

Adivasi communities have historically been self-governing societies. Community affairs, including major issues like regulation of access to natural resources and dispute settlements were regulated by the village community. While the Panchayats (Extension to the Scheduled Areas) Act 1996 (PESA) does provide for some of these functions, Gram Panchayats have been traditionally viewed by village communities as an extension of the state government rather than as a vehicle for empowerment of the community.

The study attempts to examine both these aspects of Panchayati Raj – whether the Gram Sabha and Gram Panchayats really function as agencies for the upliftment of the depressed classes or whether they serve as a vehicle for the realisation of genuine self-governance.

Ground realities in the area under study and the opinion of activists involved there suggest that there is a major gap in the functioning of the Gram Sabha as envisioned in PESA. There are several reasons for this. First, as some point out, the bureaucracy (including the lower level functionaries) are not willing to bring about the necessary changes on paper (in the form of guidelines) for the effective functioning of the Gram Sabha. Second, is the mind set at various levels – by and large the role of the Panchayat is perceived to be different from that of the traditional village councils. The former remains in place as an instrument of the state.

The role envisaged in PESA for the Gram Sabha is thus not realised in practice.

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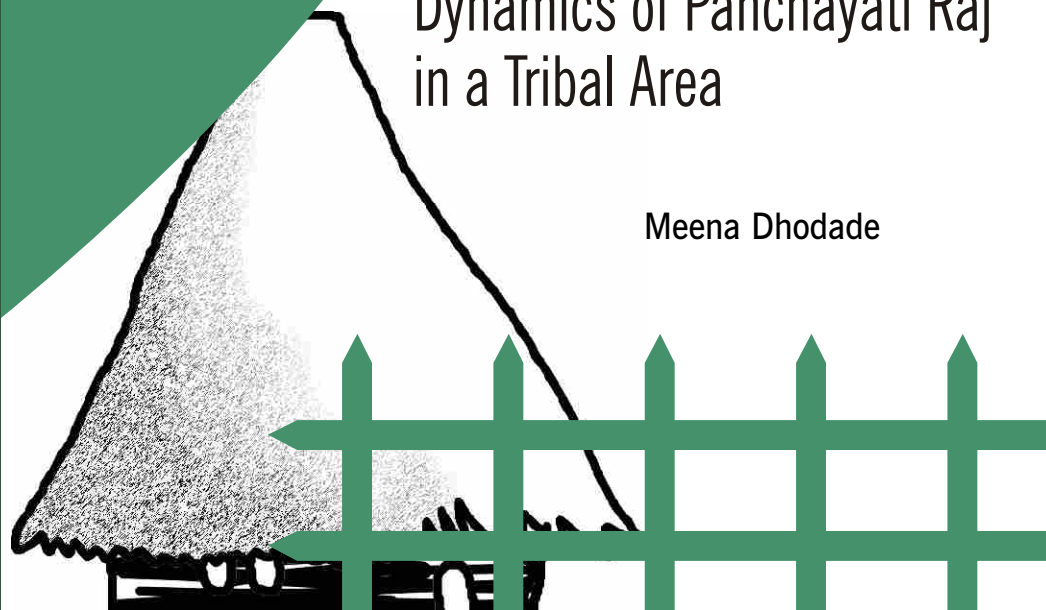
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DEVELOPMENT GOVERNANCE

Dynamics of Panchayati Raj in a Tribal Area

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Introduction



Panchayati Raj Institutions (PRIs) have been in existence for a long time now. Due to several factors, including the absence of regular elections, prolonged suppression, inefficient representations of weaker sections and lack of financial resources, these institutions were not able to acquire the status and dignity of viable and responsible people's institutions. Hence Parliament saw it as necessary to enshrine in the Constitution certain basic and essential features of Panchayati Raj institutions to ensure certainty, continuity and strength to them. Thus a significant shift in government policy with regard to Panchayati Raj occurred in the late 1990s.

In 1994, the 73rd Amendment ensured that the village assembly or the *Gram Sabha* (village assembly) became the central institution of the *Gram Panchayat* (village representative body of elected representatives). It was hoped that the Gram Panchayats would function as participatory democratic institutions rather than as representative democratic institutions. The 73rd amendment also required the Gram Panchayat to be an inclusive body bringing under its ambit all the depressed sections of the village by ensuring representation of these sections through reservations in the Panchayat. This was necessary to ensure that the Gram Panchayat was not only an instrument of local self-governance, but more importantly to enable the Panchayats to function as instruments of economic development of the village.

The next major amendment to the Gram Panchayat Act came in 1997, following the passage of the Panchayats (Extension to the Scheduled Areas) Act 1996 (PESA) by Parliament to extend the provisions of the 73rd amendment to the Scheduled Areas with such modifications as required by the conditions prevailing in these predominantly tribal areas. Following the Report of the Bhuria Committee, which made specific recommendations, The Panchayats (Extension to the Scheduled Areas) Act 1996 (PESA) was drafted and approved by the President on 24th December 1996. The new amendments provided for the Sarpanch to be a member of the Scheduled Tribes and for the Gram Sabha to be a powerful instrument of participatory democracy. PESA made the Gram Sabha and not the

Gram Panchayat or the intermediary institutions like the Panchayat Samithi (taluka level council) or Zilla Parishad (district level council) as the institution which would select the beneficiaries of welfare schemes as well as the agency which would approve the finances of the Panchayat and issue the utilization certificate. PESA also provided that the people's institution would be the agency to monitor its common property resources, ensure that the natural resources of the village were not plundered and would act to protect the tribals from exploitation by outside forces (1).

Adivasi communities have historically been self-governing societies and major issues like dispute settlements, regulation of access to natural resources and community affairs were governed by the village community. While PESA does provide for some of these functions, the Gram Panchayats have been traditionally viewed by village communities as an extension of the state government rather than as a vehicle for empowerment of the community.

The present study attempts to look at both these aspects of Panchayati Raj, to examine whether the Gram Sabha and Gram Panchayats really function as agencies for the upliftment of the depressed classes and to serve as a vehicle for the realisation of genuine self-governance.

The study was carried out in ten villages in the Manor Tribal Block of Thane District in Maharashtra. The choice of the area was also mediated by the fact that Bhoomi Sena, an indigenous mass organisation of the adivasi is active in the area. The study is divided into five sections.

