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**COMMITTEE ON EMPOWERMENT OF WOMEN
(2003-2004)**

(THIRTEENTH LOK SABHA)

TRAINING AND EMPOWERMENT OF WOMEN IN LOCAL BODIES

**MINISTRY OF RURAL DEVELOPMENT
(DEPARTMENT OF RURAL DEVELOPMENT)**

AND

**MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION
(DEPARTMENT OF URBAN DEVELOPMENT)**

*[Action Taken on Eighth Report of Committee on Empowerment of Women
(Thirteenth Lok Sabha)]*

SIXTEENTH REPORT

**Presented to Lok Sabha on 15.12.2003
Laid in Rajya Sabha on 15.12.2003**

**LOK SABHA SECRETARIAT
NEW DELHI**

November, 2003/ Kartika 1925 (Saka)

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**COMPOSITION OF THE COMMITTEE ON EMPOWERMENT OF WOMEN
(2003-2004)**

Smt. Margaret Alva

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1. Shri P.D.T. Achary - Additional Secretary
2. Shri Ashok Sarin - Director
3. Smt. Veena Sharma - Under Secretary

INTRODUCTION

I, the Chairperson of Committee on Empowerment of Women, having been authorised by the Committee to present the Report on their behalf, present the Sixteenth Report (Thirteenth Lok Sabha) on the Action Taken by the Government on the recommendations contained in the Eighth Report of the Committee on Empowerment of Women (Thirteenth Lok Sabha) on 'Training and Empowerment of Women in Local Bodies' relating to the Ministry of Rural Development (Department of Rural Development) and Ministry of Urban Development and Poverty Alleviation (Department of Urban Development).

2. The Eighth Report (Thirteenth Lok Sabha) of the Committee on Empowerment of Women was presented to both Houses of Parliament on 16th May 2002. Replies of the Government to all the Observations/Recommendations contained in the Report have been received.

3. The Draft Report was considered and adopted by the Committee on Empowerment of Women (2003-2004) at their sitting held on 10th November, 2003. The Minutes of the Sitting form Part II of the Report.

4. For facility of reference and convenience, the Observations/Recommendations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in a consolidated form in Appendix – I of the Report.

5. An Analysis of the Action Taken by the Government on the recommendations contained in the Eighth Report (Thirteenth Lok Sabha) of the Committee is given at Appendix II.

NEW DELHI;

**19th November, 2003
28th Kartika, 1925 (Saka)**

**MARGARET ALVA,
CHAIRPERSON,
COMMITTEE ON EMPOWERMENT OF WOMEN.**

CHAPTER I

REPORT

1.1 This Report of the Committee deals with the action taken by the Government on the recommendations contained in the Eighth Report (Thirteenth Lok Sabha) of the Committee on Empowerment of Women relating to the Ministry of Rural Development (Department of Rural Development) and the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development).

1.2 The Eighth Report of the Committee was presented to Lok Sabha on 16th May, 2002. Replies of Government in respect of all recommendations have been received and are categorised as under:

- (i) Observations/Recommendations which have been accepted by the Government:
Para Nos. 1.52, 1.53, 1.54, 1.55, 1.59, 1.60, 1.61, 1.62, 1.63, 1.64 (i) to 1.64 (x), 1.65, 1.66,
- (ii) Observations/Recommendations which the Committee do not desire to pursue in view of the replies of the Government:
Para Nos. 1.67 (i) to 1.67 (iv), 1.67(viii), 1.68
- (iii) Observations/Recommendations, replies to which have not been accepted by the Committee and which require reiteration.
Para Nos. 1.56, 1.57, 1.58, 1.67(v) to 1.67(vii)
- (iv) Observations/Recommendations in respect of which the Government have furnished interim replies.

Nil

1.3 The Committee desire that replies in respect of recommendations contained in Chapter I should be furnished to the Committee expeditiously.

1.4 The Committee will now deal with those actions taken replies of the Government, which need reiteration or merit comments.

Devolution of Functional and Financial autonomy to Local Bodies

Recommendation (Para No. 1.56)

1.5 As envisaged under the 73rd Constitution Amendment Act, the State Governments/Union Territory Administrations are required to devolve functions to the Panchayati Raj Institutions as listed in the XI Schedule of the Constitution and at the same time, ensure that funds and functions devolve upon them so that these institutions can function independently. In para 1.56 of the Original Report, the Committee had pointed out that barring a few States, most of the States/Union Territories had not transferred funds for the subjects transferred to Panchayats. Further, very few States had granted financial autonomy to the Panchayati Raj Institutions. The Department of Rural Development had stated that, devolution of powers and functions upon Panchayats was an ongoing process and States/Union Territories had devolved powers relating to funds/functions and functionaries in varying degrees. According to the Department, a Conference of Panchayati Raj Ministers of States was organized on 11th July, 2001 wherein it was decided unanimously that States/Union Territories would complete devolution of powers upon Panchayats by the end of March, 2002. The Committee had expressed the hope that States/Union Territories would complete the process of devolution of powers upon Panchayats as per their commitment. The Committee had also emphasised that steps were needed to be taken to ensure that devolution of requisite powers upon Urban Local Bodies was also accomplished by the State Governments. The Department of Rural Development and the Department of Urban Development were asked to prepare a status paper on the subject in respect of all States/Union Territories and forward it to the Committee within three months.

1.6 In their Action Taken Reply, the Department of Rural Development have stated that they have been periodically writing to the States for follow up action. An All India Panchayat Adhyakshas Sammelan was also organized in April, 2002 wherein PRI representatives from all States/UTs and Ministers in charge of Panchayats had participated. Further, according to the Department, the Sammelan inter-alia resolved that the States/UTs should take necessary measures for devolution in a time-bound manner. After collecting the information from States/UTs, the latest position regarding such devolution was discussed in a meeting with the State Ministers in-charge of Panchayati Raj on 27-28 January, 2003 in a National Conference. The need to speed up the process was reemphasized in this Conference. Constant monitoring is also being done.

1.7 The Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) in their Action Taken reply have stated that the Constitution (74th Amendment) Act, 1992 came into force on 1st June, 1992. As envisaged therein, States and UTs completed the necessary exercise for bringing out conform legislation within one year from 01-07-1993. The amended Municipal Laws provide for devolution of functional and financial powers to Urban Local Bodies. Article 243-W of the Constitution provides that subject to the provisions of the Constitution, the Legislature of a State may, by law, endow-

(a) the Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to-

- (i) the preparation of plans for economic development and social justice;
- (ii) the performance of functions and the implementation of schemes as may be entrusted to them including those in relation to the matters listed in the Twelfth Schedule;

(b) the Committees with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.

1.8 The Department of Urban Development have further stated that the Twelfth Schedule to the Constitution is an illustrative list of functions which may be assigned to the Urban Local Bodies by the Legislature of a State.

Similarly, Article 243-X of the Constitution provides that the legislature of a State may, by law-

(a) authorise a Municipality to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;

(b) assign to a Municipality such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits;

(c) provide grants-in-aid to the Municipalities from the Consolidated Fund of the State; and

(d) provide for constitution of such Funds for crediting all moneys received, respectively, by or on behalf of the Municipalities and also for the withdrawal of such moneys therefrom, as may be specified in the law.

1.9 The Department of Urban Development have explained that the State Legislatures have been empowered to assign the functions and financial powers to Urban Local Bodies as may be necessary to enable them to function as institutions of Self Government . Since these are enabling provisions, State Legislatures while enacting the conformity legislation, have taken care to devolve the needed functional and financial powers to Urban Local Bodies. Since municipality is a state subject as per Entry 5 of the State List of the Seventh Schedule of the Constitution, the position regarding the kind of functional and financial powers of Urban Local Bodies differ from State to State. However, the

core functions like water supply, sanitation, solid waste management, environment protection, education etc. are similar for most Urban Local Bodies. Similarly, financial powers like property tax, tax on profession etc. are also common to Urban Local Bodies. The Department have added that to broaden the financial base of Urban Local Bodies, the Ministry of Urban Development and Poverty Alleviation have framed guidelines on property tax reforms, which is the most important tax for Urban Local Bodies. These guidelines have been issued to all the States/UTs for necessary action by the Urban Local Bodies. Following these guidelines, some of the States have initiated the exercise to reform the property tax system.

1.10 It has further been stated by the Department of Urban Development that appreciating the urgency for carrying forward the legislative reform process beyond the set conformity legislation passed by the State Governments, and having regard for the need for implementation of the provisions of the Constitution (74th Amendment) Act, 1992 in totality, a Specimen Municipal Law (SML) is under preparation. This Specimen Municipal Law can serve as an illustrative example for policy formulation with its various dimensions and the consequent legislative schemes. The legal framework may be developed as per the policy selected, which may be adapted and adopted by any State Government based on its own choice. One of the given features of the SML will be the involvement of private sector in delivering certain municipal services. Enabling provisions are being suggested, so that the municipality may provide services like water supply, drainage, sewage treatment and disposal, solid waste management, communication system including street furniture, street lighting, parking lots and provision of markets, commercial infrastructure and slaughter houses on their own or through other agencies under various types of private sector participation arrangements. The Specimen Municipal Law is now in the process of finalization. Once finalized, it will be circulated to the State Governments for their guidance.

1.11 Although, the 73rd Constitution Amendment Act provides that the State Governments/Union Territories are to devolve functions to the Panchayati Raj Institutions as listed in the Eleventh Schedule of the Constitution, the Committee had noticed that most of the States/Union Territories had not transferred funds for

the subjects transferred to Panchayats and very few States had granted financial autonomy to the Panchayati Raj Institutions. In this connection, the Committee were informed by the Department of Rural Development that in the Conference of Panchayati Raj Ministers of States held in July, 2001, it was unanimously decided that all States/Union Territories would complete devolution of powers upon Panchayats by the end of March, 2002. The Committee had expressed the hope that States/Union Territories would complete this process as per their commitment. Similarly, it was also expected that devolution of powers upon Urban Local Bodies would be accomplished within the set time frame.

1.12 The Committee are, however, constrained to point out that the Department of Rural Development as well as the Department of Urban Development have not furnished to the Committee the status paper on devolution of powers upon Local Bodies as was desired by them in their Original Report. Instead, the Department of Rural Development have chosen to say that they have been periodically writing to the States to devolve functions, functionaries and funds to the Panchayati Raj Institutions. Obviously, the target of March, 2002 for devolution of powers upon Panchayats has not been adhered to as fresh resolutions for implementation of devolution in a time bound manner have again been made in April, 2002 in the All India Panchayat Adhyakshas Sammelan and in June, 2003 in the meeting of the State Ministers in-charge of Panchayati Raj.

1.13 The Committee regret to observe that the process of devolution of powers upon Panchayati Raj Institutions has not been completed even after 10 years of coming into force of the 73rd Constitution (Amendment) Act, 1992 in April, 1993. Although the Inter-State meetings at various levels have been convened for the purpose, the desired objective is yet to be achieved. Apparently, the Departments have failed to fulfill their constitutional obligation in this regard.

1.14 The Department of Urban Development instead of furnishing the status paper on devolution of powers upon Urban Local Bodies by various States/Union

Territories have merely repeated the provisions prescribed in the Constitution regarding the same, and have stated that the State Legislatures have been empowered to assign the functions and financial powers to Urban Local Bodies as may be necessary to enable them to function as Institutions of self Government. Further, the Committee find that although guidelines have been issued by the Ministry of Urban Development and Poverty Alleviation to the States to reform the Property Tax system with a view to broadening the financial base of Urban Local Bodies, only some States are stated to have initiated action in this regard.

