

No. 2/3/2008-BADP
Government of India
Ministry of Home Affair
Department of Border Management

New Delhi-110001, the 12th June, 2008

To,

The Chief Secretary,
Government of Arunachal Pradesh, Assam, Bihar, Gujarat,
Himachal Pradesh, Jammu & Kashmir, Manipur, Meghalaya,
Mizoram, Nagaland, Punjab, Rajasthan, Sikkim, Tripura, Uttar
Pradesh, Uttarakhand, West Bengal.

Subject: Minutes of the 6th meeting of the Empowered Committee of
Border Area Development Programme (BADP) held on 12th May,
2008 at New Delhi – regarding.

Sir,

I am directed to forward a copy of the minutes of the meeting of the Empowered Committee on Border Area Development Programme (BADP) held on 12th May, 2008 in New Delhi under the Chairmanship of Sh. Shantanu Consul, Secretary, Department of Border Management in the Ministry of Home Affairs to consider revision of guidelines of the Border Area Development Programme and to review the progress made by the States in implementing the BADP.

2. The Empowered Committee has adopted the report of the Task Force on BADP and approved the draft-revised guidelines of BADP with minor modifications. The suggestions given in the meeting will be incorporated wherever required and new set of Guidelines will be issued shortly.

3. The guiding principles of Planning (para-4, 4.1, 4.2) and the preparation of Action Plan (para-5.1 & 5.2) as mentioned in the minutes would be part of the new guidelines. However, the conditions laid down in these paras would be relaxed only for the current year and would be followed scrupulously from the year 2009-10 onwards, without fail.

4. It has been decided in the Empowered Committee meeting that the ~~State Government~~ would initiate action for preparing participatory plan and comprehensive plan for border areas by converging/dovetailing

BADP funds with the Centrally Sponsored Schemes (CSS) and the State Plan funds in a time bound manner and furnish the same to the Department of Border Management after obtaining the approval of SLSC, from 2009-10 onwards compliance of States on this aspect may be ensured.

5. It is further requested that the meeting of State Level Screening Committee (SLSC) of BADP for the current year, if not held so far, be convened at the earliest and the Annual Action Plan of BADP for the year 2008-09 duly approved by SLSC may be furnished to this Department expeditiously so as to enable quick release of funds. While forwarding the Annual Action Plan of 2008-09 it may be ensured that the Utilization Certificates (UCs) of the entire amount released during the previous years (except the preceding year) have been furnished to the Department of Border Management.

Yours faithfully,

(A. Anbarasu)

Deputy Secretary to Government of India

Tele: 011-23092698

Copy to Nodal Departments of BADP States./Resident Commissioner of BADP States at New Delhi.

Copy also forwarded for information to:

- i) Adviser (MLP), Planning Commission;
- ii) JS (PF-I), Department of Expenditure, Ministry of Finance
- iii) Joint Secretary, Ministry of Development of North Eastern Region, Vigyan Bhavan Annexe.
- iv) JS(NE)/JS(K)/JS(BM)/PS to AS & FA (Home)/PS to AS(BM)/PS to Secy(BM).

requested the States to accelerate the execution of the schemes/projects and clarified that if the Utilization Certificates are not submitted by the States for the entire amount released upto the year 2006-07 the 1st installment would be released to the States during the current year after deducting the amount of pending UCs.

7. JS(BM) made a power point presentation on the revised guidelines of BADP based on the recommendations of the Task Force on BADP. State Governments while appreciating the recommendations of the Task Force and new set of guidelines expressed their views on the following points:

Coverage:

The representative of Government of Manipur suggested that under BADP priority should be given to the villages/hamlets within 15 km distance from borderline. The idea was supported by Govt. of J&K, Uttar Pradesh, Punjab, West Bengal, Tripura and Meghalaya. However, some States viz. Himachal Pradesh, Uttarkhand, Sikkim, Arunachal Pradesh, Rajasthan and Gujarat stated that this provision would not suit their states as, in some cases the border habitation in their States starts from 40-60 kms from zero line. It was explained that the idea of putting up a limit of distance from the zero line was to ensure that the development activities are first taken up in these areas. Once the State Governments were satisfied that a minimum level of development in terms of infrastructure, civic amenities, essential services, livelihood etc. has taken place, the coverage could be extended to the other villages of the block. It was appreciated that it was not always possible to start infrastructure development from the zero line and therefore, the States have to keep in mind the spirit of the proposal. The States agreed that the schemes/projects would now be formulated in such a way that benefits flow to the areas closer to the international boundary in the first phase.

