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Study Report

Own Sources of Revenue of Panchayati Raj Institutions in Jharkhand

Submitted by

Participatory Research in Asia (PRIA)
42, Tughlakabad Institutional Area
New Delhi - 110062
www.pria.org

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Abbreviations

3 Fs	Fund, Function and Functionaries
BPL	Below Poverty Line
CAA	Constitutional Amendment Act
CFC	Central Finance Commission
CSO	Civil Society Organisations
CSS	Centrally Sponsored Schemes
CTIs	Central Training Institutes
FFC	Fourteenth Finance Commission
GDP	Gross Domestic Product
GoI	Government of India
GoJ	Government of Jharkhand
GPs	Gram Panchayats
GPDP	Gram Panchayat Development Plan
JBB	Jharkhand Building Byelaws (2016)
JPra	Jharkhand Panchayati Raj Act
MGNREGS	Mahatma Gandhi Rural Employment Guarantee Scheme
MoPR	Ministry of Panchayati Raj
MoRD	Ministry of Rural Development
OSR	Own Sources of Revenue
PMAY	Pradhan Mantri Awas Yojana
PRI	Panchayati Raj Institution
PRIA	Participatory Research in Asia
RD & PR	Rural Development and Panchayati Raj
SAS	Social Assistant Schemes
SBM	Swachh Bharat Mission
SHG	Self-Help Group
SFC	State Finance Commission
SIRD	State Institute of Rural Development
TFC	Thirteenth Finance Commission
UNICEF	United Nations' Children Fund
YBA	Yojana Banao Abhiyan

Executive Summary

The Thirteenth Finance Commission (TFC) highlighted the need for augmenting revenues by the Gram Panchayats (GPs) themselves through better tax administration and improved collection efficiency, along with provisions for better quality services. Accordingly, the concept of performance-based grants was introduced for the TFC period starting from 2010-11. The Fourteenth Finance Commission (FFC) has also re-emphasised the need to augment resources by GPs at the local level.

The current study is part of a project that PRIA has undertaken in Jharkhand, with the support of UNICEF under the leadership of Dr. Alok Pandey. The objective of this study is to critically analyse best practices of states where GPs have been successful in exploring new sources of revenues. Another objective of this study is to assess the current status of own source revenue (OSR) from which GPs have been generating resources, if any. The ultimate objective of the study is to suggest measures to the State Government of Jharkhand upon which policy decisions could be based and an environment promoted for state GPs to generate a critical amount of financial resources through their OSR.

To this end, the study adopted a two-pronged approach. While secondary data was analysed from four selected states (Karnataka, Madhya Pradesh, Odisha and Chhattisgarh), a field study was conducted across five districts of Jharkhand (West Singhbhum, Latehar, Simdega, Ramgarh and Deoghar) to assess the current status of OSR in the state.

Key Findings

- The GPs of Jharkhand have great potential to mobilise OSR
- Nearly 62 per cent of GPs have a population of 5,000–6,500, which is a good size to achieve a critical breakeven point in terms of OSR mobilisation
- Nearly 88 per cent of GPs receive Rs. 25–50 lakh per year from various sources
- 66 per cent respondents are aware that GPs can generate resources from own sources
- Just by collecting Rs. 50 per person/year, GPs can mobilise OSR up to Rs. 300,000 (approximately 10 per cent of their total annual budget)
- At Rs. 100 per person/year, Jharkhand GPs can mobilise up to Rs. 250.55 crore per year
- At present, GPs in Jharkhand are mobilising less than Rs. 18 per person/year

Major Challenges

- Inhibitions of the State Government of Jharkhand
 - Example of Jharkhand Building Byelaws (2016) that very few GPs are aware of
 - Multiplicity of orders, unclear work distribution structure
- Limited and unprofessional human resource with GPs
- Capacities of GPs in planning and mobilisation of OSR
- Limited role of State Finance Commission

Key Suggestions and Recommendations

For the Department of Panchayati Raj and Rural Development, Government of Jharkhand

- ✓ Preparation of Rules and Issuing of Guidelines
- ✓ Promotion of Buoyancy and Simplicity in Tax Structure
- ✓ Co-ordination with other Departments
- ✓ Provisions for Human Resource
- ✓ Systematic Capacity Building (SIRD, CTI)
- ✓ **Promotion of Special Purpose Vehicle (SPV)**

For State Finance Commission

- ✓ Exploration of ways to increase fund distribution between the State and GPs (and municipalities) from net proceed
- ✓ Suggestion of measures for offering more untied resources to GPs (e.g., Corporate Social Responsibility, or CSR)
- ✓ Recommendations for making local self-government resourceful, capable and accountable

Other Areas of Improvement

- ✓ Management of proper data base in panchayats
- ✓ Incentive to GPs

Chapter I

Introduction

1.1 Background

Panchayats in rural India have historically been working along various different models, necessitating the need to promote a common structure through Article 40 of the Constitution, which was drafted just after Independence. The enactment of the 73rd Constitutional Amendment Act (CAA) puts the Gram Panchayat at the centre of rural governance. Under Article 243 G of the Constitution, the State legislature is required to transfer such powers, functions and responsibilities to village, block and district panchayats to enable them to function as institutions of self-government.

From the very beginning of the formation of panchayats, after the enactment of the 73rd CAA, the devolution of fund, function and functionaries ('3Fs') have been a focus area for strengthening panchayats. For the first time, the Tenth Finance Commission made a provision to support local bodies, explicitly through grants. It is expected that the State Governments would devolve the functions of the 29 broad areas listed in the 11th Schedule to the Constitution for panchayats, to the latter who are required to undertake them concurrently. The legislature is also required to appoint a State Finance Commission (SFC) to make recommendations for the sharing and assignment of various taxes, duties, tolls, fees, etc., as well as on the grants-in-aid for panchayats from the consolidated State fund.

The Ministry of Panchayati Raj (MoPR), Government of India (GoI), which was set up in May 2004, envisions a decentralized and participatory local self-government through panchayats or panchayati raj institutions (PRIs). The vision of the Ministry is to make PRIs an effective, efficient and transparent vehicle for local governance, social change and public service delivery, while encouraging States to devolve powers (or 3Fs) to PRIs.

A critical factor in improving the fiscal autonomy of rural local bodies is to help them enhance their own revenues. Improving own revenues will also strengthen the link between revenue and expenditure decisions of local rural bodies at the margins, which is extremely important to promote efficiency as well as accountability in the provision of services. At present, local rural bodies at district and block levels do not have worthwhile revenue sources of their own. The present analysis shows that in 2002-03, the own revenues of panchayats constituted 0.07 per cent

of India's Gross Domestic Product (GDP) or 0.36 per cent of the total revenues raised in the country (Govinda Rao et al, 2011).

The Thirteenth Finance Commission (TFC) highlighted the need for augmenting local government resources through better tax administration and improved collection efficiency along with the provision of better quality services. Accordingly, the concept of performance-based grants was introduced for the TFC period starting from 2010-11. The Fourteenth Finance Commission (FFC) also re-emphasised the need to augment resources by GPs at the local level.

Under Article 243 G of the Constitution, the States may transfer such functions to panchayats to enable them to function as institutions of self-government. These powers and responsibilities are to include:

- (a) The preparation of plans for economic development and social justice; and
- (b) The implementation of schemes entrusted to panchayats in relation to subjects, which may include those listed in the 11th Schedule of the Constitution.

To make the devolution functional, the matters listed in the 11th Schedule of the Constitution need to be broken down into discreet activities because it may not be appropriate to transfer all activities within a broad function or a subject to the PRIs. This is because a 'function' listed in the 11th Schedule of the Constitution may be devolved by law, but activities and sub-activities within each function can only be devolved through activity mapping.

Panchayati Raj in Jharkhand, in the real sense, came into being after 2010 when the first round of elections took place in the state. Provisions were made in the Jharkhand Panchayat Raj Act (JPRA) (2001), which says that GPs can impose certain taxes to generate their own sources of revenue (OSR). However, it was realised that GPs (as well as other tiers of PRIs) were struggling to generate their OSR. It was, hence, important to review the current situation in a systematic manner.

1.2 About the Study

The current study is part of a project that PRIA has undertaken in Jharkhand, with the support of UNICEF to promote Beacon Panchayats in the state. To develop panchayats as a self-sustainable model, it is important to promote their financial independence (from higher tiers). This is more critical in states with local ethnic populations like Jharkhand who have been reeling

under economic backwardness. The objective of this study is to critically analyse the best practices from states where GPs have been able to explore new sources for generating resources. Another objective of this study is to assess the current status of OSR from which GPs generate resources, if any. The ultimate objective of the study is to suggest measures to the State Government of Jharkhand upon which policy decisions could be based and an environment promoted for state GPs to generate a critical amount of financial resources through their OSR.

To this end, the study adopted a two-pronged approach. While a field study was conducted to assess the current status of OSR in Jharkhand, secondary data was also analysed from select states.

Five districts of Jharkhand—namely, West Singhbhum, Latehar, Simdega, Ramgarh and Deoghar—were selected for the field study. These districts represent all the five divisions of Jharkhand. From each district, two blocks were purposively identified, and from each of these blocks five GPs were further selected for in-depth study (Annexure-1).



A structured questionnaire was developed to collect primary data from the field (Annexure-2). Responses to a structure questionnaire were collected from the *Mukhija* and Panchayat *Sevaks*.

Along with reviews of documents from the field work, those from a few other states were also reviewed for identifying methods through which their GPs were mobilising OSR. For the same, documents from the MoPR, GoI, were used (Annexure-3). As per these MoPR documents, there are 19 states that have been able to mobilise their OSR from various sources. Ironically, Jharkhand does not feature on this list, the State Government has not yet been able to share any records with the MoPR on the amount being mobilised by GPs of the state through OSR.

Initially, four states—namely, Chhattisgarh, Odisha, Madhya Pradesh and Karnataka—were selected for the desk work and analysis of OSR. Chhattisgarh and Odisha are the adjoining states

of Jharkhand that more-or-lessly share a similar topography and socio-economic conditions. In fact, Chhattisgarh and Jharkhand earned statehood in the same year, in 2000. Madhya Pradesh is also dominated by a local ethnic population and a small part of the state also touches the boundary of Jharkhand. During the last few years the state's GPs have, moreover, mobilised their OSR. Karnataka is one of the states that has championed the promotion of the panchayati raj, and its GPs have mobilised their OSR very consistently.

Table 1.1
Per Capita Own Source of Revenue by GPs of the selected states

S. N.	State	OSR Mobilised (Rs. lakh)		Rural Population of State (2011)	Per Capita Income from OSR (Rs.)	
		2015-16	2016-17		2015-16	2016-17
1	Chhattisgarh	3,724	-	196.00	19.00	0.00
2	Odisha	2,820	3,045	349.70	8.06	8.71
3	Karnataka	47,877	29,132	374.69	127.78	77.75
4	Madhya Pradesh	2,131	-	525.57	4.05	0.00

Source: MoPR, GOI (2017)

From the secondary data, however, it was difficult to assess the major sources through which GPs have mobilised their revenue. Odisha also presents a similar case. Keeping all these facts in mind, the documents of Chhattisgarh and Karnataka were analysed, and some learnings were drawn with the hope that the research would provide some insights for Jharkhand GPs.

Chapter 2

Provisions for Own Sources of Revenue in Gram Panchayats in Jharkhand and Other States

The Constitution of India as well as the Jharkhand Panchayati Raj Act provides opportunities and powers to three tiers of the PRIs to receive resource shares from State and Central Governments as well as to generate resources from their own sources. The Central Finance Commission makes recommendations on resource availability to panchayats from the Central Government. Article 243 (I) of the Indian Constitution prescribes that the Governor of a State shall, as soon as may be within one year from the commencement of the Constitution (Seventy-third Amendment) Act, 1992, and thereafter at the expiration of every fifth year, constitute a Finance Commission. The latter is required to review the financial position of the panchayats and make recommendations to the Governor on principles that should govern the distribution between the State and the panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them and the allocation between the panchayats at all levels of their respective shares of such proceeds:

- The determination of the taxes, duties, tolls and fees that may be assigned as, or appropriated by the panchayats
- The grants-in-aid to the panchayats from the consolidated fund of the State
- The measures needed to improve the financial position of the panchayats
- Any other matter referred to the Finance Commission by the Governor in the interests of the sound finance of the panchayats

In the three-tier PRI structure it is the lower-most tier or the GP, which is largely endowed with the revenue-raising tax and non-tax powers, while the intermediate and the district tiers by and large have very limited or no revenue raising powers. Review of the statutes of various Indian states reveals that in most cases, it is only the GPs that are assigned with tax rights. In some states, the block panchayats are also empowered to levy a few additional taxes. In six other states, the *zila* panchayats or the district panchayats also have powers to levy taxes in limited ways.

