Participation in Local Governance - A Comparison of PESA and Non-PESA Gram Panchayats in Madhya Pradesh

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Abstract: The PESA Act of 1996 stands as a significant political effort aimed at empowering tribal communities and transforming power dynamics. Its fundamental aim is to enable these communities to self-govern and maintain their cultural beliefs, values, and lifestyles. While originating from central legislation, the responsibility for its effective implementation lies with the state governments. An examination of governance under the PESA framework displays a varied readiness among Gram Panchayats to adopt progressive governance reforms. Some quickly adapt to the changing landscape, effectively leveraging their new powers and responsibilities, while others proceed more slowly. Additionally, some Panchayats struggle to fully grasp the scope of their delegated powers and responsibilities, often adhering to traditional operational modes. This article compares local governance participation and inclusion in PESA GPs with non-PESA GPs in Madhya Pradesh. The findings highlight the critical need to tailor administrative frameworks to the cultural contexts of tribal communities to achieve meaningful and lasting empowerment. It stresses the importance of targeted capacity-building efforts, enhancing community awareness, and promoting inclusive decision-making processes.

Keywords: PESA, Participation, Inclusion, Scheduled Tribes, Gram Sabha, Gram Panchayat, Local Governance.

Introduction

The Panchayat Extension to Scheduled Areas (PESA) Act of 1996 marks a substantial stride towards empowering tribal communities and shifting power dynamics in their favour. Its central aim is to enable tribal populations to engage in self-governance while preserving their essential cultural beliefs, values, and lifestyles. Under this legislation,

state Governors has the power to enact rules that may restrict or prohibit the sale of tribal lands to non-tribals and regulate money-lending activities within Scheduled Tribes. Such authority also permits Governors to modify or annul any state or national legislation concerning these matters. Although initiated by the central government, the effective implementation of PESA largely depends on the states (Government of India, 1996).

According to the latest data from the Ministry of Panchayati Raj (2023), most states with PESA areas have developed the necessary legal frameworks. Evaluating governance dynamics within this framework shows varied responses across Gram Panchayats towards adopting these governance reforms. Some Gram Panchayats have rapidly adjusted to the new responsibilities and powers, effectively utilizing them. Others have integrated these changes more slowly, and a few have yet to fully adopt the decentralized functions, preferring to maintain traditional governance structures. Despite the challenges and limitations faced, PESA remains a crucial legislation for India's indigenous communities, potentially driving significant socio-political changes by establishing avenues for self-governance and empowerment.

In Madhya Pradesh, the enhancement of the Panchayati Raj system was initiated following the constitutional amendment of 1992. The State Panchayat Raj Act of 1993 introduced a three-tier model of local governance and began the process of Panchayat elections. Subsequent amendments strengthened the role of the Gram Sabha as the executive body of rural governments. This legislation not only acknowledges but also aims to safeguard the traditional institutions and cultural practices of tribal communities within the framework of local governance. Although Panchayati Raj Institutions are widespread across the state, the effectiveness of local governance varies due to factors such as governance capacity, financial autonomy, and community engagement. In certain regions, Gram Panchayats have successfully assumed roles in local development, infrastructure, and public service delivery.

Following the PESA Act's enactment in 1996, the state took significant steps to align the Panchayati Raj Acts with Section 4 of the PESA Act, achieving compliance in 10 out of the 14 provisions. Madhya Pradesh has led the country by enacting state-specific Panchayat (Extension to Scheduled Areas) Acts, particularly the Madhya Pradesh Panchayat (Dwitiya Sanshodan) Adhiniyamam 1997. Recently[1] State has framed the PESA notified the Panchayats Extension to Scheduled Areas (PESA) Act in November 2022.

The efficacy of local governance in Madhya Pradesh, especially in Scheduled Areas, depends on navigating the challenges and complexities that arise from the coexistence of contemporary governance structures and traditional tribal institutions. Striking a

balance between these and ensuring that tribal communities gain from the PESA Act is an ongoing effort, with continued attempts to bridge the divide between these parallel governance systems. Sisodia (2022) notes that while the PESA Act undeniably spurred the operations of Gram Panchayats in Tribal Areas, a two-decade implementation period reveals minimal advancements in meeting the comprehensive development requirements of tribal communities. He also highlights a key factor contributing to this stagnation: the disparity between the macro-level framework and the grassroots-level reality.

