ए. एन. पी. सिन्हा, आईए.एस. मांचल A.N.P. SINHA, I.A.S SECRETARY Tel: 011-23074309 Fax: 011-23389028

D.O. No. 11019/704/08-Pol-2(P&J)

कृषि भवन, नई दिल्ली-110 001
GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
RISHI BHAWAN, NEW DELHI-110 001
Dated: 12th July, 2010

nance Commission award for

Subject: Preparatory action for availing grants under the 13th Finance Commission award for the PRIs.

Dear

Kindly refer to my letter of even no. dated 14th May, 2010 (copy enclosed) on the subject.

- 2. I had drawn your attention to the fulfillment of certain conditions by 31st March, 2011 for drawl of the Performance Grant component of the award w.e.f. 2011-12 and requested to formulate a time bound action plan within a month. These performance conditions include:
- (i) Adoption of accounting framework & codification pattern consistent with the Model Accounting System circulated for Panchayats vide our letter dt. 2.10.09;
- (ii) Preparation of supplement in the State Budget document for PRIs;
- (iii) Adoption of 8 data base formats;
- (iv) C&AG to be given TG&S for audit of PRIs;
- (v) Appointment of independent local body Ombudsman or bringing the requisite functions under the jurisdiction of Lok Ayukata;
- (vi) Electronic transfer of funds to PRIs within 5 days: Mechanism suggested in our letter dated 23.2.10 in this regard refers;
- (vii) Prescribing qualifications of members of SFCs;
- (viii) Enabling local bodies to levy property tax;
- 3. Since most of these conditions would require legislative measures or interdepartmental decisions and would be time consuming, I would request once again that the requisite action plan may be formulated immediately and shared with us.

With regards,

Yours sincerely,

(A.N.A Sinha)

Chief Secretaries, All States/UTs.

Copy to: Principal Secretary, Deptt. of Panchayati Raj/Finance/Planning/Urban Development, All States/UTs.

Romano

No. 11019/704/08-Pol.2 Government of India Ministry of Panchayat Raj

Krishi Bhawan, New Delhi-110001 Dated: 14th May, 2010

From: A.N.P. Sinha,

Secretary

To: Chief Secretaries,

All States.

Subject: Preparatory action for availing grants under the 13th Finance Commission (13th FC) award.

Sir,

I am writing this to draw your kind attention to the preparatory steps to be taken for drawl of grant for the Panchayati Raj Institutions (PRIs), based on the acceptance by the Union Government of the 13th FC award for the period 2010-11 to 2014-15.

2. As you are aware, the 13th FC has, in a major departure from the past, recommended a percentage of the divisible pool of resources for the local bodies, instead of a mere lump sum grant. Moreover, grants for the local bodies have two components - a basic grant and a performance grant. Although actual figures would depend on the revenue buoyancy, estimated grants for the PRIs are as follows. Statewise share of grant is given in Annex-I & II.

(Rs. in crore)

						(245.111.6	
SI.	Particulars	10-11	11-12	12-13	13-14	14-15	10-15
No							
1.	General Basic Grant	5870.6	6808.0	7957.0	19427.6	11162.2	41225.4
2.	General performance Grant	0	2327.6	5460.6	6440.8	7597.4	21826.4
3.	Total General Area Grant	5870.6	9135.6	13417.6	25868.4	18759.6	63051.8
4.	Special Area basic Grant	160	160	160	160	160	798
5.	Special Area Performance Grant	0	80	160	160	160	559
6.	Total Special Area Grant	160	239	319	319	319	1357