1.15 The Committee cannot but re-emphasise the need for all out effort on the part of both the Departments to impress upon the States/Union Territories the need to devolve funds, functionaries and powers upon the Panchayati Raj Institutions and Urban Local Bodies. The Committee reiterate that a status paper as promised be prepared by the Departments of Rural Development and Urban Development and be forwarded to the Committee without further delay.

1.16 The Committee have also been informed by the Department of Urban Development that appreciating the urgency to carry forward the legislative reform process beyond the conformity legislation passed by the State Governments and having regard to the need for the implementation of the provisions of the Constitution (74th Amendment) Act, 1992 in totality, a Specimen Municipal Law (SML) is under preparation which can serve as an illustrative example on how a set of policy postulates can be adopted with its various dimensions. One of the features of the Specimen Municipal Law (SML) is the involvement of private sector in delivering certain municipal services. When finalised, it will be circulated to the State Governments for their guidance. The Committee hope that this Specimen Municipal Law (SML) would be finalised expeditiously and circulated to the State Governments for their guidance.

Powers to Panchayati Raj Institutions to raise funds

Recommendation (Para No. 1.57)

1.17 In the aforesaid paragraph of the Original Report, the Committee had observed that one of the most important reasons for the poor performance of the Panchayats had been that there was no match between the functions assigned to them and the financial provisions made to carry out those functions. The fundamental requirement of Panchayati Raj was adequate resources as a substantial number of development programmes were being implemented through them. These institutions were required to raise resources of their own to take up the assigned responsibilities, which they were unable to do. Therefore, it became important to define the resources to be made available by the Government to local bodies and the resources which these institutions themselves must raise. The Committee were of the view that though Government did extend substantial assistance to these institutions, it would affect the dignity and autonomy of a self governing institution, if it was to be entirely dependent on assistance from the Government. It was, therefore, essential that they also raised local resources which was entirely within their powers to exploit. In the opinion of the Committee unless Panchayati Raj Institutions were financially sound they could not survive. Therefore, in addition to the mechanisms suggested by the respective State Finance Commissions for sharing of financial resources with the local governments, the Committee recommended that :

- * The Local Bodies be given authority to impose optional taxes subject to the rates prescribed by the Government.
- * Efforts be made to involve people in mobilizing resources for local development schemes.
- * The officials connected with Panchayati Raj bodies be trained to provide effective assistance in their administrative and financial management.

1.18 In reply, the Department of Rural Development have stated that the All India Panchayat Adhyakshas Sammelan, held in April, 2002 at Delhi, *inter-alia*, resolved that the State Governments will devolve powers to enable Panchayati Raj Institutions to raise requisite resources. The 73rd Amendment contains provisions for empowering Panchayati Raj Institutions to impose certain taxes. Consequently the Ministry has been writing to

the State Governments to take steps to ensure raising of resources by Panchayati Raj Institutions in addition to the devolution of funds from the State exchequers. It has been stated that the officials connected with Panchayati Raj Institutions are being imparted training alongwith the elected representatives of Panchayats by the State Governments.

1.19 The Committee had emphasised that it was essential for the Panchayati Raj Institutions to raise local resources which was entirely within their powers to exploit so as to supplement the assistance received by them from the Government which in turn would improve their financial health. For this, it was suggested that the Panchayati Raj Institutions should be given authority to impose optional taxes subject to the rates prescribed by the Government. In this connection, the Department of Rural Development have stated that the All India Panchayat Adhyakshas Sammelan held in April, 2002 at Delhi *inter-alia* resolved that State Governments will devolve powers to enable the Panchayati Raj Institutions to raise requisite resources. As more than 18 months have elapsed since the Sammelan was held, the Committee would like to be informed whether State Governments have in fact devolved powers to the Panchayati Raj Institutions for this purpose. The States which are yet to implement the aforesaid resolution and the efforts made by the Department to persuade them may also be indicated.

Allocation of funds for women related schemes

(Recommendation Para No. 1.58)

1.20 In their Original Report, the Committee had pointed out that in the State of Kerala, one-third of the total budget of the State was earmarked for local bodies and out of this allocation, 10% was allocated for women's programmes/projects. Keeping in view the close relation between women's concerns and local issues, the Committee had desired that other States should emulate the example of the Government of Kerala. The Committee had desired that the Central Government should issue guidelines to this effect to all the States. It might also be ensured that funds so allotted were spent on women related

schemes/programmes and not be diverted under any circumstances for any other project/scheme.

1.21 The Department of Rural Development have stated in their reply that allocation of funds to the various schemes/projects being implemented by the State Government is under the jurisdiction of the State legislatures. The orders issued by the Government of Kerala are being procured to be shared with the other States to encourage them to follow them. The Department of Urban Development in their reply have stated that the recommendation has been circulated to the all the States for necessary action.

1.22 The Committee had desired that other States should emulate the example of the Government of Kerala where one-third of the total budget of the State is earmarked for Local Bodies and out of this 10% is allocated for women oriented programmes. For this, it was desired that the Central Government should issue necessary guidelines to all the States. Whereas the Department of Rural Development have stated that the orders issued by the Government of Kerala are being procured, the Department of Urban Development have simply circulated the Recommendation of the Committee to all the States for necessary action. The Committee feel that both the Departments should have initiated action to obtain the requisite orders from the Government of Kerala more expeditiously when it was recommended by the Committee and taken immediate action to issue necessary guidelines to all the States for earmarking a fixed percentage of the funds for Local Bodies for women's programmes/projects. The delay in taking prompt and precise action on the Recommendation of the Committee is inexcusable. The casual approach adopted by both the Departments is regrettable.

1.23 The Committee reiterate that both the Departments should immediately procure the relevant orders from the Government of Kerala and circulate the necessary guidelines to all the State Governments and Union Territory Administrations for implementation. It may also be specifically mentioned in the guidelines that the funds so allotted must be spent on women related schemes/programmes and not diverted under any circumstances to any other project/scheme.

Training to Elected Members of Local Bodies

Recommendations (Para Nos. 1.60 and 1.61)

1.24 In the aforesaid Paragraphs, the Committee had expressed the opinion that the Panchayati Raj Institutions could not be strengthened without empowering the elected representatives both men and women at all levels with necessary knowledge and skills to discharge their constitutional obligations. Reservation of one-third seats for women under Panchayati Raj system by itself would not lead to effective participation unless the elected representatives acquired the required skills and were given appropriate orientation. The Committee had expressed the view that with their limited exposure and lack of experience in governance, the need for training assumed added significance both in terms of content and methodology. To fulfill this objective training institutes had been set up at the national, State and district levels. While 35% of the total expenditure for organizing training programmes was borne by the Central Government, the State Governments were bearing the remaining 65%. The Committee had pointed out that in spite of all this, a vast majority of elected members had remained without any exposure to training.

1.25 The Committee had noted that while States like Maharashtra (78,305), Haryana (69,595) and Andhra Pradesh (68,333) had given training to a large number of elected women representatives, in other States like Gujarat, Karnataka, Orissa, Tripura and Union Territory of Chandigarh only a few elected women representatives had been imparted training. Further, there were States like Andhra Pradesh, Maharashtra and Rajasthan where maximum number of representatives were trained during the fourth and fifth year of their term. Though claims were made that training camps were organized to train the members, it seemed to be more on paper and limited in its dimensions. Such camps were organized for a day or two and end as ceremonial functions as much of the time was spent in formalities.

1.26 It had also come to the notice of the Committee that the Department of Urban Development also had training institutions funded by them for imparting training programmes for the various functionaries of Urban Local Bodies. These Institutions known

as Regional Centres for Urban and Environmental Studies were located at Mumbai, Hyderabad, Lucknow and New Delhi. These Centres imparted training programmes based on the specific needs of Urban Local Bodies. The National Institute of Urban Affairs, New Delhi and the Human Settlement Management Institute (HSMI) which was a training wing of HUDCO also organized training programmes for various functionaries of Urban Local Bodies.

1.27 In their Action Taken Note, the Department of Rural Development have stated that they have focused on convergence of its existing schemes for training in a more coordinated manner so as to address the capacity building needs of Panchayati Raj Institutions effectively. According to them, this training strategy essentially aims at having a convergent and coordinated approach to training to derive the maximum mileage out of the resources invested. States are encouraged to devise their own plans and strategies. This is based on the recognition of the fact that each State has its own Panchayati Raj Act and the level of devolution of powers also varies in each state. The history of holding elections to Panchayati Raj Institutions, training setup, training methodology have all got regional and state wise variations. The efforts made in this direction in States like Maharashtra, Haryana, Andhra Pradesh etc are sought to be replicated in other States, while keeping in mind the region-specific variations. Convergence is also being sought to be achieved in terms of focusing the diverse sources of funding (including from external sources) towards achieving the objectives of capacity building of Panchayati Raj Institutions. Further according to the Department of Rural Development, States like Kerala, Karnataka, Rajasthan, Gujarat etc. have made considerable progress in the last few years in the direction of improving the quality and reach of training. The training needs of women in Panchayati Raj Institutions, is always given special emphasis in all such programmes. States are being encouraged to seek synergetic partnerships with NGOs, Centres of Academic Institutions and other training Institutions involved in the field of Panchayati Raj training.

1.28 As regards Central assistance to States for capacity building, the Department of Rural Development have stated that the quantum as well as the percentage of Central Share has been increased to as much as 75%, during the current financial year.

1.29 For training programmes for Urban Local Bodies, the Department of Urban Development have stated that the Ministry of Urban Development and Poverty Alleviation have devised a comprehensive training programme for women councillors. Under this plan, financial assistance will be provided to State designated institutions to impart necessary training to women councillors to make them aware of their role and responsibilities in discharging their municipal duties. It is expected that once these programmes are implemented, women councillors will be in a position to discharge their responsibilities and duties in an effective manner successfully dealing with local issues.

1.30 The Committee had observed that despite the existence of training institutes which have been set up at national, state and district levels and incurring of substantial expenditure by Central Government (35%) and State Governments (65%) a vast majority of elected representatives had remained without any exposure to training which could equip them with the necessary knowledge and skills to discharge their constitutional obligations. It was emphasised that reservation of 1/3rd seats for women under Panchayati Raj by itself will not lead to effective participation unless the elected representatives acquired the required skills and were given appropriate orientation. The Committee had noted that while some States like Maharashtra, Haryana and Andhra Pradesh had given training to a large number of elected women representatives, in other States like Gujarat, Karnataka, Orissa, Tripura and Union Territory of Chandigarh, only a few elected women representatives had been imparted training. In states like Andhra Pradesh, Maharashtra and Rajasthan most representatives were trained during the 4th and 5th year of their term.

1.31 The Ministry of Rural Development in their action taken reply have stated that recognising the significance of training for elected representatives, they have adopted a well focused training strategy focussing on convergence of existing schemes for training in a more coordinated manner so as to address capacity building needs of Panchayati Raj Institutions effectively. It has been stated that

based on the recognition of the fact that each State has its own Panchayati Raj Act and the level of devolution of powers also varies in each State, the States are encouraged to devise their own plans and strategies. The efforts made in this direction in States like Maharashtra, Haryana and Andhra Pradesh are sought to be replicated in other States.

1.32 The Committee feel that the well focused training strategy adopted by the Department of Rural Development has not culminated in capacity building, awareness generation and enhancement of leadership skills of the women representatives as was evident to them during their tour to various States where the detailed discussion with the grass-root functionaries had reflected limited knowledge and awareness of the Act, its implications, their role, functions, responsibilities etc. The Committee feel that the thrust of the Department should not only be on the number of women trained but also on the quality of training given and its impact on the capacity building of the women representatives. For this, the training modules have to be carefully developed keeping in view the areas of learning , the proper identification of the training needs and focusing on the region and area-specific issues.

