

POWER TO PEOPLE

**Training of Gram Sabha /
Ward Sabha Members**

**Powers, Functions and Responsibilities of
Gram Sabha / Ward Sabha**

**Handbook for Gram Sabha /
Ward Sabha Members**

December 2011



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Powers, Functions and responsibilities of Gram Sabha / Ward Sabha

(Handbook for Gram Sabha / Ward Sabha Members)

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Foreword

Gram Sabhas (GS) of Village Panchayaths and Ward Sabhas (WS) of Municipalities are envisaged as fora of direct democracy where citizens directly participate in taking decisions regarding local administration and development. It seems that most voters are not aware of the fact that each voter is a member of the GS/WS of the ward in which he or she is registered as a voter. Attendance in GS/WS meetings is on the decline. The forum of direct democracy is gradually getting degraded into a ritualistic meeting to satisfy the legal mandate. In the long run it will erode the faith in decentralised governance and may pose a threat to the basic principles of participatory democratic governance. In such a situation it becomes the unavoidable responsibility of the Central Govt. and State Govt. to strengthen the GS/WS.

KILA has launched an innovative programme for training the members of GS/WS throughout the State. The programme aims at creating the right attitude and building the capacity of voters to engage with local development and administration. There is no doubt that effective participation of people in the decision making body will make local governance more transparent and efficient.

The target group is approximately 38 Lakhs of voters spread across 19255 wards. This handbook is published for the use of voters. I am sure that it will help the voters to have a clearer understanding of their role in local governance.

Let me congratulate Dr. Peter. M. Raj, Associate Professor, KILA, Mr. K. Gopalakrishnan, Extension Faculty, KILA and their colleagues who have succeeded in bringing out this handbook within a short period of time.

Dr. P.P. Balan

Director

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Note : What Gram Sabha is to Gram Panchayat, is Ward Sabha to Municipalities. It is for the make of convenience that the handbook mentions the name of Gram Sabha. All statements about Gram Sabha are equally applicable to Ward Sabha too.

LOCAL SELF GOVERNMENT INSTITUTIONS AND GRAM SABHA

I.1 INTRODUCTION

Ours is a parliamentary democratic system based on representative democracy. With the passage of time participation of people in governance declined and power came to be concentrated on a small minority resulting in lessening the efficiency of the system and even threatening the democratic governance system. This is not a phenomenon exclusive to India; many democratic governments across the world face the same problem. Decentralization of power gained universal acceptance as a way out of this predicament. The core of the concept is greater participation of people in matters relating to local administration and development. Many countries in different parts of the world look to the road to decentralization to enhance peoples participation in governance. India also has followed a similar course of action which finally resulted in amendments to the Indian Constitution in 1993.

I. 2 CONSTITUTIONAL AMENDMENTS

The Indian parliament enacted the 73rd & 74th constitutional Amendments realising the importance of effective people's participation in a creative democratic governance process. Consequently the three tier panchayaths and urban local bodies became independent institutions of local governments coterminous with the Central and State governments. The constitution amendments envisage not only the constitution of democratic governments in urban and rural areas but also setting up a forum of direct democracy at grass roots level that enables each citizen to play a role in making decisions relating to local governance. The Gram Sabha is the forum for participatory decision making in rural area and Ward Sabha in urban area. The constitution calls these participatory bodies "watchdog of democracy".

I. 3 KERALA PANCHAYATI RAJ AND MUNICIPALITY ACTS

In conformity with the 73rd & 74th constitutional Amendments the Panchayat Raj and Municipality Acts were enacted in 1994. The acts aim at

making Panchayats and Urban Local Bodies a third tier of government besides the Central and State Governments. With the first election to local governments according to the acts in 1995 a new generation of local governments came into existence as independent local bodies having well defined powers, rights and responsibilities.

I. 4 PEOPLES PLAN CAMPAIGN

With the launching of Peoples Plan Campaign in the beginning of the IX Five Year Plan (1997-2002) more powers, functions, functionaries and funds were devolved to local governments to enable them to formulate and implement local development plans. This kind of massive devolution necessitated a comprehensive change in the existing administrative system to make it people friendly. The Peoples Plan Campaign set the ground to build pressure on government to restructure local governance increasing people's participation.

