

TRIBAL DEVELOPMENT THROUGH PANCHAYATI RAJ SYSTEM IN ODISHA

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Abstract

Indian democracy, like all other democracies of the Western World, believes in sharing of power that necessitates the popular participation of these poor, illiterate and culturally deprived communities of the County. As most of the people in this County live in villages, so democracy in India can be successful with the progressive involvement of these Tribes in the institutions at the grass-roots level (Panchayati Raj Institutions). This noble goal can only be achieved with the emergence of the development-oriented institutional leadership from among these communities who make the rural people conscious of participating in developmental activities in villages. Accordingly, it is the aim of this study to know the attitude of the tribal people and elected tribal leaders (of Panchayati Raj Institutions), their level of political awareness, the factors of motivation for their political participation and to perceive how these leaders participate in various political activities especially relating to the rural self-governing institutions. Planning for promoting socio-economic development of marginalised people has emerged as a key function of Panchayats in India. This scenario is also found in the case of the scheduled areas of Odisha. This article argues that institutional arrangement and functioning of Panchayats have paved the way for formulation of decentralised development plans in these areas. The Panchayats have been playing a key role in the ways of formulating decentralised development plans and fostering the participation of tribal people in planning process. Many important issues related to socio-economic development of tribal people have been discussed in the meetings involving planning. Despite this, the goals of promoting socio-economic development of tribal people through formulating decentralised development plans have not achieved the desired results. Inadequate infrastructure and poor data management system at the Panchayat level and weak coordination among the various tiers have created hurdles in the path of formulation of decentralised development plans in the districts of Odisha. It is on this basis, that this article suggests decentralised planning as a systemic process in the scheduled areas under the guidance of the Panchayats. This article also says some conservative attitudes of tribes push them back because they feel that the election has harm to their culture and tradition, if the people get away from politics their society will be saved.

Keywords: Panchayati Raj, scheduled tribes, Tribal Development, Tribal's in Odisha, PESA Act.



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Introduction

Odisha located on the east coast of India, it is one of the most unique places which have the largest number of tribal community with a population of 8.2 million constitutions 22.3 per cent of the state population. The tribal community is considered as the deprived section in the society, because they face so many problems such as land alienation, poverty and Indebtedness, Health and nutritional problems, educational problems and cultural problems. To solve all these problems and improve their standard of living and economic status there are several programmes are implemented.

Odisha became a separate state in 1936. The realization to empower the grassroots people Odisha Panchayat Act, 1948 was enacted. It had sought to establish and develop local self-Government in the village communities of Odisha. The provision of the act of 1948 was extending to all except the municipal and notified areas of the state. The union boards were established under the Bihar and Odisha Village Administration Act, 1922 and were replaced by gram panchayats. Thus, Odisha had already tried to empower its panchayats even before the formal Panchayati Raj system came into existence. This experiment however did not succeed. This is because in many villages people were misled by the propaganda that in the Panchayat areas people had to pay some additional taxes and fees to the Panchayat without getting appreciable amenities (Panchayati Raj Report, 2006-07 & 2007-08).

After independence, with the establishment of the Planning Commission at the national level in March 1950 and the launching of the First Five Year Plan in 1951, the planning process started in the country. The objective of this commission was to establish a welfare state through the democratically planned social and economic development of the people. There was a realization that social and economic justice could not be achieved without the development of rural areas since more than eighty per cent of the people live in the villages. Hence the development of rural areas was emphasized by the Planning Commission. The planners wanted the village panchayats to develop as an agency of local planning and development.

Community Development Programme was launched in October 1952 to revive and revitalize the social, political, economic and cultural life of the villages through the involvement of rural people in the development programmes. This programme seemed to have worked in the early years of its introduction. It was argued that unless people considered community development as their and valued it as a practical contribution to their welfare, no substantial result would be gained.

However, the programme lost its momentum, the participation and involvement of the people also showed a considerable decline. Therefore, the Government introduced another programme for the upliftment of rural masses on 2nd October 1953. The National Extension Service, a less intensive programme was organized to spread the ideology among the villages, teach them modern techniques in agriculture and other fields to secure their participation in the various developmental programmes. However, in course of time it was noticed that the programme instead of being a people's programme, it became more Government programme with varying degree of people's participation.

