

# **Suggested Policies and Programmes for Consideration of Congress Government (2014-2019): Empowering Panchayati Raj and Urban Local Bodies As Institutions of Local Self-Government**

## **Preamble**

Devolution of power is one of the fundamental political ideas that have driven the Congress Party. Our uncompromising commitment towards the decentralised system of governance comes from the legacy of our great leaders Mahatma Gandhi and Rajiv Gandhi who had deep conviction about the transformative energy of millions of Indians. Our Party has acted upon its belief in devolution through the passage of the 73rd and 74th Amendments of Constitution. With that single action, we as a Nation enshrined the third tier of government in our Panchayats and Municipalities.

The Congress Party is committed to continuing on this journey to allow the emergence of the third tier as vibrant democratic 'institutions of local self-government'. We will continue to strengthen systems that devolve political power to the very grassroots of the Nation, all the way to its people.

## **The Open Manifesto Process**

The Indian National Congress has pioneered an entirely new way in which political party election manifestos are prepared. It is our firm belief that the Indian National Congress Manifesto must reflect the voice and aspirations of the people and a new vision for the country. There were several consultations held across the country over a five-month period (from October, 2013 to March, 2014) with different stakeholders, to get their inputs on India's future growth, development and inclusion agenda.

The Rajiv Gandhi Panchayati Raj Sanghatan (RGPRS) conducted a large-scale and systematic participatory program between December 2013 and February 2014 to reach out to Panchayati Raj and Urban Local Government (ULG) practitioners across the country and bring their wisdom into the Congress manifesto. RGPRS conducted 280 'Jan Aavaz Sanghoshtis' at the Block/District level and two consultations at the National level, in which over 10,000 practitioners of Panchayati Raj and Urban Local Bodies participated. Gram Sarpanchs, Gram Panchayat Ward Members, Block Panchayat Presidents and Members, Zilla Parishad Chairpersons and Members, Chairpersons and Ward Members of Nagar Panchayats, Municipal Councils and Municipal Corporations, Panchayat Secretaries, Anganwadi Field Workers, Congress Party Office Bearers and Workers, representatives of NGOs, social workers, teachers, village leaders, officials of local District and Block administrations, and SHG women leaders participated in the consultations to discuss and highlight the challenges

faced by them in Panchayats and Urban Local Bodies in exercising their leadership and fulfilling their roles and responsibilities.

These consultations were conducted by 64 trained Conveners who made great efforts to get the opinions and voices of women, dalits, marginalized groups and minorities among others in these consultations. One consultation was conducted exclusively with elected women representatives of Panchayats and Urban Local Bodies to understand specific challenges faced by women representatives at the grassroots.

In addition to this a dedicated website ([www.incmanifesto.in](http://www.incmanifesto.in)) was established to invite suggestions from all citizens for the Manifesto.

We received many suggestions through these consultations on the websites and social media platforms, phones, emails, etc. These suggestions were carefully considered and have been included, wherever feasible.

We believe this unique exercise has made the Manifesto inclusive and fully reflective of the voice of the people of India.

### **Major Achievements of the Congress Party for the Empowerment of Panchayati Raj and Urban Local Bodies**

- After the enactment of the landmark 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments, we enacted the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) that extended Panchayats to tribal areas. We have recently issued guidelines for the effective implementation of PESA.
- With the launch of the Jawaharlal Nehru National Urban Renewal Mission (JNNURM), the Indian National Congress has given a major impetus to urban reforms in India.
- JNNURM was a landmark initiative undertaken by the Congress led Government; it put the urban agenda center stage. We will launch JNNURM-II will give priority to the strengthening of human and institutional capabilities, local planning and improvement in governance.
- With programmes like the Mahatma Gandhi National Rural Employment Guarantee Act, we have secured more financial, planning and development powers to the Gram Panchayats; the average annual expenditure under the programme for a Panchayat is around Rs. 15 lakh.
- The seminal Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 strengthened the role of PRIs by making the consent of the Gram Sabha mandatory for acquisition in the Scheduled Areas under the Fifth Schedule referred to in the Constitution and by involving Panchayat representatives in the Social Impact Assessment Study.

- The Congress-led UPA initiated the Rural Business Hubs (RBH) Scheme with the aim to synergistically linking rural areas/producers with industrial and marketing organizations so that rural products can reach wider market and the benefits of value addition are shared.
- The Congress-led UPA government set up consultative mechanisms to review the functioning of Panchayati Raj institutions (PRIs) in the States/UTs. These mechanisms at different levels have been constantly monitoring the progress and implementation of decisions related to the devolution of powers to the Panchayati Raj Institutions.
- The Congress-led UPA launched a series of schemes to empower the Panchayats. These schemes include Panchayat Empowerment and Accountability Incentive Scheme (PEIAS) which has now been merged with Rajiv Gandhi Panchayat Sashaktikaran Abhiyan (RGPSA); Rashtriya Gram Swaraj Yojana, Panchayat Mahila Evam Yuva Shakti Abhiyan and Backward Regions Grant Fund.
- To make Panchayats more transparent, efficient and accountable, a wide range of web applications have been rolled out under e-Panchayats Schemes for facilitating e-Governance in Panchayats.