- 3. Although the 13th FC has not made any specific recommendations on the use of FC Grant, it may be kept in mind that the PRIs cannot function effectively in the absence of proper manpower and infrastructure like office buildings, ICT (e-Panchayat) etc. With increasing devolution of powers and responsibilities to PRIs, these are needed all the more. e-Panchayat infact has the potential to revolutionize PRIs as the symbol of modernity & efficiency and induce mass ICT culture. While adequate funds are available under various plan schemes for development purposes, limited funds are available to meet expenses on manpower, infrastructure, ICT etc. The States may, therefore, consider advising the Panchayats to use 13th FC grants for filling such critical gaps on priority.
- 4. Analysis of information furnished to the 13th FC reveals that the States vary widely in approach to transferring funds to the various tiers of PRIs. Given the needs of manpower and infrastructure of the GPs which are at the cutting edge, it is desirable that atleast 70% of the grants go to GPs.
- 5. Detailed guidelines on release of grants would be issued by Ministry of Finance separately. However, for availing the performance grants from the year 2011-12, it is necessary that States initiate preparatory steps immediately for meeting the conditionalities well in time. Failure to meet all the conditions will deprive non-compliant States of the performance grant, which will get re-distributed in the manner defined by the 13th FC. More importantly, implementation of these conditions would enhance efficiency, transparency and accountability of the PRIs and it would thereby serve the long term interest of the PRIs and the States.
- 6. As implementation of some of the conditions also involves policy decisions, legislative measures and institutional mechanism at the State level, I had discussed the matter with the State PR Secretaries on 23rd April, 2010. The following major action points need to be pursued:

(1) Finance, Accounts & Budget

The condition encompasses following sub-conditions:

Sub-condition (a): The PRIs are to adopt an accounting framework and codification pattern consistent with the Model Panchayat Accounting System. To demonstrate compliance with this condition, the States are to certify that this has been done.

Suggested course of action: MoPR has already circulated the Model Accounting System for the PRIs containing Formats, Guidelines and list of codes to the States on 2nd October, 2009. Implementation of the PRIAsoft accounting software is also under discussion with the States. Moreover, a User Manual and a Training Manual are under preparation. The States should ensure that their Accounting/Finance rules and framework are consistent with the Mode.

Sub-condition (b): The States are to prepare a supplement to the budget documents for the Local Bodies. This supplement should show details of plan and non-plan wise classification of transfers separately for all tiers of PRIs from major head to object head, including details of funds transferred directly to the PRIs outside the State budget.

Suggested course of action: The system already followed by Karnataka, Kerala, etc could be adopted with suitable modifications. Consultations may be held with the State Finance and other Departments for operationalising this condition.

Sub-condition (c): The 8 data base formats developed by C&AG are to be adopted. Copies of the formats are at Annex-III(1-8).

Suggested course of action: These data base formats are different from the formats contained in the Model Panchayat Accounting System and relate to compilation of information on funds received from CFC/SFC/other sources; income from own sources; details of revenue & expenditure; financial progress of various programmes/schemes; expenditure profile of PRIs; physical progress of works undertaken under funds allotted by CFC/SFC, etc; physical progress of various schemes/programmes and share of revenue transfers to PRIs in State Revenue Expenditure. Evidently such information would be necessary for higher level monitoring & management decisions. However, MoPR would request for specific feedback from your State on the need for simplification/improvement of these formats.

(2) Audit

Condition: The States are to put in place an audit system and the C&AG is to be given TG&S over the audit. Annual Technical Inspection Report of C&AG and Annual report of the Local Fund Audit should be placed before the State Legislature. Certification from the C&AG will demonstrate compliance with this condition.

Suggested course of action: 19 States have already entered into TG&S with C&AG. Remaining States may consult the State AGs to work out the modalities.

(3) Ombudsman

Condition: The States should put into place an independent local body Ombudsman for looking into complains of corruption and mal- administration against the functionaries of local bodies (both elected and officials) at least in all Municipalities and Zila Parishads. Relevant legislations are to be passed and notified.

Alternative to the condition: In case such functions fall under the jurisdiction of State Lok Ayukata, the State may continue with the arrangement. Self certification by the State will demonstrate compliance with this condition.

Suggested course of action: The provisions relating to the Ombudsman in the Model Panchayat Act circulated by MoPR may be adopted with suitable modifications.

(4) Transfer of funds

Condition: The States must put in place a system to electronically transfer grants to the local bodies within five days of their receipt from the Centre. Wherever this is not possible due to lack of banking infrastructure, the States must put in place alternative channels of transmission so that funds are transferred within ten days of their receipt. Self-certification by the States with a description of the arrangements in place will demonstrate compliance with this condition.