I. 5 GRAM SABHA AND PEOPLES PARTICIPATION - PRESENT STATUS

Local governance is built on the strong foundation of Gram Sabha, that functions as a mandatory forum for people's participation. Article 187 of Indian Constitution clearly states that Gram Sabha is an integral part of the Panchayat Raj System. The fundamental principles of decentralized governance like participation, transparency, efficiency, responsive and accountability cannot be realised unless Gram Sabhas function effectively. It is in the Gram Sabha that people get the opportunity to observe, monitor and evaluate all development activities and participate in the decision making process. During Peoples Plan Campaign period there was comparatively better participation of people in Gram Sabha, but gradually it has decreased. At present it is a matter of great concern that attendance in Gram Sabha is on the decline.

I. 6 CONSEQUENCE OF LACK OF PARTICIPATION

As the GS is a forum of direct democracy lack of people's participation in GS means people do not make use of their legitimate right to participation. In the absence of wider consultation power will be concentrated in a small minority who will take decisions for the whole community. Then local govts. will turn out to be the replica the Central and State govts. with all the maladies arising out of centralised power.

I. 7 WHY POOR PARTICIPATION ?

Decentralization of power means devolving more power to people. People should recognize that more power does not mean the power to cast votes every five years and marking their attendance in the GS register. They should know the dimensions of power devolved to them. The local govts. have the responsibility to make people aware of the powers, rights and responsibilities of the GS and create a conducive environment for the voters to use their rights. The organisation and conduct of the GS must be done in such a way that members of GS should realise that they have the right to take decisions and see that the decisions are implemented. They should realise that their role is not that of beneficiary or passive participant. One of important reasons for poor participation in GS is the lack of awareness of people about their rights and responsibilities.

I. 8 SOLUTION

First of all the administrators and authorities should realise that in a democracy people have power and it is their duty to provide opportunity to people to wield the power. People's participation in GS should be ensured to make local governance transparent and people friendly. They should be encouraged and empowered to perform their duties as citizens. Only then can we expect them to come forward to perform their duties.

OATH

We understand that in a democratic system it is the people who really hold power. We realise that we have the power to take decisions and make sure that the decisions are implemented effectively. We also know that we have the responsibility to make the administrative system work efficiently. We hereby swear that we will sincerely attempt to involve ourselves creatively in all matters relating to governance and administration by participating in the meetings of the Gram Sabha.

II. 1 GRAM SABHA

The Kerala Panchayat Raj Act specifies each constituency of a Village Panchayat (Ward) as a Village for the purpose of constituting Gram Sabha. All registered voters of the Ward are members of the Gram Sabha of that Ward.

II. 2 WARD SABHA

The Ward Sabhas of Municipalities consist of all registered voters of that ward.

II. 3 WARD COMMITTEE

In Municipalities and Municipal Corporations having population of one Lakh and above Ward Committees are constituted in addition to Ward Sabha (Section 43, Kerala Municipalities Act 1994). Ward Committee has the same powers and functions as those of Ward Sabha except in making suggestions for development.

II. 4 MEMBERS OF GS/WS

The voter of a ward is a member of the GS of that ward similarly the voter of a ward of a Municipality is a member of the Ward Sabha.

II. 5 CONVENER OF GS

The elected member of the Ward is the convener of the GS. If an elected member is not in a position to convene the GS of the ward, the president can nominate an elected member of the nearby ward as convener of the GS.

II. 6 PRESIDENTS

The president of the GP is the president of the GS meeting and the chairperson of the Municipality is the president of WS meeting. In the absence of the President the Vice President and in the absence of both the President and Vice President the convener of the GS presides over the meeting. Regarding Municipalities in the absence of the Chairperson, the

Vice Chairperson or the Chairperson of one of the Standing Committees nominated by the Municipal Chairperson and if they too are absent the convener of the WS presides over the meeting. In Municipal Corporations the Ward Councillor is the President of the meeting of the Ward Committee.

II. 7 MEETING

The GS/WS meets at the prescribed venue at least once in three months.

II. 8 CONVENING THE MEETING

The responsibility of convening the meeting vests with the convener, i.e. the elected member of the ward.

