

Democratic Decentralization and Natural Resource Management in Scheduled Areas

An Analysis of Tribal Sub-Plan Fund Devolution for PESA Districts in Maharashtra, India.

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Presentation Outline

- India Specific Concepts
- General background and Introduction
- Maharashtra's initiative for PESA Five Percent Devolution of TSP Funds
- The Analysis of the Study:
 1. Objective
 2. Methodology
 3. Observation
 4. Findings
 - Constraints
- Conclusion

India Specific Concepts

- **Schedule Areas:** The article 244(1) of the Indian Constitution defines SA as areas the President may by order declare to be Schedule Area.
(Criteria – preponderance of tribal population, compactness and reasonable size of the area, under development, marked disparity in socio economic standard of people)
- **PESA:** Panchayat Extension to Schedule Areas – recognizes the traditional rights of the communities and endows the Gram Sabha with decision making rights over land, water and forest
- **FRA:** The Scheduled Tribe and Forest Dwelling Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. It's a legislation that concerns to the land and natural resources of the forest dwelling communities. It endows communities with right to own, access, manage, conserve and sale of forest products
- **TSP:** Tribal Sub-Plan. It's a plan for the socio-economic development of the tribal people. Funds distributed are in proportionate to the tribal population
- **73rd and 74th Amendment to the Indian Constitution:** gave constitutional status to the Panchayati Raj Institutions (PRIs) and Urban Local Bodies (ULBs) to bring about greater decentralization and increased involvement of the community in planning and implementing schemes.

73rd Amendment to the Indian Constitution (1992)



Institutionalized the character of our democracy from being representative to participatory

Communities to participate in their own governance and development

01



Requires the Government to devolve and delegate powers (functions, functionaries and finance) to local institutions

02



Limits on devolution: State reserves rights in areas of reservation, budgetary provisions, autonomy and devolution of powers as per the eleventh schedule of the constitution

03

Panchayat Extension to Scheduled Area (PESA) Act 1996

PESA Act commenced on 24th December 1996

What

- PESA recognizes Gram Sabha as units of Self Governance
- Endowed communities with powers and authority for self rule in scheduled areas