1.33 The Committee in their Original Report had also observed that in some of the States like Andhra Pradesh, Maharashtra and Rajasthan, the training was imparted to the elected representatives in during the fourth and fifth year of their term. The Committee desire that as far as possible, training to the elected representatives should be imparted in the first year of their term so as to enable them to acquire the necessary skill and knowledge for discharging their duties and functions in the best possible manner during the entire term and to ensure their effective participation in the functioning of the local body. Necessary guidelines to this effect should be issued by the Departments of Rural and Urban Development. The Committee feel that the various measures suggested by the Committee in their Original Report (Para No. 1.64) to fulfill the objective of effective

training, if implemented, would go a long way in the capacity building, awareness generation and enhancement of leadership skills of the women representatives.

The Committee note that regarding the Central assistance to States for capacity building of Panchayati Raj Institutions, the quantum as well as the percentage of Central share has been increased to as much as 75% during the current financial year. The Committee feel that mere increase in Central assistance will not be of much use unless it is ensured that the funds released are optimally and properly utilised for the purpose. For this, a proper mechanism should be put in place in the Department of Rural Development which should monitor the effective utilisation of funds and ensure that the process of capacity building of PRIs through training programmes gains momentum.

1.34 As regards the training programmes for elected and official functionaries of Urban Local Bodies, the Department of Urban Development is stated to have devised a comprehensive training programme for women councillors. Under this training plan, financial assistance will be provided to the State designated training institutions to impart necessary training to women councillors to make them aware of their role and responsibilities in discharging their duties. Although nearly ten years have elapsed since the 74th Constitution Amendment Act came into force, which provided for reservation of one-third Seats of Members and Chairpersons in Urban Local Bodies for women in all categories, the Ministry of Urban Development and Poverty Alleviation have not thought of devising a comprehensive training programme for women councillors all these years. The Department has no figures of women elected, trained, to be trained; of trainers trained at local levels; or of expenditure incurred by each state. No study of the impact of the training on the councillors or the functioning of the urban bodies has been undertaken so far. Obviously, the Ministry have realised the necessity of the same after the subject was taken up by the Committee for examination. Earlier action in this regard by the Department would have enabled the women councillors to discharge their responsibilities and duties in an effective manner. The Committee desire that the proposed comprehensive training programme for women councillors should be

finalised and implemented expeditiously by the Ministry in consultation and coordination with the State Governments, to help the women councillors manage local issues in a desired manner.

Providing basic facilities to the local bodies/elected representatives

[(Recommendation Para No. 1.67 (v), (vi), (vii)]

1.35 In order to operationalise the 73rd and 74th Amendment of the Constitution, the Committee had recommended certain measures to be taken by the Departments of Rural and Urban Development. Some of the measures suggested and the response of the concerned Departments are as under:-

(i) For attending meetings, the elected representatives must be paid a fair honorarium. The amount should depend upon the nature of participation. For instance, women members of Panchayats must get for the meeting day, an amount which will compensate the loss of a working day. In Urban Bodies also a conveyance allowance to members for attending sittings and monthly honorarium to Chairpersons should be paid;

1.36 The Department of Rural Development in reply have stated that this is left to the State Governments because such allowances are to be provided by them.

(ii) All Gram Panchayats must be provided with a telephone, a television set and a small library to enlighten the members as well as residents of the village. Women, will thus be enabled to know something about the outside world.

1.37 In reply, the Department of Rural Development have stated that the existing Schemes/Programmes being implemented by the Ministry of Rural Development do not have any provision for funding Telephone, Television or a small library to Gram Panchayats.

(iii) Civics text books in schools must have chapters on the functioning of Parliament, Legislative Assemblies and Local Bodies so that children, as future citizens are conversant with the Panchayati Raj system.

1.38 The Department of Rural Development have stated that the Ministry of Human Resource Development, Department of Education is being requested to act in this manner.

1.39 In reply to the aforementioned points, the Department of Urban Development have stated that as per Entry 5 of the State List of the Seventh Schedule of the Constitution, it is for the State Governments to take necessary action on this recommendation which already has been circulated to them.

1.40 The Committee regret to observe the evasive replies furnished by the Departments of Rural and Urban Development to their specific recommendation which was made after having interacted with the grass-root functionaries (elected representatives of Panchayati Raj Institutions and Urban Local Bodies) during their visits to various States. Mere circulation of the Recommendation of the Committee to the States and stating that it is the responsibility of the State Governments to provide honorarium/conveyance allowance etc. to the elected representatives for attending the meetings, or making provision for basic necessities such as a telephone, television or a small library to the Gram Panchayats will not suffice. In order to fully achieve the objectives of 73rd and 74th Constitution Amendment Acts, it is imperative that apart from taking other steps as mentioned earlier in the Report, at least basic facilities must be provided to the elected representatives for their proper functioning. For this, both the Departments need to take necessary steps to persuade the State Governments to implement the suggestions of the Committee. If any State is unable to implement the aforesaid recommendation for

want of funds, the Central Government may consider providing requisite funds to that State.

1.41 The Committee are also not satisfied with the reply of the Department of Rural Development that the Ministry of Human Resource Development (Department of Education) is being requested to include in Civics textbooks in schools, chapters on the functioning of Parliament, Legislative Assemblies and Local Bodies. The Committee regret that even after one year of this suggestion, made in their Report, the Department of Rural Development are still contemplating taking up the matter with the Department of Education. The idea underlying this suggestion is that providing such education through school textbooks, children will be conversant with the functioning of the Panchayati Raj system which would be of immense help to them, in case, some of them chose to become elected representatives. The Committee desire that the Department of Rural Development take up this matter with the Department of Education urgently and impress upon them the necessity to revise the curriculum of Civics textbooks without further delay.

1.42 The Committee understand that a few schemes viz. 'Swachh Gram', 'Nirmal Jal Programme' and 'Desilting of Tanks' which aim to provide safe drinking water and clean environment to the villages are running successfully in some States. They feel that such programmes need to be encouraged and should

be replicated in States/Union Territories where necessary action has not been initiated so far in this regard. For this, it is necessary that the concerned State Governments, PRIs, NGOs and Central Government work in close coordination. The Committee desire that the Department of Rural Development should work out a list of Programmes being implemented on all India basis and provide inputs through a Central Technical Cell to the Gram Panchayats who seek such help for implementation.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation

The concept of “Panchayati Raj” was largely the inspiration of Balwant Rai Mehta Committee which sought remedy for the apathy and ineffectiveness of the Community Development Projects. The rationale behind Panchayati Raj set-up was the creation of democratic institutions at the village, block and district level and entrust them with all planning and developmental activities. This was considered the most effective way for implementing programmes through people’s participation. It was realized that if a large part of the population remained indifferent or excluded the democratic system cannot work effectively. It was, therefore, considered necessary to prepare them politically and make them aware of their rights and responsibilities. The 73rd and 74th Amendments of the Constitution were made to strengthen local bodies and empower the weaker sections of the society including women. These amendments provided for reservation of one-third seats of members and Chairpersons in Rural and Urban Local Bodies for women in all the categories.

(Para No.1.52)

Reply of Department of Rural Development

This being factual position, has no comments to offer.

[Ministry of Rural Development (Department of Rural Development)] O.M. No. H - 11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

Factual narration. Needs no comments.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)

O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendation

The Constitution (73rd Amendment) Act, 1992 which came into force on 24th April, 1993 started a new era in rural development by giving the Panchayati Raj Institutions a constitutional status. As per the 73rd a constitutional status. As per the 73rd Amendment Act, the Panchayati Raj Institutions have been endowed with such powers and authority as may be necessary to function as institutions of self-government and contain provisions for devolution of powers and responsibilities upon Panchayats.

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(Para No.1.55)

Reply of Department of Rural Development

The State of J&K, NCT of Delhi and Uttaranchal have not yet enacted legislation in pursuance of the Constitution (73rd Amendment) Act, 1992. As regard the Constitution (74th Amendment) Act, the Ministry of Urban Development have been dealing with this Act and hence the Ministry of Rural Development has no comments to offer.

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Factual narration. Needs no comments.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002].

Recommendation

Though reservations for women in Rural and Urban local bodies has been made to encourage them, yet they seem to be reluctant to come forward and take initiatives. The lack of awareness among women about their role and responsibilities and their ineffective participation is due to factors such as lack of education, purdah system, non-availability of honorarium and conveyance allowance for attending meetings etc. The Committee are perturbed to note that no specific strategy has been formulated by the Department of Rural Development for promoting women's effective participation in Panchayats. The Committee feel that a study needs to be made to identify the reasons for lack of awareness among them and to suggest steps to make them equal partners in the functioning of the local bodies.

(Para No.1.59)

Reply of Department of Rural Development

The Committee has pointed that although reservations for women in rural and urban local bodies have been made to encourage their participation, yet they are reluctant to come forward. Lack of awareness about their role and responsibilities is seen as one of the main factors for the poor participation by women in rural and urban local bodies. As far as lack of awareness among women about their role and responsibilities and their ineffective participation due to factors such as lack of education, purdah system, etc. are concerned, these are basically socio-economic factors and have region specific manifestations. Training for encouraging awareness among women representatives, in conjunction with other initiatives in the social sector e.g. improvement of women and child health, literacy, self-employment opportunities etc., can successfully combat the present state of affairs. As regards the specific aspect of imparting training to improve women's effective participation in PRIs, the Schemes of Training Division of the Ministry of Rural Development encourages imparting training to all elected representatives of Panchayati Raj Institutions especially women representatives. Resources have been

made available for imparting training to women elected representatives of Panchayati Raj Institutions. Honorarium and conveyance allowance are paid by the State Governments as per the local prevailing norms. Equal amount of honorarium is applicable to both men and women participants. The Ministry is encouraging institutions both in government and non-government sector to undertake studies and capacity building exercises directly focusing on women. For example the following projects/studies have been instituted :-

1. Oppression to assertion – a study on women in Rajasthan, Madhya Pradesh and Uttar Pradesh.
2. Participation of women in Panchayati Raj in Uttar Pradesh.
3. Women in Panchayats in Kerala.
4. Leadership of women in Panchayats – a proposal for capacity building in Assam, Andhra Pradesh, Maharashtra, Jharkhand and Madhya Pradesh.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

As far as ULBs are concerned, the Ministry of UD&PA has devised a comprehensive training programme for women councillors. Under this training plan, financial assistance will be provided to State designated training institutions to impart necessary arrangement to women councillors to make them aware of their role and responsibilities in discharging their municipal duties. It is expected that once these programmes are implemented, women councillors will be in position to discharge their responsibilities and duties in an effective manner and will come forward to manage the local issues in a desired manner.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)
O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002].

Recommendations

In the opinion of the Committee, the Panchayati Raj Institutions cannot be strengthened without empowering the elected representatives both men and women at all levels with necessary knowledge and skills to discharge their constitutional obligations. Reservation of one-third seats for women under Panchayati Raj system by itself will not lead to effective participation unless the elected representatives acquire the required skills and are given appropriate orientation. With their limited exposure and lack of experience in governance, the need for training assumes added significance both in terms of content and methodology. To fulfill this objective training institutes have been set up at the national, State and district levels. The Central Government meet approximately 35% of the total expenditure for organizing training programmes while the State Governments bear the remaining 65% of it. In spite of all this, a vast majority of elected members have remained without any exposure to training. The detailed discussion of the Committee with the grass-root functionaries has reflected limited knowledge and awareness about the Act, its implication, their role and functions and responsibilities etc.

The Committee find that while States like Maharashtra (78,305), Haryana(69,595) and Andhra Pradesh (68,333) have given training to a large number of elected women representatives, in other States like Gujarat, Karnataka, Orissa, Tripura and Union Territory of Chandigarh only a few elected women representatives have been imparted training. Further, there are States like Andhra Pradesh, Maharashtra and Rajasthan where maximum number of representatives were trained during the fourth and fifth year of their term. Though claims are made that training camps are organized to train the members, it seems to be more on paper and limited in its dimensions. Such camps are organized for a day or two. Much of the time is spent in formalities and end as ceremonial functions.