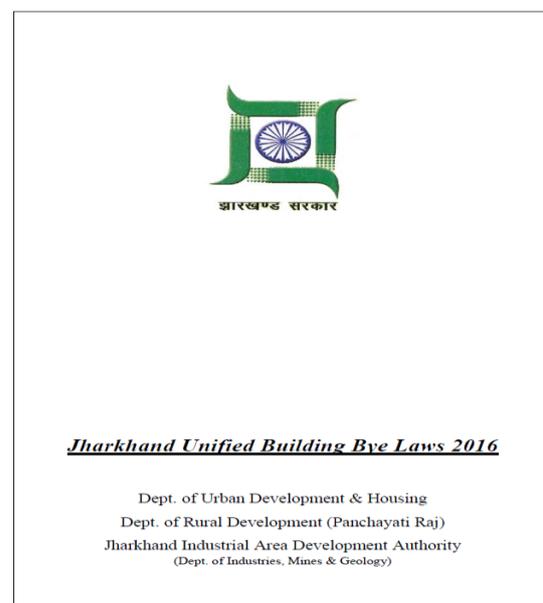
2.1 Provisions in Jharkhand

A GP is the lowest tier in the PRI structure, and it is very close to the rural population. The JPRA (2001) gives power to tax and collect them to all the three tiers of PRIs. There is a legal framework to enable the Jharkhand GPs to collect tax and non-tax revenue from different sources. Accordingly, the GPs could impose taxes on holdings, businesses, trades, professions and employments. According to article 93 of JPRA (2001), the GPs in Jharkhand may:

- **Impose annual taxes on**
 - Persons holding lands
 - Professionals, businesses and organisations within their jurisdiction
- **Collect fee from**
 - Registering such vehicles that are not registered under any Act
 - Management of sanitation, i.e., in places of pilgrimage, *haats* and fairs through notifications
 - Supply of water for drinking and irrigation or for any other kind of water use
 - Lighting fees at places and public streets where provision for lighting is made by a GP
 - Sanitation tax at the places where provision for sanitation of private latrines, urinals and cesspits are made by a GP within its jurisdiction
- **GPs may also impose other taxes and fees, as specified by the State Government**

JPRA (2001) also talks about various budget formats through which data related to various tax, fee, fine, etc., could be maintained and shown by the GPs.

The State Government of Jharkhand has also issued several orders and notifications so that GPs can impose taxes and generate resources at the local level. Adaptation of Jharkhand Building Byelaws 2016 could be seen as one of the important orders in this regard (Annexure-5). As per Jharkhand Building Byelaws, there are provisions such as:



- Fee against permission for development of land
- Taxes on concrete structures/houses

However, there seems to be gaps in the orders and notifications issued by the State Government and the information that have reached GPs and block level office bearers. Such communication gaps and/or misinformation have created unfortunate confusions among the elected representatives of the PRI as well as among field level government officials.

The Jharkhand Building Byelaws (JBB) suggests charging a fee against permission for development of land in rural areas (Table–2.1).

Table 2.1
Development Permit Fees

S. N.	Area of Plot	Fee Per Hectare (Rs.)	
		Residential	Non-Residential
1	Up to 1.0 hectare	5,000	10,000
2	Above 1.0 hectare to 2.5 hectare	10,000	20,000
3	Above 2.5 hectare to 5.0 hectare	12,000	24,000
4	For every addition of 1 hectare or part of it	2,000	4,000

Source: Jharkhand Building Byelaws (2016)

As per the JBB (2016), the PRIs can also collect fee from concrete residential buildings as per rates given in Table–2.2:

Table–2.2
Fee on *Pukka* Residential Buildings

S. N.	Height of Building	Fee for Residential Permit (Rs.)	
		Area up to 500 sq. m.	Area more than 500 sq. m.
1	Up to 10.0 m.	2.0	4.0
2	More than 10 to 16.4 m.	4.0	8.0
3	More than 16.4 m.	6.0	12.0

Source: Jharkhand Building Byelaws (2016)

As per the JBB, the minimum fee would be Rs. 500 and 50 per cent of the total fee should be deposited at the time of submission of the building map. The final fee is to be deposited before issuing the sanctioned Plan; but the deposited fees is not be refunded under any circumstances.

In case prior approval has not been granted for construction, the JBB has made provisions for compounding fees. Accordingly, Rs. 5,000 is to be paid by the owner/s of building/s to regularise construction.

According to the JBB, the CEO of the Zila Parishad is the ‘Competent Authority’, whose roles and responsibilities, however, are unclear. The JBB is, moreover, not clear about where this money is to be deposited, or on how much money, collected from development or construction fee, is to be shared among different tiers of the PRIs, especially with GPs.

2.2 Provisions in Chhattisgarh

Chhattisgarh is one of the neighbouring states of Jharkhand that shares a similar socio-geographical pattern as the state. Politically too, both states were created under similar circumstances and almost at a similar point in time.

Table 1.3 shows that the GPs of Chhattisgarh have mobilised nearly Rs. 37.24 crore from their OSR. Further analysis of Chhattisgarh shows that the state has made provisions for some mandatory and optional taxes for panchayats. The state has placed property tax, sanitation tax, light tax, cattle registration tax and professional tax under the category of mandatory taxes (Table – 2.3).

Table 2.3

Types of Taxes and Their Rates Currently Practiced in Chhattisgarh

Types of Tax/Fee/Cess	Rates of Tax/Fee/Cess		
Mandatory Tax			
Property Tax	Type of Land/ Building	Minimum	Maximum
	Buildings having capital value not less than Rs 6000 and not more than Rs. 12000	20 paise on Capital Value of per Rs. 100 or part of that	30 paise on Capital Value of per Rs. 100 or part of that
	Buildings having Capital Value of more than Rs. 12000	Rs. 1 on Capital Value of per Rs 500 or part of that	Rs. 1.5 on Capital Value of per Rs 500 or part of that
Sanitation Tax	Rs. 100 per household		
Light Tax	Rs. 100 per household (initially paid by panchayat and adjusted from the tax collected from households)		
Professional tax	Income (Rs.)	Minimum (Rs.)	Maximum (Rs.)
	11000 - 15000	100	200
	15001 - 20000	150	300

	20001 - 30000	200	400
	30001 - 40000	300	600
	40001 - 50000	450	900
	More than 50000	550	1400
Market Fee	Type	Minimum (Rs.)	Maximum (Rs.)
	Per sq. m. or part of that	30 paise per day or Rs. 8 per month	50 paise per day or Rs. 14 per month
	Commodities brought into the market for sale	25 Paise per Basket or 50 Paise per bag	50 Paise per Basket or Rs.1 per bag
Cattle Registration Fee	Type of cattle	Minimum (Rs.)	Maximum (Rs.)
	Pig, Goat, Donkey, Calf	3	5
	He Buffalo, Ox, Cow, Horse	5	25
	She Buffalo, Elephant, Camel	10	30
Other Taxes			
Approval of Telephone/ Mobile Tower (one time)	Rs. 25000		
Annual Renewal charge of Telephone/ Mobile Tower	Rs. 10000		
Cattle House	Name of Animal	Fee Per Day (Rs.)	
	He Buffalo, Big Calf	100	
	Horse, Donkey, Ox	100	
	Cow, calf	50	
	Small calf	50	
	Small calf and cow or buffalo together	50	
	Pig, goat, lamb, sheep	50	

Source: Documents and data of State Government of Chhattisgarh

The GPs of Chhattisgarh also collect some taxes and fees against services to their residents. Table–2.4 shows the services offered by GPs of Chhattisgarh and the tax/fee levied upon them. To collect tax from taxpayers, counters have been made at the GP level. Tax payers can deposit their taxes and collect receipts from these counters. In some GPs, self-help groups (SHG) provide support to GPs in tax collection, in lieu of which they get incentives (minimum five per cent of total tax collection and maximum of Rs. 10,000 per annum).

Table – 2.4
Tax Collected by Gram Panchayats Against Services

S. N.	Services	Fee (Rs.)
1	Domicile, Caste, Income certificates	10
2	Transfer of name, Heir certificate	20
3	NOC for electricity connection	20
4	NOC for construction of building	20
5	Sale of land, Mutation, Division of land	100
6	Regularisation of construction done without permission of GP	500
7	1. Permission for Hotel, Dhaba, vehicle repairing work	500
	2. Annual Renewal charges of Hotel, Dhaba, Vehicle repairing work	200
8	Permission for any other business unit	100
9	Application fee for piped water supply	20
10	Other application fee	10

Source: Documents and data of Government of Chhattisgarh

It is important to note that the State Government of Chhattisgarh has adopted a cluster approach and made provisions to appoint Tax Inspectors and Auditors at various levels of PRIs. Some of the key provisions related to human resources and their functioning are summarised as follows:

- Panchayat Secretary posted at the GP level
- Tax Officer and Internal Auditor posted for a cluster of five GPs to support GPs in collection of tax/fee
- Senior Internal Auditor and Tax Officer at block level (under Sub Divisional Officer)

2.3 Provisions in Karnataka

Karnataka is often cited as an important example of a pro-decentralisation state. This is mainly due to the earlier legislation passed by the state during 1983, which was regarded as a landmark. After the 73rd Amendment to the Constitution, Karnataka was the first State to pass the Karnataka Panchayat Raj Act, 1993, as per the Amendment and conduct elections for GPs in December 1993. This was the beginning of a full-fledged three-tier system of PRIs in Karnataka, making use of the 11th Schedule in the Constitution to decentralise power and functions to panchayat raj bodies at all the three levels.

Karnataka, which has only 2 per cent of the total panchayats in India, mobilises almost 11 per cent of the total resources mobilised by the panchayats in the country. GPs in Karnataka may raise funds in various ways. A major part of their revenue is generated through tax collection. They also earn revenue through sale of certain items, leasing of property, collection of public

donations, etc. The OSR of panchayats are broadly classified into: tax revenue and non-tax revenue.

Tax and Non-taxes (OSR):

- **Taxes:** Panchayats are empowered to levy tax and revenue through tax imposition that forms part of their OSR. Taxes levied by GPs include:
 - Property tax including land tax and house tax
 - Electricity charges
 - Water tax, i.e., general water tax and special water tax from individual households with individual drinking water house pipe line connection, etc.
 - Entertainment other than cinematography, tax on vehicles other than motor vehicles and advertisement tax
- **Non Tax:** The following non-tax revenues are part of the GP's own revenue, earned through sources other than tax:
 - License fees for sanctioning house plans, fees charged for issue of trade registration fees and vehicle registration fees
 - Other fees like Jatra fees, development charges from private layout, notice fees, warrant fees, fines, market fees, slaughterhouse, mutton stall and chicken stall fees, bus stand fees and cart stand fees
 - Income from permanent assets like rent from land and buildings
 - Local cess, sale of manure, sale of land, income from lease of properties like ponds, pounds and other miscellaneous assets

Other Receipts:

- **Statutory Grants under Section 206 of PRI ACT 1993:** Every GP receives maintenance grant (Section 206) or discretionary grant (208) under the provision of the Karnataka Panchayat Raj Act 1993 from the Government
- **Developmental Grants:** A lump sum amount received by the panchayats from the Government and can be used by panchayats for developmental purposes
- **Central Finance Commission Fund:** The Union and State Finance Commissions devolve funds to GPs for provision of basic civic services, purpose of remunerative assets and infrastructure development programmes

Some important provisions to promote own sources of revenue in Karnataka

An important issue relating to the efficient functioning of panchayats is the extent of autonomy enjoyed by these institutions in expenditure decisions. Financial autonomy has to be seen against the degree to which the panchayat can take independent decisions regarding expenditure. Through guidelines issued from time to time, the State Government of Karnataka has placed certain restrictions on expenditure, which has to be met from the resources mobilised by GPs. Some of these important restrictions are as follows:

- The salaries of the Bill Collector and the Clerk should be paid out of own sources
- Honorarium of Adhyaksha and Upadhyaksha and their TA and DA bills should be paid out of own mobilised resources
- Staff pattern and their salaries are fixed by the Government. Even if own resource mobilisation is very good, the staff cannot be paid higher salaries
- If the internal resource mobilisation by the GP is less than Rs. 30,000 per annum, it cannot recruit a Bill Collector or Clerk
- GPs should not spend more than 40 per cent of their own sources on salaries to panchayat staff
- 20 per cent of the resources should be spent on development schemes for SCs and STs; and 10 per cent should be compulsorily spent on social forestry scheme
- Expenditure incurred on capacity building programmes of elected representatives of GPs should be met out of their own resources
- Expenditure on stationery and telephone bills should be paid out of own resources
- GPs should contribute a proportion of CFC grants from their own resources

2.4 Comparative Analysis of Provisions of Jharkhand, Chhattisgarh and Karnataka

Analysis of provisions of the JPRA (2001) and the practices followed in Jharkhand offers some interesting information when compared with states like Chhattisgarh and Karnataka. Like these two states, the Jharkhand Act also makes provisions for levying and collecting taxes at the GP level, but due to improper guidance from the state, the same has not been properly practiced. Table–2.5 shows that just by issuing proper guidelines and directions to their GPs, states like Chhattisgarh and Karnataka have been able to create a favourable environment for their GPs to mobilise their OSR.