How

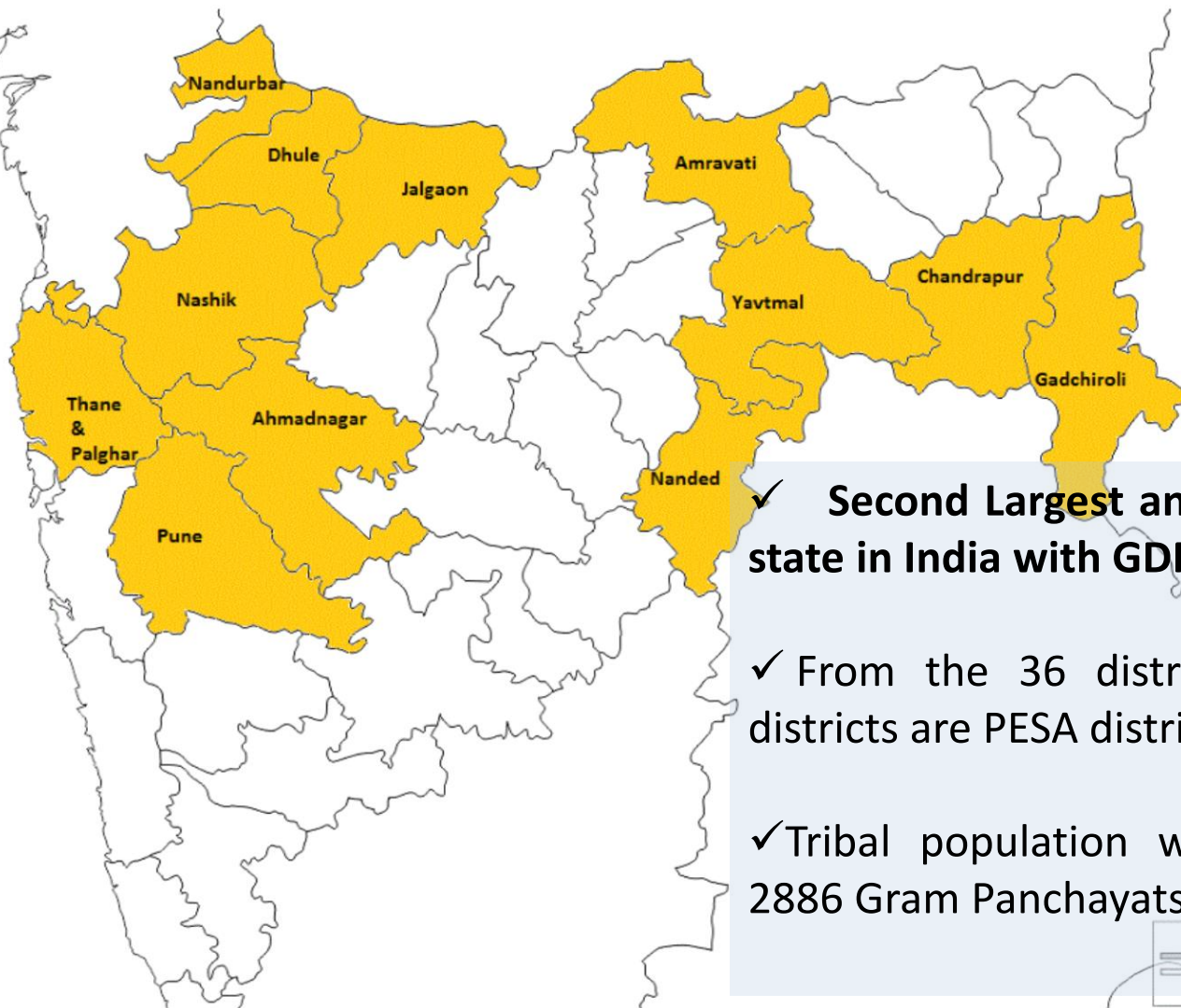
- By empowering Gram Sabhas (GS) in the Schedule V areas to *“competently safeguard, preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution”*
- Section 4(e), (f) and (m) of the PESA Act empowers Gram Sabhas to approve plans and programs for social and economic development
- Bringing in accountability and transparency through inclusive participation of communities.

INDIA

Maharashtra



Maharashtra Initiatives for PESA



✓ **Second Largest and second most populous state in India with GDP of \$ 233 billion**

✓ **From the 36 districts of Maharashtra, 13 districts are PESA districts (59 blocks)**

✓ **Tribal population within PESA - 44,17,240, 2886 Gram Panchayats, 5981 PESA villages**

- **Sukthankar Committee (1992)**-allocation of TSP budgets as per the proportion of tribal population in the state
- **Peoples movements and agitations in the last 3 decades**
- **Kelkar Committee Report (2013)**
 - Focus on strengthening lowest administrative unit of gram sabhas (*hamlets, padas, wadi, tola, pod, mohalla, tanda*) to benefit the *'neediest and deserving persons'*
 - Earmark half of the TSP funds for the Gram sabhas allowing them to determine the priorities and programs.

Maharashtra: Devolution of five percent of TSP Funds Scheme

2015

Government of Maharashtra devolved five percent of the TSP funds to PESA Gram Panchayats

First of its kind initiative in the country

The idea

Communities to have access, control and responsibility of untied funds for effective management of community resources - infrastructure, FRA, PESA, health, water, sanitation, education, conservation of forests and wildlife

An Analysis of the Devolution of Five Percent of TSP Funds for Gram Sabhas



Source :<https://pesafundmanagement.maharashtra.gov.in/DashBoardForCitizen/MISVillageWorkView>



Objective

To explore the response of communities to administer untied funds guaranteed to them through the special provisions of the State PESA Act 1996

Sub -Objectives

1	To assess the process of decision making
2	To examine the selection criteria of works undertaken and its prioritization
3	To assess the priority given to local natural resource management and its sustainable planning.

Methodology

- Using the probability proportionate to size sampling method, the study covered:
 - 9 of the 13 PESA districts,
 - one-fifth (i.e 12) PESA blocks
 - 2% (i.e 60) Gram Panchayats using systematic sampling,
 - 186 Gram Sabhas and villages/hamlets
 - Households covered – 28,698
 - Population covered – 147,110

- Qualitative assessment was carried out with key stakeholders (members of different community groups in main village and hamlets)

- Interviews with the District Chief Executive Officer (CEO), Block Development Officer (BDO), village *Sarpanchs*’, Gram Sevaks and a few members of the Gram Sabha.