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The Department of Urban Development and Poverty Alleviation also have training institutions funded by them for imparting training programmes for the various functionaries of Urban Local Bodies. These Institutions Known as Regional Centres for Urban and Environmental Studies are located at Mumbai, Hyderabad, Lucknow and New Delhi. These Centres impart training programmes based on the specific needs of Urban Local Bodies. The National Institute of Urban Affairs, New

Delhi and the Human Settlement Management Institute (HSMI) which is a training wing of HUDCO also organize training programmes for various functionaries of ULBs.

(Para Nos.1.60 and 1.61)

Reply of Department of Rural Development

It is true that empowerment of elected representative through awareness and capacity building is necessary to enable them to discharge their constitutional obligations. Given the limited exposure and lack of experience in governance, the need for training of elected representatives of Panchayati Raj Institutions assumes added significance both in terms of content and methodology. Recognizing this, the Ministry of Rural Development has focussed on convergence of its existing schemes for training in a more coordinated manner so as to address the capacity building needs of PRIs effectively. This training strategy essentially aims at having a convergent and coordinated approach to training to derive the maximum mileage out of the resources invested. States are encouraged to devise their own plans and strategies. This is based on the recognition of the fact that each State has its own Panchayati Raj Act and the level of devolution of powers also varies in each state. The history of holding elections of Panchayati Raj Institutions, training setup, training methodology all have regional and state wise variations. The efforts made in this direction in States like Maharashtra, Haryana, Andhra Pradesh etc are sought to be replicated in other States, while keeping in mind the region-specific variations. Convergence is also being sought to be achieved in terms of focusing the diverse sources of funding, including funding from external sources, towards achieving the objectives of capacity building of PRIs. States like Kerala, Karnataka, Rajasthan, Gujarat etc have made considerable progress in the last few years in the direction of Improving the Quality and Reach of training for PRIs. The training needs of women elected representatives of Panchayati Raj Institutions, is always given special emphasis in all such programmes.

States are being encouraged to seek synergetic partnerships with NGOs, Centres of Academic Institutions and other training Institutions involved in the field of PRI training.

As regards Central assistance to States for capacity building of PRIs, the quantum as well as the percentage of Central Share has been increased to as much as 75%, during the current financial year.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

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Ministry also provides regular grants-in-aid to 4 Regional Training Institutes located at Mumbai, Hyderabad, Lucknow and IPA at New Delhi. These institutes undertake regular training programmes and research work for the benefit of ULBs for their respective States. They also conduct training programmes specific to women needs. The National Institute of Urban Affairs and Human Settlement and Management Institute are also engaged in conducting various types of training programmes for the benefit of both elected and official functionaries of the ULBs.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)]

O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002

Recommendation

In the opinion of the Committee, the following factors are responsible for inadequate and ineffective training being imparted to elected representatives :

- i) There is lack of clear cut training policy both at the central as well as at the State level.
- ii) The majority of the training institutions have inadequate infrastructure and staff.
- iii) The training programmes are not based on any scientific assessment of training needs but based on the perception of the training faculty.
- iv) Evaluation and follow up about the impact of the training does not receive serious consideration by the training institutions.

(Para No.1.62)

Reply of Department of Rural Development

The Ministry has adopted a well focused training strategy which aims at imparting training to the elected and official functionaries of PRIs in all States/UTs. Broadly stated, the Training Strategy takes into account the paradigm shift which has taken place in the field of Rural Development and the increased focus on decentralization of powers and responsibility mandated by the Constitution 73rd Amendment. The need to build capacities of Rural Development functionaries and elected representatives of Panchayati Raj Institutions in this environment is a challenging task in terms of sheer numbers which require training. The Training Strategy clearly identifies the existing institutional infrastructural framework, financing arrangement and policy framework and lays down clear objectives which would facilitate the achievement of the goal of capacity building of all Panchayati Raj functionaries within a specified time frame. Development of skills and competencies of PRI representatives; increasing the reach of training to district, block and village levels; improvement in the quality of training at all levels; better coordination and networking

among institutions of training in diverse sectors, dovetailing training under diverse programmes budget heads, including under externally aided projects are some of the key objectives of this Training strategy.

Emphasis is laid on basing the training programmes on a proper training needs assessment which is to be followed up with proper feedback and evaluation of the impact of the training which would be used as an important feedback towards improving the training modules/methodology.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003]

Reply of Department of Urban Development

The efforts being taken by the Ministry of UD&PA for imparting necessary training programmes for the elected women councillors of the ULBs are already explained in Item No.8 (para 1.59). Under these training programmes, the financial assistance is also proposed to be provided to State level training institutes to develop specific training modules for the women functionaries. It is expected that during the course of training programme, the training institutes will also develop themselves in term of infrastructure. The State Govts. Are also accepted to provide the matching financial assistance to the training institutes.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendation

The Committee regret to point out that no evaluation or assessment has been made both by the Department of Rural Development and Department of Urban Development to find the impact of training programmes on the capacity building, awareness generation and enhancement of leadership skills of the women representatives. The apathy exhibited by both these Departments towards this vital aspect is nothing but regrettable.

(Para No.1.63)

Reply of Department of Rural Development

Capacity building is a continuing exercise. The training efforts of PR representatives are relatively new and feedback on their impact on actual skill generation in day-to-day discharge of functioning have generally been filtering in during the course of discussions with the training institutes, elected representatives themselves that have had training, and other experts and academics. Based on these, the modules are constantly being revised and upgraded. Also under the training strategy for training of PRIs which is now being implemented, specific emphasis has been placed on evaluation and feedback as an integral part of the overall training strategy. The evaluation and feedback is proposed to be obtained from and through a number of sources. The PRI representatives being trained, the trainers at various levels, the Master/Principal trainers would all give feedback on the training inputs. This feedback would be used to improve the efficacy of the training methodology and modules being implemented so as to make them more effective. The training strategy also proposes a Nodal Review Mechanism at the level of the Ministry of Rural Development for carrying out basic coordination and review of the effort of capacity building of PRIs. A National Advisory and Steering Committee headed by Director General, National Institute of Rural Development, with representation from the Ministry of Rural Development, State Governments, State Institutes of RD, reputed NGOs in the field of training, National level training institutes (e.g. LBSNAA, IRMA, XISS, IIM etc.) is proposed to be setup to provide a wider participatory institutional framework to the Ministry for implementation of the training programmes for PRIs. This would ensure an ongoing interaction between the policy framers, training module designers and implementers of the training action plan and the trained in the field and the intended beneficiaries. At the State level, a similar Advisory and Steering Committee would be formed which would include representatives of Panchayati Raj and Rural Development Departments of the State Government, State specific NGOs, NIRD, other training Institutions, Development Centers of academic institutes in the State which may be involved in action oriented research in the field of Panchayati Raj/Rural Development.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

Ministry of UD&PA have already considered the issue of providing training programme and capacity building to elected women councillors. As a result of this assessment, the Ministry of UD&PA have devised a comprehensive training programme for elected women councillors.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendation

The Committee desire that the following measures be taken by the Centre and State Governments to fulfill the objectives of effective training : -

- i) Arrange training programmes at block level and by block based training at village level. For women, it is not practicable to go and attend training camps at distant places.
- ii) Exclusive training for women representatives be organized at all the three levels focusing on (a) legal rights under the Panchayati Raj System (b) Duties and responsibilities (c) Management skills (d) Plan formulation and implementation (e) Accounting procedure (f) Budget etc.
- iii) The content of the training programme should be prepared after proper consultations and discussions between Government officials and women's organizations and both sides should be involved in the training process.
- iv) Extensive use of local folk media, simple/local language and a variety of audio-visual aids will greatly enhance the quality of trainings.
- v) Training may be supported by exposure visits both within and outside the State, organizing thematic workshops, etc.
- vi) Simple and easy learning materials and practitioners' handbooks must be developed in local languages to strengthen the training component for capacity building of Panchayati Raj Institutions.
- vii) Training should be continuous, participatory and interactive in the light of the experience gained.
- viii) Proper and effective training should not be allowed to suffer for want of funds and resources.
- ix) Although a large number of training institutions are engaged in offering various training programmes, facilities for training of trainers are scanty and not always available to a large number of trainers. It is, therefore, essential that training programmes also provide for role analysis of trainers in terms of knowledge, skills and attitudes.
- x) Training programmes being run in existing training institutions should be periodically reviewed.

Reply of Department of Rural Development

The comments of Standing Committee regarding the training of PRI representatives are well taken. It may be submitted that, under the training strategy for training of PRIs which is now being implemented, specific emphasis has been placed on training of elected representatives based on participatory method of training, which directly focuses on the felt need of the PRI representatives. Briefly stated, the training strategy is broadly being implemented by way of a cascade model of training, under which a network of trainers is sought to be created, to transfer the knowledge from one level of trainees to another to reach it to the trainee. Proper planning would ensure that such Cascading Training would create a mass of Resource persons who could be seen as 'Trainers On Call' and could be approached for handling different modules of training spaced at appropriate intervals. These would be drawn inter-alia from Institutions, NGOs officials and practicing representatives also wherever they are found suitable for the purpose. The training modules are to be prepared based on a proper identification of training needs. Use of training modules based on simple local language and audio-visual aids, are being encouraged. Trainer's and practitioners' handbooks are to be developed keeping in mind the local language as well as the region specific needs for capacity building. 'Best Practice' exposure visits are an integral part of this training strategy. For spreading greater awareness about the training programmes, camps, signboards and posters are also sought to be utilised. Use of local folk media and other traditional methods of dissemination of information are being encouraged to improve the efficacy of training. The efforts under this Training Strategy are specifically focused towards elected representatives of PRIs belonging to the weaker sections of society and Women representatives. States are encouraged to adopt training methodologies which ensure that training programmes for women are organized at village/block levels keeping in mind that it is not practicable for women to go and attend training camps at distant places. Organization of exclusive training courses for women representatives as also combined training programmes along with all other representatives of PRIs would ensure that the specific needs of women PRIs are comprehensively addressed.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

Reply to (i) and (ii)

This relates to PRI. It is for Ministry of Rural Development to take action.

Reply to (iii) to (x)

Under the training programme as initiated by the Ministry of UD&PA, the said identified training institutes will take exercise to prepare training modules specific for women representatives to their States. While preparing the training modules, these issues will be taken care of. The modules will be prepared in regional languages to make their wider acceptability by the participants. Besides, during training, the participants will also taken on field visits to expose them to various good practices. The care will be taken by the training institutes to make the training programme more participative and enterprising. As far as urban local bodies are concerned, the contents of the recommendations at S.No.8 (iii) to (x) have been noted while implementing the training plan for women elected councillors.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendations

According to Article 243(b) of the Constitution of India, Gram Sabha ‘means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level’. This provision envisages Gram Sabha at village level to ensure that the decision made by the village Panchayat are transparent and its elected representatives are accountable to the electorate. The Committee note that the Government observed the year 1999-2000 as the ‘Year of Gram Sabha’ and all the Chief Ministers/Administrators were requested to initiate measures to energise the Gram Sabha in tune with the seven point minimal package. In pursuance thereof the State Governments of Kerala, Tamil Nadu, Madhya Pradesh and Rajasthan had taken necessary steps to strengthen Gram Sabha. However, it appears that other State Governments have not taken the requisite measures to strengthen the Gram Sabha.

