

Proceedings of the Government of Karnataka

Read: Section 58, 77, 78 and 79 of the Karnataka Panchayath Raj Act, 1993

Preamble: Section 58 of the Karnataka Panchayath Raj Act, 1993 (hereinafter referred to as "Act") provides for the mandatory functions that need to be performed by a Gram Panchayath which, inter-alia includes construction and maintenance of water supply works. Section 77 of the Act vests power in the Gram Panchayath (GP) for providing water supply within the Gram Panchayath area. Section 78 of the Act empowers the Gram Panchayaths to formulate bye laws regarding the provisions of water supply. Section 79 of the Act, provides for constitution of Joint Committees, by passing either amongst themselves and or with any local or statutory authority for any specific purpose common to all of them, or for any purpose in which they are jointly interested or for which they are jointly responsible of a resolution by each one of them.

2. Rural Water Supply and Sanitation Department is created to aim at increasing the rural communities' access to improved and sustainable drinking water and sanitation services besides institutionalizing decentralization of rural water supply and sanitation service delivery to Gram Panchayaths and user groups.

3. The main principles of the Rural Water Supply and Sanitation Department: Provision of water and sanitation services is demand driven; the approach is participatory with a decentralized decision making process besides ensuring inclusion and accountability of all the stakeholders. Further, water supply, health and sanitation services are to be integrated in planning and implementation to ensure sustainable operation and maintenance of the infrastructure and maximum health benefits to the people.

4. While the Department has the Panchayath as the focal point of all delivery systems, the Gram Panchayaths have been facilitated to establish a sub-committee, viz., the Village Water Supply and Sanitation Committee (VWSC), for the purpose of planning, designing, constructing and maintaining the water and sanitation infrastructure in the villages.

5. In view of the constraints faced in securing safe and adequate source of drinking water, the Government has been making efforts to take up multiple village water supply (MVS) schemes from a surface water source, particularly for the regions affected by severe shortage of ground water or serious water quality problems.

6. Under sector reforms Multi Village water supply Schemes (MVS) are planned to be implemented. The Government is also keen to encourage MVS in places where serious water quality and quantity problems make groundwater an unviable option and where a sustainable surface water source is available in the vicinity.

7. In many Multi Village Water Supply Schemes, the villages that come within the ambit of these schemes cut across the boundaries of one Gram Panchayath and in some cases even the Taluk Panchayath. In order to manage the planning, implementation and post implementation Operation and Maintenance (O & M) activities, it is necessary to have a sustainable institutional arrangement as envisaged in the Act.

8. In order No. RDP/843/RWS/2003 dated 01.10.2005 (annexed), the Government has provided for the matters listed in Section 79 of the Act. This order shall be applicable to all the multiple village surface water source water supply schemes that are constructed in Karnataka, in different schemes, including under the Jal Nirmal Project.

Government Order No. RDP/240/RWS/2015 Dated 13.05.2016.

1. **The Joint Committee** set up by a group of Gram Panchayaths for the purpose of setting up and managing the multiple village water supply schemes shall be called as "Joint Committee". A Multiple Village Water Supply scheme (MVS) consists of the common facilities like jack well, main pump station, raising mains, water treatment plants, master balancing reservoirs, zonal balancing reservoirs, if any, and transmission mains up to the village entry point.

2. Constitution and Composition of Joint Committee-

The Zilla Panchayaths shall take immediate steps to constitute Joint Committee comprising of group of Gram Panchayaths where Multi Village Water Supply and Sanitation Schemes under various schemes/projects have already been implemented or are in the process of being implemented or are planned to be implemented. The Composition of the Joint Committee would be as under.

Sl No.	Name	Designation
1	All Adhyakshas of the participating Gram Panchayats	Members
2	Executive Engineer of the Panchayat Raj Engineering Division RDW&SD of the District	Ex-Officio Member
3	Taluk Executive Officer of the Taluk Panchayat of participating Taluk (s)	Ex-Officio Members (s)
4	AEE of RDW&SD sub-division of the other participating Taluk (s), if any	Ex-Officio Members (s)
5	Assistant Executive Engineer(s) of the concerned Electricity Supply Company	Ex-Officio Members (s)
6	Maximum of three persons or Institutions – experts or NGO in the field of Health & Sanitation, Education and Social Service working within the MVS Jurisdiction	Members
7	AEE, RDW&SD of the Sub-Division where the common infrastructure and water treatment plant is located	Member-Secretary
8	PDO of all participating Gram Panchayats	Member (s)
9	PDO of the Gram Panchayat where Head-works are located	Member Assistant Secretary

3. Office of the Joint Committee:

The Office of the Joint Committee shall be the Grama Panchayath in which the Head Works are located. All correspondence to the Joint Committee shall be addressed to the Adhyaksha of the Joint Committee at the Office Joint Committee.