This article explores the state of local governance in selected Gram Panchayats, assessing the participation of various social groups in local government affairs and identifying any specific trends or patterns within the PESA-designated Gram Panchayats under study.

Objectives and Methodology

This paper explores the effects of implementing the Panchayats Extension to Scheduled Areas (PESA) Act on local governance participation and inclusion in Madhya Pradesh. It primarily aims to assess how the PESA Act has bolstered institutional frameworks for grassroots governance.

The research employs a mixed-method approach, utilizing both descriptive and analytical techniques, and draws on primary and secondary data sources. The focus is on tribal districts in Madhya Pradesh, with particular attention to Balaghat district, home to the Baigas, a vulnerable tribal group. Within this district, one blocks designated under PESA and another not under PESA are selected for detailed study. Two Gram Panchayats are randomly chosen from each of these blocks, making up the study's primary units.

The sample comprises 400 households, evenly split between PESA-designated and non-PESA Gram Panchayats in the Baihar and Paraswada Blocks. Data collection is conducted through structured household surveys, with each surveyed Gram Panchayat contributing 100 households, ensuring that at least 75% of participants are from Scheduled Tribe communities.

Data is also gathered using Computer Assisted Personal Interviewing (CAPI) techniques from Panchayat functionaries and elected officials in the studied Gram Panchayats. Each Gram Panchayat provides data from the Panchayat Secretary and two elected representatives, who are interviewed using detailed protocols. One focus group discussion per Gram Panchayat is also held to engage community members further.

Secondary data is incorporated from Gram Panchayat records, the 2011 Census, and the Madhya Pradesh Department of Panchayati Raj's official website, enriching the primary data collected and providing broader contextual insights.

Profile of the Study Area

Madhya Pradesh, located in the heart of India, is the country's second-largest state in terms of geographical area. The population in Balaghat district is primarily distributed, with around 14.39% residing in urban areas, while the remaining 83.61% live in rural areas, classifying it as a predominantly rural district. Regarding gender distribution, the district consists of 842,000 males and 859,000 females, with the rural population accounting for 719,794 males and 737,088 females.

Within the boundaries of Balaghat district, the Scheduled Caste population totals 125,000, and the Scheduled Tribe population reaches 383,000. Scheduled Castes comprise approximately 7.37% of the total district population, while Scheduled Tribes constitute 22.51%. Among the rural population, Scheduled Tribes make up 23.78%, while in urban areas, they account for 14.94% of the population. The district has 43 tribal groups, including Gond, Baiga, Halba, Kawar, and Korku.

Balaghat district has been classified as one of the less-developed districts in Madhya Pradesh (Borooah & Dubey, 2007). As per the 2011 Census, the district has a literacy rate of 77.09%, with a total of 1,147,623 literate individuals. Among the literate population, males make up 85.36% (626,468), while females constitute 69.04% (521,155). This indicates an improvement from the 2001 literacy rate of 68.72%, reflecting progress over the decade. The district's literacy rate of 70.6% also surpasses the state average.

Regarding poverty statistics, Balaghat district has a lower percentage of its population living below the poverty line, with a rate of 40.80%, compared to the state average of 48.59%, according to district-level poverty estimates for Madhya Pradesh. While these overall indicators suggest performance better than the state average, it's important to note that the situation of the tribal population in the Balaghat district presents a distinct scenario, which will be discussed further in the following section.

## General Information About the Respondents

A substantial proportion of participants in both non-PESA (43.5%) and PESA (51.5%) Gram Panchayats were found to be illiterate. Collectively, 47.5% of respondents lacked literacy skills. Among the respondents who were literate, 32.3% had attained an educational level below the 10th grade. Notably, a significant percentage of respondents from both non-PESA (81%) and PESA (77%) Gram Panchayats either lacked literacy or had education levels below the 10th grade.