Table – 2.5

**Comparative Analysis of Provisions Related to Taxes/Fee by Jharkhand, Chhattisgarh
and Karnataka to Mobilise OSR**

Types of Tax/ Fee/ Cess	Chhattisgarh		Karnataka		Jharkhand	
	Provision	Collected	Provision	Collected	Provision	Collected
Property Tax	√	√	√	√	√	X
Sanitation Tax	√	√	√	√	√	X
Light Tax	√	√	√	√	√	X
Professional tax	√	√	√	√	√	X
Market Fee	√	√	√	√	√	X
Cattle Registration Fee	√	√	√	√	√	X
Cattle House	√	√	√	√	X	X
Domicile, Caste, Income Certificates	√	√	√	√	X	X
Transfer of name, Heir Certificate	√	√	√	√	X	X
Electricity connection	√	√	√	√	√	X
NOC for construction of building	√	√	√	√	√	X
Sale of land, Mutation, Division of land	√	√	√	√	X	X
Regularisation of construction done without permission of GP	√	√	√	√	√	X
Permission for business unit	√	√	√	√	√	X
Application fee for Piped water supply	√	√	√	√	√	X

Source: Acts, rules, documents and records of State Governments of Jharkhand, Chhattisgarh and Karnataka

Table–2.5 shows that even after having provisions, the collection of OSR is not practiced in Jharkhand. The table also indicates that there are some assets/provisions with good potential (e.g., sale of land, cattle registration fee, permission for businesses, etc.) that could be utilised for OSR mobilisation at the GP level. By issuing proper notifications and guidelines, as well as by generating awareness among local rural communities and by building the capacity of PRIs (and their office bearers) things could be changed in the state of Jharkhand.

Chapter 3

Current Status of Own Sources of Revenue in Gram Panchayats of Jharkhand

Provision of services responding to the local needs and preferences in a decentralised government system depends upon the willingness and the ability of local governments to raise revenue from their own sources, to a large extent. The constitutional amendment in India assigned State Governments with exclusive legislative authority to empower PRIs to levy taxes. The major objective for devolving revenue raising powers to PRIs is to enable them to function as effective institutions of self-government at the local level by improving their autonomy in planning and decision making.

3.1 Key Information About Field

To assess the current status of OSR and their mobilisation by GPs in Jharkhand, a field study was conducted. In all, 50 GPs from 10 blocks of the five districts (Table–3.1) were covered to assess the current status of the earning of GPs from their OSR.

Table – 3.1

Division-Wise Names of Districts Covered Under Study

S. N.	Division	District
1	Kolhan	West Singhbhum
2	Palamu	Latehar
3	North Chhota Nagpur	Ramgarh
4	Santhal Pargana	Deoghar
5	South Chhota Nagpur	Simdega

Source: Field data

It was decided that information on OSR at the GP level would be collect from the *Mukhiya* and/or *Panchayat Sevaks* as they are the key office bearers of a GP. However, in case of one of the GPs neither the *Mukhiya* nor the *Panchayat Sewak* was available during the fieldwork, requiring the discussion to be held with the *Up Mukhiya* for information collection (Table–3.2).

Table 3.2
Position-Wise Detail of Respondents

Respondents	Number
<i>Mukhiya</i>	39
<i>Panchayat Sewak</i>	10
Other (<i>Up Mukhiya</i>)	1
Total	50

Source: Field data

The team members engaged in the study also accessed budget formats, books of accounts, pass books and other financial documents of GPs to understand various sources of income. Along with data collection from GPs, meeting were also organised with block and district officials for their opinions on OSR of GPs.



Key findings of OSR and their mobilisation in Jharkhand were analysed on the basis of size of gram panchayat, sources of and total revenue receipts, awareness of sources of revenue, awareness of own sources of revenue, and annual plans.

3.2 Sizes of Gram Panchayats

Population size is an important factor for assessing the nature and quantity of the total revenue generated by any particular tax. It was realised that the population of nearly 62 per cent of GPs fall in the range of 5,000–6,500. It is important to note that this size is good for achieving a critical breakeven point in terms of mobilisation of OSR.

GPs with a population in the range of 6,501–8,000 are nearly 24 per cent, and the rest (14 per cent) have a population of more than 8,000 (Table–3.3). However, it is important to note that most GPs do not have any proper data maintenance process for the exact figure of their total

population. Moreover, only a few GPs were able to provide the list of families living below poverty line (BPL) in their areas.

Table – 3.3

Population size of the GPs covered under the study

Population Range	Number of GPs
5000 to 6500	31
6501 to 8000	12
More than 8000	7
Total	50

Source: Field data

3.3 Total Revenue Receipts of Gram Panchayats

As far as total revenue receipt of GPs is concerned, the study reveals that nearly 88 per cent of GPs receive Rs. 25–50 lakh per year, from various sources (Table–3.4). Only four per cent receive more than Rs. 50 lakh per year as their revenue receipt, while another eight per cent receive less than Rs. 25 lakh per annum for the development of their GPs.

Table 3.4

Category of GPs According to Annual Revenue Receipts

Total Receipt (Rs.)	Number of GPs
Less than 25 Lakh	4
25 to 35 Lakh	31
35 to 50 Lakh	13
More than 50 Lakh	2
Total	50

Source: Field data

Each GP has a dedicated account that is jointly operated by the *Mukhiya* and Panchayat *Sewak* as signatories. In addition, most of the panchayats have received money under Swachh Bharat Mission (SBM). To maintain the income flow, yet another account is operated by the *Mukhiya* and *Jal Sahiya* (appointed by the Department of Drinking Water and Sanitation). Table–3.5 gives an idea of how much money is received by the Ichatu Gram Panchayat of Ramgarh district.

Table – 3.5

Major Source of Revenue Receipts of Ichatu GP (2016-17)

Heads	Revenue Receipts (Rs.)
14 th CFC	28,99,418
SBM	10,80,000
Total	39, 79,418

Source: Field data

Additionally, the villagers of different GPs receive money under various Centrally Sponsored Schemes (CSS)—viz. the Mahatma Gandhi Rural Employment Guarantee Scheme (MGNREGS), the Pradhan Mantri Awas Yojana (PMAY) and various Social Assistant Schemes (SAS). GPs, however, are not maintaining any records of these receipts, as money under these schemes go directly into the accounts of beneficiaries.

To assess the revenue amount and create a better plan for local development, it is important for GPs to maintain proper records of revenue receipts. The JPRA (2001) talks about various formats to be maintained by GPs for keeping records of their receipts and expenditures. The study reveals that nearly 78 per cent of GPs have some format to show their revenue receipts (Table–3.6). Other GPs, however, only rely on their Bank Accounts for their revenue receipts.

Table 3.6

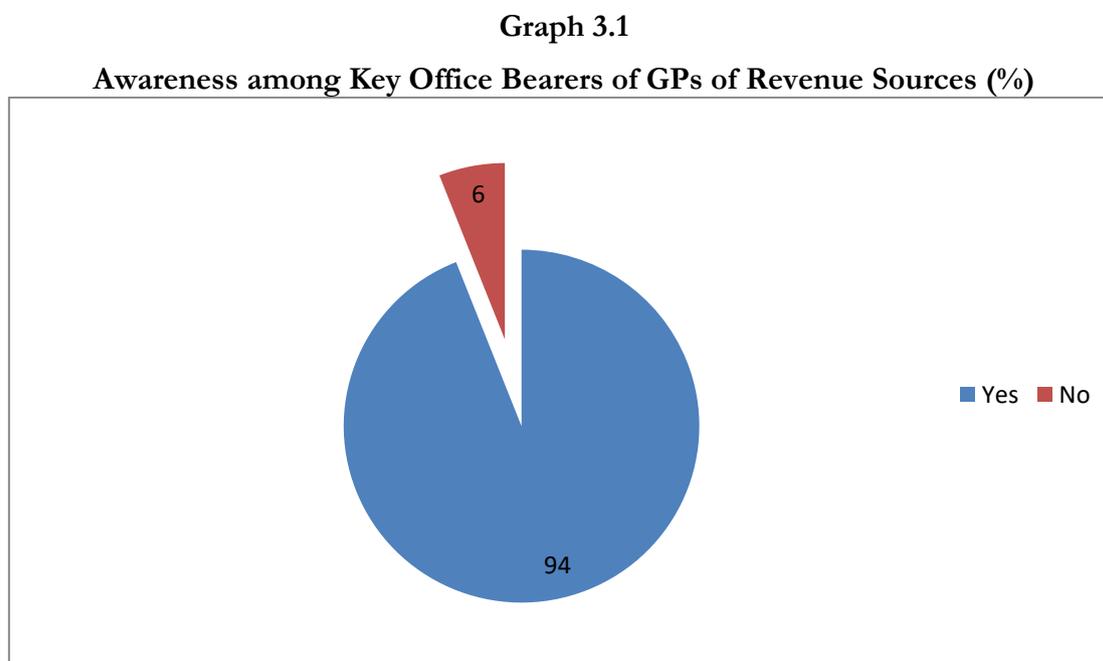
Number of GPs Maintaining their Revenue Receipts

Formats to show Revenue Receipts	Number
GPs Maintaining the Revenue Receipts Properly	39
GPs Not Maintaining Revenue Receipts Properly	11
Total	50

Source: Field data

3.4 Awareness about Sources of Revenue Receipts

The field study reveals that most respondents were aware of the major sources of revenue of their GPs. Six per cent of respondents who held key positions in their GPs, however, were actually unaware of the sources of the revenue of their GPs (Graph 3.1).



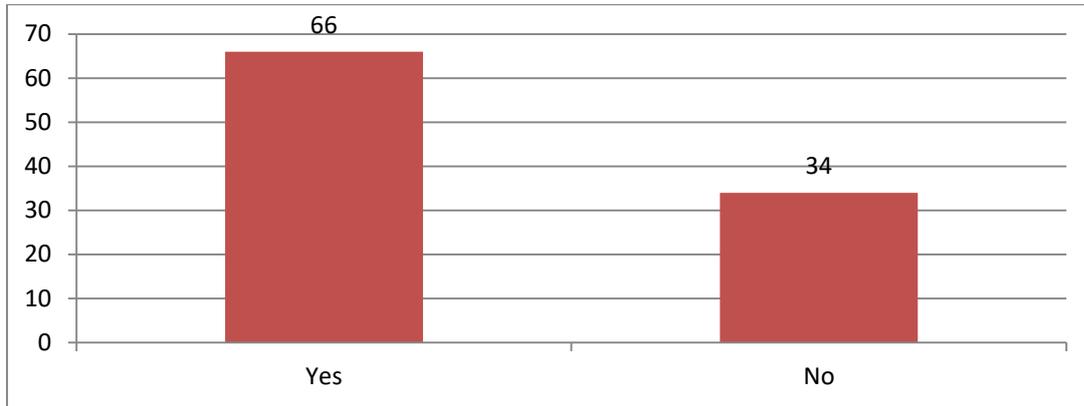
Source: Field data

3.5 Awareness about OSRs of Gram Panchayats

It is important to know that major revenue raising powers assigned to village panchayats comprise—(i) taxes on land and buildings not subject to agricultural assessment; (ii) taxes on professionals, businesses and organisations; (iii) taxes on vehicles other than motor vehicles; (iv) fees for public street lighting and lighting for various locations; and (v) taxes on water supply and sanitation.

