

**GOVERNMENT OF ORISSA
PANCHAYAT RAJ DEPARTMENT**

No.-I-PS-/2003_____ / PS Dated 04.07.2003

From

**Sri Pratip K. Mohanty, IAS,
Chief Secretary & Chief Development Commissioner, Orissa.**

To

The Principal Secretary to Government, Finance Department

The Principal Secretary to Government, S.T. S.C. Dev. Deptt./

The Principal Secretary to Government, F.S. & C.W. Department/

The Commissioner-cum- Secretary to Government, Agriculture Department/

The Commissioner-cum- Secretary to Government, Co-operation Department

The Commissioner-cum- Secretary to Government, School & Mass Education Deptt.

The Commissioner-cum- Secretary to Government, Health & Family Welfare Deptt.

The Commissioner-cum- Secretary to Government, Women & Child Dev. Deptt./

The Commissioner-cum- Secretary to Government, F & A.R.D. Deptt.

The Commissioner-cum- Secretary to Government, Water Resources Deptt./

The Commissioner-cum- Secretary to Government, Rural Dev. Deptt.

Sub:- *Devolution of powers to Panchayat Raj Institutions (PRIs)*

Sir / Madam,

In inviting your kind attention to the subject cited above, the mandate of the Constitution is reiterated for appreciation of the matter.

1. As per 73rd amendment of the Constitution, the Panchayati Raj Institutions (PRIs) are required to be endowed with adequate responsibilities and powers to enable them to function as the "Institutions of self-government". Article 243-G of the Constitution of India, which deals with the crucial issue of powers, authority and responsibilities of the Panchayats (3 tier of Panchayats) reads as "Subject to the provisions of the Constitution, the Legislature of a State May, by law, endow the Panchayats with such Powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon the Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to (a) the preparation of plans for economic development and social justice, and (b) the implementation of such schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule."

2. Panchayat laws of Orissa have been amended consistent with provisions of 73rd amendment of the Constitution. Section 3(3) of the Orissa Zilla Parishad Act, 1991 has since been amended. Steps are being taken to incorporate similar provisions by amending the Orissa Panchayat Samiti Act, 1959 and the Orissa Grama Panchayat Act, 1964 to enable the PRIs to function as institutions of self-government. It is necessary to make Panchayati Raj Institutions clear about the role that they are expected to play for economic development and social justice.

3. After careful consideration. Government has been pleased to assign definite functions and provide functionaries to PRIs for implementation/execution of functions as mentioned hereunder.

4. **AGRICULTURE DEPARTMENT**

The Functions, which are transferred, include Kharif and Rabi programme. Soil conservation, Horticulture and water shed activities.

4.1 District Agriculture Officer will remain accountable to Zilla Parishad for preparation and approval of District Kharif and Rabi programme Similarly the District Soil Conservation Officer and the District horticulture Officer will remain accountable for preparation of plans and implementation of schemes relating to soil conservation, water shed and horticulture in the district.

4.2 Casual leave of above mentioned officers will be sanctioned by the President. Zilla Parishad .

4.3 President, ZP will supervise the activities of the above mentioned schemes. He will also report about their performance to the Head of the Department who will take appropriate steps on the report of the Zilla Parishad.

4.4 Junior Agriculture Officer will remain accountable to Panchayat Samiti for preparation and approval of Kharif and Rabi programme Chairman, Panchayat Samiti will review the Kharif and Rabi programme and report about performance of duties to the Zilla Parishad. Project Director, DRDA & Ex-Officio Executive Officer, Z.P will take up the matter with the District Level Officers of the Department and Head of the Department.

4.5 Chairman, PS will sanction casual leave of the J.A.O.

4.6 Village Agriculture Worker will attend the Grama Panchayat meeting. Sarapanch of the G.P will visit V.A.W. Centre and report about performance of duties. Such report will be sent to the BDO and Chairman of the P.S who will take appropriate action.

5. **CO-OPERATION DEPARTMENT**

5.1 Deputy Registrar / Assistant Registrar of Cooperative Societies will be accountable to Zilla Parishad for preparation and implementation of credit plan. President, Zilla Parishad will visit primary cooperative societies, give his suggestions and recommend for smooth implementation of cooperative activities.

5.2 Casual leave of Deputy / Assistant Registrar of Cooperative Societies will be sanctioned by the President, Zilla Parishad.