The analysis indicated that most respondents (60.5%) were employed as daily wage or agricultural labourers. Approximately 6.5% and 6.3% of respondents from

non-PESA and PESA Gram Panchayats, respectively, reported being unemployed. Notably, there were no significant disparities in occupational status across Gram Panchayats.
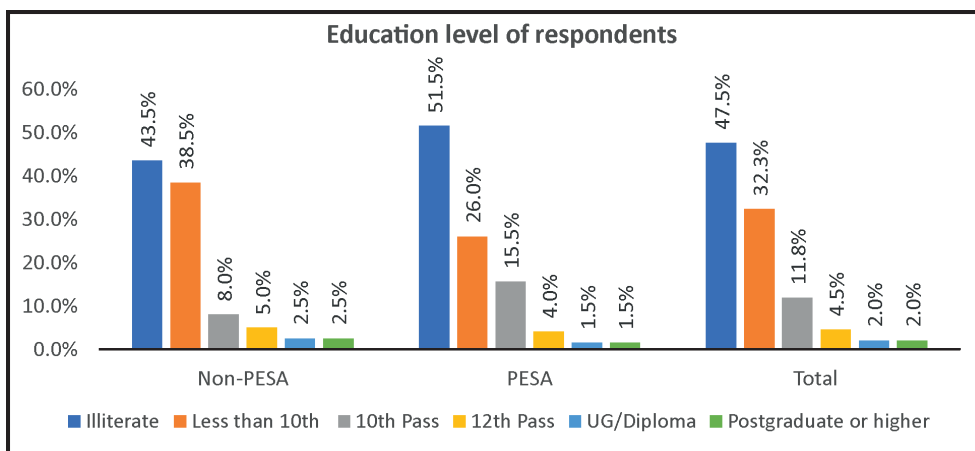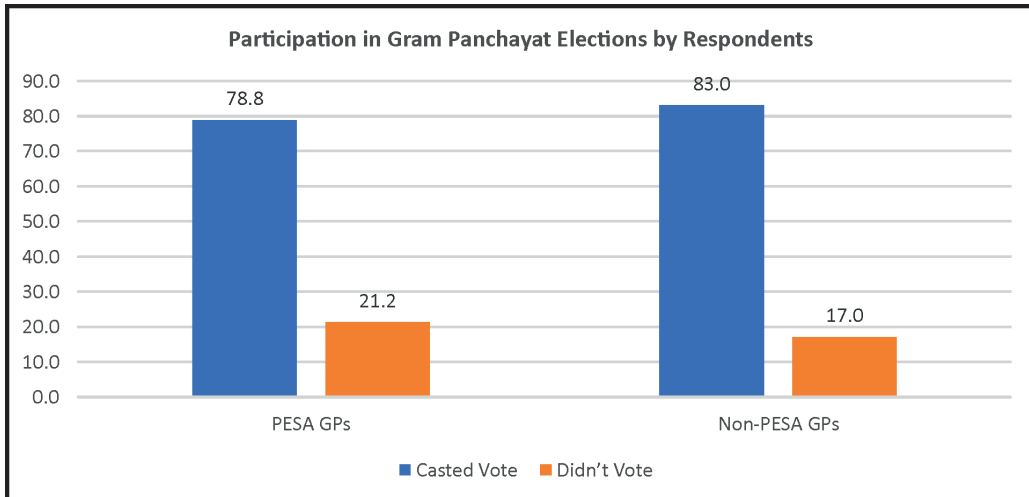