Interestingly, fieldwork data indicates that only 66 per cent of the respondents knew their GPs could generate resources from their own sources. The rest of the 34 per cent were unaware of this fact, which poses a big question on the generation of resources by GPs from their own sources (Graph–3.2).

Graph 3.2
Information about Own Source of Revenue of GPs (%)

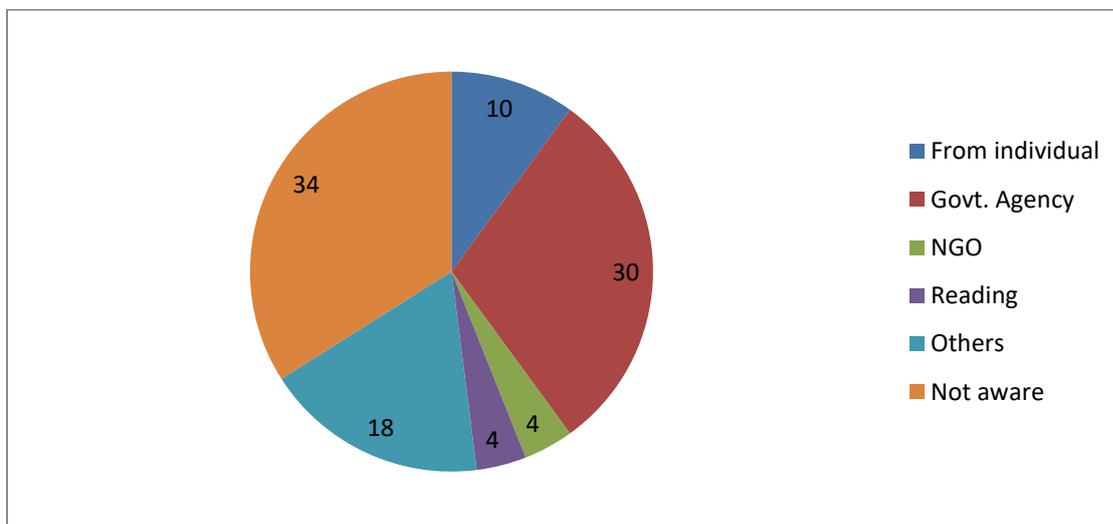


Source: Field data

Another important fact related to the level of knowledge about OSR of GPs among their key office bearers is that 30 per cent of the informed respondents came to know about their OSR through Government agencies (Graph–3.3). This indicates that some initiatives have already been taken by the State. However, there is also a need to intensify such initiatives on a larger level and on a regular basis.

Nearly 18 per cent of informed respondents received OSR-related information from individuals within or outside the GPs. Similarly, nearly one-fifth of the total respondents approached for the study received such information from other informal sources.

Graph – 3.3
Source of Knowledge Related to OSR



Source: Field data

This overall scenario indicates that an urgent and systematic intervention is required from the State Government to build understanding as well as capacities of the office bearers of GPs to enable them to augment their own resources.

Although 66 per cent of respondents shared that they had some idea about the OSR of GPs, when asked whether their GP had been able to generate resources from OSR, only 8 per cent of the respondents were able to give a positive reply (Table–3.7).

Table – 3.7
Resource Generated by GP through OSR during Last Year

Resource Generated by GP in 2016-17	Number of Respondents
Yes	4
No	46
Total	50

Source: Field data

The field study also found that some of the GPs generate revenue from their own sources (Table–3.8). This revenue amount varies from Rs. 3,000 (from water tankers) to Rs. 2.9 lakh (*Balu Ghat*) per annum.

Table–3.8
List of GPs Mobilising OSR (2016-17)

S. N.	Name of GP	Name of Block	Name of District	OSR (Rs.)
1	Kudahatu	Jhinkpani	West Singhbhum	3,000
2	Dakai	Sarwan	Deoghar	2,91,000
3	Manikpur	Deoghar Sadar	Deoghar	1,38,000
4	Chechar	Barwadih	Latehar	7,000

Source: Field data

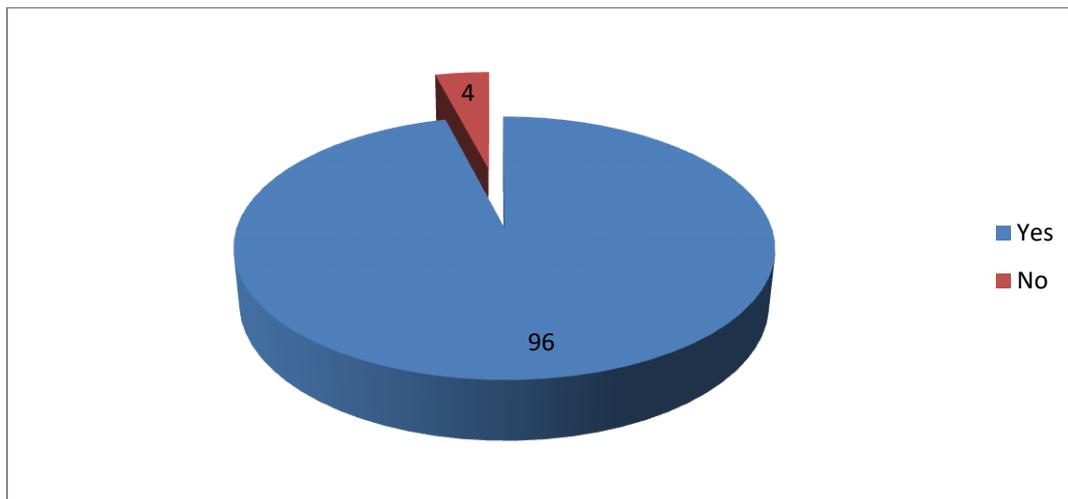
It is motivating to learn from the field study that there are possibilities for mobilising OSR by GPs and that some of the GPs have already done so. The challenge, however, lies in replicating this scenario across the state. Again, there is a need to devise a mechanism for supporting and motivating GPs to mobilise their OSR.

The GPs that do generate own resources however do not maintain records related to revenue receipts from their own sources.

3.6 Annual Plan of Gram Panchayats

A good sign of the functioning of the GPs thrown up by the study is that nearly 96 per cent of respondents shared that they have an Annual Plan. However, a deeper analysis revealed that most of the GPs had prepared their gram panchayat development plan (GPDP) under the Yojana Banao Abhiyan (YBA) in 2016, when a campaign was organised by the State Government in collaboration with the Ministry of Rural Development (MoRD), GoI. Those associated with this campaign had developed a perspective plan for the next three years (2015-16 to 2017-18); and till date, state GPs are using that plan document as an annual plan document. The fieldwork indicated that annual plans of more than 95 per cent of GPs were undertaking their activities with the help of either CSS or the 14th CFC (Graph-3.4).

Graph 3.4
Full Dependency of GP Plan on External Resource (%)



Source: Field data

3.7 Possibilities of Mobilising OSR by Gram Panchayats

Views on own source revenues for panchayats were solicited from respondents. Some of the suggested possibilities is given in Table 3.9.

Table 3.9
Heads from which resources could be generated by GPs

S. N.	Heads
1	By giving Panchayat Buildings on Rent
2	Fee on Community Toilets at Haat Bazar
3	Leasing ponds to fisheries
4	Water tanker
5	Fee on library, Pragya Kendras
6	Bank interest (especially after 14 th CFC)
7	Tax on shops during Haat Bazar
8	New market complex
9	Tax on vehicles (environment cess)
10	Fee on small and medium enterprises/ cottage industries (e.g., lac production)
11	Tax from bus / auto stands
12	Tax on Kanji House (Cattle Shed)

Source: Field data

Discussions with *Mukhiyas*, *Panchayat Sewaks* and other key stakeholders at the block, district and state levels revealed that an unequal distribution of (re)sources (mines, forests and water) is one of the key factors why state policies are not much in favour of GPs. Due to administrative negligence of these issues, GPs too have not been trying their level best to mobilise local and own sources of revenue. Stakeholders at the GP level also said that since they have a small amount of capital with them, they are not in a position to generate resources after a certain point.

Some of the block and district level stakeholders also opined that because of vested interests and local conflicts, GPs have not augmented their OSR.

An important point revealed by this whole study is the huge existing gap in terms of a proper understanding of OSR and their utilisation. It was also obvious that some of the GPs who generate their own resources do not maintain any OSR-related records.

Chapter 4

Issues Related to Mobilisation of OSR by Gram Panchayats in Jharkhand

The dismal performance of GPs of Jharkhand in mobilising their own revenues can be attributed to a number of factors. These could be clubbed under various broad heads. On the basis of the comparative analysis (Chapter 2) and findings from the field study (Chapter 3) various challenges have been realised. Suggestions for future actions in some important areas of functioning are given below.

4.1 Inhibitions of the State Government

The State Government of Jharkhand has made provisions in JPRA (2001) through which GPs can mobilise their OSR. The JBB (2016) has also tried to provide some additional opportunities to GPs to generate some more resources at the local level.

However, data from the field study suggests that there is excessive state control over the panchayat tax domain. JBB (2016) could also be seen as an example in this regard. It seems that guidelines are issued to keep control in the hands of higher authorities. Ambiguities in relation to tax collection points, lack of clarity on the responsibilities of various PRIs in relation to tax collection and sharing of the same among various PRIs prevent GPs from mobilising their OSR.

Owing to the state's control, tax rates are not periodically reviewed and revised in the local context. Again, the multiplicity of orders issued by different departments on a particular issue creates confusion regarding the delegation of responsibilities and jurisdiction. These factors not only limit the autonomy of the PRIs, but also prevent them from exploring new sources for mobilising their OSR.

Another important issue that needs to be highlighted here is the role of the SFC in Jharkhand. Though the state has constituted its Third State Finance Commission, the first and second SFCs have not yet submitted their reports to the state. Due to lack of reports from earlier SFCs, periodic review of state finances and panchayat resources are not available systematically. Conversations with state officials and other key stakeholders (CSOs, practitioners and academicians) indicate that the state has a history of giving very limited roles to SFCs.

All these issues need to be reviewed in the current context, and appropriate actions taken by responsible agencies.

4.2 Capacities of Gram Panchayats in Planning and Mobilising OSR

The field study clearly reveals that more than 95 per cent of GPs are fully or heavily dependent on resources that come from outside the panchayats (either from the 14th CFC or other CSS). Discussions with office bearers of GPs also indicated wide gaps in information and capacities at the GP level, especially in relation to OSR.

Officials of the State Institute for Rural Development (SIRD) shared that as an apex institute for capacity building of officials and PRIs in the state, it has organised a few training programmes. But the officials were unable to share any training modules or curriculum on the same. The discussions reveal that the concerned resource persons typically use their own documents and presentations.

Under such circumstances, the failure of GPs to mobilise their OSR could be attributed to their dependency on higher tiers of Government agencies. To change this situation, there is a need to re-strategise some interventions and regular orientation and capacity building programmes, especially on the mobilisation of OSR, which should be offered to office bearers of GPs on a regular basis.

4.3 Human Resource with Gram Panchayats

The GPs of Jharkhand face huge limitations in terms of human resources. Provisions have been made to appoint a *Panchayat Sewak* for every GP. But fact of the matter is that most of the existing *Panchayat Sewaks* handle two or more GPs. In a state like Jharkhand where a GP can have more than 10 revenue villages, it becomes very difficult for a *Panchayat Sewak* to keep eyes on administrative matters rigorously. The task of a *Panchayat Sewak* has become harder due to the increasing role of GPs as implementing agency for various Central and State development schemes. In the current context, the focus of *Panchayat Sewaks* is more towards implementation of schemes rather than on revenue mobilisation from other resources.

Along with the *Panchayat Sewak* the State also appoints a *Rojgar Sewak* who is exclusively responsible for maintaining MGNREGS related data. However, the *Rojgar Sewaks* also support the GPs in implementing programmes like PMAY and SBM.

Recently, the State Government has also appointed four Panchayat Volunteers for each GP, but as volunteers their accountability to the GP is not very clear. In fact, in some cases, a couple of the Panchayat Volunteers have migrated to other locations for their livelihood.

