

From

The Engineer-in-Chief, Haryana,
Public Health Engineering Department,
Panchkula.

To

All Superintending Engineers
Public Health Engineering Circles
In Haryana State

Memo No. 21847-29

Dated 9/3/12

Subject Devolution powers to Panchyati Raj Institutions-transfer of single village upto 6 tubewells w/s scheme to the Gram Panchyats.

This is in continuation to this office memo No.17862-17880-PHEP-5 dated 13.10.2010, vide which a copy of detailed proposal duly approved by the Finance Department vide U.O No. 80/20/2009-FICW/2874 dated 31.08.2009 and 80/20/2009-FICW/2377(10) dated 01.10.2010 for handing over Drinking Water Supply Scheme to the Panchyati Raj Institutions was sent for handing over Single village upto 6 tubewells.


Further, keeping in view the rise in prices and for effective operation and maintenance of the schemes, it was decided in the meeting of the Water Supply and Sewerage Board held on 04.05.2011 to increase the monthly amount being paid by Public Health Engineering Department to the Gram Panchyats. The revised amount to be paid by the Public Health Engineering Department to the Gram Panchyat every month is as follows:-

| Sr No. | Type of Scheme | Monthly amount being paid to Gram Panchyats | Revised amount to be paid to the Gram Panchyats every month |
|--------|--------------------------------------|---|---|
| 1 | Single Village One Tubewell Scheme | 7000/- | 11000/- |
| 2 | Single Village Two Tubewell Scheme | 10000/- | 15000/- |
| 3 | Single Village Three Tubewell Scheme | 13,000/- | 20,000/- |
| 4 | Single Village Four Tubewell Scheme | 16,000/- | 24,000/- |
| 5 | Single Village Five Tubewell Scheme | 19,000/- | 29,000/- |
| 6 | Single Village Six Tubewell Scheme | 22,000/- | 33,000/- |

Finance Department also agrees to the proposal of the revised structure of monthly payment to the Gram Panchyats vide U.O No. 80/20/2009-FICW/1362(11) dated 01.03.2012.

I have been therefore directed to request you to take necessary action in the matter immediately as per revised structure of monthly payment to the Gram Panchayats and Panchayats may be approached for taking over such scheme based on the above said guidelines dated 31.08.2009, 01.10.2009 and 01.03.2012. At once under intimation to this office.

DA/As Above


Executive Engineer (Mont.)
For Engineer-in-Chief, Haryana

Endst No. 4823-25 -PHE/Pg.


Dated 29-03-2012

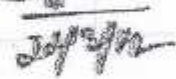


A copy of the above is forwarded to followings for information and necessary action:-

1. The Financial Commissioner and Principal Secretary to Government Haryana, Public Health Engineering Department, Chandigarh.
2. The Financial Commissioner and Principal Secretary to Government Haryana, Development & Panchayat Department, Haryana.
3. The Director General, Development & Panchayat, Chandigarh.

DA/As Above


Executive Engineer (Mont.)
For Engineer-in-Chief, Haryana



From

The Engineer-in-Chief, Haryana
Public Health Engineer Department
Panchkula

To

All Superintending Engineer
Public Health Engineering Circle
In Haryana State

Memo No. ¹⁷⁸⁶²⁻¹⁷⁸⁸⁰ PHE/P-5 Dated ~~2010~~ 13/10/10

Subject: Devolution of powers to Panchayati Raj Institutions handing over of Drinking Water Supply Scheme.

In Continuation of this office Memo No 5336-47 dated 14.09.2010 on the subject noted above.


Please find enclosed herewith a copy of detailed proposal duly approved by the Finance Department vide U.O No. 80/20/2009-6FICW/2874 dated 31.8.2009 and 80/20/2009-FICW/2377(10) dated 1.10.2010 for handing over Drinking Water Supply Scheme to the Panchayati Raj Institutions, for information and necessary action.

I have been directed to request you to take the following action in the matter immediately.

The Panchayats may be approached for taking over such scheme based on the above said guidelines, dated 31.08.2009 and 1.10.2010, at once under intimation to this office.

This may please be given Top-Priority

DA/ Guidelines dated 31.08.2010 &
1.10.2010


Executive Engineer (Mont.)
For Engineer-in-Chief, Haryana

13/10

Subject:- Devolution of powers to Panchayati Raj Institutions-
Handing over of drinking water supply schemes.