5.3 President, Z.P. will give report about performance of Dy. Registrar / Asst. Registrar to the Head of the Department who will take appropriate action.

5.4 Inspector of Cooperative Societies will remain actable to Panchayat Samiti for preparation and implementation of credit paln. Chairman, Panchayat Samiti can visit the primary cooperative societies and give his suggestions for implementation of the credit plan.

5.5 Sarapanch can send report regarding activities of Primary Cooperative Societies to the Chairman , P.S. and B.D.O. , Panchayat Samit.

6. **SCHOOL AND MASS EDUCATION DEPARTMENT**

6.1 Circle Inspector / District Inspector of Schools will be accountable to Zilla Parishad for activities relating to primary education, non-formal education and adult education in the district.

6.2 President, Z.P. will sanction casual leave of C.I. / D.I. of Schools.

6.3 Suggestions and report of the President, Z.P. will be considered by the Head of the Department promptly and remedial measures will be taken.

6.4 Sub-Inspector of Schools will be accountable to the Panchyat Samiti for activities relating to primary education, adult education and non-formal education. He will help BDO in drawal and disbursement of salary of primary school teacher.

6.5 **Transfer** - A Committee comprising Chairman, BDO and D.I. of Schools will make transfer of primary school teachers within the Panchayat Samiti and limits of Education District. The recommendations of the Sarapanches will be given due weightage for transfer within the Panchayat Samiti. If it is considered to transfer a teacher from one P.S. to another P.S. the above mentioned Committee will recommended the same to the Zilla Parishad. A committee comprising President, Zilla Parishad Executive Officer, Zilla Parishad and C.I. of Schools / D.I. of Schools will take decision regarding inter-Block transfer of Primary School teachers within the Educational District.

6.6 **Visit of Schools** - Chairman, P.S. and Sarapanch can visit the Primary Schools, non-formal education and adult education centers.

6.7 The Sarpanch of the G.P. will sanction Casual leave of only Headmaster-in-charge Headmaster of Primary Schools. Sarpanch can verify the attendance of teachers and they can report about absence of teachers. Such report will be enquired and appropriate action will be taken on the report of the Sarpanch.

7. **FOOD SUPPLIES & CONSUMER WELFARE DEPTT.**

7.1 Civil Supplies Officer will remain accountable to Zilla Parishad for public distribution syste.

7.2 Casual leave of Civil Supplies Officer will be sanctioned by the President, Zilla Parishad.

7.3 Report of the President, Zilla Parishad regarding performance of duties by the C.S.O. will be given due weightage by the Head of Department.

7.4 Inspector of Civil Supplies will remain accountable to the Panchayat Samiti for public distribution system.

7.5 Chairman, Panchayat Samiti can report about performance of duties by Inspector of Civil Supplies. The report will be sent to the Project Director, DRDA & Ex-Officio Executive Officer of the Zilla Parishad and President, Z.P. Appropriate action will be taken on such report.

8. S.T. & S.C. DEVELOPMENT DEPARTMENT-

- 8.1 District Welfare Officer will remain accountable to the Zilla Parishad for primary education activities of ST & SC Development Department.
- 8.2 Casual leave of District Welfare Officer will be sanctioned by the President, Zilla Parishad.
- 8.3 President can report about performance of duties by the District Welfare Officer to the Head of the Department for appropriate action.
- 8.4 Welfare Extension Officer (WEO) will remain accountable to the Panchayat Samiti for activities assigned to him.
- 8.5 Sarapanch and Chairman, Panchayat Samiti can visit Sevashram, give suggestion for improvement and report about performance of duties by the Welfare Extension Officer and Sevasharam teachers. The report will be sent to the Project Direction, DRDA & Ex-Officio Executive Officer of the Z.P. and President, Z.P. for appropriate action.