It is also important to note that provisions under the 14th CFC allow GPs to use administrative costs (up to four per cent of total fund) for hiring professionals and their capacity building, but in the absence of a proper guideline from the State, the GPs have been unable to utilise this cost properly.

To a large extent, all these issues have been hindering the mobilisation of OSR. In the long run, they will adversely impact GPs, while hindering their financial autonomy and preventing them from working as a local government.

Chapter 5

Suggestions and Recommendations

In the light of the major findings of the study and discussions based on them, it is essential for State Governments to take appropriate measures on a priority basis so that a local government-centred environment may be developed, along with the promotion of OSR for GPs. Institutions wise Key recommendations and suggestions for improving the financial health of panchayats and strengthen their abilities to explore and mobilise their OSR are given below, for different institutions related to the functioning of panchayats.

5.1 Department of Panchayati Raj and Rural Development

Since the Department of Panchayati Raj and Rural Development (DoPR and RD) is the nodal department responsible for strengthening the panchayats in the state, it is important that the department play a role of facilitator. As such, the department could play the following roles:

5.1.1 Formation of Rules and Guidelines

One of the important roles of the DoPR and RD is to formulate rules and guidelines for promotion of objectives envisaged in JPRA (2001). Panchayats can plan for their socio-economic development with social justice, only when they have decision-making capacities. Financial strength could be one of the key components that could provide this status; and for that, it is important for the DoPR & RD to frame rules and guidelines for panchayats to mobilise their OSR.

5.1.2 Promotion of Buoyancy and Simplicity in Taxes

In order to augment the revenue powers of the panchayats it is necessary to take a re-look at the tax powers assigned to them and examine the possibility of assigning additional productive revenue handles. The state should try to reinforce the provisions already made under JBB (2016) with some reforms, appropriate for the current situation. Based on field discussions and experiences of other states, the following Table 5.1 can be used to mobilise OSR at the GP level:

Table 5.1**Sources to Mobilise OSR of GPs in Jharkhand**

Head	Unit	Proposed Tax Rate (Rs.)	
		Minimum	Maximum
Building/ premises of panchayats on rent	Day	50	500
Ponds on lease for fisheries	One time	1000	2500
Registration of small and medium enterprises/ Cottage industries (e.g. Lac production)	One time	250	500
Space with one light connection during Haat Bazar	Day	25	50
Tax on private vehicles (Environment cess)	Annual	100	250
Tax on Commercial vehicles (Stands, Haat Bazar)	Day	20	50
Water Tanker (on occasions/functions/Haat Bazar)	Trip	100	250
Fee on Community Toilets at Haat Bazar	Day	2	5
Animals in Cattle shed (Kanji House)	Day	5	10
Fee on Library, Pragya Kendras	Month	25	50
Domicile, Caste, income Certificates	Certificate	5	10
Transfer of name, Heir Certificate	Certificate	25	100
Sale of land, Mutation, Division of land	Certificate	50	250
NOC for electricity connection	Certificate	10	50
NOC for construction of building	Certificate	50	250
Regularisation of construction (done without prior permission)	Certificate	500	1000
Permission for Hotel, Dhaba, vehicle repairing work	Annual	250	500

The State Government can take initiative to ask the DoPR and RD to co-ordinate with other departments (viz. revenue, finance, industries, forests, transport, IT, etc.) and devise a mechanism through which information could be shared with GPs and OSR could be mobilised.

For example, the *Pragya Kendras* are established by the IT department to provide services to villagers. Some of the *Pragya Kendras* are established in the premises of GPs. However, the resources being generated by these *Pragya Kendras* are shared between the IT department and the allottee of the *Pragya Kendras*. GPs do not receive any resources from the whole business, and therefore, are not interested in functioning and promoting these *Pragya Kendras*.

5.1.3 Promotion of Special Purpose Vehicle (SPV)

It is important to note that GPs in Jharkhand have a huge potential for mobilising OSR. Keeping the recommendations of the 14th CFC in mind, it is also important for the state to take necessary actions for the promotion of the generation of additional resources at the local level. Recently,

the State Government of Jharkhand signed a good number of Memorandum of Understandings (MoUs) during ‘Momentum Jharkhand’, and it is going to see a huge investment in coming years.

In the light of such developments, it would be good for the State to promote an SPV to coordinate OSR-related activities in a proper manner. Such SPVs should be established by the DoPR and RD, under the leadership of an officer, not below the rank of director.

Provisions for Human Resource

Another key role of the DoPR and RD is to make appropriate provisions for manpower at the panchayats. Like Chhattisgarh and Karnataka (and some other states), the DoPR and RD should provide adequate manpower to the panchayats so that they could plan and mobilise their OSR. Initially a Tax Collector / Inspector could be appointed at a cluster of three to four GPs. Subsequently, they could be posted at the GP level. The DoPR and RD can facilitate the appointment of following persons at a cluster of GPs (3-4) to promote and mobilise OSR:

- Tax Collector / Mobiliser
- Internal Auditor

These personnel should be paid by GPs from their OSR. The 14th CFC has already made provisions in this regard. The State Government can take advantage of the same and take a bold initiative in this direction.

5.1.4 Systematic Capacity Building

The SIRD is the apex institute in the state that provides training and capacities on various subjects related to local development. In addition, the Central Training Institutes (CTIs) are also engaged in capacity building. The DoPR and RD also look after SIRD and CTIs. In the light of the current situation, the DoPR and RD can advise the SIRD and CTIs to design new courses on mobilisation of OSR and offer them to office bearers of panchayats.

It is important to note that this training should not be a single event exercise. In the current context, where issues like Goods and Services Tax (GST) are prevalent, there is a need to organise refresher trainings on a regular basis. In the context of mobilisation of OSR, it is also important that the double entry accounting system be promoted at GPs. It is, moreover, important to ensure that all the three tiers of PRIs operate under the same set of accounting rules. Accordingly, capacities of the GPs should be developed.

The State Government can also publish small booklets containing various provisions related to OSR and share that with GPs so that a common understanding could be developed on OSR, across the state.

Keeping the current capacities of SIRD and CTIs in mind, the DoPR and RD can also rope in reputed civil society organisations (CSOs) working with self-help groups (SHGs) for building their capacities on financial aspects. The CSOs working on governance issues could also be engaged to ensure the fiscal devolution component of governance.

5.1.5 Co-ordination with other Departments

The study clearly reveals that very few office bearers of GPs are aware about the JBB. The DoPR and RD was part of the processes related to drafting the JBB, but since it was released by the Department of Urban Development, very little focus was given by panchayats. To prevent a similar situation in future, it is important the DoPR and RD play a role of co-ordinator, especially in relation to issues that have larger impacts on panchayats, and co-ordinate with other departments to protect the interests of the panchayats.

5.2 State Finance Commission

The current study also shows that the State Finance Commissions (SFCs) have played important roles not only in making provisions for financial strengthening of panchayats, but also to explore new possibilities of collaboration and networking. In case of Jharkhand, the SFC should play the following roles:

- Explore ways to increase the distribution of fund between the State and panchayats (and municipalities) of the net proceeds of the taxes, duties, tolls and fees leviable by the State. The same may be divided between them under part IX (and IXA) of the Constitution of India, and the allocation between the panchayats (and Urban Local Bodies) at all levels of their respective shares of such proceeds
- Suggest measures about where greater resources could be given to panchayats as untied money (like recommendations of the 14th CFC)
- Recommend making local self-government resourceful, capable and accountable in delivering development and social justice at local levels

5.3 Other Areas of Improvement

(A) Management of Proper Data Base

Absence of a proper database is one of the major drawbacks for GPs, especially in the context of planning of resources. For example, if GPs have proper information about their land and holdings, assets (physical and natural), types and number of vehicles, types and number of livestock, type of professions and number of professionals engaged under them, etc., they could explore the linkages and services required by the individuals, and accordingly they could levy taxes and fees for mobilising OSR.

Table 5.2 shows that there are states where GPs have been able to generate nearly Rs. 830 per person per year. Jharkhand can also learn from neighbouring states like Karnataka and Telangana, who are generating nearly Rs. 128 and Rs. 393 per capita per year, respectively. This is because these states have been able to develop a mechanism where data is available as and when required.

Table 5.2
Per Capita OSR Generated by GPs of Other States

S. N.	State	Per Capita OSR (Rs.)	
		2015-16	2016-17
1	Andhra Pradesh	883.6	975.9
2	Assam	30.4	48.5
3	Chhattisgarh	190.0	NA
4	Goa	799.5	NA
5	Haryana	393.4	501.8
6	Himachal Pradesh	20.9	NA
7	Karnataka	127.8	77.8
8	Kerala	313.6	447.3
9	Madhya Pradesh	4.1	NA
10	Maharashtra	97.4	NA
11	Odisha	8.1	8.7
12	Rajasthan	NA	1.0
13	Sikkim	68.0	68.0
14	Tamil Nadu	166.1	NA
15	Telangana	143.6	192.2
16	Tripura	9.4	NA
17	Uttar Pradesh	0.1	NA
18	Uttarakhand	33.4	45.5
19	West Bengal	31.2	32.5

Source: MoPR, GoI (2017)

In relation to data management, it is also important that different tiers of PRIs have a common pattern. A beginning in this direction was made at the GP level, where a software captures the uniform database from *Zila* Panchayats. Similar software should be planned for block and panchayats, and GPs.

(B) Incentive to GPs

The 14th CFC has made some provisions (performance grant) to incentivise GPs who show some progress on the OSR front. The State Government of Jharkhand has also issued a letter in this regard (Annexure–6), but beyond that there is also a need to incentivise GPs. The State can make provisions to incentivise GPs that mobilise OSR equal to or more than 25 per cent of their total revenue expenditure, with a specified pre-announced rate. Alternatively, a matching element could be introduced and given to GPs from the State Government.

Finally, the State Government has recently constituted the Panchayat Raj Swashan Parishad to explore new own sources of revenue for PRIs. Such a *Parishad* could monitor the decentralisation related issues—both functional and fiscal—in an effective manner. In addition, a Decentralisation Analysis Cell needs to be created in the State with a mandate to monitor the functioning of the GPs as per the provisions of the JPRA. This cell can keep a track on the changes taking place in the PRIs, both functionally as well as financially.

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Annexures

Annexure – 1

District and Block-Wise Names of Gram Panchayats Covered Under Study

District	Block	GPs				
West Singhbhum	Sadar Chaibasa	Tekrahatu	Karlajori	Nimdih	Baduri	Lupungutu
	Jhinkpani	Kudahatu	Asura	Nawagaon	Choya	Tutugutu
Latehar	Latehar Sadar	Parsahi	Ichak	Dhankara	Nawagarh	Tarwadih
	Barvadih	Ukmadhi	Mangro	Barwadih	Chichar	Khura
Ramgarh	Dulmi	Usra	Jamira	Ichhatu	Dulmi	Soso
	Chittarpur	Mayal	Badki Pona	Uttari Sewai	Dakshini Sewai	Guchumdih
Deoghar	Sarwan	Dahua	Bandajori	Dakai	Kushmaha	Rakti
	Deoghar Sadar	Sankari	Sarsa	Gidhni	Kanmankathi	Manikpur
Simdega	Kersai	West Tainser	Kanjoba	Kersai	East Tainser	Basen
	Kurdeg	Dumardih	Kurdeg	Hetma	Khinda	Kutmakjhar

Annexure – 2

पंचायती राज संस्थाओं के स्वयं के आर्थिक संसाधन जुटाने की वर्तमान स्थिति का अध्ययन

पंचायती राज संस्थाओं के पदाधिकारियों (मुखिया/पंचायत सेवक) के लिये प्रश्नावली

खण्ड (क) – सामान्य जानकारी

1. ग्राम पंचायत का नाम –
2. प्रखण्ड –
3. जिला –
4. उत्तरदाता का नाम –
5. उत्तरदाता का पद –
6. ग्राम पंचायत की जनसंख्या संबंधी जानकारी (नवीनतम जानकारी)

कुल जनसंख्या	कुल परिवार	बी.पी.एल. परिवारों की संख्या	ए.पी.एल. परिवारों की संख्या

खण्ड (ख) – पंचायत के आर्थिक संसाधनों की जानकारी

1. क्या आपके पंचायत में साल भर के दौरान होने वाली संभावित वित्तीय प्राप्तियों की जानकारी देने के लिये कोई बजट प्रपत्र है? हाँ नहीं

2. आपके पंचायत की पिछली वर्ष की कुल वित्तीय प्राप्तियाँ कितनी थी?