In the first three sections, we analyse (with the help of field data collected with the aid of questionnaires) the development dynamics of the areas with the focus on the Gram Panchayats as the principle vehicles for development. In the next section, we follow-up with a feed-back from local community leaders, Sarpanchas and activists to understand the ground realities and perspectives emerging from below as to the Gram Panchayat's role as an instrument for empowerment and self-governance. In the last section, we offer a few observations and conclusions. In conclusion, I am very thankful to CED for providing me an opportunity under the OUTREACH Scholarship to undertake this study. I am also grateful to Pradeep Prabhu, Vinod Katkar, Ankush Padavale and Raajen Singh and several activists of Bhoomi Sena for sharing their views with me and for their help during the course of the study.

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1. A Profile of the Area



The study was undertaken in ten villages of Palghar taluka, namely Valve, Nihe, Girnoli, Sigaon, Nagzari, Ghundle, Ravte, Bhopoli, Nanivali and Kondhan. The choice of the villages was determined on the basis of several variables so as to allow the study to look at the socio-economic composition of the area comprehensively and thereby understand the development dynamics of each village.

The first variable was the location of the village. This variable was linked to availability of regular local employment and thus regular income in comparison to having to migrate in search of work away from the village, residing out of the home for long periods and non-availability of regular income. The variable therefore included in its ambit several elements like its proximity to an industrialized and urbanized centre like Boisar. Proximity to these centres has an impact on the availability of employment and plays an important role in the development dynamics vis-a-vis a village located at a distance from an industrialized and urbanized centre. While Sigaon and Mahagaon are in close proximity to Boisar, which provides a fair amount of daily wage employment, Bhopoli and Girnoli are villages at the other end of the spectrum.

The second variable was the location of the village along a major road or highway, allowing for easy communication and providing an opportunity for employment, compared to a village at a distance from the road with the attendant restraint on free movement. While Ghundle and Nagzari are adjacent to the highway linking Boisar with Girnoli, Valve and Nihe are relatively further away from sources of regular employment and wages.

The third was the location of the village in an irrigated area allowing for a second crop and thereby availability of seasonal employment in the village and a village in a dry rain-fed area with single cropping. Nanivali and Ravte villages were chosen on the basis of the availability of irrigation and extensive second crop patterns, the adivasis of Kondhan and Nihe depend almost exclusively on rain-fed Agriculture and then seek employment by migrating to industrial and urbanized areas.

A fourth variable was the community composition of the villages, ranging from members of forward groups, backward castes, dalits and adivasis.

Table 1: Number of Villages and Population of Panchayats

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
No.of Villages	2	1	2	1	2	1	2	2	1	6
No of Padas	16	12	3	16	5	15	7	9	8	35
Population	1500	1300	950	8512	1800	2823	696	2100	775	6000

Table 1 gives a picture of the number of villages in each of ten Gram Panchayats which were selected for the study and the number of hamlets or *padas*, which are spread over the landscape of the villages together with the total population of the village. The range of Panchayats studied vary from Ravte Gram Panchayat which consists of 2 villages and 7 hamlets and has, relatively, the lowest population of 696 people, moving progressively to Kondhan Gram Panchayat with 6 villages and 35 hamlets and by all measures the highest population. Many of the Panchayats currently with two villages consisted of single village Panchayats, which were divided into separate villages. Some of the large villages like Sigaon and Ghundle are yet to be divided. The choice of the villages made was also to cover the spectrum and to observe variations, if any, depending on size, on the development dynamics of the village.

Table 2: Composition & Membership of Gram Panchayats

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
No of Villages	2	1	2	1	2	1	2	2	1	6
Population	1500	1300	950	8512	1800	2823	696	2100	775	6000
GP Members	9	7	7	13	7	9	7	9	11	11

Table 2 gives us the composition of the membership of the Gram Panchayats. It can be observed that the number of members of the Gram Panchayat does not reflect any relationship between the population and the number of members. One can observe that Nanivali with a population of 775 persons has 11 Panchayat members. Nagzari, which has more than twice the population, has only 7 Panchayat members or Kondhan with a population of 6000, close to nine times that of Nanivali also has 11 members in the Panchayat. The logic of allocation of Panchayat members apparently has no relationship with ground realities.

Information gathered gives a fairly clear picture of various communities that comprise the village polity that is depicted in Table 3 and 4.

Table 3: Community Composition of Villages Studied

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Forward Groups	0%	0%	0%	0%	0%	0%	2%	8%	0%	0%
Backward Groups	46%	47%	33%	26%	35%	40%	18%	25%	30%	26%
Dalit	0%	0%	0%	0%	0%	10%	0%	2%	0%	10%
Adivasi	54%	53%	67%	74%	65%	50%	80%	65%	70%	64%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

What we observe is the absence of forward communities in most of the villages where the research study was undertaken. With the exception of Bhopoli, which is adjacent to the National Highway, a number of traders and farm house owners from Mumbai have set up their establishments in the village. In Ravte village, the only other exception to the general picture, the 2% forward groups are traders who have set up commercial establishments to service the large number of villages around where incomes have increased following the availability of irrigation. What is also observed is the near total absence of dalits in the villages, except in one village Kondhan, where the research was conducted. This pattern would be similar in other villages of the area, which are predominantly tribal areas.

Table 4 presents an interesting picture. The villages studied fall in the valleys of the foothills of the Sahayadris where good agricultural land was available, particularly the alluvial soils along the rivers.

Table 4: Comparative Picture of Adivasi & Backward Groups in Villages Studied

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Backward Groups	46%	47%	33%	26%	35%	40%	18%	25%	30%	26%
Adivasi	54%	53%	67%	74%	65%	50%	80%	65%	70%	64%

We find a fairly large proportion of backward groups, namely the *Kunbi* and *Vanjari* farmers (non-advansi peasant communities) who migrated into these parts from the talukas to the south and east of Palghar taluka, which have a higher concentration of these communities in search of fertile lands where they could settle. Much of this migration took place during the colonial period after the British administration conferred alienable titles to adivasi males on payment of rent in

cash. Most of the adivasis were unable to pay rent in cash and generally deposited agricultural produce in lieu of cash. The Kunbis and Vanjaris moved into these areas, collected the agricultural produce from the adivasis and paid the rent in cash to the authorities and had their names entered into the land records as owners. This fact is confirmed by the findings of the second settlement process, which observed that almost all the land to which title had been conferred to the adivasis was alienated to other peasant castes. What one does observe is the proportionate increase in the presence of the peasant castes in villages in relation to the availability of fertile alluvial land and the accessibility of the village. Hence the picture that emerges is that what were exclusively adivasi villages a century ago, have a fairly significant proportion of non-adivasi peasant castes that have become economically and politically powerful.