9. HEALTH & FAMILY WELFARE DEPARTMENT

- 9.1 Chief District Medical Officer will remain accountable to Zilla Parishad for health and family welfare schemes. President. Zilla Parishad can visit primary health centers, send his recommendation to the Head of the Department President, Z.P can report about performance of the Chief District Medical Officer to the Head of the Department for appropriate action.
- 9.2 President, Zilla Parishad will sanction casual leave of Chief District Medical Officer.
- 9.3 The doctors of Primary health centers/hospitals will remain accountable to the Panchayat Samiti for health and family welfare schemes. Chairman, Panchayat Samiti can visit primary health centers/hospitals.
- 9.4 The casual leave of only Medical Officer in charge of PHC/Hospitals will be sanctioned by the Chairman of P.S.
- 9.5 As and where necessary, report of the Chairman, PS regarding attendance of doctors will be sent Chief District Medical Officer and E.O. of Z.P. for appropriate action.
- 9.6 Village Health Workers and ANMs will attend Grama Panchayat meeting and will remain accountable to Grama Panchayat for activities at the village level.
- 9.7 Sarapanch/Naib-Sarapanch whosoever is a woman will be competent to sanction casual leave to Village Health Worker/A. N. M.
- 9.8 As and where necessary, report of Sarapanch/ Naib-Sarapanch whosoever is a woman regarding attendance of Village Health Workers and A.N.M. will be sent to the Medical Officer of the PHC/Hospital and Chairman, Panchayat Samiti for appropriate action.

10. **WOMEN & CHILD DEVELOPMENT DEPARTMENT**

- 10.1 District Social Welfare Officer will remain accountable to the Zilla Parishad for social security schemes and mid-day meal programme.
- 10.2 President, Zilla Parishad will sanction casual leave of District Social Welfare Officer.
- 10.3 Report of President, Z.P regarding performance of duties by the District Social Welfare Officer will be given due weightage by the Head of the Department.
- 10.4 Child Development Project Officer and Social Education Organiser will remain accountable to the Panchayat Samiti for social security schemes and mid-day meal programme.
- 10.5 Chairman/Vice-Chairman whosoever is a woman will sanction casual leave of CDPO.
- 10.6 The suggestion regarding smooth implementation of social security scheme and mid-day meal programme and performance of duties by the C.D.P.O. and S.E.O. will be sent to the Executive Officer of Zilla Parishad and District Social Welfare Officer for appropriate action.
- 10.7 Sarapanch/Naid-Sarapanch whosoever is a woman will send report about attendance of Anganwadi Worker and such report will be considered by the C.D.P.O and appropriate action will be taken.

11. **FISHERIES & ANIMAL RESOURCES DEVELOPMENT DEPARTMENT**

- 11.1 Chief District Veterinary Officer, District Fisheries Officer and Assistant Director of Fisheries will remain accountable to the Zilla Parishad for dairy and fishery activities.
- 11.2 Casual leave of above mentioned officers will be sanctioned by the President, Zilla Parishad.
- 11.3 President, Zilla Parishad will send report regarding performance of duties of the above mentioned officers to the Head of the Department who will give due weightage to the report.
- 11.4 Veterinary Assistant Surgeon and Fisheries Extension Officers will remain accountable to the Panchayat Samiti for dairy and fisheries activities.
- 11.5 The casual leave of V.A.S will be sanctioned by the Chairman, Panchayat Samiti.
- 11.6 Chairman, PS can visit veterinary dispensaries and live stock centers.
- 11.7 Report of the Chairman, Panchayat Samiti regarding performance of duties by Veterinary Assistant Surgeon and Fishery Extension Officer to the Executive Officer, ZP will be given due weightage.
- 11.8 Sarapanch can report about attendance of Live Stock functionary to the Chairman and Veterinary Assistant Surgeon. Such report will be enquired and appropriate action will be taken.

12. **RURAL DEVELOPMENT DEPARTMENT**

- 12.1 Executive Engineer/ Assistant Engineer, RWSS will remain accountable to the Zilla Parishad for drinking water and sanitation programme.
- 12.2 President, Zilla Parishad will sanction casual leave of the Executive Engineer, RWSS.
- 12.3 President, ZP will visit the works executed by the Executive Engineer/ Assistant Engineer, RWSS. He can send a report regarding performance of the Executive Engineer/Assistant Engineer to the Head of the Department who will take appropriate action thereon.
- 12.4 Junior Engineers, RWSS will remain accountable to the Panchayat Samiti for drinking water and sanitation schemes.
- 12.5 Report of the Chairman, Panchayat Samiti regarding performance of duties by the Assistant Engineer and Junior Engineer will be sent to the Executive Officer, Z.P and Executive Engineer, RWSS for appropriate action.