रु0

3. क्या आपको पता है कि आपकी पंचायत में वित्तीय प्राप्तियाँ किन- किन स्रोतों से होती हैं?

हाँ नहीं

4. यदि उत्तर हाँ में है तो कृपया स्रोतों का नाम बतायें

(4.1)

(4.2)

(4.3)

(4.4)

5. क्या आपको पता है कि आपकी पंचायत कुछ स्रोतों से स्वयं की आय पैदा कर सकती है?

हाँ नहीं

6. यदि उत्तर हाँ में है तो कृपया आय के स्रोतों का नाम बतायें

(6.1)

(6.2)

(6.3)

(6.4)

¹ इस प्रश्नावली को यूनीसेफ (झारखण्ड) और ग्रामीण विकास विभाग (पंचायती राज) झारखण्ड सरकार के सहयोग से झारखण्ड की पंचायती राज संस्थाओं द्वारा 'स्वयं के आर्थिक संसाधन को पैदा करने संबंधी वर्तमान स्थिति' का अध्ययन करने के लिये प्रिया द्वारा तैयार किया गया है।

7. आपको पंचायत के स्वयं की आय के बारे में जानकारी कहाँ से मिली?

(7.1) किसी व्यक्ति से (व्यक्ति का नाम व पद

(7.2) किसी संस्था से (संस्था का नामसरकारी/गैर सरकारी)

(7.3) पढ़ कर (यदि स्रोत का नाम मालूम हो तो उसका नाम

(7.4) अन्य स्रोत से

8. क्या आपकी पंचायत के द्वारा पिछले वर्षीत उपरोक्त स्रोतों से कुछ आय पैदा की गयी थी?

हाँ नहीं

9. आपके पंचायत की उपरोक्त स्रोतों से स्वयं की पैदा आय कुल कितनी थी?

रु0

10. क्या आपके ग्राम पंचायत में विकास के लिये कोई योजना बनाई गई है?

हाँ नहीं

11. क्या आपके द्वारा बनाई जाने वाली सभी योजनायें पंचायत के बाहर से आने वाली आय/ अनुदान पर ही निर्भर हैं?

हाँ नहीं

12. क्या आपके पंचायत का बैंक में कोई खाता है?

हाँ नहीं

13. क्या उस खाते में जमा राशि पर बैंक से पिछले सालों में कोई ब्याज मिला है?

हाँ नहीं पता नहीं

14. आपके अनुसार आपकी पंचायत में ऐसे कौन से और स्रोत हैं जिनसे पंचायत स्वयं की आय बढ़ा सकती है?

(14.1)

(14.2)

(14.3)

(14.4)

15. आपके अनुसार आपकी पंचायत में स्वयं की आय को इकट्ठा करने में प्रमुख चुनौतियाँ कौन-कौन सी हैं?

(15.1)

(15.2)

(15.3)

Annexure – 3

List of States where GPs are Mobilising Own Sources of Revenue

S. N.	State	Total OSR Mobilised at GP Level (Rs. crore)			Top Three Sources of OSR
		2014-15	2015-16	2016-17	
1	Andhra Pradesh	390.45	498	550	Property tax, private tap fee, fee on approval of building permission
2	Assam	7.78	8.15	13	Settlement of <i>haat</i> , settlement of <i>ghat</i> , settlement of ferry
3	Chhattisgarh	30.04	37.24	-	
4	Goa	58.49 (Prov.)	44.13 (Prov.)	-	
5	Haryana	335.38	345.18	440.28	House tax, <i>shamlat</i> land, liquor excise share
6	Himachal Pradesh	12.65	12.91	-	
7	Karnataka	470.36	478.77	291.32	Property tax, water tax, rent from buildings
8	Kerala	-	547.89	291.32	Property tax, professional tax, license fee, entertainment tax, sale of sand
9	Madhya Pradesh	-	21.31	-	
10	Maharashtra	516	599.41	-	
11	Odisha	26.45	28.2	30.45	
12	Rajasthan	1.13	-	5.07	Fee, mel, weekly <i>haats</i> , auction of bones
13	Sikkim	2.81	3.1	3.1	Trade license, NOCs
14	Tamil Nadu	390.40	618.27	-	House tax, professional tax, water charges
15	Telangana	294.77	307.29	411.1	House tax, license fee, auctions
16	Tripura	1.77	2.56	-	
17	Uttar Pradesh	1.46	1.86	-	
18	Uttarakhand	12.72	23.5	32	Tax, license, rents
19	West Bengal	181.03	193.78	202	Tax on land/property, permission for construction, trade registration

Annexure – 4

Per Capita Own Sources of Revenue by Gram Panchayats

S. N.	State	OSR (Rs. lakh)		Rural Population of State (2011)*	Per Capita Income	
		2015-16	2016-17		2015-16	2016-17
1	Andhra Pradesh	49800	55000	563.12	88.44	97.67
2	Assam	815	1300	267.80	3.04	4.85
3	Chhattisgarh	3724	-	196.00	19.00	0.00
4	Goa	4413	-	5.52	799.46	0.00
5	Haryana	34518	44028	165.34	208.81	266.34
6	Himachal Pradesh	1291	-	61.76	20.90	0.00
7	Karnataka	47877	29132	374.69	127.78	77.75
8	Kerala	54789	78147	174.71	313.60	447.30
9	Madhya Pradesh	2131	-	525.57	4.05	0.00
10	Maharashtra	59941	-	615.56	97.38	0.00
11	Odisha	2820	3045	349.70	8.06	8.71
12	Rajasthan	-	507	515.00	0.00	0.98
13	Sikkim	310	310	4.56	67.98	67.98
14	Tamil Nadu	61827	-	372.30	166.07	0.00
15	Telangana	30729	41110	213.95	143.63	192.15
16	Tripura	256	-	27.12	9.44	0.00
17	Uttar Pradesh	186	-	1553.17	0.12	0.00
18	Uttarakhand	2350	3200	70.36	33.40	45.48
19	West Bengal	19378	20200	621.83	31.16	32.48

*censusindia.gov.in/2011-prov-results/paper2/data_files/.../Statement1_RU_State.xls

Annexure – 5

Important Letters of State Government of Jharkhand to Mobilise OSR

पत्र संख्या-02गै0यो0-05/2015-1685 /
झारखण्ड सरकार
ग्रामीण विकास विभाग
(पंचायती राज)

प्रेषक,

राजेश कुमार वर्मा,
सरकार के संयुक्त सचिव ।

सेवा में,

फैक्स
ई-मेल
अत्यवश्यक

सभी उपायुक्त, झारखण्ड,
सभी उप विकास आयुक्त, झारखण्ड ।

राँची, दिनांक-11.5.17

विषय:-

पंचायतों के द्वारा बालूघाटों की निलामी से प्राप्त निधि एवं स्व-अर्जित आय स्रोत से प्राप्त निधि से योजनाओं के क्रियान्वयन के संबंध में ।

महाशय,

निदेशानुसार उपर्युक्त विषय के संबंध में कहना है कि विभिन्न जिलों से बालूघाट की निलामी से पंचायतों को प्राप्त निधि के व्यय के संबंध में मार्गदर्शन की मांग की जा रही है । पूर्व में मुख्य सचिव, झारखण्ड से प्राप्त निदेश के आलोक में तत्काल इस मद की राशि के व्यय को स्थगित रखने का निदेश निर्गत किया गया था । सम्यक विचारोपरान्त पंचायतों द्वारा बालूघाटों की निलामी से प्राप्त एवं स्व-अर्जित आय स्रोत से प्राप्त निधि से योजनाओं के क्रियान्वयन के संबंध में निर्णय लिया गया है कि संलग्न सूची में वर्णित कार्यों का क्रियान्वयन इस मद में प्राप्त राशि से किया जाय ।

अतः अनुरोध है कि संलग्न सूची में वर्णित कार्यों का निष्पादन पंचायतों द्वारा बालूघाटों की निलामी से प्राप्त एवं स्व-अर्जित आय स्रोत से प्राप्त निधि से करने संबंधी अपने स्तर से मार्गदर्शन/निदेश सभी प्रखण्डों एवं पंचायतों को निर्गत करने की कृपा की जाय ।

कृपया इसे प्राथमिकता दी जाय ।

विश्वासमाजन

अनुलज्जनक:- यथोक्त ।

ज्ञापांक :- 02गै0यो0-05/2015-1685 राँची, दिनांक :-11.5.17
प्रतिलिपि:- सभी जिला पंचायत राज पदाधिकारी, झारखण्ड को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित ।

सरकार के संयुक्त सचिव ।

सरकार के संयुक्त सचिव ।

पंचायतों के द्वारा बालू घाटो से उपलब्ध कराये गये अनुदान/अपने आय के स्रोत से किये जाने वाले कार्य।

क्रमांक	वर्णित कार्य	किये जाने वाले सम्भावित कार्य
1.	पंचायत से संबंधित कार्य	1. पंचायत भवनों की साफ सफाई, पंचायत भवनों की रंगाई पुताई, पंचायत भवनों की मरम्मति, पंचायत भवनों में उपस्कर की व्यवस्था, प्रीपेड-लैडलाईन/ इन्टरनेट/ विद्युत कनेक्शन इत्यादि के साथ-साथ पंचायत भवनों में रात्रि प्रहरी की व्यवस्था। 2. पंचायत राज प्रभाग द्वारा समय-समय पर सौपा गया कम बजट का कार्य। 3. आकस्मिक व्यय उक्त कार्यों में व्यय की अधिसीमा अधिकतम 50,000 रुपये प्रतिवर्ष होगी।
2.	कृषि जिसमें कृषि विस्तार भी शामिल है।	ग्राम पंचायत स्तर पर कृषि उपकरण यथा ट्रैक्टर एवं अन्य उपकरण की खरीद कर लघु एवं छोटे किसानों को निर्धारित दर पर ट्रैक्टर एवं अन्य उपकरण उपलब्ध कराना
3.	लघु सिंचाई, जल व्यवस्था और जल आच्छादन विकास की योजना का कार्यान्वयन।	एक फसला खेती से दो फसला खेती को बढ़ावा देने हेतु लघु सिंचाई, लिफ्ट एरिगेशन के 10 लाख तक के प्रोजेक्ट का कार्यान्वयन
4.	पशुपालन, दुग्ध उद्योग और कुक्कुट पालन।	संबंधित विभाग से सहयोग ले कर इन योजनाओं को पंचायत क्षेत्र में कार्यान्वित कराना।
5.	मत्स्य पालन - गाँवों में मत्स्य पालन के विकास के लिए योजना का कार्यान्वयन।	
6.	लघु वन उत्पाद	अनुसूचित क्षेत्र में लघु वन उत्पादों के भण्डारण, प्रसंस्करण एवं बिक्री का प्रबंधन
7.	पेयजल की सुविधा	वैसी पंचायतें जहाँ पीने के पानी में आयरन, आरसेनिक, फ्लोराईड तथा अन्य हानिकारक तत्व पाये जाते हैं, वैसे पंचायतों में तथा अनु0जा0, अनु0ज0जा0 के टोलों में पंचायत द्वारा शुद्ध पेयजल उपलब्ध कराने हेतु जल नल प्रणाली की व्यवस्था की जा सकती है। व्यवस्था कराने के पूर्व संबंधित विभाग से अनापत्ति प्रमाण पत्र लेना आवश्यक है।
8.	गैरपरम्परागत ऊर्जा स्रोत	ग्राम पंचायत सचिवालय में बिजली की सुविधा नहीं उपलब्ध होने/जेनरेटर की सुविधा नहीं होने की स्थिति में गैर पराम्परागत ऊर्जा के स्रोत का अधिष्ठापन। परियोजना का लागत अधिकतम 1.25 लाख होगा तथा सामग्री की खरीदारी जेडा से ही की जाएगी।