4. Term of Office:

The term of the members of the Joint Committee shall be co-terminus with that of their position in the concerned Panchayath Raj Institution.

5. Procedure for selection of Adhyaksha and Upadhyaksha on the establishment of the Joint Committee:

(1) The Adhyaksha and Upadhyaksha of Joint Committee will be selected amongst the Adhyakshas of participating Gram Panchayaths only. The Member Secretary of the Joint Committee, within a period of one week on the constitution of Joint Committee shall fix

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The Office of the Joint Committee shall be the Grama Panchayath in which the Head Works are located. All correspondence to the Joint Committee shall be addressed to the Adhyaksha of the Joint Committee at the Office Joint Committee.

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5. Procedure for selection of Adhyaksha and Upadhyaksha on the establishment of the Joint Committee:

(1) The Adhyaksha and Upadhyaksha of Joint Committee will be selected amongst the Adhyakshas of participating Gram Panchayaths only. The Member Secretary of the Joint Committee, within a period of one week on the constitution of Joint Committee shall fix

the date of its first meeting for the selection of Adhyaksha and Upadhyaksha of Joint Committee. The first meeting of Joint Committee shall be held at the Office of the Joint Committee and presided over by the Executive Engineer of the RDW&SD division of the Zilla Panchayath. The selection of Adhyaksha and Upadhyaksha shall be the only Agenda for this Meeting.

- (2) The participating Gram Panchayath Adhyakshas will select the Adhyaksha and Upadhyaksha of the Joint Committee by following the following procedure:

Alternate Provision

The Gram Panchayaths which are the part of the Joint Committee will be arranged in Kannada Alphabetic order and the Adhyakshas of the first and second Gram Panchayaths in the list would respectively be the Adhyaksha and Upadhyaksha of the Joint Committee for one year. In the second year the Adhyakshas of the second and third Gram Panchayaths in the list would respectively become the Adhyaksha and Upadhyaksha of the Joint Committee and they would hold the office for a period of one year. (This means the Upadhyaksha of the Joint Committee during the first year would automatically become the Adhyaksha of the Joint Committee during the second year) and this cycle will continue.

6. Procedure at the Meetings of the Joint Committee:

- (1) Joint Committee shall hold a meeting to transact its business and review performance at least four times in a financial year. The interval between meetings shall not exceed three months period. The meetings should ordinarily be held at the office of the Joint Committee on a date and time decided by the Adhyaksha of the Joint Committee.
- (2) All the records relating to the Joint Committee shall be separately maintained in the Office of the Joint Committee by the Member Secretary of the Joint Committee. The rules that govern the conduct of meetings, the quorum and procedure prescribed for Gram Panchayaths, the Minute to be maintained for these meetings as specified in the Karnataka Panchayath Raj Act, 1993 shall mutatis mutandis apply for the meetings of Joint Committee also.
- (3) The records of these meetings shall be maintained by the Member Secretary of the Joint Committee in the office of the Joint Committee and copy of the proceedings of the meetings shall be dispatched to all the members of the Joint Committee within three days of the meeting.
- (4) The members who are Adhyakshas and Secretaries of the participating Gram Panchayaths shall place the decisions/resolutions in the respective Gram Panchayath's meeting for ratification. If the Gram Panchayath fails to convey its decision on the resolutions before the next Joint Committee meeting, then it shall be deemed to have been ratified by the concerned Gram Panchayath. Ordinarily, the ratification of any decision/ resolution by all the Gram Panchayaths would be mandatory. However, if any Gram Panchayat has reservation about any resolution then the Joint Committee may consider the same and amend the resolution which shall be binding on the Gram Panchayaths.

7. Annual Meeting to be held to the Joint Committee:

- (1) An annual meeting of the Joint Committee shall be convened every year to discuss the Annual Accounts and Audit Report.
- (2) The Adhyakshas of the Village Water Supply and Sanitation Committee (VWSC) of all the villages that are under the jurisdiction of the Joint Committee shall be invited to the

meeting of the Joint Committee as special invitees. The Special invitees have the right to propose items for the Agenda for the meeting and to participate in the proceedings of the meeting. They shall however not have the right to vote at the meeting.