Furthermore, the data revealed that a substantial majority, accounting for 76.5% of all respondents, belonged to the Scheduled Tribe (ST) community. Further examination of this breakdown showed that approximately 76.0% of non-PESA Gram Panchayats and 77.0% of respondents from PESA Gram Panchayats were affiliated with the ST community.
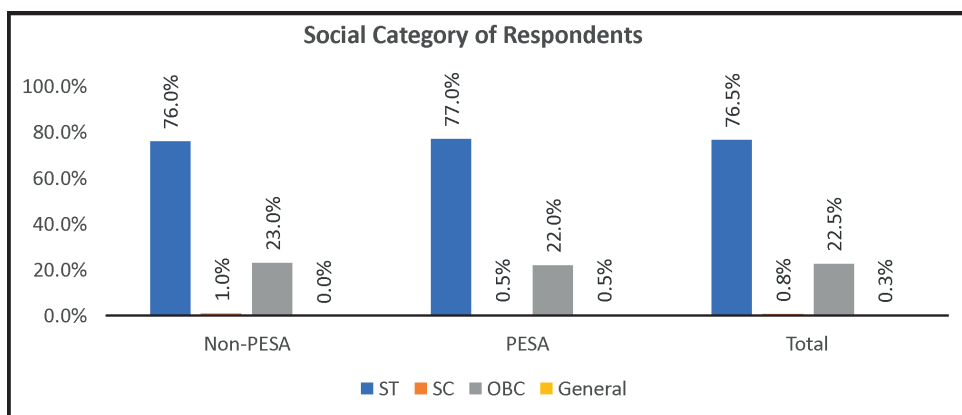
## Participation in the Local Government Election Process

The study area, encompassing both PESA and non-PESA Gram Panchayats, reveals a significant majority of the population possessing valid voter identification cards issued

by the Election Commission of India. This noteworthy discovery underscores that nearly all (99.5%) of the respondents meet the eligibility criteria for participating in local government election processes. Furthermore, the study observes a higher voter turnout among respondents holding voter identification cards across all Gram Panchayats, with over 90% actively participating in the most recent local self-government elections. Specifically, 92.4% of respondents from PESA-designated Gram Panchayats exercised their voting rights, while an even higher turnout of 95.5% was observed among respondents in non-PESA Gram Panchayats. Gleason (2001) suggests that an individual's vote carries greater significance in scenarios where the voting constituency is smaller, the electoral competition is closely contested, and the individual is casting their vote as part of a pivotal group.

Participation in Gram Panchayat Elections by Respondents

	PESA GPs	Non-PESA GPs
Casted Vote	78.8	83.0
Didn't Vote	21.2	17.0

Participation in Gram Sabha

Empowered by the PESA (Panchayats (Extension to Scheduled Areas) Act), the Gram Sabha stands as a pivotal institution within PESA Gram Panchayats. Comprising all registered voters in the electoral roll of the Gram Panchayat in a village, it holds significant decision-making authority. During Gram Sabha meetings, consensus among participants guides decisions concerning various development activities to be undertaken by the Gram Panchayat. Ensuring prior notification of these meetings to community members is paramount, achieved through mechanisms such as public announcements and notices posted in public places. Ward members also contribute to this effort by ensuring that residents in their respective wards are informed about upcoming Gram Sabha meetings.
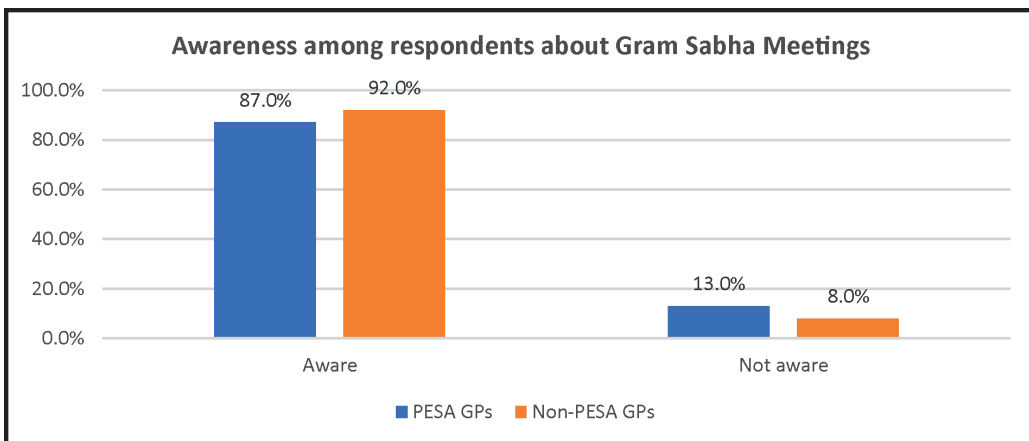
The data reveals that the majority of respondents generally have awareness of the Gram Sabha meetings conducted in or for their villages. Interestingly, respondents from Non-PESA Gram Panchayats demonstrate slightly better awareness regarding these meetings. However, it's worth noting that around 13% of respondents from PESA Gram Panchayats are unaware of Gram Sabha meetings, indicating a need for improvement in information dissemination. A study by Palai and Soundari (2016) conducted in Odisha, focusing on PESA-designated areas, supports this finding, suggesting that many tribal individuals are absent from Gram Sabha meetings due to the failure of Panchayat officials to inform them promptly about these vital gatherings.