Representative of Govt. of Tripura raised an issue of settlement of the villages/population dislocated due to fencing on border and also those habitations, which are between fencing and zero line. He demanded that these villages/habitations may be given top priority and a mention may be made in the guidelines. The representatives of the other State Governments were in agreement with the suggestion and stated that developmental activities under BADP should be taken upto the zero line and first priority should be given to the villages/hamlets affected due to fencing/border road construction and flood lighting works or any other activity on the border.

It was stated that the programme should take care of the special problems faced by the people living in the remote rural areas in the border blocks and should also have a rural thrust. Schemes in cities/towns, which have municipalities and do not come under the purview of R.D. Block, should not be taken up under BADP. Representative of Government of Rajasthan stated that cities like Barmer, Ganganagar etc. are on the border and they had been taking some schemes of these cities under BADP and requested that though the programme has a rural thrust yet certain schemes of cities may also be allowed under this programme. It was decided that it may be mentioned in the guidelines that the preference should be given to the schemes for rural and remote areas closer to the border over the schemes for urban areas.

Guiding Principles of Planning and Preparation of Annual Action Plan:

The emphasis of the new guidelines on the need for participatory planning, convergence of all Centrally Sponsored Schemes with BADP funds, filling up critical gaps in infrastructure and providing livelihood opportunities was reiterated.

JS(BM) explained that the village/block level plans should be prepared as part of the District Plan as per the prescribed guidelines of the Planning Commission. A base line survey needed to be conducted for each border village/block and also a base line expenditure plan finalized for each border block clearly specifying source of funds from the State financial resources, funds of Centrally Sponsored Schemes and the BADP allocations. The release under BADP for the Annual Action Plan from the financial year 2008-09 onwards would be conditional subject to meeting these requirements by the State Governments. Accordingly, the State Governments would prepare comprehensive plans for border areas i.e. village and block wise by converging/dovetailing details of all the Centrally Sponsored Schemes (CSS) and the State Government Schemes with BADP by showing fund share of each component. While supporting the provision the representative of Himachal Pradesh stated that their State was already preparing schemes for border areas in this fashion and they had been dovetailing the BADP funds with the funds received from other CSS and State Schemes in the border areas and the system was working very well. Secretary (BM) advised that the system of Government of Himachal Pradesh should be studied and if found suitable considered for adaptation by other States and Department of Border Management. The States expressed their reservations and stated that the exercise involved extensive coordination with various line departments of the States for preparation of Village/Block level plans as integrated part of District Plans and also base line survey

would take some time. While the States were prepared to undertake this exercise, they requested to defer the application of the condition till 2009-10 and agreed to prepare Annual Plan of BADP as part of District Plan and also agreed to prepare comprehensive development plan for border areas from the year 2009-10 onwards. It was agreed to defer the provision till 2009-10. However, the provision would be strictly implemented from 2009-10 onwards.

Most of the States stated that there were difficulties in preparing Annual Action Plan by converging/dovetailing the Centrally Sponsored Schemes (CSS). Line Ministries of the Central Government do not have priorities/preferential approach for resources allocation and sanctioning schemes for border areas in the absence of specific mandate. It was suggested that in order to ensure meaningful and effective convergence of CSS, Planning Commission should ask the Central Ministries to amend the guidelines of the CSS and make it obligatory for allocation of resources on priority and preferential basis for the border areas and wherever required make the normative criteria flexible keeping in view local conditions of the border areas. Planning Commission should also direct the State Governments to prepare the project proposals under CSS on priority basis for border areas.

Secretary (BM) stated that border areas are less developed areas and States should make all efforts to develop these areas. If there is any difficulty coming in the way, States may approach Department of Border Management so that the same could be removed. Department of Border Management will approach the Central Ministries, wherever necessary/appropriate.

Government of West Bengal stated that in the new guidelines more and more share is being given to the needs of the population closer to the border. Govt. of India should, therefore, issue guidelines for baseline survey and strategic assessment through reputed organization/NGOs to identify the gaps of physical and social infrastructure and authorize use of a portion of funds for this purpose.

Govt. of Punjab desired that a portion of funds should be earmarked for training of staff engaged in preparation of block plans and monitoring of the programme. It was suggested that 1-2% of funds should be earmarked for this purpose.

Govt. of J&K was of the opinion that the State Level Screening Committee (SLSC), which is empowered to do so under the guidelines, approved Annual Action Plan of BADP. Therefore, the Govt. of India should

not sanction it again but funds may be released straightway. It was explained that Department of Border Management only examines the Annual Action Plan (AAP) of the States to see whether it is in accordance with the guidelines of BADP and conveys its concurrence on the AAP as approved by the SLSC. State Governments are advised to replace the schemes, if any, only in case such schemes are not covered under the guidelines.