Suggested course of action: MoPR has already circulated a framework on 'Efficient Financial Management System and Online Transfer & Tracking of Funds' vide its letter No.N-11019/125/2009-Pol.I dated 23.2.2009. Consultations may be held with the Banks for operationalising this. This also entails giving unique codes to the Panchayats. This facility is available in the National Panchayat Directory of MoPR portal.

(5) State Finance Commissions (SFCs)

Condition: The States must prescribe through an Act the qualifications of persons eligible for appointment as members of the SFC consistent with Article 243I (2) of the Constitution. The passage of relevant legislation and its notification will demonstrate compliance with this condition.

Suggested course of action: Relevant Provisions of the Model Panchayat Act and guidelines on SFC issued by MoPR vide letter No. N-38012/3/TFC/2008 dated 27th April, 2009 dated may also be referred to for implementing this condition.

(6) Levy of Property Tax

Condition: All the local bodies should be fully enabled to levy property tax, including tax on all types of residential and commercial properties and any hindrances in this regard must be removed. Self-certification by the States will demonstrate compliance with this condition.

Suggested course of action: The States which have not enabled Panchayats in this regard, need to change their law/policy/instructions.

(7) Property Tax Board

Condition: The States must constitute a State level Property Tax Board, which will assist all Municipalities in the State to put in place an independent and transparent procedure for assessing property tax.

Suggested course of action: It is suggested that the same Board could also eater to the needs of the PRIs.

(8) Service Delivery Benchmarks

Condition: The States must gradually put in place standards for delivery of all essential services provided by the local bodies. For a start, the States must notify or cause all the Municipalities to notify the service standards for four services -water supply, sewerage, storm water drainage, and solid waste management based on the 'Handbook on Service level Benchmarks' published by the Ministry of Urban Development. The fact of publication of a Notification in the State gazette in this regard will demonstrate compliance with this condition.

Suggested course of action: While this condition is applicable to the ULBs only, the aforesaid provision could be extended to the PRIs also in phases. MoPR would frame Model Benchmarks for the service level for the PRIs.

(9) Disaster Management

Condition: All Municipal Corporations with a population of more than 1 million (2001 census) must put in place a fire hazard response and mitigation plan for their respective jurisdictions. Publication of these plans in the respective State Gazettes will demonstrate compliance with this condition.

Suggested course of action: While this condition is applicable to the ULBs only, the disaster prone Panchayats could also put in place a disaster response and mitigation mechanism in due course.

Special Areas Performance Grant:

- 7. In respect of areas covered by V and VI Schedules and areas exempted from the purview of Part-IX and IX-A of the Constitution, the performance grant is to be released contingent on States meeting the following conditions:
 - a. If the agencies concerned are Panchayats, they have to meet the conditions at (1), (2), (3) and (6) above.
 - b. If the agency concerned is not a Panchayat, it should maintain accounts up to date as per the instructions in force.
 - c. At least district level functionaries should be brought under the Ombudsman.
- 8. A folder (copy enclosed) containing extracts of the conditions of the 13th FC for drawl of performance grant, relevant provisions in the Model Panchayat Act and relevant advisories issued by MoPR was given to the State PR Secretaries in the

meeting of 23rd April, 2010. These documents would facilitate formulation of strategy and action plan for implementing the conditionalities.

- 9. The 13th FC has further made important recommendations as at Annex-IV for empowering PRIs and making them more responsible and accountable. These also need to be followed up pro- actively.
- 10. While the Central Government will take action on the items falling within its purview, the States need to formulate a time bound action plan within a month for complying with the conditions for drawl of the performance grant. A copy of the action plan may also be furnished to us. I assure you of all help from MoPR in sorting out issues, if any.

Yours faithfully,

(A N/P) Sinha

Copy to: Principal Secretary, Deptt. of Finance/Planning/Panchayati Raj/Urban Development, All States.

Copy for information to: 1. Principal Secretary to PM.