1. The 73rd constitutional Amendment envisages the devolution of powers and responsibilities to the three tiers of the Panchayati Raj Institutions (PRIs), namely, the Zila Parishads, Panchayat Samitis and Gram Panchayats.
2. In order to evolve a system of gradually devolving powers to the PRIs, a series of meetings have been held at various levels, over the years. At that juncture, it was contemplated to hand over the operation and maintenance of single village tubewell based schemes to the Gram Panchayats. The matter was discussed threadbare and executive instructions were issued to the field level functionaries to hand over single village tubewell based schemes to the Gram Panchayats (GPs) for the purpose of operation and maintenance. However, the exercise proved to be futile as the Panchayati Raj Institutions were reluctant to take this responsibility apparently due to the fact that they neither had the resources nor the manpower.
3. During 2000-2001, the Sector Reforms Pilot Project was launched by Government in the country and the districts of Yamuna Nagar and Karnal were selected under this project. 90% of the project cost was funded by Govt. of India and 10% cost was borne by the beneficiaries. After completion of the schemes, the operation and maintenance was to be undertaken by the respective Gram Panchayats. The work of providing drinking water facilities was implemented in 52 villages of district Yamuna Nagar and 93 villages of district Karnal, under this project. After completion of the works, the operation & maintenance of all the 145 villages was handed over to the Gram Panchayats for providing an incentive to the Gram Panchayats, it was decided that 50% expenditure on electricity bills would be borne by the State Government. Initially, the schemes were operated and maintained satisfactorily, but thereafter, it was gradually found that 69 schemes were operational and the remaining 76 schemes had become defunct. These 76 schemes became dysfunctional due to non-payment of electricity bills by the Gram Panchayats.

4. In 2004-05, the Swajaldhara Programme was launched in the districts of Ambala, Panchkula, Kaithal, Kurukshetra, Sonapat, Faridabad, Mohindergarh, Rewari, Rohtak and Jhajjar. This programme was identical to the Sector Reforms Pilot Project, but for various reasons, the programme did not prove to be successful.
5. Keeping in view the fact that as many as 76 schemes had become defunct due to non-payment of energy charges by the Gram Panchayats, the issue was taken up in the meeting dated 4.6.2008 of the State Sanitary Board, Haryana, chaired by the Hon'ble Chief Minister, Haryana. After deliberations, it was decided that in order to optimally utilize the infrastructure created under the Sector Reforms Pilot Project or Swajaldhara, the defunct schemes should be taken over by the Department (copy of Resolution No. 30 is at F/A).
6. It is a travesty of circumstances that on one hand, the Government of India is laying great stress on decentralization and devolution of powers to PRIs, whereas on the other hand, the PRIs are not being able to sustain the operation & maintenance of the drinking water supply schemes. The main reason for the reluctance on the part of Gram Panchayats in taking over the drinking water supply schemes is that in the villages not covered under sector reforms project or swajaldhara scheme the entire electricity bills are paid by the Public Health Engineering Department (PHED) whereas in the villages covered under Swajaldhara/ Sector Reforms Project, the Gram Panchayats had to contribute a portion of the electricity bills which run into lacs of rupees. This discouraged such Gram Panchayats from taking over the Drinking Water Supply Schemes.
7. In view of the above position, it is proposed that the operation and maintenance of drinking water supply schemes be handed over to the Gram Panchayats by making it a sustainable proposition. The Gram Panchayats will be interested in taking over the water supply schemes provided they are not required to incur any expenditure from their own sources.

8. In this connection, a preliminary meeting was held under the Chairmanship of FC&PS, Development & Panchayats Department on 9.7.2009, which was attended by FC&PS, Finance, FC&PS, PHED and other senior officers of the PHED and Panchayats Department. During discussions, FC&PS, Development & Panchayats desired that a detailed scheme may be framed by PHED covering all aspects regarding handing over of drinking water supply schemes to the Panchayats Department. A copy of the minutes of meeting are at F/B.