8. Power and Duties of the Adhyaksha and Upadhyaksha of the Joint Committee

- (1) The Adhyaksha shall convene and preside over the meetings of the Joint Committee. It would be mandatory on the part of Adhyaksha of Joint Committee to convene the meeting of Joint Committee at least once in three months, failing which the Upadhyaksha or any one Adhyaksha of the participating Gram Panchayath may requisition the Member-Secretary of the Joint Committee or the Member Secretary on his own shall convene the meeting.
- (2) There shall be an agenda for the meeting and discussion should be restricted to the Agenda. Any member or participating Gram Panchayath can request for inclusion of any subject connected to the MVS in the Agenda.
- (3) The Adhyaksha or Upadhyaksha and the Members shall be provided access to all the records connected with the Joint Committee in the office of the Joint Committee.
- (4) The Upadhyaksha of the Joint committee shall exercise the powers and perform the duties of the Adhyaksha whenever the Adhyaksha is absent or on leave or is incapacitated from functioning.

9. Functions, Duties and Responsibilities of the Joint Committee:

- (1) Every Joint Committee shall primarily be responsible for the planning, execution, implementation and post implementation stage of operation, maintenance and sustainability of the common facilities of the MVS.
- (2) The Joint Committee shall function as an Apex Management body to initiate dialogue and co-ordinate amongst the Village level Water and Sanitation Committees, Gram Panchayaths, Taluk Panchayaths, Zilla Panchayath and Electricity Supply Company and all other stakeholders in all matters pertaining to conception, design, planning, execution and post implementation phase of operation and maintenance of the common facilities of the MVS.
- (3) The Joint Committee shall assess the techno-economic feasibility of taking up a MVS and organize the survey and initial planning for the common facilities of the MVS and then be responsible for getting the Detailed Scheme Report (DSR) including Engineering Study Report (ESR) prepared, with the help of the RDW&SD and external engineering design consultants, whenever required, and recommend it for approval of the competent authority. The Joint Committee shall consult all the Village Water Supply & Sanitation Committees (VWSCs.) in the preparation of the DSR.
- (4) The Joint Committee will be guided by the general guidelines issued regarding the planning and designing of MVS schemes by the government.
- (5) The Joint Committee shall cause the publication of notice of invitation of bids, through the competent authority, for the construction of the common facilities of the MVS.
- (6) The Joint Committee shall, once the project or scheme is successfully completed, own the assets created under the project or scheme and through an outsourcing mechanism or arrangement approved by it undertake the operation and maintenance of the common facilities of the MVS.

- (7) The Joint Committee is responsible for the quality and quantity of water to be supplied to the village coming under the participating Gram Panchayaths.
- (8) The Joint Committee shall decide the quantum of water to be supplied to the villages and the water tariff for bulk water supply on the basis of which the Gram Panchayaths and VWSCs would be supplied the water.
- (9) (a) The Joint Committee shall levy water tariff for bulk water supply and demand payment of the same from the participating Gram Panchayaths. In the event of any of the participating Gram Panchayaths failing to pay for the supply of bulk water, the Executive Officer of the Taluk Panchayath concerned on a reference by the Joint Committee recover from the Gram Panchayath concerned, the said amount in accordance with Section 157 of the Act. If the Executive Officer fails to act, the Joint Committee may apply to the CEO for recovery of the arrears from the defaulting Gram Panchayaths in accordance with Section 198 of the Act.

(b) The Joint Committee may decide to reduce or suspend supplies of bulk water to the Gram Panchayaths who default in the payment of dues after giving one month notice to the Gram Panchayath concerned.
- (10) The Joint Committee shall resolve any disputes that may arise amongst the participating Gram Panchayaths or villages on the issue of distribution of the bulk water or the running of the common facilities of the MVS. Any Gram Panchayath or villages aggrieved by the decision of the Joint Committee may Appeal to the Chief Executive Officer of the Zilla Panchayath whose decision in the matter shall be final.
- (11) The Joint Committee may call for any information or document relating to the scheme from any of the Gram Panchayath or VWSC coming within its jurisdiction and the Grama Panchayath and its Panchayath Development Officer shall furnish the same.
- (12) Every Joint Committee shall open a Joint Savings Bank account in the name and style of "----- Joint Committee" in any scheduled Commercial Bank or a Regional Rural Bank situated in or in the vicinity of the Office of the Joint Committee. This account will be operated jointly by the Treasurer and Member-Secretary of the Sub-Committee on finance.
- (13) All contributions, donations and deposits pertaining to the MVS and which are currently with the VWSCs/Gram Panchayaths shall, on the constitution of the Joint Committee, be transferred to the account of the Joint Committee and all future receipts of the Joint Committee, pertaining to the common facilities of the MVS shall be deposited in the bank account of the Joint Committee, All payments, approved by the Joint Committee, shall be made from the Joint Committee's bank account through crossed cheques drawn from this account.
- (14) No payment of whatsoever nature, which is in excess of Rs. 1000/- (Rupees one thousand), shall be made by cash and it will compulsorily have to be through cheques or RTGS.
- (15) No expenditure not covered under the Budget shall be incurred by the Joint Committee.
- (16) All the Books of Accounts of the Joint Committee shall be maintained as per GP account rules and audited every year by a qualified Chartered Accountant, approved by the Zilla Panchayath.
- (17) Section 286 of the Act is applicable to the members of the Joint Committee, including the co-opted members and this fact may be made explicitly known to them at the time of co-option.