### **The Detailed Action Plan 2014 - 2019**

1. The Indian National Congress will substantially increase Panchayat funding, especially of untied funds. We will also encourage Panchayats to raise their own resources so that Panchayat representatives, in consultation with Gram and Ward Sabhas, can themselves decide how and on what to spend their money.
2. We will set up a National Panchayati Raj Commission, with branches in each State and Union Territory, so that:
  - a. Probity and transparency is ensured in the functioning of Panchayats and their elected representatives
  - b. Panchayati Raj functions in line with the Constitution and the laws of the land, especially in tribal areas covered by PESA
  - c. Gram Sabhas are strengthened and legally mandated to secure responsible and responsive local government
  - d. The individual citizen is empowered to secure through the local Panchayat, his or her rights and entitlements and other benefits provided for in the Constitution.

**The promises detailed above reflect the Indian National Congress' commitment towards the empowerment of the institutions of local self-government, in response to the wide range of aspirations articulated by these communities in our consultations. We recognize that there are some more expectations expressed by these groups, which will**

**continue to guide the Indian National Congress' efforts towards their development. The Indian National Congress is committed to finding a way forward towards meeting all such expectations of these groups, by putting in concerted efforts, as detailed below.**

### **1. Restore the Dignity and Respect of Panchayati Raj Institutions and Urban Local Bodies and their Representatives**

Systematic efforts have reduced the role of Panchayati Raj and Urban Local Bodies to implementation agencies and elected representatives to agents of various departments and schemes.

No PRI and ULB representative should be punished, reprimanded and ill-treated by the agencies of executives. We shall strive to end all practices that keep '*Elected Representatives*' disempowered. Highlighting one of the significant demands heard in most of the consultations, we also emphasize the Constitutional role of PRIs and ULBs as 'institutions of local self- government', and not as implementation agencies.

- End all discriminatory rules against the Rural and Urban body representatives. Ensure uniform eligibility criteria for candidates for Parliament, State Assemblies, Panchayat representatives or representatives of Urban Bodies elections.
- Secure the rights and dignity of elected representatives in all bodies of local self-governments. We will ensure that elected representatives of Panchayats and Urban Local Bodies are accountable to the people and cannot be punished or dismissed by the executives or government officials. Alternate mechanisms will be evolved to ensure accountability of such elected representatives while minimizing bureaucratic intervention and role
- Take input from elected representatives to write the Annual Confidential Reports of Government Employees in their work areas
- Ensure inclusion of elected PRI and ULB representatives as voters in the Legislative Council seat for Panchayati Raj Institutions

### **2. Devolve Power (funds, functions and functionaries) to Panchayati Raj and Urban Local Bodies**

In the current form, elected representatives of all three tiers of Panchayati Raj and the Urban Local Bodies experience a lot of centralisation of power within the system as rigid *Government Resolutions* manipulate all the funds and functions. Elected Representatives have no power to hire their functionaries. Though, all the state governments have enacted laws in tune with 73<sup>rd</sup> and 74<sup>th</sup> Amendments to implement Panchayati Raj and Urban Local Bodies system, most of them are yet to transfer the required resources, 'funds, functions and functionaries' to strengthen the units of local self-governments. Besides this, existing parallel bureaucratic structures in Centrally

Sponsored Schemes (CSS) and in various Urban Development Authorities are instrumental in undermining the role and mandate of PRIs and Urban Local Bodies.

- Urge state governments to devolve all 29 subjects of Article 11 in the 73<sup>rd</sup> Amendment and 18 subjects of Article 12 in the 74<sup>th</sup> Amendment to the PRIs and Urban Local Bodies.
- Devolve maximum power to Gram Sabhas, all three tiers of Panchayats and the Urban Local Bodies and end the '*Government Resolution Raj*' in all the states.
- Our government will develop comprehensive guidelines for creating specific guidelines under respective state acts. This set of guideline will explain the role, functions and rights of PRIs and Urban Local Bodies. This will see an end of '*GR Raj*'.
- Ensure that beneficiary selection of all Central Schemes is undertaken only by the Gram Sabha.
- Implement these suggestions in centrally sponsored schemes and link fund transfers to states based upon the adherence of these principles. Ensure that these guidelines and principles of devolution are followed in all the central legislations, as done in '*Land Acquisition Act 2013*'.
- Allocateworks under state departments and local governments on the basis of the principle of Subsidiarity, i.e. every task must be done at the level at which it is best done.
- Ensure reasonable proportion of Government of India revenues go to PRIs and Urban Local Bodies.
- Make effective functioning of State Finance Commission mandatory as this is the only Constitutional process to meet the financial requirements of local self-governments.
- Create a devolution friendly environment in all the states. An Independent National Level Devolution Commission consisting of practitioners and experts will be created under the Ministry of Panchayati Raj and the Ministry of Urban Development to assess the status of devolution across the states periodically. A *People's Devolution Index* will be constructed through participatory methods to suggest measures to strengthen PRIs and Urban Local Bodies.
- Link the state allocation decisions of Central Finance Commission to the People's Devolution Index. This index will be an additional one to the existing CFC parameters in devolving funds to the states.
- Ensure decentralized planning for the 13th Five Year Plan and begin preparation from 2014-15.
- Discourage parallel bureaucratic authorities for urban development. Those urban bodies implementing development plans through *Nagarik Sabhas* will be promoted through an incentivised system under Ministry of Urban Development.

