

GOVERNEMENT OF ASSAM
FINANCE (ECONOMIC AFFAIRS) DEPARTMENT

No.FEA (SFC) 171/2010/Pt/271

Dated Dispur August 13, 2013

To:

The Secretary,
Government of India,
Ministry of Panchayati Raj,
11th Floor, LIC-Jeevan Prakash Building,
K.G. Marg, New Delhi – 110 001.

Subject: **13th Finance Commission Performance Grant for Local Bodies -
Compliance of Conditions.**

Sir,

In inviting a reference to the subject quoted above, I am directed to furnish information, along with requisite certificates/documents in compliance with conditions for drawal of Performance Grant as per **Annexure-VI**.

You are requested to kindly consider the matter and release the first instalment of Performance Grant for 2013-14 to Assam.

Yours faithfully,



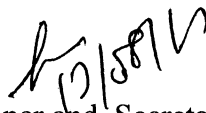
Commissioner and Secretary
Finance Department.

Memo. No.FEA (SFC) 171/2010/Pt/271-A

Dated Dispur August 13, 2013

✓ Copy to the Director (FCD), Government of India, Ministry of Finance, Department of Expenditure, Finance Commission Division, Block-11, 5th Floor, CGO Complex, Lodi Road, New Delhi – 110 003.

By order etc,



Commissioner and Secretary
Finance Department.

ANNEXURE-VI

INFORMATION REGARDING COMPLIANCE OF CONDITIONS FOR DRAWAL OF PERFORMANCE BASED GRANT FOR LOCAL BODIES UNDER THE THIRTEENTH FINANCE COMMISSION (2011-12 TO 2014-15) – AS ON MARCH 31, 2013.

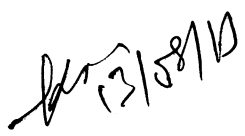
Conditions	Corresponding paras in guidelines	Status of Compliance (Documents/Certificates to be enclosed wherever required in support of the compliance.)
1. General Conditions	Paras 6.1 and 6.2	<p>6.1 Panchayats and ULBs exist in Assam as per the provisions of Articles 243B and 243 C and 243Q and 243R of the Constitution respectively. Elected bodies exist in PRIs and ULBs in Assam.</p> <p>6.2 Certificate against 1st instalment of Performance Grant of 2012-13 regarding transfer of fund to local bodies has been sent vide our letter No.FEA(SFC).45/2011/296 dt 12.03.2013 and 2nd instalment of Performance Grant of 2012-13 for PRIs has already been transferred. Certificate to this effect is being sent shortly.</p>
2. Finance, Accounts and Budget	Paras 6.4.2 & 6.4.3.	<p>6.4.2 : Supplement to Budget Documents for PRIs and ULBs for 2013-14 is furnished at Annexure-I.</p> <p>6.4.3 : Model Accounting System (PRIYA Soft) developed by Ministry of Panchayati Raj, Government of India has been implemented by Panchayat & Rural Development Department, Government of Assam. Certificate to this effect is furnished at Annexure-II.</p> <p>C&AG of India's prescribed eight data based formats have been adopted and implemented by Panchayat & Rural Development Department of Government of Assam in pursuance of Government of India's letter No.11019/704/08-Pol-2 dtd.14/05/2011. Certification in this respect is furnished at Annexure-II.</p>
3. Audit of PRIs/ULBs	Para 6.4.4	<p>Government of Assam has made entrustment of Technical Guidance & Supervision (TGS) of PRIs and ULBs to CA&G vide letter No.FEA(SFC) 66/2009/164 dated 03/05/2011. There is no provision in the Assam Panchayat Act, 1994</p>

		and Assam Municipal Act, 1956 for placement of CAG's Annual Technical Inspection Report on local bodies and Annual Report of the Director of Audit (Local Fund) on local bodies before the State Legislature. State Government laid down Audit Report of CAG on Local Bodies for the year 2011-12 before the State Legislature on 19 th July, 2013. In this connection, certification from the Principal Accountant General, Assam is furnished at Annexure-III.
4. Ombudsman	Para 6.4.5	State Lok Ayukta under the Assam Lok Ayukta and Up-Ayukta Act, 1985 have covered the functionaries of Local Bodies for both General Areas and Sixth Schedule Areas for investigation into the complaints of corruption and maladministration against the functionaries of local bodies, both elected members and officials and recommend suitable action. In this respect, Certification from Panchayat & Rural Development Department of Assam has been furnished at Annexure- II.
5. Electronic Transfer of Funds within 5 days.	Para 6.4.6	Finance Department transfers funds of 13 th Finance Commission to Chief Executive Officer of Zilla Parishads for PRIs, and Director of Municipal Administration, Assam for ULBs. In addition to that, Finance Department transfers funds of 13 th Finance Commission to Guwahati Municipal Corporation directly. Director of Municipal Administration, Assam transfer funds through the Treasury Office, Dispur and the State Bank of India, Dispur, to the respective Bank Account of urban local bodies having Bank Accounts in State Bank of India. In this connection, certificate from Finance Department of Government of Assam is furnished at Annexure-V.
6. State Finance Commissions	Para 6.4.7	Government of Assam has prescribed through the Assam Finance Commission (Miscellaneous Provision) Act, 1995 the qualifications of

		persons eligible for appointment as members of the State Finance Commission consistent with Article 243 I (2) of the Constitution. The relevant Act has been furnished at Annexure- IV .
7. Levy of Property Tax	Para 6.4.8	As per Section 28, 57 & 95 of Assam Panchayat Act 1994, provision has been made to levy taxes on the Houses, Cinema Halls , Brick Klins, Saw Mills etc. which has been implemented in the PRIs. Certification in this respect is furnished at Annexure – II .

Special Areas Performance Grant for Sixth Schedule Areas.

Conditions	Corresponding paras in guidelines	Status of Compliance (Documents/Certificates to be enclosed wherever required in support of the compliance.
1. Audit	6.5.1 (i)	Certification from the C&AG is being furnished shortly
2. Ombudsman	6.5.1 (iii)	The Assam Lokayukta and Upa-Lokayuktas Act, 1985 (With Amendments) also covers the 6th Schedule Areas.
3. Transfer of Funds	6.5.1 (iv)	State Government transfer the funds of 13 th Finance Commission for local bodies under Sixth Schedule Areas to the Principal Secretaries of three Sixth Schedule Areas in the State for the local bodies on receipt of funds from the Government of India.


 COMMISSIONER & SECRETARY,
 GOVERNMENT OF ASSAM,
 FINANCE DEPARTMENT.