73rd Constitutional Amendment and Panchayati Raj in Odisha

The 73rd Constitutional Amendment Act passed on the 24th of April 1993. The 1964 act of Odisha Gram Panchayat Act was further amended in 1994 to meet the requirements of the 73rd Amendment to the Constitution. It constituted Gram Sabha at the village level, Panchayat Samiti at the block level, and Zilla Parishad at the district level. Amendments were made to the Odisha Gram Panchayat Act, 1964, and in 1991, 1992 by the Biju Pattnaik led Janata Government. It made a provision for reservation of SC and ST members according to their population and reservation of one-third seats, including office bearers for women. It was widely perceived that this amendment was made to woo the people of lower castes who were unhappy with the Biju Pattnaik Government due to its anti-Mandal stand. Nevertheless, Odisha became the first state in the country to make provisions for the reservation of seats for elective functionaries in the local institutions at the village level in favour of weaker sections, even before the enforcement of the 73rd amendment (Mohanty, 2009). Odisha has been the first state to implement a 33 percent reservation of seats for women in municipalities and panchayats, at a time when the center was still only deliberating on this issue. Again a unique provision by which if the Gram Panchayat Sarpanch, elected or nominated, is not a woman, the office of the Naib-Sarpanch will go to a woman. Neither the 73rd Constitutional Amendment nor any other state has gone only so far as to state that not less than one-third of the total number of offices of chairpersons in the panchayats at each level shall be reserved for women (Mathew, 1994). After this Odisha Panchayati Raj system has brought some changes in the local level politics. For instance, the reservation of one-third of total seats for women in the local self-Government system has some implications for the empowerment of women (Nayak, 2008). This new Act also provided an opportunity for involving Dalits in the mainstream political, social and economic decision-making process. Article 243 (D) of the

Constitution provides for reservation of Scheduled Castes (SC) and Schedule Tribes (ST) in every panchayat in proportion to their population in that area. At least one-third of the seats reserved shall be for women belonging to SC/ST communities. Following the provisions of the 73rd Constitutional Amendment, the state Governments amended their state Panchayati Raj Act and made provisions for the reservation of seats for Dalits (Kumar, 2008). By giving reservations to marginalized sections like women, SCs and STs, there had been a great change in the traditional political system in the country as well as in the state.

The new act provided for the empowerment of weaker sections and women who had not got a chance to participate in local governance earlier. It has created another resource through reservation in the hands of these deprived sections to enable them to acquire some power even if they did not enjoy high status and wealth. It has enhanced the marginalized sections to participate in the decision-making process and has also brought changes in the minds of the tribal people by empowering them to preside over a meeting and be actively involved in the decision-making process. When a woman or a Dalit man who never acquire the courage to come out and sit in a public office along with relative or strangers belonging to different castes and age groups, presiding over a meeting and signing the paper as an office-bearer is also a sign of empowerment (Baviskar, 2008, 2009). The women who reluctantly entered into politics showed great maturity in outlook, enthusiasm, increasing political consciousness, and increasing perception of their role and responsibility. There prevails strong caste feelings and women belonging to the upper caste have not come forward to representing the panchayat. This has provided an opportunity to the women from the labour and lower strata to emerge as a potential force in village politics (Panda, 1996, 1999). The working culture of the panchayat has changed because of the presence of women. Even if women representatives depend on relatives, the power relations between husband and wife has already changed due to the reservation for women, the woman's husband gets a chance to come to the public sphere because of the wife and particularly no longer monolithic structure is seen in family relation. The 73rd amendment has an empowering impact on women (Mohanty, 2001).

However, in many cases it is found that the power is enjoyed mainly by dominant castes belonging to the top power groups and the interests of the poor are sacrificed for strengthening the vested interest of the district leadership. The non-tribal people as well as the Government officers always dominate in all most all the developmental activities of the panchayat. Women are elected but not able to implement anything or express their views due to lack of power,

resources and thus Government officials ignoring the representation made by elected women (Mathew, 1986, 1994). The representatives, in a majority of cases, were answerable to the elites of the village and remained under their control rather than exhibiting any accountability to citizens at large. Reservation in the PRI has not ensured the effective representation of disadvantaged groups in the panchayats concerning the participation of elected members, their responsiveness to citizens' interest and accountability in local Government (Patnaik, 2005). Still, there is a strong caste-class feeling as a result the privileged groups are like namesake representatives and the same in the case of women representatives who are proxies for their men. But though the inclusion of excluded communities has not posed a serious threat to the upper caste-class and gender dominance, it has generated a kind of awareness among them on many aspects of local governance (Mohanty, 2009). From the above analysis on Panchayati Raj after the 73rd Constitutional Amendment it was found that although there is still a caste, class, and gender feeling prevailing in the panchayat system, the representation in the panchayat election, participation in the meetings and political consciousness has increased among the weaker sections of the state as well as in the country. Baviskar has rightly pointed out that the process of empowerment is not one quantum journey. It cannot jump from a zero power situation to an all power situation. Empowerment is a long journey and there are several stages in its path.