In the Gram Panchayats examined in the study, all eligible community members who can participate in democratic electoral processes are members of the Gram Sabha. An interesting aspect in these Panchayats is the occurrence of multiple parallel Gram Sabhas. Typically, the number of parallel Gram Sabhas ranges from 2 to 3, depending on the distribution of residences of community members. This approach enables people living in different areas within the Gram Panchayat to conveniently attend Gram Sabhas, ensuring broader community participation in these significant democratic assemblies.

Among those who were aware of Gram Sabha meetings, approximately 66% of respondents actively participated in the recent Gram Sabha meeting. Interestingly, the level of participation in Gram Sabha meetings by respondents from both PESA and non-PESA Gram Panchayats was quite similar.
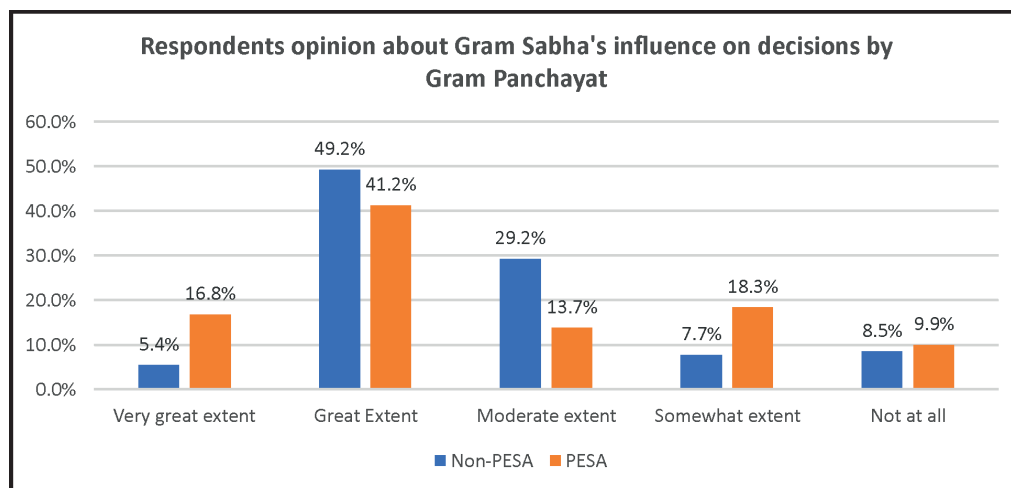
Specifically, within the PESA-designated Gram Panchayats, Amgaon Gram Panchayat reported the highest participation rate at 72.6%, whereas Keolari Gram Panchayat, another PESA Gram Panchayat, reported the lowest participation rate at 61.1%. This trend was consistent across both PESA and non-PESA Gram Panchayats.