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As Gram Sabha is the most significant institution for participatory and decentralized democracy, the Committee desires that the Department of Rural Development should impress upon all State Governments to take urgent steps to strengthen the Gram Sabha. For this, it is also necessary that : (a) the number of members attending a meeting of the Gram Sabha should be large enough to make their participation meaningful; (b) the Gram Sabha should be convened on a single pre-determined date every quarter and the subjects discussed in the meetings should be of substantial interest to the members; (c) all activities including selection of beneficiaries for various welfare programmes carried out by the village Panchayats should be approved by the Gram Sabha and (d) social audit done by the Gram Sabha.

(Para Nos. 1.65 and 1.66)

Reply of Department of Rural Development

This Ministry have been advising the State Governments that to accelerate the emergence of Gram Sabhas as bodies to whom the PRIs are accountable, the powers and functions of Gram Sabha should be spelt out in details articulating their role as planners, decision-makers and auditors. The Gram Sabha Meetings must be held at least four times in a

year within a span of 30 days from the pre-determined dates so that concerned officers are present in Gram Sabha Meetings. The States should take initiative in ensuring minimum quorum for SCs/STs/Women in Gram Sabha and in making Panchayats accountable to Gram Sabha. The Conference of State Ministers incharge of Panchayati Raj held in January,2003 in Delhi emphasized the need of strengthening the Gram Sabhas.

[Ministry of Rural Development (Department of Rural Development)O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

This relates to Panchayati Raj Institutions which is a subject matter of Ministry of Rural Development. As far as Ministry of UD&PA is concerned, it has no comments to offer.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002].

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation

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(Para No.1.52)

Reply of Department of Rural Development

This being factual position, has no comments to offer.

[Ministry of Rural Development (Department of Rural Development)] O.M. No. H - 11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

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Reply of Department of Urban Development

Factual narration. Needs no comments.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002].

Recommendation

Though reservations for women in Rural and Urban local bodies has been made to encourage them, yet they seem to be reluctant to come forward and take initiatives. The lack of awareness among women about their role and responsibilities and their ineffective participation is due to factors such as lack of education, purdah system, non-availability of honorarium and conveyance allowance for attending meetings etc. The Committee are perturbed to note that no specific strategy has been formulated by the Department of Rural Development for promoting women's effective participation in Panchayats. The Committee feel that a study needs to be made to identify the reasons for lack of awareness among them and to suggest steps to make them equal partners in the functioning of the local bodies.

(Para No.1.59)

Reply of Department of Rural Development

The Committee has pointed that although reservations for women in rural and urban local bodies have been made to encourage their participation, yet they are reluctant to come forward. Lack of awareness about their role and responsibilities is seen as one of the main factors for the poor participation by women in rural and urban local bodies. As far as lack of awareness among women about their role and responsibilities and their ineffective participation due to factors such as lack of education, purdah system, etc. are concerned, these are basically socio-economic factors and have region specific manifestations. Training for encouraging awareness among women representatives, in conjunction with other initiatives in the social sector e.g. improvement of women and child health, literacy, self-employment opportunities etc., can successfully combat the present state of affairs. As regards the specific aspect of imparting training to improve women's effective participation in PRIs, the Schemes of Training Division of the Ministry of Rural Development encourages imparting training to all elected representatives of Panchayati Raj Institutions especially women representatives. Resources have been

made available for imparting training to women elected representatives of Panchayati Raj Institutions. Honorarium and conveyance allowance are paid by the State Governments as per the local prevailing norms. Equal amount of honorarium is applicable to both men and women participants. The Ministry is encouraging institutions both in government and non-government sector to undertake studies and capacity building exercises directly focusing on women. For example the following projects/studies have been instituted :-

5. Oppression to assertion – a study on women in Rajasthan, Madhya Pradesh and Uttar Pradesh.
6. Participation of women in Panchayati Raj in Uttar Pradesh.
7. Women in Panchayats in Kerala.
8. Leadership of women in Panchayats – a proposal for capacity building in Assam, Andhra Pradesh, Maharashtra, Jharkhand and Madhya Pradesh.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

As far as ULBs are concerned, the Ministry of UD&PA has devised a comprehensive training programme for women councillors. Under this training plan, financial assistance will be provided to State designated training institutions to impart necessary arrangement to women councillors to make them aware of their role and responsibilities in discharging their municipal duties. It is expected that once these programmes are implemented, women councillors will be in position to discharge their responsibilities and duties in an effective manner and will come forward to manage the local issues in a desired manner.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)
O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002].

Recommendations

In the opinion of the Committee, the Panchayati Raj Institutions cannot be strengthened without empowering the elected representatives both men and women at all levels with necessary knowledge and skills to discharge their constitutional obligations. Reservation of one-third seats for women under Panchayati Raj system by itself will not lead to effective participation unless the elected representatives acquire the required skills and are given appropriate orientation. With their limited exposure and lack of experience in governance, the need for training assumes added significance both in terms of content and methodology. To fulfill this objective training institutes have been set up at the national, State and district levels. The Central Government meet approximately 35% of the total expenditure for organizing training programmes while the State Governments bear the remaining 65% of it. In spite of all this, a vast majority of elected members have remained without any exposure to training. The detailed discussion of the Committee with the grass-root functionaries has reflected limited knowledge and awareness about the Act, its implication, their role and functions and responsibilities etc.

The Committee find that while States like Maharashtra (78,305), Haryana(69,595) and Andhra Pradesh (68,333) have given training to a large number of elected women representatives, in other States like Gujarat, Karnataka, Orissa, Tripura and Union Territory of Chandigarh only a few elected women representatives have been imparted training. Further, there are States like Andhra Pradesh, Maharashtra and Rajasthan where maximum number of representatives were trained during the fourth and fifth year of their term. Though claims are made that training camps are organized to train the members, it seems to be more on paper and limited in its dimensions. Such camps are organized for a day or two. Much of the time is spent in formalities and end as ceremonial functions.

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The Department of Urban Development and Poverty Alleviation also have training institutions funded by them for imparting training programmes for the various functionaries of Urban Local Bodies. These Institutions Known as Regional Centres for Urban and Environmental Studies are located at Mumbai, Hyderabad, Lucknow and New Delhi. These Centres impart training programmes based on the specific needs of Urban Local Bodies. The National Institute of Urban Affairs, New

Delhi and the Human Settlement Management Institute (HSMI) which is a training wing of HUDCO also organize training programmes for various functionaries of ULBs.

(Para Nos.1.60 and 1.61)

Reply of Department of Rural Development

It is true that empowerment of elected representative through awareness and capacity building is necessary to enable them to discharge their constitutional obligations. Given the limited exposure and lack of experience in governance, the need for training of elected representatives of Panchayati Raj Institutions assumes added significance both in terms of content and methodology. Recognizing this, the Ministry of Rural Development has focussed on convergence of its existing schemes for training in a more coordinated manner so as to address the capacity building needs of PRIs effectively. This training strategy essentially aims at having a convergent and coordinated approach to training to derive the maximum mileage out of the resources invested. States are encouraged to devise their own plans and strategies. This is based on the recognition of the fact that each State has its own Panchayati Raj Act and the level of devolution of powers also varies in each state. The history of holding elections of Panchayati Raj Institutions, training setup, training methodology all have regional and state wise variations. The efforts made in this direction in States like Maharashtra, Haryana, Andhra Pradesh etc are sought to be replicated in other States, while keeping in mind the region-specific variations. Convergence is also being sought to be achieved in terms of focusing the diverse sources of funding, including funding from external sources, towards achieving the objectives of capacity building of PRIs. States like Kerala, Karnataka, Rajasthan, Gujarat etc have made considerable progress in the last few years in the direction of Improving the Quality and Reach of training for PRIs. The training needs of women elected representatives of Panchayati Raj Institutions, is always given special emphasis in all such programmes.

States are being encouraged to seek synergetic partnerships with NGOs, Centres of Academic Institutions and other training Institutions involved in the field of PRI training.

As regards Central assistance to States for capacity building of PRIs, the quantum as well as the percentage of Central Share has been increased to as much as 75%, during the current financial year.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

As far as ULBs are concerned, the Ministry of UD&PA has devised a comprehensive training programme for women councillors. Under this training plan, financial assistance will be provided to State designated training institutions to impart necessary arrangement to women councillors to make them aware of their role and responsibilities in discharging their municipal duties. It is expected that once these programmes are implemented, women councillors will be in position to discharge their responsibilities and duties in an effective manner and will come forward to manage the local issues in a desired manner.

Ministry also provides regular grants-in-aid to 4 Regional Training Institutes located at Mumbai, Hyderabad, Lucknow and IPA at New Delhi. These institutes undertake regular training programmes and research work for the benefit of ULBs for their respective States. They also conduct training programmes specific to women needs. The National Institute of Urban Affairs and Human Settlement and Management Institute are also engaged in conducting various types of training programmes for the benefit of both elected and official functionaries of the ULBs.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)]

O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002

Recommendation

In the opinion of the Committee, the following factors are responsible for inadequate and ineffective training being imparted to elected representatives :

- i) There is lack of clear cut training policy both at the central as well as at the State level.
- ii) The majority of the training institutions have inadequate infrastructure and staff.
- iii) The training programmes are not based on any scientific assessment of training needs but based on the perception of the training faculty.
- iv) Evaluation and follow up about the impact of the training does not receive serious consideration by the training institutions.

(Para No.1.62)

Reply of Department of Rural Development

The Ministry has adopted a well focused training strategy which aims at imparting training to the elected and official functionaries of PRIs in all States/UTs. Broadly stated, the Training Strategy takes into account the paradigm shift which has taken place in the field of Rural Development and the increased focus on decentralization of powers and responsibility mandated by the Constitution 73rd Amendment. The need to build capacities of Rural Development functionaries and elected representatives of Panchayati Raj Institutions in this environment is a challenging task in terms of sheer numbers which require training. The Training Strategy clearly identifies the existing institutional infrastructural framework, financing arrangement and policy framework and lays down clear objectives which would facilitate the achievement of the goal of capacity building of all Panchayati Raj functionaries within a specified time frame. Development of skills and competencies of PRI representatives; increasing the reach of training to district, block and village levels; improvement in the quality of training at all levels; better coordination and networking

among institutions of training in diverse sectors, dovetailing training under diverse programmes budget heads, including under externally aided projects are some of the key objectives of this Training strategy.

Emphasis is laid on basing the training programmes on a proper training needs assessment which is to be followed up with proper feedback and evaluation of the impact of the training which would be used as an important feedback towards improving the training modules/methodology.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003]

Reply of Department of Urban Development

The efforts being taken by the Ministry of UD&PA for imparting necessary training programmes for the elected women councillors of the ULBs are already explained in Item No.8 (para 1.59). Under these training programmes, the financial assistance is also proposed to be provided to State level training institutes to develop specific training modules for the women functionaries. It is expected that during the course of training programme, the training institutes will also develop themselves in term of infrastructure. The State Govts. Are also accepted to provide the matching financial assistance to the training institutes.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendation

The Committee regret to point out that no evaluation or assessment has been made both by the Department of Rural Development and Department of Urban Development to find the impact of training programmes on the capacity building, awareness generation and enhancement of leadership skills of the women representatives. The apathy exhibited by both these Departments towards this vital aspect is nothing but regrettable.