The 73rd Constitutional Amendment has empowered Gram Sabha at the village level, Panchayat Samiti at the block level and Zilla Parishad at the district level. The reservation was provided in favour of SC, ST, OBC and women in respect of all seats. The tenure of Panchayat was fixed for five years. Election Commissions and Finance Commissions were constituted. The power and function of Gram Sabha and Palli Sabha were redefined.¹

The Present Structure of Panchayati Raj System in Odisha

In Orissa, the State Assembly passed the required conformity Acts in 1994, 1995 and 1997 to set in place the present form of the 3-tier system of Panchayati Raj consisting of Grama Panchayat at the village level (GP), Panchayat Samiti at the block level (PS) and Zilla Parishad

¹ In Orissa Palli Sabha is organised at the village level and the Gram Sabha is organised at the Gram Panchayat level. Statutory Gram Sabha meets minimum twice in a year during February and June and Palli Sabha meets minimum once, from the beginning of the year. Palli Sabha takes all important decisions like selection of beneficiaries and preparation of schemes in the village and Gram Sabha consider and approve all such matters as referred to it by the Palli Sabha for its decision. In Palli Sabha minimum 1/10th and in Gram Sabha 1/3rd members present should be women.

at the district level (ZP). The present structure of Panchayati Raj system in Odisha is described below.

Gram Panchayat:

The Gram Panchayat is at the bottom of the three-tier Panchayati Raj system in Odisha. It was constituted as per the Odisha Gram Panchayat Act, 1964. The statute provides for the institution of gram panchayat at the village level. A group of continuous villages constitutes a Grama. The population of more than 2000 and less than 10,000 for each Grama there shall be a Grama Sasan.

The Gram Panchayat is the executive body of the Grama Sasan, headed by a directly elected Sarpanch. A Gram is to be divided into not less than eleven and not more than twenty-five wards. It should be divided in such a manner that the ratio between the population of each constituency and the number of seats allotted to it shall be the same throughout the panchayat area. In each ward, there exists Palli Sabha. Each ward elects a member to the Grama Panchayat. All the voters of the grama directly elect the Sarpanch of the grama panchayat. Soon after the publication of the election result of Sarpanch and Ward Members, a special meeting is convened to elect one Naib-Sarpanch. If the post of Sarpanch of the Grama Panchayat is not reserved for women then the post of Naib-Sarpanch shall be reserved for women of that particular panchayat. Besides these elected members, one Secretary is being appointed by the State Government for maintaining the records. As per the provision made in the year 1991, thirty per cent of seats for women are reserved in the panchayats. In terms of the 73rd Constitutional amendment not less than one-third, seats are reserved for women. The reservation provision is also applicable for the SC, ST and OBC women from the respective quotas of the three categories. These reserved seats for women are allotted by rotation to different wards of the Grama Panchayat. The term of the Gram Panchayat is five years. Under the supervision of the Sarpanch, the Gram Panchayat undertakes various obligatory and optional functions. The obligatory functions are sanitation, street lighting, local development work, work of social utility, maintenance of records relating to the population census, cattle census. The optional functions are planting of trees at road-sides, maintaining village forests, construction and maintenance of slaughterhouses.

To smooth the functioning of the panchayat, two distinct general bodies are constituted by the Odisha Gram Panchayat Act. They are (i) the Gram Sabha and (ii) the Palli Sabha. These bodies play a prominent role in the activities of the other bodies. The Gram Sabha is the

general body of the gram sasan which consists of all the voters residing in the gram panchayat. It meets twice a year, once in February and June. As per executive instructions four more meetings are held on 1st May, 15th August, 2nd October and 26th January. One-tenth of the membership constitutes the quorum. If there is no quorum the next meeting will be held without a quorum. One-third of member's present should be women. Sarpanch or Collector can convene a special meeting of the Gram Sabha. Fifteen clear days' notice is given for Gram Sabha. Sarpanch presides over the Gram Sabha. The functions of Gram Sabha are to consider the programmes and works to be undertaken by the Gram Panchayats, to consider the annual budget for the gram, to consider a proposal for taxation, to consider the implementation of agricultural production plans to consider the progress reports relating to the programmes undertaken by the Gram Panchayats along with the audit reports.