2. Cabinet Secretary.

3. Secretary, Ministry of Urban Development.

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	450			12352					326.97	38.516	25.447	39.484	27.656	693.97	519.17	246.04	568.49	191.38	115.93	70.354	137.17	294.42	11.393	210.87	625.31	199.13	34.577	659.56	BG	2012
	5461	358 0	513	27.33	76 75	15.98	341.1	97.44	224.4	26.45	17.46	27.15	19	476.2	356.3	168.9	390.1	131.3	79.52	48.3	94.09	202.		\neg	\Box		\neg		PG	2012-2013
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21826.4	1434.6	204.5	3388.3	101.5	1067.5	63.0	1363 4	897.0	105.6	69.8	108.4	75.8	1903.5	1424.1	675.0	1559.2	525.0	317.9	192.9	376.2	807.7	31.2	578.4	1715.2	546.1	94	1809 3	PG	2010-2015 (Total)	
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* Note: BG= Basic Grant PG= Performance Grant

Annex 11-

Aggregate Special Areas Grant

	_			
2001	Popu	lation	(in	lakhe)

Rs. crore

	LOUITOP	uiauon (iii	iakiis)							$Rs.\ crore$
	Scheduled Areas	Excluded Areas	Total	%age Pop	2010-11	2011-12	2012-13	2013-14	2014-15	Total
Andhra Pradesh	29.28	0.00	29.28	3.67	5.86	8.78	11.71	11.71	11.71	49.77
Assam	0.00	36.38	36.38	4.56	7.28	10.91	14.55	14.55	14.55	61.84
Chhattisgarh	105.45	0.00	105.45	13.21	21.09	31.64	12.18	42.18	42 18	179.27
Gujarat	72.11	0.00	72.11	9.03	14.42	21.63	28 84	28.84	28.84	122.59
Himachal Pradesh	1.37	0.00	1.37	0.17	0.27	0.41	0.55	0.55	0.55	2.33
Jharkhand	174.97	0.00	174.97	21.92	34.99	52.49	69.99	69.99	69.99	297.45
Madhya Pradesh	132.55	0.00	132.55	16.60	26.51	39.77	53.02	53.02	53.02	225.34
Maharashtra	39.39	0.00	39.39	4.93	7.88	11.82	15.76	15.76	15.76	66.96
Manipur	0.00	8.82	8.82	1.10	1.76	2.65	3.53	3.53	3.53	15.00
Meghalaya	0.00	22.99	22.99	2.88	4.60	6.90	9.20	9.20	9.20	39.08
Mizoram	0.00	8.89	8.89	1.11	1.78	2.67	3.55	3.55	3.55	15.11
Nagaland	0.00	19.90	19.90	2.49	3.98	5.97	7.96	7.96	7.96	33.83
Orissa	107.99	0.00	107.99	13.53	21.60	32.40	43.20	43.20	43.20	183.58
Rajasthan	18.17	0.00	18.17	2.28	3.63	5.45	7.27	7.27	7.27	30.89
Tripura	0.00	12.16	12.16	1.52	2.43	3.65	4.87	4.87	4.87	20.68
West Bengal	0.00	7.91	7.91	0.99	1.58	2.37	3.16	3.16	3.16	13.44
All States	681.28	117.04	798.32	100	159.66	239.50	319.33	319.33	319.33	1357.14

Notes: 1. Scheduled Areas are areas listed under schedules V & VI of the Constitution.

Source Basic Data: Ministry of Home Affairs, Ministry of Panchayat Raj, State Governments and Census 2001

^{2.} Excluded Areas are areas exempted under Article 243M from the purview of Part IX and IX A of the Constitution.

^{3.} The sum of Rs. 1357.14 crore includes both the basic and performance components of the Total Special Areas Grant.

