly. As such the new formats will be adopted by the Village Panchayats and the Zilla Panchayats from 2007-08 onwards.

There is no separate Fiscal Responsibility Act for elected local authorities

Dimension 16: Social Audit

It is also reported that social audits are conducted by the members of the Gram Sabha to ensure that the Panchayats follow the restrictions, conditions and limitations on expenditure as far as the utilization of the Panchayat funds for various public purposes.

Citizens Charter:

Goa has prepared citizen charters for adoption by Gram Panchayats. This is an excellent initiative. The charter is clear and gives a good overview of relevant information concerning the Panchayats. However, this is only available in English, and is not on the Website of the Goa government.

The Citizens' Charter is presently being re-structured to include all the levels of the Panchayat Raj Institutions in its ambit. The same will also be translated in the local languages and published on the website for the information of the public. The present charter is available on the website at the address <http://goagovt.nic.in/charter/files/panchayat/charter.pdf>

Dimension 17: IT enabled e-Governance

The State Government undertaken the following initiatives to improve service delivery and promote Citizen Government interface by bringing in transparency, accountability and efficiency in Government functions, through IT:

(i) The Ministry of Panchayati Raj, Government of India, has approved the "Infogram" scheme prepared for Goa by the NIC and sanctioned Rs. 1 crore for it. M/s InfoTech Corporation of Goa Ltd., has been entrusted its implementation. In the first phase, 150 Village Panchayats have been selected. The remaining Village Panchayats would be covered in the second phase as soon as Government of India makes additional funds available.

(ii) Through the "district information system (DISNIC)" project of the NIC, a Village level database is proposed to be created to facilitate micro-level planning.

Dimension 18: Capacity Building & Training

Panchayati Raj elected representatives and functionaries are imparted training by the Directorate of Panchayats as well as through the Goa Institute of Rural Development (GIRDA), Ela, Old Goa. The training curriculum covers awareness building on important Acts and Rules, Poverty Alleviation Schemes, etc.

It is reported that steps will be taken to undertake training programmes for Standing Committees as part of the regular curriculum of the Institute and the training programmes will be oriented so as to cater to the duties required to be performed in terms of powers and responsibilities devolved upon them.

The training programme has been further enlarged to include component for giving awards to best performing Panchayats, with effect from 2004-2005.

Another innovation is in organizing moot Gram Sabhas by the Directorate of Panchayats in association with NGOs, Academic Institutions etc. for capacity building of the Officials and Elected Representatives of PRIs. It has to be ascertained if ex-elected representatives of PRIs are utilized as resource persons.

Visit of Minister of Panchayati Raj

The Union Minister for Panchayati Raj visited Goa on 11 and 12 April 2006 and visited the following Panchayats and attended Gram Sabhas:

Both Zilla Panchayats, namely, Goa South and Goa North,

Gram Panchayats and Gram Sabhas of (a) Shiroda (b) Bethora-Nirankal (c) Candolim (d) Penha de França (e) Lotoulim.

On 12 April 2006, the Union Minister signed a Statement of Conclusion with the Chief Minister of Goa, outlining the further steps to be taken to carry forward the Panchayati Raj agenda in Goa.

Panchayat Mahila Shakti Abhiyan(PMSA) status Panaji, 19th October 2006

As Goa is a small state having 191 panchayats, a one-day Panchayat Mahila Shakti Abhiyan was organized in Panaji on 19th October 2006. The venue of the conference was Conference Hall, National Institute of Oceanography (NIO), Dona Paula, Goa where more than 500 EWRs discussed and debated on various issues.

Prior to the one-day event, a Core Group of eminent women members were formed who drafted the Charter of Demands after having a meeting on 29th July 2006 at the Conference Hall of Social Welfare Department, Government of Goa.

The conference started with the welcome address of Nelly J. Rodrigues, ZP Member, South Goa and Convener-PMSA. Other eminent speakers during the inaugural session were Subhash Shirodkar State Minister for Rural Development & Panchayati Raj, Pratap Singh R. Rane, Chief Minister of Goa and Minister for PR, Mani Shankar Aiyar. Nelly J. Rodrigues.

Panchayat Yuva Shakti Abhiyan (PYSA) Status Goa 9th December 2006

The Ministry launched Panchayat Yuva Shakti Abhiyan in the state of Goa on 9th December 2006 for which a Core Group Committee was constituted from different categories namely NGOs(5), Youth Clubs(10), Panchayat Leaders(10) for its implementation.

The first meeting of Core Group was held on 11th November 2006 in which the base paper of Panchayat Yuva Shakti Sammelan was thoroughly discussed.

The Zonal Director (NYKS Goa/Maharashtra) of Mumbai coordinates the programme.