Table 5 provides a general overview of the occupational distribution. What is clear is the predominance of agriculture in the villages; the percentages ranging between 84 and 90 percent in eight of the 10 villages. A high proportion in four villages namely Bhopoli, Nihe, Nanivali and Kondhan, in descending order, ranging from 60 percent in Bhopoli to 50 percent in Kondhan are able to

Table 5: Occupational Distribution in Study Villages by Households

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Agriculture	38%	55%	29%	28%	41%	31%	25%	60%	51%	50%
Agri + Labour	57%	29%	61%	38%	42%	42%	64%	30%	30%	39%
Migrant Labour	2%	9%	4%	27%	10%	10%	1%	2%	0%	3%
Skilled Labour	1%	2%	1%	0%	1%	7%	2%	2%	3%	1%
Self Employed	1%	3%	3%	4%	1%	7%	2%	2%	3%	2%
Service	1%	2%	2%	3%	2%	3%	6%	4%	4%	5%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

support themselves totally on agriculture. In the remaining six villages the proportion of households subsisting on agriculture is on the lower end of the spectrum ranging from 41 percent in Nagzari to 31 percent in Ghundle. The variation in this picture emerges in the case of Shigaon where the percentage of those dependent on agriculture falls to 66 percent. The number of families totally dependent on migration for work ranges between two percent and 10 percent. Sigaon is also a significant variation at 27 percent. Skilled labour is also low in all

the villages ranging between one and three percent, with Ghundle returning a high seven percent. Skilled labour and those in permanent employment vary between one and five percent.

What is important to note is the numbers dependent on agriculture. The respondents have disclosed that the main agriculturists whose land holding is sufficient to provide them an income year round are the Kunbis and Vanjaris in these villages.

Table 6: Community & Households Involved in Agriculture in Study Villages

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Backward Groups	46%	47%	33%	26%	35%	40%	18%	25%	30%	26%
Adivasi	54%	53%	67%	74%	65%	50%	80%	65%	70%	64%
Agriculture	38%	55%	29%	28%	41%	31%	25%	60%	51%	50%
Agri+Labour	57%	29%	61%	38%	42%	42%	64%	30%	30%	39%

This is fairly well substantiated in Table 6, which compares the percentages of the two major communities in the study villages and the percentages of that dependent on agriculture. With very small exceptions, mainly in villages where irrigation permits the growth of a second crop, we observe a close relationship between community distribution and agriculture-based livelihoods. The majority of the backward groups, (i.e. Kunbis and Vanjaris) have land holdings, large enough and productive enough to be able to be the main source of their livelihood. The majority of the adivasis, on the other hand, have land holdings which are not large enough and productive enough to be able to be the main source of their livelihood and rely on labour to supplement their income from agriculture. The only variation from this finding is the case of the villages where irrigation for a second crop is made available from the waters of the Surya project (The Surya dam was built in 1976 to dam the waters of the river Surya and provide irrigation to the adivasi areas in Palghar).

Table 7: Population involved in Non-Agricultural Occupations

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Agri+Labour	57%	29%	61%	38%	42%	42%	64%	30%	30%	39%
Migrant Labour	2%	9%	4%	27%	10%	10%	1%	2%	0%	3%
Skilled Labour	1%	2%	1%	0%	1%	7%	2%	2%	3%	1%
Self Employed	1%	3%	3%	4%	1%	7%	2%	2%	3%	2%
Service	1%	2%	2%	3%	2%	3%	6%	4%	4%	5%
Total	62%	45%	71%	72%	56%	69%	75%	40%	40%	50%

Table 7 throws up some interesting details. With the exception of Nihe, Bhopoli, and Nanivali; all villages with irrigation facilities, dependence on agriculture appears to meet the livelihood needs of 60 percent of the population, leaving 40 to 45 percent of the households to supplement their agricultural income with income from other occupations, mainly wage labour. In all the other villages 50 to 75 percent of the households have to either depend on or supplement their agricultural income with income from labour not on their own lands.

2. The Poor and Not so Poor



Which brings us to the last area of this section on the socio-economic conditions of the study villages. The picture of poverty categories and economic levels do not seem to have much of a correlation with ground realities.

Table 8 presents a picture of the economic distribution of households in the study villages. Nagzari, Valve and Nanivali appear to have a large percentage of well-off farmers, far in excess of the average range of two percent in Ravte to 11 percent in Ghundle and a lower percentage in the other villages. The high percentages appear to be a combination of the higher percentage of landowning peasants of the Kunbhi and Vanjari communities combined with the availability of irrigation facilities from the Surya Project. Of particular interest is Nagzari village, which has a near by two third population of adivasis and has returned the highest number of well-off farmers. It would be a village worth looking at closely to examine whether the change in economic status of the farmers is a result of good management of the development process by the Panchayat. What is surprising is Sigaon which returns only one percent of well-off farmers and Ravte which reports only two percent of well-off farmers. One of the reasons is the delay in the extension of irrigation to these villages because of opposition from the forest department and the problem of compensatory afforestation, which held up canal work for over a decade.

Table 8: Economic Distribution of Households

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Well-off Farmers	42%	16%	8%	1%	48%	11%	2%	5%	34%	4%
Medium Farmers	21%	40%	12%	14%	24%	41%	42%	28%	28%	20%
Marginal Farmers	10%	27%	14%	38%	16%	30%	36%	34%	24%	30%
Landless	27%	17%	66%	47%	12%	18%	20%	33%	14%	46%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

A fairly large number of farmers fall in the medium range, with these villages reporting close to a third of the total number of households as medium farmers. A high percentage of medium farmers are returned in Nihe, Ghundle and Ravte. Would these villages also be a reflection of good management of the development process by the Panchayat, reflecting their allegiance to the Bhoomi Sena and its focus on land reform. The other villages return a 20 to 28 percent of medium farmers which is a good indicator of the development process. The only exceptions are Girnoli and Sigaon, which have a low percentage, throwing up a question as to whether landlessness or lack of development is the reason for their low percentage.