To decentralize the participatory process Odisha Act provides a meeting of Palli Sabha. The Palli Sabha is a body consisting of all the voters of the village situated within the area of the village/palli. It meets at least once annually. It recommends to Gram Panchayats for the development works and programmes that should be undertaken in the village, selection of beneficiaries and also considers the budget estimates prepared by the Gram Panchayats. Palli Sabha is presided over by the Ward Member in which Palli is situated. One-tenth members present should be women. Two weeks is given for holding Palli Sabha. Gram Sabha shall fix the place of Palli Sabha if there are many wards in a revenue village. Palli Sabha is generally held in February. However special meeting of the Palli Sabha can be convened according to Necessity.

The Grama Panchayat functions under the control and supervision of the Odisha Government. On behalf of the Government, the collector or any officer authorized by the collector has the power to inspect, supervise and control the Gram Panchayat. They can inspect any book, register, record or document of the Gram Panchayat. Besides the M.L.A of the area, the Chairman of the Panchayat Samiti and President of the Zilla Parishad has the power to inspect their respective Gram Panchayat. If the state feels that a Gram Panchayat is not working as per the Odisha Gram Panchayat Act, then by notification the state Government can dissolve it. If the Sarpanch or Naib-Sarpanch refuses to carry out or violates the provision of the Odisha Gram Panchayat Act or misuse the power vested on them, the district collector after the inquiry has the power to suspend the Sarpanch or Naib-Sarpanch and send a report to the State Government.

Panchayat Samiti:

The Odisha Zilla Parishad Act, 1959 has been revised again in 1991. It provides for establishing Panchayat Samities at each block of the state. Panchayat Samiti links the bridge with the Gram panchayats for the execution of developmental work. Panchayats work at the village level with the advice and guidance of the Zilla Parishad at the district level. Government allocates schemes directly to the Samities through the Community Development Department of the state. The Panchayat Samiti is composed of a Chairman and vice-chairman chosen by the elected members of the gram panchayat. In case the chairman is not a woman, then the vice-chairman post would be reserved for a woman. The Panchayat Samiti is entrusted with the works like planning, execution, and supervision of the development programmes in the block, management of primary education and trust, registration of births and deaths. The power of supervision of primary education was given to the chairman and other nonofficial members. But Chairman remains powerless in terms of primary education towards appointment, removal and transfer of primary teachers and other school staff. In addition to the administrative powers, the Samities are also entrusted with other important functions like emergency relief and civil supplies like public distribution system of essential commodities. In many other states, the local MLAs and MPs are the members of the Samiti but the Odisha Act does not allow for their membership. The official members and the Chairman of the municipalities and notified area councils also have no voting rights.

The chairman is the chief of the Panchayat Samiti and is accountable and responsible for it. The B.D.O. as the executive officer, executes resolutions, orders, decisions and projects. The budget is prepared by the B.D.O. with the approval of the chairman, placed before the body for sanction, and thereafter submitted to the collector of the district who has the power to modify it, if so felt.

Zilla Parishad:

The Zilla Parishad is the apex tier that has authority over the entire district. The first batch of Zilla Parishads was constituted in 1961 and for some time it worked well but was abolished in 1968 and replaced by an innocuous body called the District Advisory Council. They were revised by an Act of 1991 and following the 73rd Amendment the act was further amended in 1994. Elections to the Zilla Parishad under this act were held in 1997. The Zilla Parishad consists of (a) one member elected directly based on adult suffrage from every constituency within the Parishad area with forty thousand population (b) Chairman of all

Panchayat Samities in the district (c) MPs and MLAs of the district, (d) two official members without voting rights: (i) chief executive officer of the Zilla Parishad and (ii) the project officer of the District Rural Development Agency (DRDA) who is the ex-officio Secretary of the Parishad.