(Para No.1.63)

Reply of Department of Rural Development

Capacity building is a continuing exercise. The training efforts of PR representatives are relatively new and feedback on their impact on actual skill generation in day-to-day discharge of functioning have generally been filtering in during the course of discussions with the training institutes, elected representatives themselves that have had training, and other experts and academics. Based on these, the modules are constantly being revised and upgraded. Also under the training strategy for training of PRIs which is now being implemented, specific emphasis has been placed on evaluation and feedback as an integral part of the overall training strategy. The evaluation and feedback is proposed to be obtained from and through a number of sources. The PRI representatives being trained, the trainers at various levels, the Master/Principal trainers would all give feedback on the training inputs. This feedback would be used to improve the efficacy of the training methodology and modules being implemented so as to make them more effective. The training strategy also proposes a Nodal Review Mechanism at the level of the Ministry of Rural Development for carrying out basic coordination and review of the effort of capacity building of PRIs. A National Advisory and Steering Committee headed by Director General, National Institute of Rural Development, with representation from the Ministry of Rural Development, State Governments, State Institutes of RD, reputed NGOs in the field of training, National level training institutes (e.g. LBSNAA, IRMA, XISS, IIM etc.) is proposed to be setup to provide a wider participatory institutional framework to the Ministry for implementation of the training programmes for PRIs. This would ensure an ongoing interaction between the policy framers, training module designers and implementers of the training action plan and the trained in the field and the intended beneficiaries. At the State level, a similar Advisory and Steering Committee would be formed which would include representatives of Panchayati Raj and Rural Development Departments of the State Government, State specific NGOs, NIRD, other training Institutions, Development Centers of academic institutes in the State which may be involved in action oriented research in the field of Panchayati Raj/Rural Development.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

Ministry of UD&PA have already considered the issue of providing training programme and capacity building to elected women councillors. As a result of this assessment, the Ministry of UD&PA have devised a comprehensive training programme for elected women councillors.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendation

The Committee desire that the following measures be taken by the Centre and State Governments to fulfill the objectives of effective training : -

- i) Arrange training programmes at block level and by block based training at village level. For women, it is not practicable to go and attend training camps at distant places.
- ii) Exclusive training for women representatives be organized at all the three levels focusing on (a) legal rights under the Panchayati Raj System (b) Duties and responsibilities (c) Management skills (d) Plan formulation and implementation (e) Accounting procedure (f) Budget etc.
- iii) The content of the training programme should be prepared after proper consultations and discussions between Government officials and women's organizations and both sides should be involved in the training process.
- iv) Extensive use of local folk media, simple/local language and a variety of audio-visual aids will greatly enhance the quality of trainings.
- v) Training may be supported by exposure visits both within and outside the State, organizing thematic workshops, etc.
- vi) Simple and easy learning materials and practitioners' handbooks must be developed in local languages to strengthen the training component for capacity building of Panchayati Raj Institutions.
- vii) Training should be continuous, participatory and interactive in the light of the experience gained.
- viii) Proper and effective training should not be allowed to suffer for want of funds and resources.
- ix) Although a large number of training institutions are engaged in offering various training programmes, facilities for training of trainers are scanty and not always available to a large number of trainers. It is, therefore, essential that training programmes also provide for role analysis of trainers in terms of knowledge, skills and attitudes.
- x) Training programmes being run in existing training institutions should be periodically reviewed.

Reply of Department of Rural Development

The comments of Standing Committee regarding the training of PRI representatives are well taken. It may be submitted that, under the training strategy for training of PRIs which is now being implemented, specific emphasis has been placed on training of elected representatives based on participatory method of training, which directly focuses on the felt need of the PRI representatives. Briefly stated, the training strategy is broadly being implemented by way of a cascade model of training, under which a network of trainers is sought to be created, to transfer the knowledge from one level of trainees to another to reach it to the trainee. Proper planning would ensure that such Cascading Training would create a mass of Resource persons who could be seen as 'Trainers On Call' and could be approached for handling different modules of training spaced at appropriate intervals. These would be drawn inter-alia from Institutions, NGOs officials and practicing representatives also wherever they are found suitable for the purpose. The training modules are to be prepared based on a proper identification of training needs. Use of training modules based on simple local language and audio-visual aids, are being encouraged. Trainer's and practitioners' handbooks are to be developed keeping in mind the local language as well as the region specific needs for capacity building. 'Best Practice' exposure visits are an integral part of this training strategy. For spreading greater awareness about the training programmes, camps, signboards and posters are also sought to be utilised. Use of local folk media and other traditional methods of dissemination of information are being encouraged to improve the efficacy of training. The efforts under this Training Strategy are specifically focused towards elected representatives of PRIs belonging to the weaker sections of society and Women representatives. States are encouraged to adopt training methodologies which ensure that training programmes for women are organized at village/block levels keeping in mind that it is not practicable for women to go and attend training camps at distant places. Organization of exclusive training courses for women representatives as also combined training programmes along with all other representatives of PRIs would ensure that the specific needs of women PRIs are comprehensively addressed.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

Reply to (i) and (ii)

This relates to PRI. It is for Ministry of Rural Development to take action.

Reply to (iii) to (x)

Under the training programme as initiated by the Ministry of UD&PA, the said identified training institutes will take exercise to prepare training modules specific for women representatives to their States. While preparing the training modules, these issues will be taken care of. The modules will be prepared in regional languages to make their wider acceptability by the participants. Besides, during training, the participants will also taken on field visits to expose them to various good practices. The care will be taken by the training institutes to make the training programme more participative and enterprising. As far as urban local bodies are concerned, the contents of the recommendations at S.No.8 (iii) to (x) have been noted while implementing the training plan for women elected councillors.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendations

According to Article 243(b) of the Constitution of India, Gram Sabha ‘means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level’. This provision envisages Gram Sabha at village level to ensure that the decision made by the village Panchayat are transparent and its elected representatives are accountable to the electorate. The Committee note that the Government observed the year 1999-2000 as the ‘Year of Gram Sabha’ and all the Chief Ministers/Administrators were requested to initiate measures to energise the Gram Sabha in tune with the seven point minimal package. In pursuance thereof the State Governments of Kerala, Tamil Nadu, Madhya Pradesh and Rajasthan had taken necessary steps to strengthen Gram Sabha. However, it appears that other State Governments have not taken the requisite measures to strengthen the Gram Sabha.

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As Gram Sabha is the most significant institution for participatory and decentralized democracy, the Committee desires that the Department of Rural Development should impress upon all State Governments to take urgent steps to strengthen the Gram Sabha. For this, it is also necessary that : (a) the number of members attending a meeting of the Gram Sabha should be large enough to make their participation meaningful; (b) the Gram Sabha should be convened on a single pre-determined date every quarter and the subjects discussed in the meetings should be of substantial interest to the members; (c) all activities including selection of beneficiaries for various welfare programmes carried out by the village Panchayats should be approved by the Gram Sabha and (d) social audit done by the Gram Sabha.

(Para Nos. 1.65 and 1.66)

Reply of Department of Rural Development

This Ministry have been advising the State Governments that to accelerate the emergence of Gram Sabhas as bodies to whom the PRIs are accountable, the powers and functions of Gram Sabha should be spelt out in details articulating their role as planners, decision-makers and auditors. The Gram Sabha Meetings must be held at least four times in a

year within a span of 30 days from the pre-determined dates so that concerned officers are present in Gram Sabha Meetings. The States should take initiative in ensuring minimum quorum for SCs/STs/Women in Gram Sabha and in making Panchayats accountable to Gram Sabha. The Conference of State Ministers incharge of Panchayati Raj held in January,2003 in Delhi emphasized the need of strengthening the Gram Sabhas.

[Ministry of Rural Development (Department of Rural Development)O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

This relates to Panchayati Raj Institutions which is a subject matter of Ministry of Rural Development. As far as Ministry of UD&PA is concerned, it has no comments to offer.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002].

CHAPTER IV

OBSERVATIONS/RECOMMENDATIONS REPLIES TO WHICH HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

Recommendation

As envisaged under the 73rd Constitution Amendment Act, the State Governments/Union Territory Administrations are required to devolve functions to the Panchayati Raj Institutions as listed in the XI Schedule of the Constitution and at the same time, ensure that funds and functionaries devolve upon them so that these institutions can function independently. The Committee have noted that barring a few States, most of the States/Union Territories have not transferred funds for the subjects transferred to Panchayats. Further, very few States have granted financial autonomy to the Panchayati Raj Institutions. The Department of Rural Development have stated that, devolution of powers and functions upon Panchayats is an ongoing process and States/Union Territories have devolved powers relating to funds/functions and functionaries in varying degrees. A Conference of Panchayati Raj Ministers of States was stated to have been organized on 11th July, 2001 wherein it was decided unanimously that States/Union Territories would complete devolution of powers upon Panchayats by the end of March, 2002. The Committee hope that States/Union Territories would complete the process of devolution of powers upon Panchayats as per their commitment. Similarly, steps need to be taken to ensure that devolution of requisite powers upon Urban Local Bodies is also accomplished by the State Governments. The Committee desire that a status paper on devolution of functions with funds and functionaries upon Panchayats and Urban Local Bodies in respect of all States/Union Territories be prepared by the Departments of Rural Development and Urban Development and forwarded to the Committee within three months of the presentation of this Report.

(Para No.1.56)

Reply of Department of Rural Development

The Ministry of Rural Development has been periodically writing to the States to devolve functions, functionaries and funds to the Panchayati Raj Institutions. An All India Panchayat Adhyakshas Sammelan was also organized in April, 2002 wherein PRI representatives from all States/UTs and Ministers in charge of Panchayats had participated. The Sammelan inter-alia resolved that the States/UTs would take necessary measures to devolve funds, functions and functionaries in a time-bound manner. After collecting the information from States/UTs, the latest status regarding devolution of funds, functions and functionaries was discussed in a meeting with the State Ministers incharge of Panchayati Raj on 27-28 January, 2003 in a National Conference. The need to speed up the devolution was reemphasized in this Conference. Constant monitoring on the subject is being done.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

The Constitution (74th Amendment) Act, 1992 came into force on 1st June, 1992. As envisaged therein, States and UTs completed the necessary exercise for bringing out conformity legislation within one year from 1-7-1993. The amended Municipal Laws provides for devolution of functional and financial powers to ULBs. Article 243-W of the Constitution provides that subject to the provisions of the Constitution, the Legislature of a State may, by law, endow-

(a) the Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to-

(i) the preparation of plans for economic development and social justice;

(ii) the performance of functions and the implementation of schemes as may be entrusted to them including those in relation to the matters listed in the Twelfth Schedule;

(b) the Committees with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.

The Twelfth Schedule to the Constitution is an illustrative list of functions which may assign to the ULBs by the Legislature of a State.

Similarly, Article 243-X of the Constitution provides that the legislature of a State may, by law-

(a) authorise a Municipality to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;

(b) assign to a Municipality such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits;

(c) provide grants-in-aid to the Municipalities from the Consolidated Fund of the State; and

(d) provide for constitution of such Funds for crediting all moneys received, respectively, by or on behalf of the Municipalities and also for the withdrawal of such moneys therefrom, as may be specified in the law.

As may be seen from the above that the State Legislatures have been empowered to assign the functions and financial powers to ULBs as may be necessary to enable them to function as institutions of Self Govt. Since these are enabling provisions, State Legislature while enacting the conformity legislation, have taken care of to devolve the needed functional and financial powers to ULBs. Since municipality is a state subject as per Entry 5 of the State List of the Seventh Schedule of the Constitution, the position regarding the kind of functional and financial powers of ULBs differ from State to State to some extent. However, the core functions like water supply, sanitation, solid waste

management, environment protection, education etc. are similar to most of ULBs. Similarly, financial powers like property tax, tax on profession etc. are also common to ULBs. To broaden the financial base of ULBs, the Ministry of UD&PA has framed the guidelines on property tax reforms, which is the most important tax for ULBs. These guidelines have been issued to all the States/UTs for necessary action by the ULBs. Following to these guidelines, some of the States have initiated the exercise to reform the property tax system.