DATABASE ON FINANCES OF PRIS/ULBS

Year.....Month..... Financial Progress of Funds Received from CFC/SFC and Own Sources

Grand Total				-			TC/ MC	GP/	ZP/BP/	Code
				2					of ZP/	
				ω						Area
				4					ation	Popul
				(7)				ZS.	Balance allocatio	Opening
				6				n Rs.	allocatio	Budget
				7				Rs.	received	Amount
				8		1	sources	from	Income	Taxaat
				9			own	from	receipts	
				10					Total 7+9	
			:	=			n Rs.	utilizatio	Target	
			77	5			J	utilisatio tion	Actual	
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			14					_{ගී} ද		
			15				Calaile	of	Details	
			16 17	Rs. Rs.	Bank PI A	Schemes	Grants/	State	CFC/SFC/	
					4			funds	Own source	
			20					Balance		

DATABASE ON FINANCES OF PRIS/ULBS

No of ZP/ BP/ GP/ CMC/ TC/ MC						Grand	lotal
of ZP/ BP/ GP/ CMC/ TC/ MC							
Profession	Target Rs.						
Professional Tax/ Property Tax	Collect ion Rs.	1					
perty Tax	4 as % of 3	G					
, ax/	Bala nce Rs.	6					
Irrigation T	Target Rs.	7					
ax from T	Colle ction Rs.	8					
ube wells,	6 as % of 5	9					
Irrigation Tax from Tube wells/ Water Tax	Balanc e Rs.	10					
Income Cattle/ houses	Targe t Rs.	11					
Income from Hats/ Bazars/ Fish Pattle/ Fairs/ Markets/ Slaughter houses	Collecti on Rs.	12					
Bazars/ Fish Ponds/ ets/ Slaughter	12 as % of 11	13					
ter	Balan ce Rs.	14					
Income from other sources Rents/Lease/Toll/Fees	Target Rs.	15					
m other s æ/Toll/Fæ	Cole ction Rs.	16					
securous	의 25 S S S S S S S S S S S S S S S S S S	17 5					
	Bal anc e Rs.	18					
Total Income	Tar get Rs.	19					-
come	ecti ecti Rs.	20 2					
		21 2					
	Balan ce Rs.	22					

DATABASE ON FINANCES OF PRIS/ULBS

Year.....Month.....

Details of Revenue & Expenditure

***************************************						20	Revenue Rs. tax revenue Revenue Rs. grants Rs. Govt. grants Revenue Revenue	Own Tax Own non-
							Total Revenue	
					9	services Rs. services Rs.	Expenditure Expenditure on *core on non-core	
					10	services Rs.	Expenditure Expenditure Total on *core on non-core expenditure	
					11	Rs.	Total expenditure	

and Rural Roads. *Core services include Drinking water supply, Rural Sanitation, Street Lightening, Primary Education, Primary Health care Hospitals, Housing Public Transportation

(2) =

0/o the Comptroller & Auditor General of India 2003

DATABASE ON FINANCES OF PRIS/ULBS

Format - 4

Year.....Month.....

Financial Progress of Programmes/ Schemes

Closing Balance		13										
Ö		12							The state of the s			
% utilization		11										The second secon
Funds utilized		10										
Target of utilization		6										
Expenditure		8										
	Total	7										
Receipts	State's share	9										
	Centre's State's share	5										
Opening balance as on 1 st April		4										
Name of Scheme/Pro gram		3					-					
Name of ZP/ BP/ GP/ CMC/ TC/ MC		2										
Code No of ZP/ BP/GP/ CMC/TC/ MC		1									Grand	

DATABASE ON FINANCES OF PRIS/ULBS

Year......Month.....

Expenditure Profile

11	10	Rs.	&	7	6	5	4	3	2	jak
	Schemes Rs.	۵, ق						Rs.		
Total Expenditure		Expenditure Expenditure on on State Centrally sponsored	Total Expenditure Rs.	Maintenance of Assets Rs.	Other Function Rs.	Obligatory/*core Functions Rs.	Benefits to Employees Rs.	Other Admin. Expenses	ZP/ BP/ GP/ CMC: TC/ MC	ZP/ BP/ GP/ CMC/ TC/ 'AC
				ile	Expenditure Profile	EXP	Taminal	Salaries &	Name of	Code No of

and Rural Roads. *Core services include Drinking water supply, Rural Sanitation, Street Lightening, Primary Education, Primary Health care Hospitals, Housing Public Transportation

DATABASE ON FINANCES OF PRIS/ULBS

Year.....Month.....