II. 9 NOTICE

All members of GS must be given notice of the meeting. The Convener should also invite the member of the Block Panchayat, District Panchayat, the MLA and the MP of the area.

II. 10 QUORUM

10% of the total number of registered voters of the ward is the quorum of the meeting. When the meeting is adjourned because of lack of quorum and meets again 50 persons is the quorum of such a meeting.

II. 11 RIGHT OF VOTERS TO DEMAND SPECIAL MEETING

If 10% or more of the voters ask the convener in writing to convene a special meeting the convener has to convene the meeting.

II. 12 CO-ORDINATOR

An official appointed by the GP/ Municipality acts as the Co-ordinator of the meeting. It is the duty of the Co-ordinator to assist the convener in all matters connected with the convening and conduct of the meeting.

II. 13 FACILITATOR

Facilitators are appointed by the GP/ Municipality for effective conduct of GS. Their service is utilized in making presentations, in leading group discussions and in the preparations for the meeting.

II. 14 MINUTES AND DECISIONS

The minutes and decisions taken in the meeting should be recorded then and there in the Minutes Book and read out loudly at the end of the meeting.

II. 15 SUB COMMITTEES

GS can constitute sub committees generally or specially having not less than 10 members for implementing a policy or decision or to perform the rights and responsibilities assigned to it.

II. 16 QUESTIONS AND SUGGESTIONS

Members have the right to ask questions or make suggestions in writing either before or during the meeting of GS

II. 17 RESOLUTIONS

Resolutions on any matter coming under the jurisdiction of panchayats can be passed by majority in the GS meeting.

II. 18 PARTICIPATION OF OFFICIALS

If directed by the President any official of the local govt. or officials working in institutions transferred to the local govt must attend the meeting of the GS.

II. 19 DISQUALIFICATION OF ELECTED MEMBERS

If an elected member fails to convene the GS in three months consecutively for two times he/she will be disqualified and reelection will be conducted.

II. 20 GRAM SABHA RESOLUTIONS AND PANCHAYAT

The Gram Panchayat, Block Panchayat and District Panchayat should give due consideration to the resolutions of GS.

II. 21 NOT IMPLEMENTING RESOLUTIONS

If the GP or Municipality fails to implement the resolutions taken in the GS, WS or Ward committee they are bound to explain the reasons there of in the next meeting.

POWERS, FUNCTIONS, RIGHTS AND RESPONSIBILITIES OF GRAM SABHA

III.1 POWERS AND FUNCTIONS RELATING TO PLAN FORMULATION AND IMPLEMENTATION

- III.1.1 To render assistance in the collection and compilation of data required to formulate development plans.
- III.1.2 To formulate proposals and fix the priority of schemes and programmes to be implemented in the ward. (Draft project proposals are printed and distributed in the GS for examination to fix priority)
- III.1.3 To render assistance to implement development schemes effectively by providing required facilities, to provide and mobilise voluntary service and contribution in cash or kind.
- III.1.4 To ensure effective implementation of development service - welfare schemes.

III. 2 PUBLIC FACILITIES

To suggest locations for streetlights, watertaps, public wells, community sanitation units, irrigation and other public facilities.

III. 3 PUBLIC WORKS

- III.3.1 To collect information regarding the detailed estimates of works proposed to be implemented in the area. (Details to be furnished in GS)
- III.3.2 To monitor and render assistance to the beneficiary committees engaged in development activities.

III. 4 VERIFICATION OF ELIGIBILITY AND PRIORITISATION OF BENEFICIARIES

- III.4.1 Verify the eligibility of beneficiaries of various pensions subsidies and welfare schemes. (While selecting beneficiaries the eligibility and priority criteria of each scheme must be publicised and reported in the GS)

- III.4.2 All potential beneficiaries should get opportunity to apply for benefits under various schemes. Enquiry is conducted regarding all applications received and the draft priority list is presented in the GS meeting. The applications are scrutinised in the presence of the applicants. The final priority list approved by the GS is submitted to the panchayat. (The panchayat does not have the authority to change the priority fixed by the GS)
- III.4.3 The GS not only selects the beneficiaries of schemes of the Gram Panchayat but also the beneficiaries of all schemes of the Block Panchayat, District Panchayat and government departments to be implemented in the area
- III.4.4 List of BPL families, beneficiaries of Ashraya Scheme, beneficiaries of subsidised food items, welfare pensioners, persons getting unemployment dole and beneficiaries of other development schemes must be approved by GS.
- III.4.5. It should be ensured that eligible persons get benefits and persons who are not eligible do not get them.