Flow of Funds:

It was explained to the states that the funds would be released to the states in two installments. 1st installment of 90% of the allocated funds to the State would be released on receipt of the AAP from the States and 2nd installment of 10% would be released after the States had utilized 70% of the amount released in the 1st installment. While releasing the 1st & 2nd installment the UCs of the amount released in the previous years except the preceding year would be taken into account and the amount equivalent to pending UCs would be deducted.

The representatives of the States stated that this provision of the guidelines is tough and not workable. It was not possible to spent 70% of the amount released in the 1st installment as some states have limited working seasons. Govt. of West Bengal and Govt. of J&K, Arunachal Pradesh, Sikkim were of the opinion that instead the existing system of release of funds should be continued. Govt. of Himachal Pradesh stated that the condition of 70% expenditure against the funds released in the previous year may be prescribed.

The representative of Govt. of J&K stated that instead of 70% expenditure in the same year a provision of utilization of 50% of funds should be made.

Representative of Ministry of Finance stated that it should be ensured that there was no parking of funds released under BADP with the State Government. It would, therefore, be appropriate that the 1st installment of 90% (proposed in the revised guidelines) is released only after the States furnish UCs of 70% of the funds released to them in the preceding year and the condition for release of 2nd installment is acceptable to Ministry of Finance.

Planning Commission supported the view point of Ministry of Finance.

Representatives of Government of Arunachal Pradesh and Sikkim stated that their States were situated in difficult mountainous terrain where rainfall was also very heavy. The normal working season for construction work and carriage of raw material to the work place is only 4-6 months. Other North Eastern States, Himachal Pradesh and Uttarakhand were of the same view. Therefore, the condition of 70% utilization of the fund released during the same year, would pose immense problems for them.

Representative of Government of Assam explained that the finalization of schemes after obtaining technical sanction and obtaining the approval of Finance Department and other concerned Departments takes a long time. Hence the condition of utilization of 70% funds during the same year is not practicable.

While intervening AS & FA (Home) observed that in practice, it has been noticed that due to different prevalent weather conditions and difficult terrain in different States, the time of utilization of funds is different. If new approach is adopted it would be difficult for most of the BADP States to submit the UCs of the same year to obtain the 2nd Installment.

Secretary (BM) noted the reservations expressed by the States and stated that as the border areas are to be developed expeditiously the flow of funds to States will not be blocked due to the quantum of utilization of funds released during the current year. However, States should not park the BADP funds at any stage and expedite the release of funds to the implementing agencies as soon as possible. The utilization of funds by the States released to them during the previous year would be taken into consideration while releasing the 1st & 2nd installments to the States.

Maintenance of assets raised under BADP

Govt. of J&K, Assam & Nagaland etc. desired that an amount might be earmarked in the guidelines for maintenance of the assets raised under BADP. Planning Commission was also of the view that there was a provision of 15% of maintenance funds in every Centrally Sponsored Schemes of Government of India, therefore, the provision of 15% of funds for maintenance of BADP assets should also be inserted in the BADP guidelines. Secretary (BM) stated that the maintenance of the assets created under BADP should be done by the State Governments out of their own resources. However, if it is felt necessary, a provision will be made in the guidelines to the effect that State Governments could undertake the maintenance of the assets created under the BADP only after 3 years from the date of issue or completion certificate. In the old guidelines 1990

provision of maintenance fund has been allowed. It may be accepted in new guidelines

Monitoring/ Evaluation of BADP

Every State Government pointed out that there was no infrastructure with the State Governments at block level/District level and also at State level for Monitoring and Evaluation of BADP programme. They were of the view that some funds should be earmarked in the guidelines for Monitoring/Evaluation of BADP.

Secretary (BM) stated that the State Governments should carry out an analysis of the works undertaken and completed, so far, in the border areas under BADP. State Govt. should also closely monitor the implementation of works/scheme undertaken under BADP. Besides Monitoring and reporting of the programme, inspections were also very crucial. Monitoring and inspection system should be strengthened and it should be meaningful. Photography and videography of the projects should also be undertaken. An amount of 1% (subject to maximum of Rs. 25 lakh) could be earmarked for the purpose of monitoring, training of staff at block level and evaluation of BADP programme and provision could be made in the guidelines.