What is important to note is that half the villages show close to a third of the families being marginal farmers, while Valve, Girnoli and Nagzari indicate less than 15 percent of the households fall in this category. At the bottom of the land owning spectrum, meaning the landless, Girnoli has the highest incidence of landlessness, with close to two thirds of the families being landless, Sigaon and Kondhan also reporting that close to half their households are landless while the remaining indicate a decreasing ratio of landlessness, starting with Valve at 27 percent and ending with Nagzari at 12 percent and the others reporting 14, 17 and 18 percent respectively. In the next table (Table 9), we try and look at a cross tabulation of Tables 7 and 8 and relate them to our understanding of the economic status of the two major communities.

Table 9: Community & Income Level Comparison in Study Villages

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Backward Groups	46%	47%	33%	26%	35%	40%	18%	25%	30%	26%
Adivasi	54%	53%	67%	74%	65%	50%	80%	65%	70%	64%
Rich Farmers	42%	16%	8%	1%	48%	11%	2%	5%	34%	4%
Marginal Farmers	10%	27%	14%	38%	16%	30%	36%	34%	24%	30%
Landless	27%	17%	66%	47%	12%	18%	20%	33%	14%	46%

The table has some relevance to our understanding of the area. The Kunbhis and the Vanjaris, who fall in the category of backward communities by and large fall into the economic category of rich or well-off farmers. This is confirmed in our observations in Valve, Nihe and Nanivali villages. A very large percentage of the adivasis however fall into the category of marginal farmers or landless labourers. This is also confirmed by our ground level observations.

Table 10: Poverty Levels in the Study Villages

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Above Poverty L.	45%	10%	64%	26%	20%	46%	30%	42%	20%	40%
Below Poverty L.	44%	80%	25%	70%	66%	50%	58%	50%	61%	51%
Antyodaya Group	11%	10%	11%	4%	14%	4%	2%	8%	19%	9%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

A good example is Girnoli, which has, as presented in Tables 6 and 8, 67 percent adivasi population, 66 percent landless, yet only 36 percent of Below Poverty Level and Antyodaya Group Families (Under the Antyodaya Scheme, families who fall below the poverty line are identified as special targets for welfare schemes) even while 66 percent of the families are presumably above the poverty line. This is a startling fact worth looking at carefully in the future.

A comparison with poverty categories and land holdings also throws up many unanswered questions. The first is the absence of correspondence between landlessness and being categorized as a family in need of special assistance

Table 11: Comparison of Poverty Categories and Land Holdings

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Well-off Farmers	42%	16%	8%	1%	48%	11%	2%	5%	34%	4%
Medium Farmers	21%	40%	12%	14%	24%	41%	42%	28%	28%	20%
Marginal Farmers	10%	27%	14%	38%	16%	30%	36%	34%	24%	30%
Landless	27%	17%	66%	47%	12%	18%	20%	3%	14%	46%
Above Poverty L.	45%	10%	64%	26%	20%	46%	30%	42%	20%	40%
Below Poverty L.	44%	80%	25%	70%	66%	50%	58%	50%	61%	51%
Antodaya Group	11%	10%	11%	4%	14%	4%	2%	8%	19%	9%

to enjoy food security by being put in the Antyodaya group of households. In village after village, with the exception of Nanivali and Nagzari, the percentage of families in the Antyodaya group ranges between eight percent of the landless in Sigaon, 10 percent of the landless in Ravte, 15 percent in Girnoli, 20 percent in Kondhan and

marginally higher in the remaining four villages. The selection of Below Poverty Line Families, and from among them the Antyodaya Group Households, is an issue that is mired in controversy.

The data of Table 11 only goes to establish the abundant contradictions in the selection of these two categories of households, that require special attention because it affects the character of the development process itself. In Nihe, for example, 90 percent of the households are below the poverty line as the Antyodaya groups are a section of the below poverty line households. In Nihe, if one is to hazard a guess, six percent of the rich farmers and all 40 percent of the medium farmers are below the poverty line. This could result in major problems in the selection of beneficiaries for poverty alleviation programmes. Nihe also has a significant population of 47 percent of Agris and Vanjaris, an economically advanced group that falls among the backward caste sections. The remaining 53 percent are adivasis. Even admitting that all the adivasis are in the below poverty line households, that still leaves 37 percent of an economically advanced group to access developmental schemes meant for the economically weaker sections. Girnoli, which has 67 percent of adivasi population and 66 percent of the households being landless, has only 36 percent in the below poverty line sections.

This would mean that close to 30 percent if not more of the landless who subsist below the poverty line are *de jure* excluded from the development process, which is meant to raise them above the poverty line. In Nagzeri village, the majority of the rich peasantry and all the middle farmers are presumably below the poverty line. 80 percent of all households are shown to be below the poverty line while only 28 percent are from the marginal farmer and landless labour sections. The case of Nanivli village is also similar. The presence of economically advanced and well-to-do farmers in the below poverty line category is a dangerous precedent in respect of the development process, because it is highly probable that the rich would leverage their economic clout in the village to corner development schemes to their further economic advantage.

In fact, the inclusion of a relatively significant proportion of the rich farmers in categories where they are by law and in principle to be excluded will significantly impact on the development dynamics of the village. This is within a frame where we have a large number of non-tribals, belonging to the backward caste groups, who are in fact part of the economic forward categories. This would also play a major role in determining how the development process unfolds itself in the village.

3. Who Benefits and Why ?



This section looks at some of the issues that are often matters of debate in the villages; issues relating to the knowledge of development schemes offered by the Panchayat for the villagers, issues relating to selection of beneficiaries and implementation of the development projects.

This section will analyse the findings on each of these aspects from the data available, both from the beneficiaries and the Sarpanches. The first issue is the knowledge about the schemes, the findings which are presented in Tables 12 and 13.