9. Accordingly, a detailed proposal for handing over drinking water supply schemes to the PRIs is as under :-

- (i) Only operation and maintenance of single village with single tubewell or upto two tubewells be handed over to the Gram Panchayat concerned.
- (ii) PHED would pay monthly amount of Rs. 7000/- to Gram Panchayat for single village single tubewell scheme and Rs. 10000/- for single village two tubewells scheme. This amount would include payment of salary of staff, maintenance of tubewell (s) as well as maintenance of the distribution system.
- (iii) PHED would transfer the said amount in the account of the respective Gram Panchayats.
- (iv) The operator to be engaged would preferably be ITI qualified and preference should be given to the Trades as per qualifications of PHED rules. In case ITI qualified operator is not available, the candidate should atleast have 10+2 qualification with Science stream. The operator to be engaged should preferably belong to the same village and in case suitable candidate is not available, the same may be engaged from an adjoining (nearby) village.
- (v) Proper record of release of water connections and collection of revenue would be maintained by the Panchayats.
- (vi) As an incentive, the person engaged in release of private water connection, would be paid Rs. 50/- per connection. Similarly, the amount equal to 15% of the total revenue collected would be paid to the person engaged in revenue collection.
- (vii) Disinfectant material would be provided by the PHED, free of cost, but its proper usage and monitoring would be undertaken by the Panchayats and record shall be maintained.

- (viii) Electricity charges to HBVN will be paid by PHED on actual basis.
- (ix) The record of water supply hours will be maintained as being done by PHED at present.
- (x) The failure of tubewell in respect of chokage/damage of filter or any other structure failure of tubewell or ceasing of discharge on account of fall of water table will be reported by Panchayat to PHED immediately.
- (xi) The maintenance of the distribution system and collection of revenue on account of private water connections would be the responsibility of the Gram Panchayats. The savings arising, if any, out of funds provided by PHED for operation & maintenance and revenue collected by the Gram Panchayats could be utilized by them for upgradation/ improvement of the water supply scheme including the distribution network. The Gram Panchayat would also be allowed to sanction domestic water connections to the consumers. The Gram Panchayats would maintain a proper record of the revenue generated and expenditures incurred under various heads.
- (xii) In case of failure of any tubewell the replacement/ rectification thereof would be done by the PHED at Govt. expense.
- (xiii) The major replacement of pipelines as well as laying of additional pipelines would also be done by the PHED at Govt. expense.
- (xiv) The ownership of the assets of the Drinking Water Supply Schemes shall vest in the Gram Panchayats after the take over of the scheme by the GPs. The Gram Panchayats would be responsible for the operation and maintenance of the Drinking Water Supply Schemes and for all liabilities related thereto.
- (xv) PHED would provide technical guidance and expertise to the Gram Panchayats if specifically requested by them.
- (xvi) PHED would not engage any staff for the operation and maintenance of the Drinking Water Supply Schemes taken over by the Gram Panchayats under this proposal.
- (xvii) The Govt. reserves its right to take back Drinking Water Supply Scheme whenever it is deemed fit in the Public interest.

10. The proposal is, therefore, submitted for kind approval of the Hon'ble Chief Minister. This scheme can be made operational and wherever Gram Panchayats are ready, the scheme can be handed over to them.

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11. It is pertinent to add that under the revised guidelines on National Rural Drinking Water Programme, the Government of India has given 10% weightage for "rural population managing rural drinking water supply schemes". This criteria for allocation will be used as incentive to States for decentralization and reforms in the sector. During the previous year 2008-09, the Government of India released a sum of Rs. 117.29 crore under the Centrally Sponsored Accelerated Rural Water Supply Programme and Desert Development Programme and these funds are likely to increase in the coming years. As such, in order to qualify for the incentive funds, it is essential to carry out decentralization and reforms.

Submitted for kind approval please.

[Signature]
Superintending Engineer (Plg.)
17 07 2009

CE (Prog.)

[Signature]
17/7/2009

326-FCPS
21/7/09

E/C

[Signature]
17/7/09

No. 3480-PH/PS
dated 21-07-09

FC&PS, PHED

The proposal of the deptt. is in order and may be approved. The concurrence of FD would also be obtained.

[Signature]
20/7

362-P
y No. 21/7/09
Director, Public Health
Engineering Department (PHED)
Parliamentary Affairs Minister,
Gurgaon

MARESH GULATI
FC&PS

मुख्य सचिव
हरियाणा
फाईल नं. 5090
दिनांक 27/7/09
[Signature] H. S. CM.

[Signature]
22/07/09