Schemes to be undertaken under BADP

JS (BM) stated that the main objective of the programme is to meet special developmental needs of the people living in remote and inaccessible areas situated near the international border and to saturate the border areas with all the essential infrastructure through implementation of various types of schemes.

BADP is to facilitate and provide means of livelihood to the people residing there. The infrastructure should get top priority in the border areas to meet gaps instead of taking small schemes/projects, which could otherwise be funded under the normal plan allocation of the States and also various Central schemes. State Governments were asked to include the schemes in the Annual Action Plan of BADP, which are listed in Annexure-I to the draft revised guidelines and should not include the schemes, which are listed in Annexure-II. State Governments were also requested to furnish the information as asked for in proforma at Annexure-V (a) & V (b) as circulated in the meeting.

State Governments agreed with the list of works given in Annexure-I & Annexure-II except the scheme of construction of Anganwadi Centres,

which they wanted to include in Annexure-I instead of Annexure-II. Planning Commission was also of the view that the construction of Anganwadi should be allowed under BADP. The request of the States was accepted.

Govt. of Punjab desired that the construction of Subsidiary Health Center should be included in the list of permissible items. It was stated that the items are included in the permissible list. However, their name would be clearly mentioned in the list. Govt. of Himachal Pradesh also requested to include construction of Hydel projects in the list of permissible items.

State Level Screening Committee (SLSC)

Planning Commission wanted that a representative of Planning Commission should be made Member of the SLSC.

Representative of Manipur stated that Chief Secretary may be given the flexibility to co-opt members in the Screening Committee depending on the local requirements. It was clarified that the provision of co-opting of member in the Screening Committee already exists.

After detailed deliberations, the Empowered Committee adopted the report of the Task Force and approved the draft revised guidelines of the Border Area Development Programme (BADP) with the following observations: -

- (i) Under BADP the activities should be first taken up in the villages/hamlets, which are closer to the border. Once the State Governments are satisfied that a minimum level of development in terms of infrastructure, civic amenities, essential services, livelihood etc has taken place, they could move to the villages deeper inside. State Governments should make the Annual Action Plan in such a way that villages/hamlets closer to the border are given priority. The villages/hamlets dislocated due to construction of fencing, roads and flood lighting on the border and those which fall between fencing and zero lines should be given top priority. Rural areas should be given priority over the urban areas.
- (ii) The provision regarding guiding principles of Planning (para-4, 4.1, 4.2) and preparation of Action Plan (para- 5.1 & 5.2) would form part of the revised guidelines. However, the conditions laid down in these paras would be relaxed for the current year and would be followed scrupulously from 2009-10 onwards.
- (iii) Provision would be made in guidelines to earmark a minimum amount of 1% (but not exceeding Rs. 25 lakh) out of State share of

BADP, for training of staff engaged for making BADP plan at block level, monitoring of BADP schemes, evaluation and analysis of works completed under BADP.

(iv) Flow of funds:

- (a) The allocation of funds to the States would be intimated after knowing the provisions made in the Union budget.
- (b) The 1st installment upto 90% of the allocation of the State, will be released to the State only after furnishing of Utilization Certificates (UCs) for the entire amount released in the previous years except the preceding year;
- (c) If there is a shortfall in furnishing the UCs for the amount released during the previous years, except the preceding year, the same would be deducted from the release of 1st installment.
- (d) The 2nd installment of the remaining 10% of the allocation of the State, will be released to the State only after
 - (i) Furnishing of UCs to the extent of not less than 70% of the amount released during the previous year; and
 - (ii) Furnishing of Quarterly Progress Reports (Physical & Financial) up to the quarter ending September. (i.e. 2nd quarter of the current financial year).
- (e) To the extent of submission of pending UCs pertaining to the previous years, deduction, if any, made in the release of 1st installment for non-submission of UCs will be made good at the time of release of 2nd installment.
- (v) A representative of Planning Commission would be a member of each SLSC.
- (vi) Normally the infrastructure raised under BADP should be maintained by the State Governments out of their own resources. However, if State Governments feel necessary, they may keep a provision for spending not more than 15% of the allocation made to the State for maintenance of assets created under the BADP with a condition that such expenditure can be made only after completion of 3 year period from the date of issue of completion certificate.