Table 12: Replies of Beneficiaries as to Who Provides Information of Schemes

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Sarpanch	2		1	1		2	1		1	1
Gram Sevak	1	1		1	2		1	2	1	1
Gram Sabha	1	2		1	1					
BDO										
Z. P. Member										

The two tables give us a very varied picture. From the beneficiary's point of view, the Sarpanch is the source of information about schemes available to the villages in many villages, though this is not the majority view. Nine of the respondents have answered that the Sarpanch was the source of their information, 10 of the respondents have stated that the Gram Sevak (government appointed secretary to the Gram Panchayat) was the source of the information, while five respondents state that the information was made available in the Gram Sabha, though they do not tell us who informed the Gram Sabha. A clear picture is therefore available from the beneficiaries.

Table13: Replies of Sarpanches as to Who Provides Information of Schemes

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Sarpanch	✓	✓			✓					
Gram Sevak										
Vistar Adhikari										
BDO										
ZP Member			✓	✓		✓	✓	✓	✓	✓

Three of the Sarpanches, of Valve, Nihe and Nagzari hold that the beneficiaries are actually selected by the Zilla Parishad, while all the others believe that the Gram Sabha selects the beneficiaries. On this issue there is a measure of correlation between the responses of the beneficiaries and the Sarpanches. But cross checking the responses with

Table 16: Responses of Sarpanches as to how Beneficiaries are Finally Selected

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Gram Sabha										
Sarpanch			✓				✓			✓
Gram Sevak										
Vistar Adhikari										
BDO	✓	✓			✓					
ZP Member				✓		✓		✓	✓	

Table 16 gives us a very different view. Four out of 10 respondents hold that it is the Zilla Parishad member who makes the final selection. The next highest is three out of 10 respondents who hold that the Block Development Officer makes the final selection, while the remaining three respondents hold that it is they who make the final selection. The Sarpanch of Ravte village has stated that it is he with the Gram Sevak who finalises the selection of beneficiaries. What then happens to the Gram Sabha? Is the belief of the beneficiaries a figment of their imagination or does the truth lie somewhere in between?

Glimpses of the truth, that the researcher was able to glean in her conversations with the Sarpanches, is that the selection of beneficiaries does take place in the Gram Sabha. Only that selection of a specific number of beneficiaries for each scheme sanctioned for the village takes place. A long list of beneficiaries, including all and sundry, for each scheme is prepared and approved in the Gram

Sabha. The actual list of beneficiaries is generally taken at the district level in the Zilla Parishad and occasionally at the Block level in the Panchayat Samithi, depending on the scheme, the power equations between the MLA of the block, the ruling party group in the Panchayat Samithi and in the Zilla Parishad. The selection of beneficiaries both at the Gram Sabha level is not on the basis of any set criteria. At the Gram Sabha, the list is prepared to give the impression that all have an equal chance to be selected, not on the basis of any criteria but on the bias of the Sarpanch, if he belongs to the same party that enjoys power in the Panchayat Samithi and carries some clout in the Zilla Parishad.

Hence some Sarpanches do believe that they play a role in the selection of beneficiaries, while the majority of the Sarpanches feel that the BDO and the Zilla Parishad take the decisions. So the beneficiaries retain their illusion that the Gram Sabha selected them for the scheme, which is also borne out by Table 17.

Table 17: Responses of Beneficiaries on Scheme Choice

11	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Yes	3	2	3	2	3	3	2	2	2	2
No										
No Answer										

Table 17 is a tabulation to the question put to the beneficiaries whether they were sanctioned the scheme of their choice. The overwhelming response is yes. It is difficult to comprehend that every single beneficiary got the project of his choice, unless the beneficiaries had signed up for all the projects and so whatever project was sanctioned was a project of his or her choice.

Table 18 and 19 examine the degree of preparedness of the Sarpanches for the selection of beneficiaries according to valid criteria. Table 18 tabulates the responses of the Sarpanches on their awareness of the norms and criteria for selection of beneficiaries. The answer to the question is an overwhelming yes from all the respondents across the board, which created a question in the mind of

Table 18: Responses of Sarpanches on Awareness of Norms and Criteria for Selection

	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Yes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
No										
No Answer										

the researcher as to whether the respondents were telling the truth. The sensitivity to a further question to examine the extent of their awareness, as well as the paucity of time to understand the mind of the respondent and what she/he actually believed, did not permit the researcher from going into further assessment of the actual awareness of the Sarpanches of the norms and criteria for selection of beneficiaries of different projects.

The next table presents an equally absolute picture wherein every Sarpanch has responded to the researcher’s question about whether they were trained in the identification of beneficiaries for programmes/schemes, and they have come forward with an equally emphatic yes.

Table 19: Responses of Sarpanches on Training to Identify Beneficiaries

10	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Yes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
No										
No Answer										

The uniformity of the responses across the board flies in the face of the responses examined above in Table 16 on whom the final identification of beneficiaries hinged, and the majority of the answers indicated that the Sarpanches had no role to play in the final selection of the beneficiaries. In that case, the issue remains open as to what is the relevance of knowing the criteria for selection and being trained to identify beneficiaries when the final selection lies in the hands of those in the Zilla Parishad or Panchayat Samithi. It would merit a closer look as to whether these selections at the higher level fulfilled the criteria of selection of beneficiaries. If that is the case, then would not the Sarpanches be better persons to make the choice, or is it that the Sarpanches make a perfect selection of several beneficiaries, leaving the final choice ‘with the boss’ as the age old saying goes. This study did not go into minute details as this kind of information was not available within the short time that the field study had to be undertaken. The researcher also found that with several Sarpanches, silence was the best means of avoiding uncomfortable questions.

This brings us to the last part of the data analysis; the feedback from the beneficiaries on the impact of the scheme on their living standards and whether the scheme helped improve their standard of life. In the discussions with the Sarpanches it transpired that there are virtually no development projects being offered by the Gram Panchayat. The only projects available are through bank loans, which are out of the reach of most, and definitely the poor. Most central

funding does not reach the Zilla Parishad and whatever reaches there is diverted to development projects that are contractor driven. Direct development funding of the rural poor is almost non-existent. Hence almost all the beneficiaries who were interviewed for the study received funding under the Indira Awas programme and its variant of house repair subsidy, which is really the amount sanctioned for a single Indira Awas being divided among three beneficiaries. The replies to three questions – the first, Have You Benefited From the Project?; the second, Did the Project Improve your Economic Situation?; the third, Have the Objectives of the Project been fulfilled?-therefore must be seen in this context. The replies however are predictable.