- (18) Sections 278, 279 and 280 of the Act are applicable, mutatis mutandis, to all the members of the Joint Committee and this needs to be made explicitly known to all of them by the Member-Secretary of the Joint Committee, at the earliest opportunity available.
- (19) Notwithstanding anything herein contained above, the Government or the Chief Executive Officer of the Zilla Panchayath shall have access to all the accounts, and records pertaining to the Joint Committee. Besides, the powers vested in the Chief Executive Officer of the Zilla Panchayath under Section 197, 198, 234 of the Act shall be equally applicable to all the acts, omissions and commissions of the Joint Committee.

10. Standing Committees of the Joint Committee:

- (1) The Joint Committee shall function through its two Standing Committees which shall comprise of the following Members, to advise and guide it on all matters.

(a) Standing committee on Works

SI No.	Name	Designation
1	Adhyaksha of the Joint Committee	Adhyaksha
2	Upadhyaksha of the Joint Committee	Upadhyaksha
3	Two Adhyakshas. of the participating Gram Panchayats to be selected by the Joint Committee	Members
4	Executive Engineer of RDW&SD	Member
5	Executive Officer(s) of the Taluk Panchayaths(s)	Member(s)
6	All the AEs/JEs of the participating Gram Panchayaths	Members
7	Assistant Executive Engineer of the RDW&SD of the Taluk where the Office of the Joint Committee is located	Member-Secretary

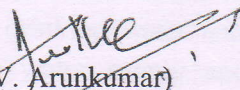
(b) Standing committee on Finance

SI No.	Name	Designation
1	Adhyaksha of the Joint Committee	Adhyaksha
2	Upadhyaksha of the Joint Committee	Upadhyaksha
3	Two Adhyakshas of the participating Gram Panchayaths to be selected by the Joint Committee	Members
4	Executive Engineer of RDW&SD	Member
5	Executive Officer(s) of the Taluk Panchayath(s)	Member(s)
6	All the Secretaries of the participating Panchayath Development Officer	Members
7	Adhyaksha of the Gram Panchayath where the common facility infrastructure and water treatment plant is located	Treasurer
8	AEE of the RDW&SD of the Taluk where the Office of the Joint Committee is located	Member-Secretary

- (2) (a) The Standing Committee on works will periodically review the status of the project and submit a report on the status of the project to the Joint Committee and forward its recommendations on all technical matters to the Joint Committee.
- (b) It will be the responsibility of this Sub Committee to forward technical reports regarding attainment of various bench marks in the project implementation and project maintenance works.
- (3) (a) The Standing Committee on Finance will periodically review the status of the finance of the project and submit a report of the status of the finances to the Joint Committee.

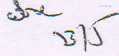
- (b) It will be the responsibility of the Standing Committee:-
- (i) to ensure proper and timely collection of Water Tariff for the bulk water supplied to the Gram Panchayaths /VWSCs from the respective Gram Panchayaths /VWSCs.
- (ii) to make payment for works taken up on the authority of the Joint Committee.
- (c) It shall be responsibility of this Standing Committee to get the account of the Joint Committee audited before 30th September of every year for the financial year ended 31st March of that year. If the accounts are not audited before 30th September of every year then the Standing Committee shall not be permitted to operated the bank account from 1st October of that year until the Account are audited.

By order and in the name of the
Government of Karnataka.


(T.V. Arunkumar)

Deputy Director & Ex-Officio
Under Secretary to Government,

Rural Development and Panchayath Raj Department



To :

1. The Chief Executive Officers of all the Districts in Karnataka.
2. The Executive Officers of all the Taluk Panchayats in Karnataka
3. The Panchayat Development Officers of all the Grama Panchayats in Karnataka

Copy to

- 1) Commissioner, RDW&SD, Bangalore.
- 2) Chief Engineer, RDW&SD, Bangalore.
- 3) Director, Panchayath Raj, RD&PR Department, Bangalore.
- 4) Deputy Secretary, RDW&SD, Bangalore.
- 5) Chief Accounts Office, RDW&SD, Bangalore.
- 6) PS to ACS to Govt., RD&PR Department, Bangalore.
- 7) PS to Secretary, RD&PR Department, Bangalore.
- 8) Editor, Karnataka Vikas / Website RDPR Department.
- 9) File copy.