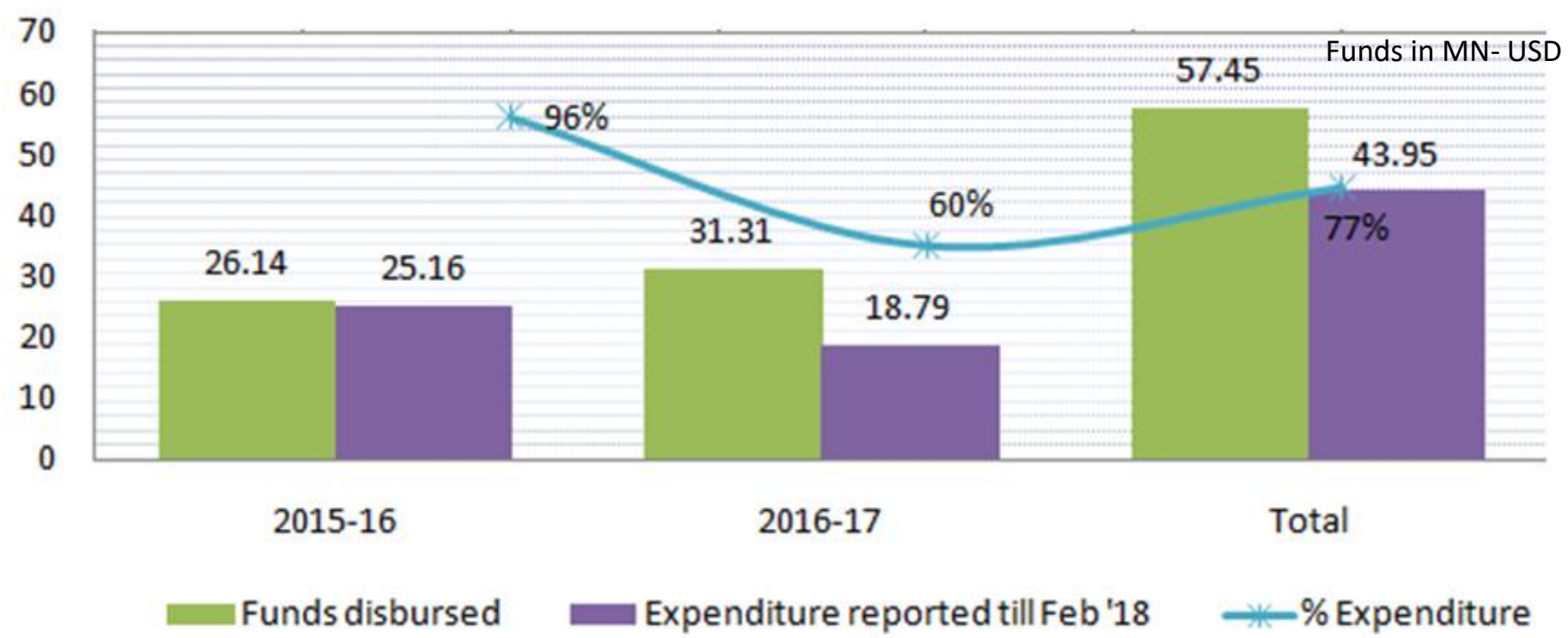
- However, the study focuses on - devolution of PESA funds for community management of natural resources.