The logic of the answers in our view appears to be linked to the fact that the beneficiary who was interviewed was selected from a whole list of probable beneficiaries and hence thanked his good fortune. The second is that the Indira Awas project was not a necessity in the area, as most families had a decent living space before they were sanctioned an Indira Awas grant. The very small minority of those for whom a house under the Indira Awas Project would have definitely mattered, like a few widows and deserted women with small children, had little or no chance of being selected because they enjoyed neither the economical or political clout to swing an Indira Awas their way.

Table 20: Have You Benefited From the Project

14	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Yes	3	2	3	2	3	3	2	2	2	1
No										

Hence, as Table 20 clearly shows, those who got an Indira Awas, which meant a brick house, definitely considered themselves to be fortunate that they could benefit from the project. Hence, as the Table depicts in black and white, one sees close to an absolute majority of 96 percent who felt that they have benefited from the project. When the project consists of a total subsidy to construct a house, which would approximate, at least in the materials used in the houses of the rich and powerful within their universe, it would be a very natural reaction that the beneficiary has benefited from the project; it could not be otherwise. The researcher however was not able to get the exact reason why the single respondent in the study said that she/he did not benefit from the project hence we are not able to discuss it in detail.

To the next question, whether the beneficiaries felt the project improved their economic situation, the answer is an emphatic yes as Table 21 indicates.

Table 21: Did the Project Improve your Economic Situation

15	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Yes	3	2	3	2	3	2	2	2	2	2
No						1				

On further inquiry however, all the respondents said that the Indira Awas that they received helped them save on the thatch that they had to renew on their roofs every year, as the Indira Awas scheme provided them with tiles. How this saving was instrumental in improving their economic condition, however, they were unable to say. What they did say, however, was that now having a tiled roof, they were spared the trouble of the roof leaking in the monsoons. It is difficult to delve into their answers further as the Indira Awas scheme is not necessarily an economic development project geared to generate income. It is rather in the nature of a relief project to provide shelter to the homeless. Yet under the present circumstances, the Indira Awas scheme is considered by both the Sarpanches and the beneficiaries as an economic development project. This speaks volumes about the local understanding of development. Given the fact that the beneficiaries of the Indira Awas programme, as observed in this study, were not necessarily the most needy, but the already relatively economically advantaged, the Indira Awas scheme obliquely served as a social development project because it did result in a belief of social advancement as the beneficiaries' housing conditions approximated, in a remote way, with the houses of the economically more advantaged, namely a brick and tile house.

This takes us to the last question, which we have tabulated, namely whether the project objectives have been fulfilled. It was difficult to decipher from conversations with the beneficiaries what the objectives of the project were.

Table 22: Have the Objectives of the Project been Fulfilled

16	Valve	Nihe	Girnoli	Sigaon	Nagzari	Ghundle	Ravte	Bhopoli	Nanivali	Kondhan
Yes	3	2	3	2	3	3	2	2	2	2
No										

Most of them saw the scheme as a social advancement scheme and not a welfare scheme, and as mentioned earlier, the Indira Awas scheme did serve as a symbol of social development. But if one defines the Indira Awas scheme as a scheme to provide shelter to the homeless, then one cannot say that the scheme, which is almost exclusively the only scheme that provides 100 percent subsidy and which most of the villagers apply for, has met its objectives, because the very poor who live in hovels continue to live under the same conditions. The Indira

Awas scheme has provided the beneficiaries who were interviewed in this study a take-off option. The scheme provided the money to lay the foundation and erect a brick and mortar structure, to which they could put in their own personal savings and construct a larger dwelling. It is this objective that most of the beneficiaries alluded to.

4. Reality of Self-Governance



The villages in the study area have a majority adivasi population and hence, the Panchayats are still in their hands. Under normal conditions, the power, which is vested in the adivasi Panchayats, would have remained only notional with the bulk of the development gains moving into the hands of the non-adivasi peasant groups. But the presence of the Bhoomi Sena and the articulation of political power by the adivasis through its mediation are a factor that needs to be taken into consideration while studying these villages.

Bhoomi Sena is a mass organisation which has been active in the areas for over 40 years. The Sena is not an NGO in the usual sense that one uses the term, but a local organisation of the adivasi people, and is basically involved in the mobilisation and campaign for the realisation of adivasi rights. The Sena is also in the forefront of nationwide mobilisation of self-governance and sees PESA as an important development in the process of establishing self-governance. Thus the study attempted to understand the perspectives of leading activists and community leaders associated with the Sena on the nature of self-governance that they envisage, using PESA as a vehicle for bringing about such a change and what needs to be done given the findings of the study.

But first, to summarise the major findings of the study so far:

The study so far, has allowed a tiny peep into the developmental dynamics of the predominantly tribal area, which is a Scheduled Area. The principle finding is that there is virtually no developmental process that is being undertaken by the Gram Panchayats, particularly in the case of the poor. The wealthier sections of the village, particularly the non-tribals are in all likelihood accessing development funds of the Gram Panchayat, though most of the persons, including the Sarpanches have remained tight-lipped about it. When they were asked for a list of tribal beneficiaries of developmental programmes in the village, the list that was given was the list of beneficiaries of the Indira Awas Scheme, which is not an economic development programme nor a social development programme, but is essentially a welfare scheme directed mainly at the destitute and the homeless.

The second major finding is the large number of villages and hamlets, which form part of one Panchayat and are by implication, members of a single Gram Sabha. The Gram Panchayat covers hamlets-which in terms of the tribal community's perspective are their village for all their traditional practices - ranging from 35 in Kondhan Gram Panchayat at the higher end, to Girnoli which has only three hamlets. But the majority of the villages range from seven to 12 hamlets. With such a large number of hamlets spread over a large geographical area, how the Gram Sabha is to function as a decision-making body is anybody's guess. Though section 4(b), which defines village for the purpose of the law and for the 73rd amendment as a hamlet or group of hamlets functioning as a self-governing community, the state Panchayat law has systematically failed to incorporate this section, hence reducing the Gram Sabha as the decision-making body of the village to a non-entity.