Physical Progress of Funds Allocated by CFC/SFC

Format – 6

(A)	Reasons for shortfall in	Completion of target						
Name of Details of Works Executed (each wok to be listed separately) scheme/Pro gram	Percentage of	9	1					
uted (each wo	Target	5						
Details of Works Exect	Name of work	4						
Name of Scheme/Pro gram		3						
Name of ZP/ Name of BP/ GP/ CMC/ Scheme/Pro TC/ MC gram		2						
Code No of ZP/ BP/ GP/ CMC/ TC/ MC		1						

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0/o the Comptroller & Auditor General of India 2003

DATABASE ON FINANCES OF PRIS/ULBS

Year.....Month.....

Physical Progress of Programmes/Schemes

										2	IC/MC	BP/ GP/ CMC/ GP/
											MC	GP/ CMC/ TC/
										3		Junear Laigher
										4		Completion status
										5		% Completion
										7		Balance work if any
											completion of targets	Reasons for shortfall in

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DATABASE ON FINANCES OF PRIS/ULBs

Year.....Month.....

Format – 8

Share of Revenue Transfers to PRIs/ULBs in State Revenue Expenditure

Each Tier of PRIs/ ULBs	Actual	Actual frevious Year 200200	-200	Budget Estima	ates Current Yea	Budget Estimates Current Year 200200 Revised Estimates Current Year 200	Revised Estima	stes Current Ye	ar 200	Actuals Current Year 200 - 200	Par 200 - 200	
	Revenue	Secitification of					200					
	Exp. Of State Govt.	on PRIs/ ULBs	3 as % of	Exp. Of State	Devolutio ns on PRIs/	6 as % of 5	Revenue Exp. Of State	Devolutio ns on PRIs/	9 as % of 8	Revenue Exp. Of State Govt.	Devolutio ns on PRIS/	12 as % of
1	2	3	4	GOVT.	ULBS		Govt.	ULBs			ULBs	:
					0	/	8	6	10	11	12	13
												The state of the s
	The second secon											
												-
Grand Total												

191

Important recommendations of 13th FC for empowering PRIs and making them more responsible and accountable

- (i) The States may appropriately allocate a portion of share of the general basic and performance grants, to the 'excluded areas' also in proportion to their population. This allocation will be in addition to the special area basic and performance grants.
- (ii) The States should appropriately strengthen their local fund audit departments through capacity building as well as personnel augmentation to enable them to undertake the increased volume of audit work.
- (iii) The Local bodies must be encouraged to fully exploit not only the taxation powers such as property tax and profession tax, but also recover at least maintenance costs for services like water supply, solid waste management and sewerage. Where construction of a road has led to tangible commercial benefits, a suitable user charge could be considered.
- (iv) The States should incentivise revenue collection by the local bodies through methods such as mandating some or all local taxes as obligatory at non-zero rates of levy; by deducting deemed own revenue collection from transfer entitlements of local bodies or through a system of matching grants.
- (v) To buttress the accounting system, the finance accounts should include a separate statement indicating head-wise details of actual expenditures under the same heads as used in the budget for the local bodies. The changes be brought into effect from 31 March 2012
- (vi) The Central and the State Governments should issue executive instructions that their respective departments pay appropriate service charges to the local bodies for services like street lighting and roads. Charges levied on Central Government properties should not exceed the charges levied on similarly placed State Government properties
- (vii) The States should share a portion of Mining Royalties with the relevant local bodies.
- (viii) The States should ensure that the recommendations of SFCs are implemented without delay and that the Action Taken Report is promptly placed before the legislature.
- (ix) The SFCs should consider adopting the template suggested at Annex 10.5 of the report for the purposes of collection and analysis of data/information and preparation of their reports.
- (x) Setting up of bodies similar to the SFC in the states which are not covered by Part IX of the Constitution, may be considered.