9.	प्राथमिक एवं माध्यमिक विद्यालयों सहित शिक्षा	प्राथमिक विद्यालयों में नियमित शिक्षकों का पदस्थापन नहीं होने/अथवा शिक्षकों की कमी होने की स्थिति में संबंधित पंचायत के द्वारा मानदेय पर (सक्षम सेवानिवृत्त शिक्षक अधिकतम उम्र 65 वर्ष) नियुक्त कर शिक्षण कार्य कराया जा सकता है। शिक्षक का भुगतान की राशि 5 हजार रुपये से अधिक नहीं होगी। सेवानिवृत्त शिक्षक नहीं होने की स्थिति में पंचायत के ही सबसे योग्य उम्मीदवार को नियमानुसार मानदेय पर रखा जा सकता है। प्रति पंचायत अधिकतम तीन शिक्षक रखे जा सकेंगे।
10.	पुस्तकालय एवं वाचनालय की स्थापना एवं अनुरक्षण	ग्राम पंचायत सचिवालय स्थित भवन में पुस्तकालय की स्थापना। पुस्तकालय हेतु अधिकतम कय 25 हजार रुपये (1 वर्ष में) पुस्तकों की सूची पंचायत राज निदेशालय द्वारा उपलब्ध करायी जायेगी।
11.	खेलकूद और सांस्कृतिक कार्य	1. खेलकूद एवं सांस्कृतिक कार्य को बढ़ावा देने हेतु प्रतिवर्ष अधिकतम 25 हजार रुपये तक का व्यय नियमानुसार किया जा सकता है। 2. अखड़ा, धुम्मकुड़िया तथा अन्य परम्परागत एवं स्थल का रख-रखाव एवं सांस्कृतिक एवं पर्यटन स्थल और प्राचीन पुरातात्विक महत्व के स्थलों के संरक्षण सौन्दर्यकरण एवं संवर्धन। अधिकतम राशि 1 लाख रुपये।
12.	बाजार और मेला	पारम्परिक बाजार एवं मेलों में पूर्व निर्मित संरचनाओं जिनका रख-रखाव संबंधित विभाग के द्वारा नहीं कराया जा रहा है, वैसी परिस्थिति में संबंधित विभाग से अनापत्ति प्रमाण पत्र प्राप्त कर उनका मरम्मत एवं रख-रखाव कराया जा सकता है। अधिकतम लागत 25 हजार रुपये प्रति परियोजना प्रति हाट
13.	स्वास्थ्य एवं परिवार कल्याण	पंचायत स्थित स्वास्थ्य उपकेन्द्र की मरम्मती एवं रख-रखाव की व्यवस्था ग्राम पंचायत संबंधित ग्राम स्वास्थ्य, स्वच्छता एवं पोषण समिति (VHSNC) के माध्यम से कर सकती है। अधिकतम व्यय की राशि 20 हजार रुपये निर्धारित है।
14.	सामुदायिक परिसम्पत्तियों का अनुरक्षण एवं रख रखाव	वैसी परिसम्पत्तियों जिनका अनुरक्षण एवं रख-रखाव सरकार के द्वारा उपलब्ध निधियों के द्वारा नहीं कराया जा सकता है वैसी परिस्थिति में अधिकतम 25 हजार रुपये तक का व्यय किया जा सकता है
15.	बाल विकास कार्यक्रम का प्रबंधन	पंचायत स्थित आँगनबाड़ी केन्द्रों में सिखने एवं खेलने हेतु सामग्री उपलब्ध कराना अगर इनकी आपूर्ति संबंधित विभाग के द्वारा नहीं किया जा रहा है वैसी परिस्थिति में अधिकतम 5000 रुपये प्रति आँगनबाड़ी केन्द्र

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16.	ग्राम पंचायत विकास योजना में वर्णित कम लागत तथा बिना लागत की योजनाओं का कार्यान्वयन	जी०पी०डी०पी० में वर्णित कम लागत एवं बिना लागत योजनाओं के लिए प्रचार- प्रसार, सामाजिक जागरूकता रैली, आई०ई०सी० मैटेरियल, पोस्टर बैनर, दिवाल लेखन आदि कार्य उपलब्ध राशि से कराया जा सकता है। इस मद में अधिकतम व्यय की जाने वाली राशि 10 हजार रुपये होगी। आई०ई०सी० सामग्री की छपाई सरकार के वित्तीय नियम के अनुसार ही होगी।
17.	निषिद्ध कार्य	बालू घाट से प्राप्त राशि का व्यय किसी भी परिस्थिति में तोरण द्वार, गेट बनाने तथा धार्मिक स्थलों के निर्माण एवं रख-रखाव हेतु नहीं किया जा सकता है।

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झारखंड सरकार
ग्रामीण विकास विभाग
(पंचायती राज)

संकल्प

संख्या:- 3428

राँची, दिनांक:- 10.10.17

विषय: राज्य के पंचायती राज संस्थाओं के क्षेत्राधिकार के लिए Jharkhand Building Byelaws 2016 को अंगीकृत करने के संबंध में ।

गजट अधिसूचना संख्या 575 दिनांक 12.08.2017 सहपठित ग्रामीण विकास विभाग (पंचायती राज), झारखण्ड, राँची द्वारा अधिसूचना संख्या GSR 2801 दिनांक 12.08.2017 द्वारा झारखण्ड पंचायत भूमि विकास (नक्शा एवं भवन निर्माण) नियमावली, 2017 का प्रारूप प्रकाशित करते हुए आम जनता एवं अन्य से सुझाव मांगा गया था। प्राप्त सुझाव में उद्योग, खान एवं भूतत्व विभाग, झारखण्ड सरकार के पत्रांक SWS 714 दिनांक 06.09.2017 द्वारा सुझाव दिया गया कि Ease of Doing Business के अन्तर्गत भारत सरकार द्वारा दिए गए सुझाव के अनुसार Building Byelaws होने चाहिए।

Department of Industrial Policy and Promotion भारत सरकार द्वारा Building Byelaws में निम्नलिखित प्रावधान शामिल करने हेतु सुझाव दिया गया है:-

#	Area 1	Area 2	Recommendation
100.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining construction permit	Publish a well-defined inspection procedure and checklist on department's web site
101.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining construction permit	Design and implement a computerized system for identifying building/ area that needs to be inspected based on risk assessment
102.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining construction permit	Mandate online submission of inspection report within 48 hours to the Department


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#	Area 1	Area 2	Recommendation
103.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining construction permit	Allow establishments to view and download submitted inspection reports of <u>at least past two years</u>
104.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining construction permit	Design and implement a system for computerized allocation of inspectors
111.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining occupancy/ completion certificate	Publish a well-defined inspection procedure and checklist on department's web site
112.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining occupancy/ completion certificate	Design and implement a computerized system for identifying building/ area that need to be inspected based on risk assessment
113.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining occupancy/ completion certificate	Mandate online submission of inspection report <u>within 48 hours</u> to the Department
114.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining occupancy/ completion certificate	Allow establishments to view and download submitted inspection reports of <u>at least past two years</u>
115.	4. Inspection enablers	Inspection by Building Proposal Office/ relevant agency as part of obtaining occupancy/ completion certificate	Design and implement a system for computerized allocation of inspectors
223.	7. Construction Permit Enablers	Construction Permit Enablers	Enact a comprehensive uniform building code/ building by-law applicable to the entire State
224.	7. Construction Permit Enablers	Construction Permit Enablers	Ensure that the uniform building code/ building by-law include provisions for risk-based classification of buildings

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#	Area 1	Area 2	Recommendation
225.	7. Construction Permit Enablers	Construction Permit Enablers	Ensure that the uniform building code/ building by-law includes accreditation programs and clear responsibilities for professionals including architects and engineers engaged in the construction process
226.	7. Construction Permit Enablers	Construction Permit Enablers	Define mandatory qualifications for architects and structural engineers in the uniform building by-law applicable in State
228.	7. Construction Permit Enablers	Construction Permit Enablers	Establish a dedicated conflict resolution mechanism for land and construction permits
231.	7. Construction Permit Enablers	Construction Permit Enablers	Allow authorized architects to issue the completion certificate at all urban areas and IDCs, instead of requiring a separate completion certificate to be issued
232.	7. Construction Permit Enablers	Construction Permit Enablers	Implement a system to allow approval based on third party certification (during construction and/ or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all urban areas and IDCs
233.	7. Construction Permit Enablers	Construction Permit Enablers	Combine all affidavits & undertakings required to be submitted for obtaining the building plan approval into one affidavit/ undertaking
234.	7. Construction Permit Enablers	Building Plan Approval	Publish information about the procedure and a comprehensive list of documents including pre-construction and post-construction No Objection Certificates (NOCs), registrations and other mandatory State approvals (prior to plinth and pre - occupancy) on the web site.
235.	7. Construction Permit Enablers	Building Plan Approval	Define clear timelines mandated through the Public Service Delivery Guarantee Act (or equivalent) legislation to grant construction permits including all required approvals; pre-construction, during construction and post construction

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#	Area 1	Area 2	Recommendation
236.	7. Construction Permit Enablers	Building Plan Approval	Mandate that a single, joint site inspection will be carried out by all concerned authorities such as Fire, Sewerage, Electricity, Labour (such as Factory license), Water Department and internal departments responsible for granting construction permits in urban areas and IDCs
237.	7. Construction Permit Enablers	Building Plan Approval	Design and develop an online single window system for granting construction permits with following functionalities: i. A common integrated application for all internal and external agencies required to provide applicable NOCs/ Approvals such as Fire Services, Water and Sewerage Department, Discoms, AAI, NMA, Forest, labour, Factory Directorate etc. ii. Provision for making an online application with integrated payment without the need for a physical touch point for document submission and verification iii. The system should allow auto scrutiny of building plans from compliance perspective according to the uniform building codes/ building by-law using Auto DCR (or similar) software iv. Ensure that the system issues digitally signed approved building plan within 30 days from the date of application v. Provision for e-intimation to authorities of plinth level completion vi. Provision for online issuance of certificate of inspections vii. Provision for online common completion request form cum Occupancy Certificate Application with online payment viii. Provision for online issuance of digitally signed occupancy cum completion certificate to the applicant
238.	7. Construction Permit Enablers	Building Plan Approval	Define clear timelines mandated through legislation for sanctioning of building permits in 30 days

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#	Area 1	Area 2	Recommendation
239.	7. Construction Permit Enablers	Building Plan Approval	Stipulate that construction permits are provided within 45 days I. Building Plan approval is provided within 30 days II. Plinth Inspection is done within 7 days of intimation III. Final completion/ occupancy certificate is provided within 8 days (7 days for inspection + 1 day for issuing the certificate)
240.	7. Construction Permit Enablers	Building Plan Approval	Allow third parties to easily verify the approval certificates in the public domain

समीक्षोपरान्त नगर विकास एवं आवास विभाग के अधिसूचना संख्या 2006 दिनांक 05.04.2016 द्वारा अधिसूचित झारखण्ड Building Byelaws 2016 जो सभी शहरी क्षेत्र, क्षेत्रीय विकास प्राधिकार, माडा एवं औद्योगिक क्षेत्र में लागू है के विभिन्न कंडिकाओं को निम्नलिखित संशोधन के साथ पंचायती राज संस्थाओं के क्षेत्रों के लिए अंगीकृत करने का प्रस्ताव है:-

1. पारा-1.2 में उप कंडिका (v) निम्नवत सन्निहित किया जाय -
All areas in the State under jurisdiction of Panchayati Raj Act 2001
(Such mention of all other places in the Jharkhand Building Bye law 2016 to be also read including rural areas:)
2. पारा-1.3 में वर्णित प्राधिकारों में पंचायती राज संस्थाएं भी सन्निहित किया जाय। तदनुसार पारा 1.3 निम्नवत पढ़ा जाय -
The State Government may notify certain areas on its own or on the recommendation of Development Authorities/ Municipalities/ULBs/ Panchayat Raj institutions (PRI) where these byelaws shall not apply.
3. पारा-2.2 में वर्णित अधिनियमों के साथ पंचायती राज अधिनियम, 2001 सन्निहित किया जाय-
"Act" means the JRDA Act 2002 (Adopted), Jharkhand Municipal Act, 2011 & Mineral Area Development Authority Act, Ranchi Regional Development Authority Act 2001, Jharkhand Industrial Area Development Authority Act 2001 and Jharkhand Panchayati Raj Act 2001.