FINDINGS

1. Devolution of 5 percent PESA funds to Gram Sabhas for 2015-16 & 2016-17 & 2017-18.

District	No of Blocks	ST Population	2017-18			Expenditure reported till Feb '18 in MN-USD	2016-17			Expenditure reported till Feb '18 MN-USD	2015-16			Expenditure reported till Feb '18 in MN-USD
			No of Gram Panchayats	Villages	Funds disbursed in MN-USD		No of Gram Panchayats	Villages	Funds disbursed MN-USD		No of Gram Panchayats	Villages	Funds disbursed in MN-USD	
Aamravati	2	226,106	114	301	1.60	Funds have been transferred in March '18. Expenditures were not reported on the date of data collection	114	300	1.60	0.83	114	301	1.15	0.96
Ahemdnagar	1	90,444	79	166	0.64		79	94	0.63	0.44	79	94	0.48	0.48
Chandrapur	3	55,648	94	195	0.39		95	193	0.39	0.17	95	193	0.70	0.64
Dhule	2	284,572	130	187	2.02		129	186	2.02	1.26	129	186	1.56	1.52
Gadchiroli	12	336,433	353	1,216	2.38		362	1274	2.40	1.08	362	1274	2.48	2.02
Jalgaon	3	64,425	32	58	0.46		31	57	0.46	0.13	32	57	0.33	0.33
Nanded	2	66,229	124	178	0.47		125	168	0.47	0.04	125	168	0.86	0.77
Nandurbar	6	1,025,465	518	869	7.27		505	908	7.26	3.90	509	855	5.05	5.04
Nashik	9	920,091	574	1,045	6.52		575	1046	6.52	3.52	569	1043	4.91	5.11
Palghar	8	979,563	416	911	6.94		414	968	6.96	5.85	414	968	5.41	5.28
Pune	2	79,196	83	128	0.56		83	128	0.56	0.26	83	128	0.47	0.44
Thane	3	179,562	204	403	1.27		202	383	1.27	0.94	202	383	1.85	1.71
Yavatmal	6	109,506	165	324	0.78		165	277	0.76	0.35	165	277	0.90	0.85
TOTAL	59	4,417,240	2,886	5,981	31.31		2879	5982	31.31	18.79	2878	5927	26.14	25.16

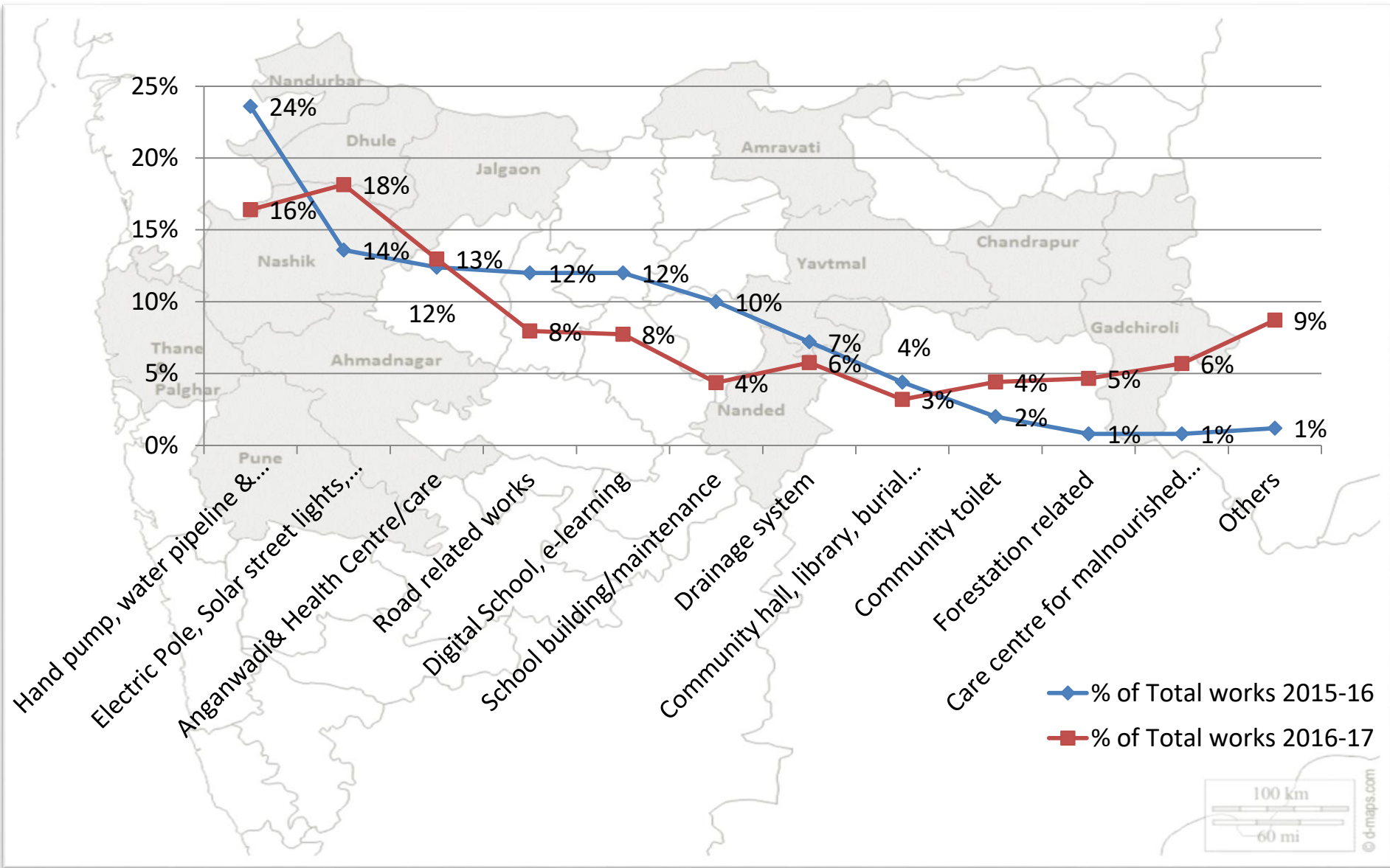
1. Funds Utilization progress (cont'd)