Participation of respondents in the recent Gram Sabha meeting

66.7%	65.8%	
	33.3%	34.2%

Participated — Not participated

■ PESA GPs   ■ Non-PESA GPs
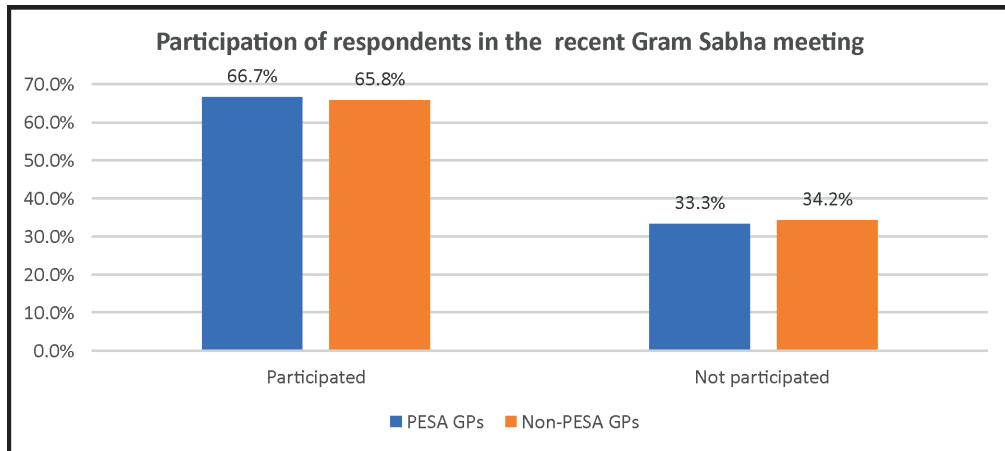
Overall, the data did not indicate any significant disparity in terms of participation in Gram Sabhas between PESA and non-PESA Gram Panchayats. Community members from the Gram Panchayats under study seemed to engage in Gram Sabha meetings based on their individual preferences, with limited impact observed from the PESA Act on participation.

According to the study, apathy and a lack of interest among community members emerged as the primary reasons for their non-participation in Gram Sabhas. Further discussions with respondents revealed that even when individuals did attend these meetings, they often felt that the issues discussed were not taken seriously. Decisions made during Gram Sabhas were frequently not implemented. Babu (2002) suggests that rural local bodies' effectiveness, transparency, and accountability will remain compromised unless Gram Sabhas are consistently vibrant and regularly convened. Rectifying these systemic obstacles requires a concerted and collective effort from the state.

Furthermore, there was a prevailing perception that Gram Sabhas had limited control over the activities undertaken by the Gram Panchayat. Some respondents highlighted that decision-making within the Gram Panchayats was often influenced by a small, influential group of individuals who did not prioritize the participation of all community members. Parida (2013) observes that despite constitutional support, Gram Sabhas across various states have been intentionally reduced to functioning as beneficiary sabhas, register sabhas, or mere activity-oriented entities. Sisodia (2002) underscores the lack of equitable accountability of Gram Panchayats to Gram Sabhas. There exists a significant deficit in awareness among Gram Sabhas about the functioning of Gram Panchayats.

Respondents opinion about Gram Sabha's influence on decisions by Gram Panchayat

	Very great extent	Great Extent	Moderate extent	Somewhat extent	Not at all
Non-PESA	5.4%	49.2%	29.2%	7.7%	8.5%
PESA	16.8%	41.2%	13.7%	18.3%	9.9%

The active participation of women community members in Gram Sabha meetings is crucial for strengthening grassroots governance. In the case of a PESA-designated Gram Panchayat, it was noted that women from villages near the village centre tend to participate more actively in Gram Sabha meetings. Discussions also highlighted that increased women's participation is closely tied to the relevance of the issues discussed in Gram Sabhas.

The Gram Sabha meetings are critical for identifying and selecting beneficiaries for poverty alleviation and other programs. The study revealed that most respondents confirmed that beneficiary selection for various schemes and programs took place during Gram Sabha meetings. However, this process was slightly less pronounced in Non-PESA Gram Panchayats, highlighting the role of Gram Sabhas in ensuring a more inclusive and participatory approach to beneficiary selection, in line with its core principles of local self-governance and community involvement in decision-making.

During Gram Sabha gatherings, participants are expected to be free to raise concerns within the purview of the Gram Panchayat. When respondents who attended Gram Sabha meetings were questioned about this freedom, it was found that in one Gram Panchayat, operating under PESA, the majority (50.7%) reported having significant freedom to express their concerns. In other Gram Panchayats, most respondents reported having some degree of freedom to voice their concerns during Gram Sabha meetings. This distribution did not follow a distinct pattern based on PESA or Non-PESA classification. As Sen (2000) noted, human development involves enhancing lives and freedoms, including removing major obstacles to freedom, such as poverty, tyranny, and limited economic opportunities. Therefore, expanding freedom is considered a fundamental goal and a primary means for development.