Appreciating the urgency for carrying forward the legislative reform process beyond the set of the conformity legislation passed by the State Govts. and having regard the need for the implementation of the provisions of the Constitution (74th Amendment) Act, 1992 in totality, a Specimen Municipal Law (SML) is being under preparation. This Specimen Municipal Law can serve as a illustrative example as how can a set of policy postulate with its various dimensions and the consequent legislative scheme. The legal framework may be developed, which may be adapted and adopted by any State Government based on its own choice from the several policy options. One of the given features of the SML will be the advocacy of involvement of private sector in delivering of certain municipal services. Enabling provisions are being suggested, so that the municipality may provide certain services like water supply, drainage of sewage, solid waste management, communication system including street furniture, street lighting, parking lots and provisions of markets, commercial infrastructure and slaughter houses on their own or arrange to have the same provided by other agencies under various types of private sector participation arrangements. The Specimen Municipal Law is now in the process of finalization and once it is finalized, the same will be circulated to the State Governments for their guidance.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)] O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002

Recommendation

One of the most important reasons for the poor performance of the Panchayats has been that there was no match between the functions assigned to them and the

financial provisions made to carry out those functions. The fundamental requirement of Panchayati Raj is adequate resources as a substantial number of development programmes are being implemented through them. These institutions are required to raise resources of their own to take up the assigned responsibilities, which they are unable to do. Therefore, it becomes important to define the resources to be made available by the Government to local bodies and the resources which these institutions themselves must raise. Though Government does extend substantial assistance to these institutions, it will affect the dignity and autonomy of a self governing institution, if it is to be entirely dependent on assistance from the Government. It is, therefore, essential that they also raise local resources which is entirely within their powers to exploit. In the opinion of the Committee unless Panchayati Raj Institutions are financially sound they cannot survive. Therefore, in addition to the mechanisms suggested by the respective State Finance Commissions for sharing of financial resources with the local governments, the Committee recommends that :

- * The Local Bodies be given authority to impose optional taxes subject to the rates prescribed by the Government.
- * Efforts be made to involve people in mobilizing resources for local development schemes.
- * The officials connected with Panchayati Raj bodies be trained to provide effective assistance in their administrative and financial management.

(Para No.1.57)

Reply of Department of Rural Development

The All India Panchayat Adhyakshas Sammelan, held in April, 2002 at Delhi, *inter-alia*, resolved that the State Governments will devolve powers to enable PRIs to raise requisite resources. The 73rd Amendment contains provisions for empowering PRIs to impose certain taxes. Consequently this Ministry has been writing to the State Governments to take steps for raising of resources by PRIs in addition to the devolution of funds from the State's exchequer. The officials connected with Panchayati Raj Institutions are being imparted training alongwith the elected representatives of Panchayats by the State Governments.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

This relates to Panchayati Raj Institutions which is a subject matter of Ministry of Rural Development, hence no comments.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)] O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

Recommendation

During their visit to the State of Kerala, the Committee were given to understand that one-third of the total budget of the State was earmarked for local bodies and out of this allocation, 10% was allocated for women's programmes/projects. Keeping in view the close relation between women's concerns and local issues, the Committee desire that other States should emulate the example of the Government of Kerala. The Central Government should issue guidelines to this effect to all the States. It may also be ensured that funds so allotted are spent on women related schemes/programmes and not be diverted under any circumstances for any other project/scheme.

(Para No.1.58)

Reply of Department of Rural Development

Allocation of funds to the various Schemes/projects being implemented by the State Government is under the jurisdiction of the State legislatures. The orders issued by the Government of Kerala are being procured to be shared with the other States to encourage them to follow similar practice.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

This recommendation has been circulated to all the States for necessary action.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)] O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002].

Recommendation

In order to operationalise the 73rd and 74th Amendment of the Constitution, the Committee desire that the following measures should be taken by the Departments of Rural and Urban Development:-

(v) *For attending meetings, the elected representatives must be paid a fair honorarium. The amount should depend upon the nature of participation. For instance, women members of Panchayats must get for the meeting day an amount which will compensate the loss of a working woman. In Urban Bodies also a conveyance allowance to members for attending sittings and monthly honorarium to Chairpersons should be paid.*

(vi) **All Gram Panchayats must be provided with a telephone, a television set and a small library to enlighten the members as well as residents of the village. Women, will thus be enabled to know something about the outside world.**

(vii) **Civic text books in schools must have chapters on the functioning of Parliament, Legislative Assemblies and Local Bodies so that the children when they come out of schools are conversant with Panchayati Raj system.**

[(Para No. 1.67 (v) to (vii)]

Reply of Department of Rural Development

Reply to (v)

It is left to the State Governments because such allowances are to be provided by them to the elected representatives of PRIs.

Reply to (vi)

The existing Schemes/Programmes being implemented by the Ministry of Rural Development do not have any provision for providing funds for Telephone, Television set and a small library to Gram Panchayats.

Reply to (vii)

The Ministry of Human Resources Development, Department of Education is being requested in this regard.

[Ministry of Rural Development (Department of Rural Development) O.M. No. H-11011/1/97-PR(Vol. II) Dated 28th March, 2003].

Reply of Department of Urban Development

Reply to (v), (vi) and (vii)

As per Entry 5 of the State List Seventh Schedule of the Constitution, it is for the State Govt. to take necessary action on this recommendation, which already has been circulated to them.

[Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)] O.M. No. 11021/3/2003 UCD, Dated 12th November, 2002]

CHAPTER V

**OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH THE
GOVERNMENT HAVE FURNISHED INTERIM REPLIES**

- NIL -

NEW DELHI
November, 2003

Kartika, 1925 (Saka)

MARGARET ALVA
Chairperson,
Committee on Empowerment of Women

OBSERVATIONS/RECOMMENDATIONS

SL N O.	Para No.	Ministry/ Department	Observations/Recommendations
1.	1.11	<p>Ministry of Rural Development (Department of Rural Development)</p> <p>Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)</p>	<p>Although, the 73rd Constitution Amendment Act provides that the State Governments/Union Territories are to devolve functions to the Panchayati Raj Institutions as listed in the Eleventh Schedule of the Constitution, the Committee had noticed that most of the States/Union Territories had not transferred funds for the subjects transferred to Panchayats and very few States had granted financial autonomy to the Panchayati Raj Institutions. In this connection, the Committee were informed by the Department of Rural Development that in the Conference of Panchayati Raj Ministers of States held in July, 2001, it was unanimously decided that all States/Union Territories would complete devolution of powers upon Panchayats by the end of March, 2002. The Committee had expressed the hope that States/Union Territories would complete this process as per their commitment. Similarly, it was also expected that devolution of powers upon Urban Local Bodies would be accomplished within the set time frame.</p>
2.	1.12	<p>Ministry of Rural Development (Department of Rural Development)</p> <p>Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)</p>	<p>The Committee are, however, constrained to point out that the Department of Rural Development as well as the Department of Urban Development have not furnished to the Committee the status paper on devolution of powers upon Local Bodies as was desired by them in their Original Report. Instead, the Department of Rural Development have chosen to say that they have been periodically writing to the States to devolve functions, functionaries and funds to the Panchayati Raj Institutions. Obviously, the target of March, 2002 for devolution of powers upon Panchayats has not been adhered to as fresh resolutions for implementation of devolution in a time bound manner have again been made in April,</p>

Development)

2002 in the All India Panchayat Adhyakshas Sammelan and in June, 2003 in the meeting of the State Ministers in-charge of Panchayati Raj.

3. 1.13 **Ministry of Rural Development (Department of Rural Development)**

The Committee regret to observe that the process of devolution of powers upon Panchayati Raj Institutions has not been completed even after 10 years of coming into force of the 73rd Constitution (Amendment) Act, 1992 in April, 1993. Although the Inter-State meetings at various levels have been convened for the purpose, the desired objective is yet to be achieved. Apparently, the Departments have failed to fulfill their constitutional obligation in this regard.

4. 1.14 **Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)**

The Department of Urban Development instead of furnishing the status paper on devolution of powers upon Urban Local Bodies by various States/Union Territories have merely repeated the provisions prescribed in the Constitution regarding the same, and have stated that the State Legislatures have been empowered to assign the functions and financial powers to Urban Local Bodies as may be necessary to enable them to function as Institutions of self Government. Further, the Committee find that although guidelines have been issued by the Ministry of Urban Development and Poverty Alleviation to the States to reform the Property Tax system with a view to broadening the financial base of Urban Local Bodies, only some States are stated to have initiated action in this regard.

5. 1.15 **Ministry of Rural Development (Department of Rural Development)**
Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)
- The Committee cannot but re-emphasise the need for all out effort on the part of both the Departments to impress upon the States/Union Territories the need to devolve funds, functionaries and powers upon the Panchayati Raj Institutions and Urban Local Bodies. The Committee reiterate that a status paper as promised be prepared by the Departments of Rural Development and Urban Development and be forwarded to the Committee without further delay.
6. 1.16 **Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)**
- The Committee have also been informed by the Department of Urban Development that appreciating the urgency to carry forward the legislative reform process beyond the conformity legislation passed by the State Governments and having regard to the need for the implementation of the provisions of the Constitution (74th Amendment) Act, 1992 in totality, a Specimen Municipal Law (SML) is under preparation which can serve as an illustrative example on how a set of policy postulates can be adopted with its various dimensions. One of the features of the Specimen Municipal Law (SML) is the involvement of private sector in delivering certain municipal services. When finalised, it will be circulated to the State Governments for their guidance. The Committee hope that this Specimen Municipal Law (SML) would be finalised expeditiously and circulated to the State Governments for their guidance.
7. 1.19 **Ministry of Rural Development (Department of Rural Development)**
- The Committee had emphasised that it was essential for the Panchayati Raj Institutions to raise local resources which was entirely within their powers to exploit so as to supplement the assistance received by them from the Government which in turn would improve their financial health. For this, it was suggested that the Panchayati Raj Institutions should be given authority to impose optional taxes subject to the rates prescribed by the Government. In this connection, the Department of Rural Development have stated that the All India Panchayat Adhyakshas

Sammelan held in April, 2002 at Delhi *inter-alia* resolved that State Governments will devolve powers to enable the Panchayati Raj Institutions to raise requisite resources. As more than 18 months have elapsed since the Sammelan was held, the Committee would like to be informed whether State Governments have in fact devolved powers to the Panchayati Raj Institutions for this purpose. The States which are yet to implement the aforesaid resolution and the efforts made by the Department to persuade them may also be indicated.

8. 1.22 **Ministry of Rural Development (Department of Rural Development)**
Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)

The Committee had desired that other States should emulate the example of the Government of Kerala where one-third of the total budget of the State is earmarked for Local Bodies and out of this 10% is allocated for women oriented programmes. For this, it was desired that the Central Government should issue necessary guidelines to all the States. Whereas the Department of Rural Development have stated that the orders issued by the Government of Kerala are being procured, the Department of Urban Development have simply circulated the Recommendation of the Committee to all the States for necessary action. The Committee feel that both the Departments should have initiated action to obtain the requisite orders from the Government of Kerala more expeditiously when it was recommended by the Committee and taken immediate action to issue necessary guidelines to all the States for earmarking a fixed percentage of the funds for Local Bodies for women's programmes/projects. The delay in taking prompt and precise action on the Recommendation of the Committee is inexcusable. The casual approach adopted by both the Departments is regrettable.