III.5 ROLE OF OFFICIALS

- III.5.1 The officials under the control of local governments should participate in the GS if directed so by the President.
- III.5.2 The official appointed as co-ordinator of GS must perform the duty.
- III.5.3 Officials participating in GS should submit a report in the meeting regarding the on going activities and the proposed activities for the next three months.

III. 6 INCOME AND EXPENDITURE STATEMENT

- III.6.1 In the First GS of a financial year a report of all development programme implemented in the previous year, the proposed programmes for the current year and the Income and Expenditure statement are presented and discussed. The administrative report of the previous year is also presented.
- III.6.2. Budget allotment, details of various development funds, itemwise details of funds, income and expenditure statement of projects etc. must be presented in GS

III.7 AUDIT

- III.7.1 Local Fund Audit Report and Performance Audit Report must be presented and discussed in the GS The opinions, recommendations and suggestions of GS are submitted to Gram Panchayat for further action.
- III.7.2 The GS can conduct social audit of the development and welfare schemes of the local govt. The GS appoints a social audit team for the purpose. The Social Audit team conducts the audit, prepares a report and presents it in the GS for discussion and the suggestions of GS are submitted to the panchayat for follow up action.

III.8 RESOLUTIONS OF GRAM SABHA

- III.8.1. The GS has the right to know the rationale behind every decision taken by the panchayat regarding the area.
- III.8.2 It has the right to know the follow up action taken on the decisions of GS and the reasons for not implementing any decision. (The panchayat has the responsibility to explain the reasons to the people)

III.9 GENERAL RESPONSIBILITIES

- III.9.1 To protect citizens against corruption and fraud.
- III.9.2 To promote harmony and unity among various groups of people in the area and to organize arts and sports festivals for developing good will among people.
- III.9.3 To co-operate with the panchayat employees and render voluntary service in sanitation activities.
- III.9.4 To identify deficiencies in service delivery and suggest remedial measures.
- III.9.5 To render assistance to the activities of parent teacher associations of schools.
- III.9.6 To mobilise resources to enhance panchayat funds.

Organisation and conduct of Gram Sabha important points to be considered to make the organization and conduct of Gram Sabha effective.

IV.1 CONVENING GRAM SABHA

While deciding to convene GS the items of the agenda of the meeting have to be decided. There should be sufficient time to prepare documents and it necessary to print them for distribution in GS.

IV.2 VENUE, DATE, TIME

The Venue and time should be convenient for members to attend the meeting especially for womens participation. Convening more than one GS on the same day should be avoided as for as possible. It is better to convene the meeting on public holidays.

IV.3 AGENDA

Agenda should include mandatory items as per the act and government directions, items suggested by the panchayat officials and the public. In addition to the items that are common to all wards, the items suggested by the elected member and voters of the ward should also be included. (Agenda should be read out before the commencement of the meeting)

IV.4 ISSUE OF NOTICE

Separate notice should be prepared for each G.S. showing venue, date, time and agenda of the meeting.

IV.5 PREPARATION OF DOCUMENTS

The documents to be presented or distributed in GS pertaining to the agenda must be prepared in advance and sufficient number of copies taken for distribution.

IV.6 PRINTING

The documents for distribution such as income and expenditure statement of the previous year, project wise allotment and expenditure statement, draft project proposals etc. must be printed in advance

IV.7 WARD LEVEL ORGANISING COMMITTEE

Before the meeting of GS an organizing committee should be constituted at ward level distribution of notice to all households, campaign work, ensuring people's participation registration facilitating group discussion etc. are the important functions of the committee.

IV.8 ISSUE OF NOTICE

It is the responsibility of the convener to give notice of the meeting to all members of GS It can be done with the help of the organizing committee. While issuing notice the signature of one member of a family should be taken to acknowledge the receipt of notice,. As far as possible notice should be given before 7 days of the meeting.