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Planning Process by Gram Panchayat

The Madhya Pradesh Panchayat Raj Act bestows upon the Gram Sabha the authority to sanction all plans, including Annual Plans, programs, and projects for social and economic development, before their implementation by the Gram Panchayat. Additionally, Tiwari (2016) underscores that in line with the Panchayats (Extension to Scheduled Areas) Act (PESA), Gram Sabhas is meant to be extensively engaged in endorsing development plans and programs.

Awareness about planning process at Gram Panchayats by respondents
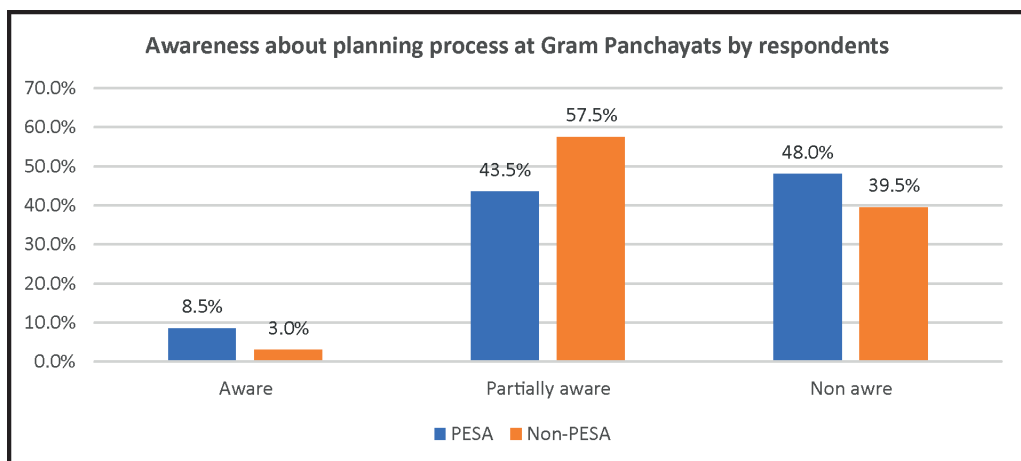
When respondents were queried about their comprehension and awareness of the planning process within the Gram Panchayat, their responses indicated that the overall awareness level about the planning process remains moderate across both PESA

and non-PESA Gram Panchayats. However, it's noteworthy that approximately 8.5% of respondents from PESA-designated Gram Panchayats were able to provide more informed responses regarding their awareness of the planning processes by the Gram Panchayat.

One of the significant powers vested in the Gram Sabha is the authority to approve all plans, including Annual Plans, programs, and projects for social and economic development, before their implementation by the Gram Panchayat. In the study area, the majority of those who participated in the Gram Sabha reported that discussions often revolved around the implementation of plans related to social and economic development. These discussions commonly included the reading out of lists of beneficiaries for various schemes and the enumeration of works planned under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). Notably, such discussions were less frequent in Non-PESA Gram Panchayats, with 32.3% of respondents indicating that these topics were rarely addressed.

When respondents were probed about their involvement in the preparation of the Gram Panchayat Development Plan (GPDP), a common theme emerged: they often shared their suggestions regarding the types of community projects and activities that should be incorporated in the planning process. Despite this valuable engagement, many respondents found it challenging to recall the intricate details of their involvement plans, highlighting the potential benefits of fostering greater awareness and active participation among community members in the complex process of development planning at the grassroots level. This underscores the importance of simplifying the planning process, making it more accessible and comprehensible to community members.

Conclusions and Recommendations

The analysis unveils a concerning trend, where Gram Sabha participation levels remain suboptimal due to community apathy and a perception that Gram Sabha decisions do not translate into actionable results. This apathy is echoed in both PESA and non-PESA Gram Panchayats, indicating a need for improved awareness and effective mechanisms for local participation.

Despite Gram Sabha being designated as the central decision-making platform in Gram Panchayats, the data reflects that community members' participation is generally passive. Decisions related to Gram Panchayat activities often lack the influence of Gram Sabha, and the decisions are perceived to be made by a select few individuals. This trend persists in both PESA and non-PESA Gram Panchayats, highlighting a fundamental challenge in making local self-governance more effective.