The third important finding is the large numbers of people who are listed as below the poverty line, even though their economic status, land holding and income make it clear that they are nowhere below the poverty line or even hovering a little above it, but are high above the poverty line. Their inclusion in the list as being below the poverty line effectively excludes the really poor from any developmental processes that the Gram Panchayat may choose to undertake because these sections enjoy the economic and political clout to swing any decision in their favour.

The fourth finding is the total absence of any development activity or scheme directed at the really poor in the village. The comparative picture in Table 6 throws up an important question as to the economic status of the adivasis in the villages studied. If this researcher were to hazard a guess, it would be that the overwhelming majority of the adivasis in the study villages are marginal farmers who per force have to also seek livelihood as agricultural or migrant labour, and in all likelihood would be the largest group under the poverty line. Yet the Gram Panchayat did not appear to have any schemes that targeted this group with the aim of improving their economic conditions.

The fifth major finding that came through in the research is the illusion that the Gram Sabha approves the beneficiaries of welfare programmes is carefully managed. Hence while all the adivasi members of the Gram Sabha believe that the choice of beneficiaries is done by the Gram Sabha, the actual selection of beneficiaries is done at the level of the Zilla Parishad or Panchayat Samithi. Their choice is made from a long list of beneficiaries that is drawn up in the Gram Sabha.

The role of the Gram Sabha is therefore not the choosing of beneficiaries, but being a rubber stamp for the list that is prepared and sent to the higher ups for their approval.

What is of significance is the fact that the number of members of the Gram Panchayat does not reflect any relationship between the population and the number of members. This is a matter that reflects on the fact that in most cases the representation in the Panchayats is lopsided and does not provide adequate representation of the population in its membership.

What comes out clearly from these findings is that the development process *de facto* excluded the rural and in particular the tribal poor. The manipulation that takes place in the Gram Panchayat is aided and abetted by elected representatives at the higher levels, by which the poor are excluded from the actual process of decision making. This only goes to confirm the view that the poor have little future or options in the present Panchayati Raj system unless it is clearly overhauled to bring it in line with PESA, not just in letter, but also in spirit.

It is in the above context that we seek to explore the perspectives and role of mass organisations like the Bhoomi Sena in implementing PESA and ensuring self-governance is important.

5. Our Village Our Government



The perspective of Bhoomi Sena can be summed up by this slogan '*Apna Gaon me Apna Raj*', which means 'In our village, our Government.' The slogan is very popular in the area and is painted on boards put up at the entrance of some villages. In this section we will attempt to capture some of the views and aspirations of Bhoomi Sena to bring into reality the vision behind this very popular slogan.

From interviews with activists and community leaders, it was clear that they all had a very good understanding of what they meant by self-governance. They see it essentially as a revitalisation of the traditions of tribal society in a modern context.

Most of them affirm the fact that adivasi societies have always been self-governing and continue to be so in certain matters of the village community. For instance the 'Panch' (as the council of elders is known in these parts) settles most village level as well as family disputes. At the time of the day of the Gram Dev (village deity), the council meets and issues of wages (both in kind and cash) and crop related matters are settled for the coming year. Thus, the activists argue that there is already in place a traditional institution to deal with most social and cultural matters.

The question of incorporating these into the village Gram Sabha is a difficult task for more reasons than one. The most important, as the activists point out, is that the traditional socio-cultural and political entity is not co-terminus with the Gram Panchayat, a fact that emerged clearly from the previous section.

In fact despite the provisions in PESA for constituting Gram Sabha taking into account the ecological and socio-cultural aspects of the community, the Panchayats continue to function according to the prevailing geographical boundaries. Thus we will not only have several revenue villages within a Gram Panchayat, but several communities (affiliated to a Gram Dev) within a village. Thus the overlapping of these different entities makes for a rather quaint situation.

The second area is the right to manage local resources, where PESA provides for the Gram Sabha to have a say in these matters. The most important is the use of land within the village boundaries for development projects. The case in point is that of the Indian Oil Corporation's Light Petroleum Gas (LPG) bottling plant in Velgaon.

The Case of the IOC Bottling Plant

The Indian Oil Corporation (IOC) proposes to set up an LPG Bottling Plant at Velgaon, which is a part of the Kondhan Gram Panchayat. The plant will be set up in a five-acre plot of land acquired from a local non-advansi landlord. It is mandatory for the IOC to obtain a No-Objection Certificate from the village Gram Sabha as part of the clearances for setting up such a plant.

The construction of the plant violates most of the rules framed for setting up of such plants. For instance, the plant is located in the command area of the Surya Dam and when completed will obstruct the flow of water in the left bank canal of the project. Second, the village is adjacent to the compound wall of the plant and this is explicitly prohibited by the environmental regulations for such a plant. And most important, the Kondhan Gram Sabha after exhaustive discussions over the merits of the plant have passed a unanimous resolution stating that they are not in favour of the plant as it is not beneficial to the village community.

The plant is a wholly mechanised plant and will not generate any employment for the local people. They also consider it hazardous as the highly volatile nature of LPG poses a risk to their lives and property. Despite, the Gram Sabha's objection, the IOC is determined to go ahead with the construction work on the project.

The people of the village have now taken up demonstrations and have been obstructing trucks carrying building material to the site. The IOC began to operate under police protection with police escorting all trucks to and from the plant. On 26 January 2005, police swooped on a settlement close to the plant and arrested 15 people including women, on charges of rioting, obstruction and attempt to murder police personnel. The case came up before the Palghar Sessions Court (No37/2005) and the judge dismissed the case as a fabrication by the police and let them off with a severe warning.

At present work at the LPG plant is at a standstill.

The case of the LPG Plant is a case in point of the power of the Gram Sabha regarding development projects in the area. They have no say in the matter and

what they say can always be countermanded by the higher authority. Here it is important that though the objections of the Gram Sabha to the LPG plant have been overlooked, the people under the leadership of the Bhoomi Sena continue to resist and protest against the plant.

There are also many problems with the number of seats allotted to each Panchayat and reservation for seats for OBCs. As the study discovered, there is absolutely no relation between the population and the number of seats. For instance a Panchayat with over 1500 population has 11 seats, while a smaller Gram Panchayat like Nanivali has 12 seats. These arrangements have no basis in reality and are arbitrary. The activists feel that PESA does not empower the Gram Sabha in these matters and it is left to the higher legislative bodies to look into these issues. Thus they argue that it makes the Gram Panchayat a paper tiger, with no role in correcting the basic flaws in the Act as it is drafted by the government of Maharashtra.