- (vii) The following works would be included in the list of permissible items of works (Annexure-I).
 - a. Construction of Subsidiary Health Centre.
 - b. Construction of Anganwadis.
 - c. Construction of Mini Hydel Projects.
- (viii) The proformae (Annexure V (a) & Annexure V (b)) as suggested by Govt. of J&K and circulated in the meeting would be adopted.
- (ix) State Government should have furnished the Annual Action Plan (AAP) in the month of May. However, States may prepare and approve the Annual Action Plan for the year 2008-09 expeditiously and furnish to Department of Border Management by June/July so that the funds are released expeditiously.
- (x) State Govt. while preparing Annual Action Plan should obtain scheme from Security Forces for an amount of 10% of the allocation of the State.
- (xi) State Government would initiate action for preparing participation plan and comprehensive plan for border areas by converging/dovetailing BADP funds with Centrally Sponsored Schemes and State Plan funds in a time bound manner and furnish to the Department of Border management after obtaining the approval of SLSC.

The meeting ended with a vote of thanks to the Chair

st of Participants:-

Secretary (BM), Ministry of Home Affairs, North Block, New Delhi

Shri. A.E.Ahmad, AS (BM), Ministry of Home Affairs, North Block, New Delhi

Advisor (MLP), Planning Commission, New Delhi

Shri Vishwapati Trivedi, AS & FA (Home), Ministry of Home Affairs, North Block,
New Delhi

Shri. Sada Kant, Joint Secretary (BM), Ministry of Home Affairs, North Block, New
Delhi

Shri. Naveen Verma, Joint Secretary (NE), Ministry of Finance, North Block, New Delhi

Shri P.K.Patnaik, Joint Secretary (DONER), Ministry of Home Affairs, North Block,
New Delhi

Ms. Indu Patnaik, Deputy Advisor (MLP), Planning Commission, New Delhi

Ms.Babni Lal, Director (PF.I), Ministry of Finance, North Block, New Delhi.

Shri. Rajeev Sharma, Director (K), Ministry of Home Affairs, North Block, New Delhi

Shri Hari Krishna, Principal Secy., Power & Coordination, Govt. of Arunachal Pradesh.

Shri Rajiv Bora, Commissioner & Secretary (Border Areas Deptt.), Govt. of Assam,
Dispur.

Shri H.K. Dev Mohanta, Jt. Secy., Border Areas, Govt. of Assam, Dispur.

Shri Rameshwar Singh, Secretary (Plg. & Devp.Deptt.) Govt. of Bihar, Patna.

Shri Balwant Singh, Pr. Secy. (Home), Tribal Dep. Deptt., Govt. of Gujarat..

Shri Subhash Negi, Principal Secretary (Tribal Development), Govt. of Himachal
Pradesh, Shimla.

Shri B.K. Anand, IPS, Addl. DGP (APCT), Govt. of Himachal Pradesh, Shimla.

Shri Iqbal Khandey, Principal Secretary (Plg. & Devp.), Govt. of J&K, Srinagar.

Shri H.R. Bhagat, Jt. Director (Plg.), Govt. of J&K, Srinagar.

Shri W.L. Hangshing, Commissioner, Manipur Bhawan, New Delhi

Shri V.S. Oberoi, Principal Secretary, Govt. of Meghalaya, Shillong.

Shri S. Nongsiej, Director, Govt. of Meghalaya, Shillong.

Shri Lalrem Thanga, R.C., Govt. of Mizoram.

Shri David Lalthantluanga, u/s R.D., Govt. of Mizoram.

Shri T.C. Sangtam, Secy. DUDA, Govt. of Nagaland, Kohima

Shri Sao Sangtam, DUDA Engineer, Govt. of Nagaland, Kohima.

Shri Thepartakie Angami, Project Officer, DUDA, Govt. of Nagaland, Kohima.

Shri. K. Siva Prasad, Addl. R.C., Punjab Bhawan, Govt. of Punjab, Chandigarh.

Shri Jasbir Singh, Director (Planning), Govt. of Punjab, Chandigarh.

Shri. Ram Lubhaya, Pr. Secretary (R.D. & P.R.) , Govt. of Rajasthan, Jaipur.

Ms. N. Yethenpa, Special Secretary (Planning), Govt. of Sikkim, Gangtok

Shri Sanjeev Ranjan, Resident Commissioner, Govt. of Tripura, New Delhi

Shri Umesh Sinha, Secretary (Planning), Govt. of Uttar Pradesh, Lucknow.

Shri V.P. Agrawal, Jt. Director (Plg.), Govt. of Uttar Pradesh, Lucknow.

Shri A.S. Dhauni, Research Officer State Planning Commissioner, Govt. of Uttarakhand,
Dehradun

Shri A.M. Chakrabarty, Home Secretary, Govt. of West Bengal, Kolkata.

Shri J.B. Negi, IG, BSF.

Shri Pramod Asthana, IG (Hq.), ITBP.

Shri R. Baral IG (Ops), SSB.