4. पारा-2.30 में वर्णित प्राधिकारों के साथ, जिला परिषद का मुख्य कार्यपालक पदाधिकारी (CEO) सन्निहित किया जाय-
 "Competent Authority" shall mean the Authority Notified by the Govt. of Jharkhand Urban Development & Housing Department and Rural Development Department (Panchayati Raj). It shall be the VC of RRDA/ MD of MADA/ CEO of Regional Offices of JIADA & MC/ EO of the respective municipalities/ULBs/ RLBs/CEO of Zila Parishad, PRI areas.
5. पारा-2.40.2 के रूप में निम्न प्रावधान सन्निहित किया जाय-
 2.40.2 Rural Development Department means Dept. of Rural Development (Panchayati Raj)
6. पारा-3.7 के रूप में निम्न प्रावधान सन्निहित किया जाय-
 In case of areas under jurisdiction of Panchayati Raj Act 2001, applicability of these byelaws will be for Pakka Building with RCC roof of 5000 sq Ft. or more.
7. पारा-4.4 के रूप में निम्न प्रावधान सन्निहित किया जाय-
 4.4 This Para will not apply to areas under jurisdiction of Panchayati Raj Act 2001.
8. पारा-9.2 की तालिका में कॉलम- vi के रूप में PRIs/ PRI सन्निहित किया जाय तथा इसके क्रमांक 1, 2 एवं 3 में क्रमशः 5,000, 10,000, 12,000 सन्निहित किया जाय-
 Table to have a Column for PRIs/ PRI with figures as 5,000; 10,000; 12,000
9. पारा-9.3 की तालिका 3.1 में कॉलम- vi के रूप में PRIs/ PRI सन्निहित किया जाय तथा इसके क्रमांक 1, 2 एवं 3 में क्रमशः 2, 4, एवं 6 सन्निहित किया जाय-
 Table to have a Column for PRIs/ PRI with figures as 2; 4; 6
10. पारा-9.3 की तालिका 3.2 में कॉलम- vi के रूप में PRIs/ PRI सन्निहित किया जाय तथा इसके क्रमांक 1, 2 एवं 3 में क्रमशः 4, 8 एवं 12 सन्निहित किया जाय-
 Table to have a Column for PRIs/ PRI with figures as 4; 8; 12
11. पारा-9.3 के नोट (3) के रूप में सन्निहित किया जाय-
 In case of PRIs/ PRI, this fee will be Rs. 500/-
12. पारा-18.2.2 में निम्नवत सन्निहित किया जाय -
 A fee of Rs. 1000/- (exempted for PRIs)
13. अध्याय-3 पारा-28 में 28.3 के रूप में निम्नवत सन्निहित किया जाय-
 28.3 This chapter is not applicable for areas under jurisdiction of Jharkhand Panchayati Raj Act 2001.
14. पारा-61.14.1 में दी गयी तालिका में निम्नवत सन्निहित किया जाय-
 Rest of PRIs; Rs. 1000/-

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15. पारा-78.1में दी गयी तालिका में क्रमांक 3 के रूप में निम्नवत सन्निहित किया जाय-

3	Areas under jurisdiction of Jharkhand Panchayati Raj Act 2001	Rs. 5,000.00	Rs. 10,000.00
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16. अनुसूची- III के नोट में निम्नवत (3)के रूप में सन्निहित किया जाय-

Maximum permissible FAR will be 2 for areas under jurisdiction of Jharkhand Panchayati Raj Act 2001.

नगर विकास एवं आवास विभाग द्वारा Jharkhand Building Byelaws 2016में किए गए परिवर्तन, पंचायती राज अधिनियम, 2001 के अन्तर्गत आने वाले क्षेत्रों में भी लागू समझा जाएगा।

आदेश: आदेश दिया जाता है कि इस संकल्प को झारखण्ड गजट के असाधारण अंक में प्रकाशित की जाय ।

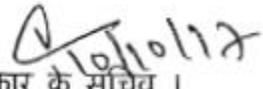
झारखण्ड राज्यपाल के आदेश से


(विनय कुमार चौबे)
सरकार के सचिव ।

जापांक:- 01स्था(वि0)-183/2012 3428 /,राँची, दिनांक:-10-10-17

प्रतिलिपि:- अधीक्षक, राजकीय मुद्रणालय, डोरण्डा, राँची को झारखण्ड गजट के असाधारण अंक में प्रकाशनार्थ प्रेषित ।

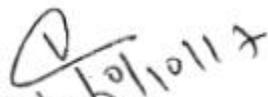
अनुरोध है कि ई-गजट में यथाशीघ्र प्रकाशन की व्यवस्था की जाए एवं प्रकाशन के तुरंत बाद इसकी 500 मुद्रित प्रति ग्रामीण विकास विभाग (पंचायती राज) को उपलब्ध करा दी जाय।


सरकार के सचिव ।

जापांक:- 01स्था(वि0)-183/2012 3428 /,राँची, दिनांक:-10-10-17

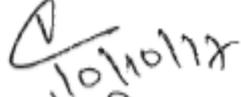
प्रतिलिपि :- अधीक्षक राजकीय मुद्रणालय, डोरण्डा, राँची को झारखण्ड गजट के असाधारण अंक में प्रकाशनार्थ प्रेषित ।

अनुरोध है कि ई-गजट में यथाशीघ्र प्रकाशन की व्यवस्था की जाए एवं प्रकाशन के तुरंत बाद इसकी 500 मुद्रित प्रति ग्रामीण विकास विभाग (पंचायती राज), झारखण्ड, राँची को उपलब्ध करा दी जाय ।


सरकार के सचिव ।

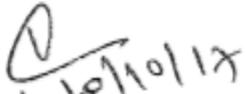
जापांक:- 01स्था(वि0)-183/2012 -----3428-----/राँची, दिनांक:-10.10.17

प्रतिलिपि :- मुख्य सचिव, झारखंड/ विकास आयुक्त / सभी विभाग एवं विभागाध्यक्ष / सभी प्रमंडलीय आयुक्त / सभी उपायुक्त / सभी उप विकास आयुक्त / सभी प्रमंडलीय उप निदेशक, पंचायत राज / सभी जिला पंचायत राज पदाधिकारी / सभी प्राचार्य, पंचायत प्रशिक्षण संस्थान / सभी प्रखण्ड विकास पदाधिकारी को सूचनार्थ प्रेषित ।


10/10/17
सरकार के सचिव ।

जापांक:- 01स्था(वि0)-183/2012 -----3428-----/राँची, दिनांक:-10.10.17

प्रतिलिपि :- सचिव, झारखंड विधानसभा / निबंधक, झारखंड उच्च न्यायालय / महाधिवक्ता, झारखंड उच्च न्यायालय को सूचनार्थ प्रेषित ।


10/10/17
सरकार के सचिव ।

जापांक:- 01स्था(वि0)-183/2012 -----3428-----/राँची, दिनांक:-10.10.17

प्रतिलिपि :- महामहिम राज्यपाल, झारखंड के प्रधान सचिव /माननीय मुख्यमंत्री के प्रधान सचिव / महालेखाकार, झारखंड /विभागीय मंत्री के आस सचिव को सूचनार्थ प्रेषित ।


10/10/17
सरकार के सचिव ।

Annexure – 6

Letters of State Government of Jharkhand in Relation to Performance Grant and OSR

भारत सरकार
ग्रामीण विकास विभाग
(पंचायती राज)

अभिज्ञान
आ।सं०-०२/०५०-०५/२०१५ ३६५५-/५० राँची, दिनांक ६.११.१७

14वें वित्त आयोग के अनुशंसा के आलोक में ग्राम पंचायतों को कुल आर्वटन का दस प्रतिशत राशि कार्य निष्पादन अनुदान (Performance Grant) के रूप में दिया जाना प्रावधानित है ।
पंचायती राज मंत्रालय, भारत सरकार से प्राप्त निदेश के आलोक में वित्तीय वर्ष 2017-18 से वित्तीय वर्ष 2019-20 तक के लिए ग्राम पंचायतों द्वारा 14वें वित्त आयोग अन्तर्गत कार्य निष्पादन अनुदान प्राप्त करने के लिए अनिवार्य शर्तों एवं प्रक्रिया का निर्धारण निम्नवत किया जाता है :-

(1) कार्य निष्पादन अनुदान प्राप्त करने हेतु ग्राम पंचायतों को निम्नांकित शर्तों का अनिवार्य रूप से पूर्ण करना होगा:-

- (i) कार्य निष्पादन अनुदान मांगे जाने वाले वर्ष से पूर्व के दो वर्षों में से एक वर्ष का अंकेषित खाता ग्राम पंचायत द्वारा उपलब्ध कराया जाएगा,
- (ii) ग्राम पंचायत द्वारा अपने स्व-अर्जित आय में पूर्व वित्तीय वर्ष के तुलना में वृद्धि जो अंकेषित खाते में दर्ज हो,
- (iii) कार्य निष्पादन अनुदान के वर्ष में ग्राम पंचायत विकास योजना का निर्माण पूर्ण करना एवं इसका Plan Plus Portal में Upload करना,
- (iv) कार्य निष्पादन अनुदान के वर्ष के पूर्व वर्ष का Sector Wise Expenditure पंचायती राज मंत्रालय द्वारा विकसित डैशबोर्ड में डिस्प्ले करना ।

(2) जिन ग्राम पंचायतों द्वारा उक्त चारों अनिवार्य शर्तों को पूरा किया जाएगा, उनका मूल्यांकन निम्न प्रकार से किया जाएगा :-

Sl. No.	Criteria (Year to be taken as Financial Year)	Weightage
1	2	3
i	Increase in OSR Quantum	Score
	> 0 upto 10%	05
	> 10 upto 25%	10
	> 25 upto 50%	15
	> 50%	20
ii	> % of OSR quantum generated w.r.t FFC Basic Grant amount of previous FY to the PG claim year as per audited accounts	Score
	> 0 upto 10%	15
	> 10 upto 25%	20
	> 25 upto 30%	30
	> 30%	40
iii	Open Defecation Free (ODF) status of GP in the previous Financial Year to PG claim year *	
	- Yes	30
	- No	0
iv	Immunization in GP in the previous financial year to PG claim year Full immunization (0-2 year age children)	
	- Yes	10
	- No	0
	Total Maximum Score	100

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...ability of ODF status from next year will be criteria for ...
to ... some ODF in the Year.

- (4) ... वर्षों के कार्य निष्पादन अनुदान का वितरण ...
... वर्षों के कार्य निष्पादन अनुदान का वितरण उनके द्वारा प्राप्त स्कोर के आधार पर निम्न प्रकार
के द्वारा किया जाएगा

Score	Eligible Quantum of Performance Grant
80 and above	50% of allocation
70 and above	70% of allocation
60 and above	80% of allocation
50 and above	100% of allocation

- (4) ... वर्षों के कार्य निष्पादन अनुदान का वितरण उनके द्वारा प्राप्त स्कोर के आधार पर निम्न प्रकार
के द्वारा किया जाएगा
- (5) ... वर्षों के कार्य निष्पादन अनुदान का वितरण उनके द्वारा प्राप्त स्कोर के आधार पर निम्न प्रकार
के द्वारा किया जाएगा
- (6) ... वर्षों के कार्य निष्पादन अनुदान का वितरण उनके द्वारा प्राप्त स्कोर के आधार पर निम्न प्रकार
के द्वारा किया जाएगा
- (7) ... वर्षों के कार्य निष्पादन अनुदान का वितरण उनके द्वारा प्राप्त स्कोर के आधार पर निम्न प्रकार
के द्वारा किया जाएगा

झारखण्ड राज्यपाल के आदेश से

(विजय कुमार चौबे)
सरकार के सचिव ।

क्रमांक / 02/10/2015-08/2015 3653 /पं०, राँची, दिनांक:- 6.11.17
प्रतिनिधि: अपीठाक, राजकीय मुद्रणालय, झारखण्ड, राँची को राजकीय गजट की अगले अंक
में प्रकाशनार्थ प्रेषित ।

सरकार के सचिव ।

क्रमांक: 02/10/2015-08/2015 3653 /पं०, राँची, दिनांक:- 6.11.17
प्रतिनिधि: आपर मुख्य सचिव, योजना-सह-वित्त विभाग, झारखण्ड, राँची को सूचनाार्थ एवं
आवश्यक कार्रवाई हेतु प्रेषित ।

सरकार के सचिव ।

क्रमांक: 02/10/2015-08/2015 3653 /पं०, राँची, दिनांक:- 6.11.17
प्रतिनिधि: विकास आयुक्त, झारखण्ड, को-सूचनाार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित ।

सरकार के सचिव ।