9. 1.23 **Ministry of Rural Development (Department of Rural Development)**
Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)
- The Committee reiterate that both the Departments should immediately procure the relevant orders from the Government of Kerala and circulate the necessary guidelines to all the State Governments and Union Territory Administrations for implementation. It may also be specifically mentioned in the guidelines that the funds so allotted must be spent on women related schemes/programmes and not diverted under any circumstances to any other project/scheme.
10. 1.30 **Ministry of Rural Development (Department of Rural Development)**
Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)
- The Committee had observed that despite the existence of training institutes which have been set up at national, state and district levels and incurring of substantial expenditure by Central Government (35%) and State Governments (65%) a vast majority of elected representatives had remained without any exposure to training which could equip them with the necessary knowledge and skills to discharge their constitutional obligations. It was emphasised that reservation of 1/3rd seats for women under Panchayati Raj by itself will not lead to effective participation unless the elected representatives acquired the required skills and were given appropriate orientation. The Committee had noted that while some States like Maharashtra, Haryana and Andhra Pradesh had given training to a large number of elected women representatives, in other States like Gujarat, Karnataka, Orissa, Tripura and Union Territory of Chandigarh, only a few elected women representatives had been imparted training. In states like Andhra Pradesh, Maharashtra and Rajasthan most representatives were trained during the 4th and 5th year of their term.

11. 1.31 **Ministry of Rural Development (Department of Rural Development)**
- The Ministry of Rural Development in their action taken reply have stated that recognising the significance of training for elected representatives, they have adopted a well focused training strategy focussing on convergence of existing schemes for training in a more coordinated manner so as to address capacity building needs of Panchayati Raj Institutions effectively. It has been stated that based on the recognition of the fact that each State has its own Panchayati Raj Act and the level of devolution of powers also varies in each State, the States are encouraged to devise their own plans and strategies. The efforts made in this direction in States like Maharashtra, Haryana and Andhra Pradesh are sought to be replicated in other States.
12. 1.32 **Ministry of Rural Development (Department of Rural Development)**
- The Committee feel that the well focused training strategy adopted by the Department of Rural Development has not culminated in capacity building, awareness generation and enhancement of leadership skills of the women representatives as was evident to them during their tour to various States where the detailed discussion with the grass-root functionaries had reflected limited knowledge and awareness of the Act, its implications, their role, functions, responsibilities etc. The Committee feel that the thrust of the Department should not only be on the number of women trained but also on the quality of training given and its impact on the capacity building of the women representatives. For this, the training modules have to be carefully developed keeping in view the areas of learning, the proper identification of the training needs and focusing on the region and area-specific issues.
13. 1.33 **Ministry of Rural Development (Department of Rural Development)**
Ministry of Urban
- The Committee in their Original Report had also observed that in some of the States like Andhra Pradesh, Maharashtra and Rajasthan, the training was imparted to the elected representatives in during the fourth and fifth year of their term. The Committee desire that as far as possible, training to the elected representatives should be imparted in the first year of their term so as to enable them to acquire the necessary skill and knowledge for discharging their

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duties and functions in the best possible manner during the entire term and to ensure their effective participation in the functioning of the local body. Necessary guidelines to this effect should be issued by the Departments of Rural and Urban Development. The Committee feel that the various measures suggested by the Committee in their Original Report (Para No. 1.64) to fulfill the objective of effective training, if implemented, would go a long way in the capacity building, awareness generation and enhancement of leadership skills of the women representatives.

The Committee note that regarding the Central assistance to States for capacity building of Panchayati Raj Institutions, the quantum as well as the percentage of Central share has been increased to as much as 75% during the current financial year. The Committee feel that mere increase in Central assistance will not be of much use unless it is ensured that the funds released are optimally and properly utilised for the purpose. For this, a proper mechanism should be put in place in the Department of Rural Development which should monitor the effective utilisation of funds and ensure that the process of capacity building of PRIs through training programmes gains momentum.

14. 1.34 Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)

As regards the training programmes for elected and official functionaries of Urban Local Bodies, the Department of Urban Development is stated to have devised a comprehensive training programme for women councillors. Under this training plan, financial assistance will be provided to the State designated training institutions to impart necessary training to women councillors to make them aware of their role and responsibilities in discharging their duties. Although nearly ten years have elapsed since the 74th Constitution Amendment Act came into force, which provided for reservation of one-third Seats of Members and Chairpersons in Urban Local Bodies for women in all categories, the Ministry of Urban Development and Poverty Alleviation have not thought of devising a comprehensive training programme for women councillors all these years. The Department has no figures

of women elected, trained, to be trained; of trainers trained at local levels; or of expenditure incurred by each state. No study of the impact of the training on the councillors or the functioning of the urban bodies has been undertaken so far. Obviously, the Ministry have realised the necessity of the same after the subject was taken up by the Committee for examination. Earlier action in this regard by the Department would have enabled the women councillors to discharge their responsibilities and duties in an effective manner. The Committee desire that the proposed comprehensive training programme for women councillors should be finalised and implemented expeditiously by the Ministry in consultation and coordination with the State Governments, to help the women councillors manage local issues in a desired manner.

15. 1.40 **Ministry of Rural Development (Department of Rural Development)**
Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)

The Committee regret to observe the evasive replies furnished by the Departments of Rural and Urban Development to their specific recommendation which was made after having interacted with the grass-root functionaries (elected representatives of Panchayati Raj Institutions and Urban Local Bodies) during their visits to various States. Mere circulation of the Recommendation of the Committee to the States and stating that it is the responsibility of the State Governments to provide honorarium/conveyance allowance etc. to the elected representatives for attending the meetings, or making provision for basic necessities such as a telephone, television or a small library to the Gram Panchayats will not suffice. In order to fully achieve the objectives of 73rd and 74th Constitution Amendment Acts, it is imperative that apart from taking other steps as mentioned earlier in the Report, at least basic facilities must be provided to the elected representatives for their proper functioning. For this, both the Departments need to take necessary steps to persuade the State Governments to implement the suggestions of the Committee. If any State is unable to implement the aforesaid recommendation for want of funds, the Central Government may consider providing requisite funds to that State.

16. 1.41 **Ministry of Rural Development (Department of Rural Development)**
- Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)**
- The Committee are also not satisfied with the reply of the Department of Rural Development that the Ministry of Human Resource Development (Department of Education) is being requested to include in Civics textbooks in schools, chapters on the functioning of Parliament, Legislative Assemblies and Local Bodies. The Committee regret that even after one year of this suggestion, made in their Report, the Department of Rural Development are still contemplating taking up the matter with the Department of Education. The idea underlying this suggestion is that providing such education through school textbooks, children will be conversant with the functioning of the Panchayati Raj system which would be of immense help to them, in case, some of them chose to become elected representatives. The Committee desire that the Department of Rural Development take up this matter with the Department of Education urgently and impress upon them the necessity to revise the curriculum of Civics textbooks without further delay.
- 17 1.42 **Ministry of Rural Development (Department of Rural Development)**
- Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)**
- The Committee understand that a few schemes viz. 'Swachh Gram', 'Nirmal Jal Programme' and 'Desilting of Tanks' which aim to provide safe drinking water and clean environment to the villages are running successfully in some States. They feel that such programmes need to be encouraged and should be replicated in States/Union Territories where necessary action has not been initiated so far in this regard. For this, it is necessary that the concerned State Governments, PRIs, NGOs and Central Government work in close coordination. The Committee desire that the Department of Rural Development should work out a list of Programmes being implemented on all India basis and provide inputs through a Central Technical Cell to the Gram Panchayats who seek such help for implementation.

APPENDIX II

[Vide Para 1.2 of the Report]

**ANALYSIS OF ACTION TAKEN BY GOVERNMENT ON THE EIGHTH REPORT OF
THE COMMITTEE ON EMPOWERMENT OF WOMEN (THIRTEENTH LOK SABHA)**

I)	Total number of Recommendations	-	33
II)	Observations/Recommendations which have been accepted by the Government		
	Sl .Nos. 1.52, 1.53, 1.54, 1.55, 1.59, 1.60, 1.61, 1.62, 1.63, 1.64 (i) to 1.64 (x), 1.65, 1.66,		
	Total		21
	Percentage		63.64%
(iii)	Observations/Recommendations which the Committee do not desire to pursue taking into consideration the replies of the Government:		
	Sl . Nos. 1.67 (i) to 1.67 (iv), 1.67(viii), 1.68		
	Total		6
	Percentage		18.18%
(iv)	Observations/Recommendations in respect of which replies to the Government have not been accepted by Committee which required reiteration		
	Sl. No. 1.56, 1.57, 1.58, 1.67(v) to 1.67(vii)		
	Total		6
	Percentage		18.18%
v)	Observations/Recommendations in respect of which Final replies have not been received.		
	Total		Nil
	Percentage		

PART-II

MINUTES OF THE FIFTH SITTING OF THE COMMITTEE ON EMPOWERMENT OF WOMEN (2003-2004).

The Committee sat on Monday, the 10th November, 2003 from 1500 hours to 1600 hours in Committee Room 'B', Parliament House Annexe, New Delhi.

In Chair

Smt. Margaret Alva - Chairperson

PRESENT

LOK SABHA

2. Dr. (Smt.) Anita Arya
3. Smt. Jayashree Banerjee
4. Smt. Krishna Bose
5. Dr. (Smt.) Beatrix D' Souza
6. Dr. Ashok Patel
7. Shri E. Ponnuswamy
8. Shri Bishnu Pada Ray
9. Smt. Sushila Saroj
10. Dr. (Smt.) V. Saroja
11. Smt. Shyama Singh

RAJYA SABHA

12. Smt. Saroj Debey
13. Smt. S.G. Indira
14. Smt. Sumitra Mahajan
15. Smt. Chandra Kala Pandey
16. Smt. Bimba Raikar

17. Miss Mabel Rebello
18. Smt. Savita Sharda
19. Smt. Maya Singh

SECRETARIAT

- | | | |
|----------------------|---|----------------------|
| 1. Shri P.D.T.Achary | - | Additional Secretary |
| 2. Shri Ashok Sarin | - | Director |
| 3. Smt. Veena Sharma | - | Under Secretary |

At the outset, the Chairperson welcomed the Members of the Committee to the sitting. The Committee then took up for consideration the draft Action Taken Report on the subject 'Training and Empowerment of Women in Local Bodies'. After some deliberations, the Committee adopted the draft Action Taken Report and decided that the Hon'ble Members may furnish their suggestions, if any, to the Secretariat for incorporation in the Report within a period of one week, i.e. by 17th November, 2003. The Committee authorised the Chairperson to finalise the Report in the light of the suggestions, if any, received from Hon'ble Members and present the same to Parliament during the ensuing Winter Session.

2. The Chairperson then referred to the letter dated 14th October, 2003 which was endorsed to her by the Chairperson, Karnataka State Commission for Women regarding proposal of the Central Government to rename the Women's Studies Department in various Indian Universities as 'Women and Family Studies Centres'.

The Committee discussed the matter and were of the unanimous view that the names of the 'Women's Studies Departments' in various Indian Universities should not be changed to 'Women and Family Studies Centres'. The Committee authorised the Chairperson, EWC, to write on their behalf, a letter to the Hon'ble Minister for Human Resource Development conveying him the decision of the Committee. .

3. Thereafter, Hon'ble Chairperson, mentioned that the Committee at their sitting held on 8th January, 2003 had taken note of a news item which appeared in the 'Week ' magazine dated 22nd December, 2002 stating that health centres across Uttar Pradesh used the crude methods such as a bicycle pump for laproscopy in place of the high precision equipments required for the purpose. As decided by the Committee, the Chief Minister of Uttar Pradesh and Chairperson, Human Rights Commission were requested to get the matter investigated to ensure that urgent remedial action was taken at the earliest. The Chairperson informed the Members that in response to her letter, the Chairman, Human Rights Commission stated that reply was called for from the Uttar Pradesh Government. In their reply they have denied occurrence of such instances. The Committee considered the letter from the Chairperson, Human Rights Commission and decided that 2-3 Members of the Committee, in their personal capacity alongwith the journalist who brought out this report in the 'Week' magazine might pay a surprise visit to the site in Uttar Pradesh sometime during the ensuing Winter Session and apprise the Committee about the factual position in this regard.

The Committee then adjourned.