One striking observation is that the community members predominantly focus on individual benefits received from local governance, such as entitlements and scheme-related benefits, rather than engaging with broader governance issues, including plan development, GPDP (Gram Panchayat Development Plan), and fund utilization. This lack of awareness and engagement is consistent across PESA and non-PESA Gram Panchayats, indicating that the PESA Act has not been transformative in these study locations.

To enhance participation and effectiveness in local governance within both PESA and non-PESA Gram Panchayats, several strategic initiatives are recommended. First, comprehensive awareness campaigns should be launched to educate community members about their roles in governance and the tangible benefits of their involvement in Gram Sabha meetings. This effort should aim to transform community perspectives towards more proactive engagement. Additionally, increasing transparency in the decision-making processes of the Gram Sabha is crucial. This can be achieved by ensuring that meeting agendas, minutes, and decisions are widely disseminated through local media and accessible public postings.

Community engagement programs that encourage active participation in broader governance issues should be developed. These programs could include interactive workshops and forums focused on plan development, budget discussions, and project monitoring, facilitating a deeper understanding of local governance. To empower the Gram Sabha effectively, members should be equipped with necessary resources and training to enhance their advocacy and leadership skills, ensuring that their decisions have a substantial impact on local governance.

Introducing incentives for active participation could also be a significant motivator for community members, potentially involving recognition or small economic benefits tied to engagement levels. Finally, establishing regular monitoring and evaluation mechanisms to assess the effectiveness of Gram Sabha meetings and the implementation of decisions will help in refining these strategies over time and ensuring that the governance process remains dynamic and responsive to the needs of the community. These combined efforts are expected to transform the current state of local governance, making it more participatory, inclusive, and effective.

Note

1. Post completion of field work for this study

References

Babu, M. Devendra (2002) "Working Of Gram Sabhas in Andhra Pradesh: Problems and Prospects," Working Papers 103, Institute for Social and Economic Change, Bangalore.

Borooah, Vani K, and Amaresh Dubey. Measuring Regional Backwardness: Poverty, Gender, and Children in the Districts of India. Ulster: University of Ulster, National Council for Applied Economic Research, 2007.

Dayal, Rajbir Singh and Vijayavir (2016). PESA Act 1996, A remedy for Naxalism in "Tribal Self Governance - PESA and its implementation", Rawat Publications, New Delhi.

Gleason Suzanne (2001) Female Political Participation and Health in India; The Annals of the American Academy of Political and Social Science, Vol. 573, Culture and Development: International Perspectives (Jan., 2001), pp. 105-126.

Government of India. (1996). The Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA Act). Retrieved from https://indiacode.nic.in/bitstream/123456789/1609/1/199676.pdf

MOPR (2023), Statement of PESA Rules Framed by Pesa States, Ministry of Panchayati Raj, Government of India, Retrieved 13 January 2024 from: https://panchayat.gov.in/document-category/pesa-rules-framed-by-pesa-states/

Palai, Sanghamitra and M. Hilaria Soundari (2016) Participation of Tribal in Gram Sabha at Gajpati District, Odisha, *Indian Journal of Economics and Development,* Vol 4 (10), October 2016.

Parida, P. K. (2013) Exploring ways to strengthening governance in tribal areas: looking beyond gram sabha and panchayats; *The Indian Journal of Political Science,* 74(4), 751-758. Indian Political Science Association.

Sisodia, Y. S. (2002). Decentralized Governance in Madhya Pradesh: Experiences of the Gram Sabhas in the Scheduled Areas, *Economic and Political Weekly,* Vol.37, No 40, pp4100-4104.

Sisodia, Y. S. (2022). Implementation of PESA and status of Panchayat Raj Institutions in Fifth Schedule areas of Indian States: Issues challenges and ways ahead. In D. Rajashekhar, Handbook of Decentralized Governance and Development (pp. 122 - 134). Oxon: c.

Tiwari, Nupur (2016). Tribal Self Governance, PESA and its implementation, Indian Institute of Public Administration, Rawat Publications, New Delhi.