Some of the senior activists were well informed about international developments on indigenous peoples' rights both at the United Nations and in some nations. The famous Mabo case in Australia in which the supreme court observed that the occupation of the Australian Continent as illegal and other developments in Canada and New Zealand seem to have influenced their reactions and understanding of the existing Panchayati Raj legislation.

But this appears to be a more idealistic understanding rather than an approach to mobilise people to gain from Panchayati Raj. The crux of the issue, as far as the activists and community leaders who are aware of PESA and have studied the legislation are concerned, is that **PESA is an incomplete instrument for the realisation of real self-governance**. There are several objections to the manner in which it was drafted by the Maharashtra government and to the formulations of the recommendations of the Buria Committee. However, these objections which are both technical and political in nature are not within the limited scope of the present study. But suffice it to say that they are well studied responses to the legislation in question. (2)

In most of the villages where Bhoomi Sena is active, the Sarpanch is a member of the organisations and has been elected with some active campaigning by the members of the Bhoomi Sena. Thus there is scope for the Bhoomi Sena as an organisation to intervene in these villages for some progress towards self-rule within the confines of the existing legislation. But as observed in the previous section, these attempts are limited and few.

Ground realities in the study area and in the opinion of the activists is that there is a major gap in the functioning of the Gram Sabha as envisioned in PESA. There are several reasons for this. First as some point out, the bureaucracy (including the lower-level functionaries) is willing to bring about the necessary changes on paper (in the form of guidelines) for the effective functioning of the Gram Sabha. Second, is the mind set; by and large the separation of the role of the traditional village councils and the Panchayat as an instrument of the state remains in place. Thus the role envisaged in PESA for the Gram Sabha is not realised in practice.

Until this change takes place both in attitudes and on paper PESA will remain a paper tiger.

6. Conclusions



The Chairman of the Committee that recommended PESA in his letter to the Prime Minister, while presenting the report, eloquently summarises the spirit behind the recommendations saying, “The most important fact of the proposed law is that it will remove the dissonance between tribal tradition of self governance and modern formal institutions, which has been at the root of simmering discontent and occasional confrontation. We are confident that this will mark the beginning of a new era in the history of tribal people. After the new institutional frame becomes operational, the people will be able to perceive the state apparatus as an extension of their own system in the service of the community, that too, in a crucial phase of modernisation firmly rooted in tradition.”(3)

As Pradeep Prabhu notes, “PESA is the first law which is grounded in the principle of participatory democracy as the basic unit of governance, namely the Gram Sabha. Hence PESA is unambiguous that ‘empowerment of the Gram Sabha’ is its primary focus and stands on a different footing from the empowerment of Gram Panchayat.”

State lawmakers and even tribal representatives, however, argue that real devolution of powers to the people within the present framework of PESA is not possible, as the people are not capable of governing themselves. A frightening scenario given the fact that PESA is the first attempt by the Constitution to create a frame for participatory democracy, justifiably the ideal form of democracy.

Whether it is the lack of commitment of governments, its legislators and its functionaries to democracy itself or to real empowerment of the tribal poor so that they can take actionable steps to protect their homelands, culture, ethos and their lives, only history will tell. But the present scenario points out to one undisputable fact; the opportunity to ensure that 80 million tribal people will have a humane and humanised future may never come again. PESA, whether it is perceived in that manner or not, is in effect a critical step towards de-colonisation.

That perhaps explains the resistance of the ruling elite to have it implemented in letter and spirit. It is no accident of history that the struggle against colonialism

began with the tribal people. Perhaps the struggle against internal colonisation of their homelands and neo-colonialism will take root in their struggles for a just future. Tribal self-governance remains their ideal and their weapon. They reach out for solidarity from every committed citizen: The challenge is to act now.

This holds true not only for the adivasi people in the villages in Palghar, but for the adivasi people in Thane as well.

The organisations in the area like Bhoomi Sena, despite their involvement in creating mass awareness about self-governance and active participation as elected members and as Sarpanches have not been able to bring any perceivable change in the functioning of the village Panchayats. The Gram Sabha is yet to become the vehicle for village democracy. The difference due to the presence of a mass organisation committed to empowerment is that the Panchayats in the study area are not corrupt and function in a reasonably responsible fashion in delivering some welfare measures to the poorest of the poor.

The problem is that the majority of the people continue to see the Panchayats as essentially the last rung of the administration rather than as a vehicle for realising self-rule. The change in attitudes will take long to occur and only then will the Gram Sabha be able to transform itself into a real instrument of empowerment.

One thing is clear, most of the activists are aware of the power of the Gram Sabhas and the role they can play in empowering people. But how to go about this or how they will go about fundamentally changing the role of these village level bodies, is not very clear at this point in time.

The critical and crucial turning point would be the day the Gram Sabha becomes the instrument for social empowerment, which it is supposed to be under PESA. But that day, I am afraid is far away.

NOTES

- (1) For a critical look at Panchayati Raj and self rule in Tribal Areas see 'PESA and the Illusions of Tribal Self Governance', Pradeep Prabhu, Combat Law, December-January 2004, Mumbai. [C.ELDOC.L12.01dec03col9.html]
- (2) It is however important to note that while the government of Maharashtra has introduced several amendments, they have largely remained inoperative because the relevant rules have not been amended and even the sections introduced in the state Panchayati Raj Acts have been poorly drafted. It is within the frame of PESA and the amendments to the Gram Panchayat Act introduced by the Maharashtra legislature in 1997, that this study is undertaken.
- (3) Sri Dileep Singh Bhuria in his letter to the PM, quoted in Sharma B D 'Whither Tribal Areas: Constitutional Amendments and After' Sahyog Pustak Kutir New Delhi, 1995, p.8 [B.L12.S64]

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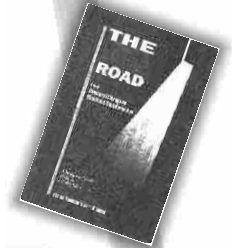
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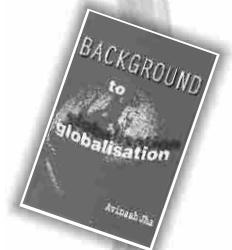
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