IV.9 PUBLICITY

All possible steps should be taken to give maximum publicity to the meeting. The service of neighbourhood groups, self help groups, arts and sports clubs and CBOs can be utilized for the purpose.

IV.10 MEETING HALL, PUBLIC ADDRESS SYSTEM, DRINKING WATER

All such facilities should be arranged beforehand. The meeting hall should have space for group discussions.

IV.11 REGISTRATION

The participants should be registered in different subject groups considering their choice. Necessary staff may be assigned duty at the registration counter to do the registration. Marking attendance in the register by writing name and putting signature is not enough. The register should contain more information about the participants like name, housename, age, sex, SC or ST, official or elected member Maintenance of attendance and minutes is the responsibility of the co-ordinator.

IV.12 TIME AND DURATION

GS meeting shall be held between 8 a.m. and 6 p.m. The minimum duration of meeting is 4 hours.

IV.13 PROGRAMME

The meeting programme should be finalised in advance. The inaugural session should not extend beyond 30 minutes. At least two hours should

be allotted for group discussion. The remaining time can be utilized for presentation and general discussion.

IV.14 PRESENTATIONS

Presentations are made about the agenda items. Trained facilitators make the presentations.

IV.15 GENERAL DISCUSSION

Opportunity should be given to the participants to express their views on the subject of discussion, issues relating to the ward and even individual problems.

IV.16 QUESTIONS AND RESOLUTIONS

Questions may be given in writing in advance or raised during the meeting. The elected members or officials should answer the questions. Resolutions may be presented discussed and passed by the GS.

IV.17 GROUP DISCUSSION

Arrangements for group discussion must be made in advance. The subjects of discussion, important points for discussion, space for each group etc should be fixed before the meeting after the discussion the report of each group is presented in the plenary session.

IV.18 RESOLUTIONS AND RECOMMENDATIONS

Resolutions are passed, suggestions approved and decisions taken in the plenary session.

IV.19 RECORDING DECISIONS AND MINUTES

The minutes of the meeting and the decisions taken must be recorded on the spot by the co-ordinator. At the end of the meeting the decisions are read out.

IV.20 SIGNING THE REGISTER OF MINUTES AND DECISIONS

The elected members, officials and co-ordinator shall put their signature in the register after recording the minutes and decisions. A few participants also may be permitted to sign the register. If any participant wants to sign the register he or she may be permitted to do so.

IV.21 COPY OF MINUTES AND DECISIONS

The Secretary of the GP should provide an applicant the certified copy of the minutes and decisions collecting the charge for photocopying.

IV.22 SAFE CUSTODY OF GS DOCUMENTS

The co-ordinator of GS shall submit the registration records, group discussion reports, register of minutes and decisions and photographs to the secretary of the GP soon after the meeting and obtain receipt for the same. The Secretary is the custodian of the documents. The co-ordinator should keep a copy of the register of minutes and decisions.

IV.23 PARTICIPATION OF ELECTED MEMBERS AND OFFICIALS

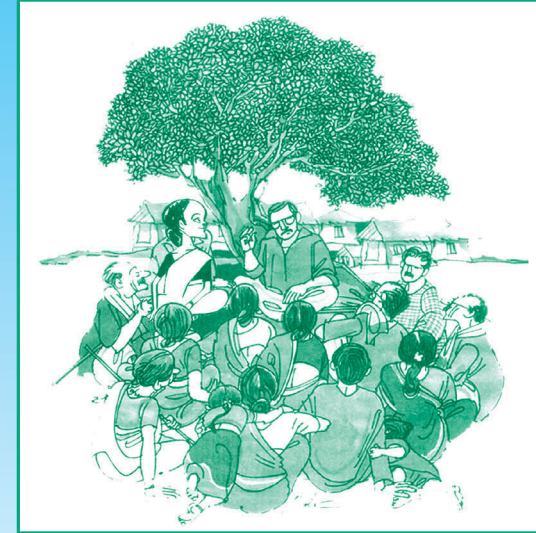
As far as possible the President of the GP should preside over the GS. The heads of institutions under the GP and officials should also participate in the GS.



Kerala Chief Minister Sri. Oommen Chandy Participating in his Gram Sabha Meeting
(Ward No. 16) Puthuppally Grama Panchayath, Kerala

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