- Integrate all parallel bodies in health, education, agriculture, water supply and sanitation with PRIs and ULBs.

### **3. Strengthen Panchayats and Urban Local Bodies for them to Emerge as Institutions of Local Self-Government**

- Substantially increase Panchayat funding, especially of untied funds.
- Launch special training programmes for all PRI and ULB representatives to enhance their understanding of Panchayati Raj Institutions, Urban Local Bodies, their roles and responsibilities and the provisions in the Centrally Sponsored Schemes
- Launch a massive ‘devolution awareness campaign’ under the Ministry of Panchayati Raj and Urban Local Bodies
- Ensure internet connectivity of all Zilla Parishad Panchayats, Block Panchayats, Gram Panchayats and all Urban Local Bodies. Ensure steps to electronically network them.
- Transfer all departments to ULBs
- Ensure that ULBs have the authority to implement rehabilitation programmes for those displaced by the Slum Eradication and Poverty Alleviation Programmes

### **4. Deepen Participation of Women in Gram Sabhas, Panchayati Raj and Urban Local Bodies**

We believe in creating a gender sensitive political environment in the country to ensure the effective participation of women in politics and governance. To make this possible, we will take steps to address the widespread complaints from women representatives across the country about the discriminatory and gender insensitive work space and hostile work environment in the PRIs and ULBs.

- Increase reservation of women from 33.3% to 50% in PRIs and Urban Local Bodies.
- Bring the urban and rural local bodies under the purview of Work Place Act to provide protection and safe work environment for elected women representatives. Ensure implementation of Vishakha guidelines stipulated by the Supreme Court.
- Constitute special assistance fund to promote gender budgeting in local governments through incentivisation. This will encourage the local governments to initiate various provisions for women and children like ladies toilets in public places, training centres, working women’s and girls’ hostels, crèches, transit camp for sex workers and street children etc.
- Formulate and implement gender sensitisation programmes for elected male members and officials under Ministries of Panchayati Raj, Urban Development and Women and Child Development

**5. Ensure the Implementation of Panchayat Extension to Scheduled Areas (PESA) Act**

- Ensure that the Ministry of Tribal Affairs incentivises states which implement the PESA Act in letter and spirit. Central funds earmarked for Scheduled Areas will be allotted with the guidelines congruent to the PESA act.
- Ensure that the Special Central Funds to the tribal regions under Maoist influence are spent effectively. We will initiate a mechanism among the ministries concerned that can help the elected Panchayat representatives in those regions to formulate plans through the Gram Sabhas in participatory manner.

## **Appeal**

We appeal all our PRI and ULB elected representatives to support the INC so that we can fulfill the promises made in the Election Manifesto

For the Indian National Congress, a Manifesto is more than a catalogue of promises and pledges to be forgotten after elections are over.

It is an agenda for governance to be followed diligently and meticulously.

It is an agenda for good governance on which progress must be reported to the people of the country, regularly, in a transparent manner.

It is in this spirit that the Congress-led UPA government has been releasing a “Report to the People” every year. This will continue.

The 2014 Lok Sabha elections will offer stark choices.

On the one side is the Indian National Congress with its long track record of achievements and accomplishments, with its vision and values bequeathed to it by a most remarkable generation of Indians led by Mahatma Gandhi.

On the other side is an ideology of hate, bigotry and prejudice, an ideology that negates the very idea of India that has been cherished by us for centuries.

On the one side is the Indian National Congress, which celebrates and rejoices in the multitude of diversities of India.

On the other side is an ideology that seeks to impose uniformity in the name of unity.

A vote for the Indian National Congress is a vote for fulfilling the aspirations of the youth of our nation, for ensuring that women lead a life of dignity.

Economic growth, social harmony, empowerment of weaker sections and strengthening of democratic institutions have to all go hand-in-hand.

It is only the Indian National Congress that will, by its very character, ensure that this happens.