13. **PANCHAYATI RAJ DEPARTMENT**

- 13.1 Block Development Officer, Addl. Block Development Officer, Assistant Engineer and all Extension Officers of different Departments will remain accountable to the Panchayat Samiti for works entrusted to them.
- 13.2 Chairman of Panchayat Samiti will sanction casual leave of BDO. Casual leave of all other officers working in the Block shall be sanctioned by the B.D.O.
- 13.3 Sarpanch will send report regarding attendance of Village Level Worker which will be duly considered by the Chairman, Panchayat Samiti and B.D.O.

14. **WATER RESOURCES DEPARTMENT**

- 14.1 Executive Engineer, M.I. will remain accountable to the Zilla Parishad for functioning of Minor Irrigation Project having ayacut area upto 100 acres.
- 14.2 **Casual leave** of Executive Engineer, MI will be sanctioned by the President, Z.P.
- 14.3 Report of President, Z.P. regarding performance of duties by the Executive Engineer, MI will be given due weightage by the Head of Department.
- 14.4 Assistant Engineers and Junior Engineers of MI will remain accountable to the Panchayat Samiti for functioning of M.I. projects upto ayacut area of 100 acres.
- 14.5 Chairman, Panchayat Samiti will sanction casual leave of Assistant Engineer, Minor Irrigation.
- 14.6 The report of Chairman, Panchayat Samiti regarding performance of duty of Assistant Engineer and Junior Engineer will be sent to the Executive Engineer and Executive Office, ZP for appropriate action.

15. CHIEF EXECUTIVE OFFICER OF ZILLA PARISHAD

- 15.1 The Collector & District Magistrate will continue to be the Chief Executive Officer of the Zilla Parishad. The Project Director, District Rural Development Agency (DRDA) and other district level officers shall continue to function as Executive Officer and additional Executive Officer respectively.
- 15.2 The Block Development Officer will continue to function as Executive Officer of Panchyat Samiti.
- 15.3 Village Level Workers (VLW) and Village Agriculture Workers (VAW) will be appointed as Executive Officer of the Grama Panchayat. The Panchayat Samiti will issue specific order allotting Grama Panchayat to each VAW/VLW as the case may be. As Executive Officer VAW / VLWs shall perform the functions and duties as per job chart prescribed by the Government from time to time.
- 15.4 Sarpanch shall sanction Casual Leave of Executive Officer of Gram Panchayat .

16. ACCOUNTABILITY

- 16.1 The district level, Block level and Grama Panchayat level functionaries of different departments of Government of subjects of which have been transferred to PRIs will attend the meetings of Zilla Parishad, Panchayat Samiti and Grama Panchayat respectively.
- 16.2 They shall remain accountable to respective level of PRI though they shall continue as employees of their respective department.
- 16.3 They shall place plans and schemes for discussion and approval in the meeting of respective level of PRI
- 16.4 The President, Zilla Parishad, Chairman, Panchayat Samit and Sarpanch, Grama Panchayat are vested with authority to supervise the work and function of Government functionaries at respective level, calling for information and report from time to time. They can submit proposal to the appropriate level about indiscipline, irregularity and other shortcomings of the respective level officer.
- 16.5 Similarly, they can also submit suggestions/ recommendations on improvement of function of these functionaries through appropriate level of PRIs as well as District Level officer.
- 16.6 The Project Director, DRDA as the Executive Officer of Zilla Parishad, will call for the report on behalf of the Zilla Parishad from the District Level Officers and will place such report before the President, Zilla Parishad which can be discussed in the meeting of Zilla Parishad and the concerned District Level Officers can also be called upon to explain the matter to Zilla Parishad.
- 16.7 After assessment of the activities of different Departments, the President of Zilla Parishad can submit report to the Head of Department as well as to Government. Such proposals emanating from Zilla Parishad shall be given due consideration and decision taken thereon shall be communicated to the other PRIs.

All the Departments will please ensure that these instructions are implemented in letter and spirit as this will help in improving the quality of delivery of services thereby improving the standard of living of the people in rural areas of the State.

Yours faithfully,

Sd/-
Chief Secretary, Orissa

Memo No. 6887_____ /PR dated 04.07.2003

Copy forwarded to all Revenue Divisional Commissioners / all Collector & District Magistrate for information and necessary action.

Sd/-
(S.N. TRIPATHI)
COMMISSIONER-CUM-SECRETARY