1. Utilization of funds (2015-16) cont'd

- In the first year (2015-16), the Gram Panchayats used 52 percent of the funds released as part of the TSP (31st March 2016).
- Out of this, 17% of the GPs (10 out of the 60 GPs studied) had fully utilized the funds and in another 35% (21 out of 60 studied GPs), only a part of the amount (25 -75 %) was utilized.
- Rest of the sample GPs were in the planning stage for fund utilization

2. The works undertaken



3. Observations

Decision-making within the Gram Sabha by key functionaries (Sarpanch and Gram Sevak)

Main village got priority over the *hamlets* and *padas*

Financial management of Gram kosh was operated by Gram Sevak

The main village monopolized the funds depriving the smaller gram sabhas

Increased involvement of communities in management of untied funds from second year onwards

4. Natural Resource Management

- Natural resource conservation and management received priority from second year onwards
- Increased interest of choice by the communities
- works undertaken were mainly plantation, afforestation along with water and soil conservation
- Each Gram Panchayat received funds ranging from 10-15 lakhs to almost 80 lakhs.
- Too early to conclude how much the communities have actually benefitted from this policy.

Increased interest at National level in devolution of funds to PESA villages

Constraints

- Involvement of elected representatives for fund devolution did not necessitate community awareness on funds received and expenditure on selected works.
- Periodic change of key functionaries through election process at the GP level leads to delay in initiating the program at the GP
- Slower training dissemination of the key functionaries and communities in general
- Non-availability of trained manpower at the local level
- Lack of record updation and maintenance on Gram Sabha proceedings along with gram kosh account maintenance was noticed.

Conclusions

- An experiment in deepening of democracy
- Allowed communities to make informed choices and decision making to improve its responsiveness in bringing accountability, efficiency and equity
- Its given a right direction of inclusive growth to achieve 'Gram Swaraj'
- Demonstrated the potential of mature deliberative democracy at grass root level

Thank you

2 – The works undertaken

Nature of Work	Works undertaken			
	2015-16		2016-17	
	No of Works	% of Total works	No of Works	% of Total works
Hand pump, water pipeline & related	59	24%	282	16%
Electric Pole, Solar street lights, etc.	34	14%	312	18%
Anganwadi& Health Centre/care	31	12%	223	13%
Road related works	30	12%	137	8%
Digital School, e-learning	30	12%	133	8%
School building/maintenance	25	10%	75	4%
Drainage system	18	7%	99	6%
Community hall, library, burial ground	11	4%	55	3%
Community toilet	5	2%	76	4%
Forestation related	2	1%	80	5%
Care centre for malnourished children	2	1%	98	6%
Others (eg. Housing related Individual benefits, Employment & MGNREGA ,Transport etc)	3	1%	150	9%
Total	250		1720	