Seats are reserved for SCs and STs in each Parishad according to their population. Twenty-seven per cent of seats are reserved for OBC and one-third for women, including SCs and STs and OBCs. Each Zilla Parishad has a president and vice-president elected by the elected members from among themselves at its first meeting. The office of president is also covered under reservation policy. The collector is the ex-officio chief executive officer of the Zilla Parishad. The project officer of the DRDA is to act as the executive officer.

Each Zilla Parishad has six standing committees for six groups of the functional subjects with five elected members each. The president of the ZP is the ex-officio chairperson and CEO is the ex-officio secretary of every standing committee. But the president or vice-president whoever of them is a woman shall be the ex-officio chairperson of the third committee (Education, Health, etc.) and fourth committee (Welfare, PDS, etc.). The Act provides that when the office of the president is not reserved for women, then the office of the vice-president shall be deemed to be reserved for women. Further, the law prescribes that the third committee shall consist of Zilla Parishad.

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Major Schemes /Programmes Under Panchayati Raj Institutions

The Panchayati Raj Department, Government of Odisha has transferred 21 subjects of 11 Departments to the Panchayati Raj Institutions. The process of effective devolution of 3 Fs (Functions, Functionaries, and Funds) has been initiated through active mapping. The programmes of development of the Panchayati Raj Department can be classified into the following categories:

Wage Employment Programme (SGRY, NFFWP & NREGS):

The primary objective of the scheme was to provide additional wage employment, infrastructural development and food securities. The creation of durable community, social and economic assets and infrastructural development in the rural areas is the secondary objective. A new scheme was launched in the name of Sampoorna Grameen Rojagar Yojana (SGRY) in the year 2001. This scheme is open to the rural poor who need wage employment and desired to do manual and unskilled work in and around their village/habitat. The programme is self-targeting in nature. Preference is given to agricultural wage earners,

marginal farmers, the persons affected due to calamity, women members of SC/ST and parents of child labour withdrawn from hazardous occupations, parents of handicapped children, or adult children of handicapped parents who are desired of working wage employment.

Self -Employment Programme (SGSY):

Swarnjayanti Gram Swarojagar Yojana (SGSY), the rural self-employment scheme has brought a paradigm shift in the development strategy for creating employment opportunities for the poor and has focused on mobilization of rural poor through Self Help Groups (SHG), their capacity building, skill up-gradation, training, the assistance of taking up different economic activities, credit linkage, infrastructure technology and marketing support are the objective of the scheme. This is a credit-linked scheme. It is being implemented in the entire country in April 1999. A major part of the investment under the scheme consists of Bank credit from various financial institutions comprising Commercial Banks, Co-operative Banks and Regional Rural Banks. Families below the poverty line (BPL) in rural areas constitute the target groups of SGSY. Special safeguards have been provided to vulnerable sections by way of reserving 50 per cent benefit for SCs/STs, 40 per cent for women, 15 per cent for religious minorities and 3% for disabled persons. The government of Odisha has launched the “Mission Shakti” programme in 2001 to have at least 3 lakh women Self Help Groups by the end of 2008.

A special project under SGSY is a focused time-bound programme for bringing a specific number of BPL families who are coming under above poverty line through the Self Employment Programme. In Odisha, three Special Projects have been sanctioned and implemented. (1) To address the problems faced by the rural producers/artisans, in adopting the right technology, product diversification with the accepted designs, packaging and certification, branding and sales through different market channels, Odisha Rural Development and Marketing Society (ORMAS) an autonomous body under Panchayati Raj Department, Government of Odisha was launched in 1991. It is implemented for Rs. 9.83 crores. (2) The powder milk plant at Chandrasekharpur, Bhubaneswar is implemented by OMFED with an estimated cost of Rs 9.00 crores. (3) Revival and Revitalization of folk, art and culture as a sustainable livelihood for rural artisans/tribal artisans in West Bengal and Odisha. It is implemented by Eastern Zonal Cultural Centre (EZCC) Calcutta with an estimated cost of Rs. 9,44,90,000/-, Government of Odisha in Panchayati Raj Department has contributed Rs. 28.35 lakhs as the first instalment out of Rs. 70,86,750/- of state share

and Government in Culture Department has contributed Rs. 18.90 lakhs for successful implementation of the project.

Housing Scheme for the Poor (IAY, Mo Kudia):

Rural housing is one of the six components of the Bharat Nirman package and it will be implemented through the Indira Awas Yojana (IAY) scheme. IAY is being implemented from the year 1985-86 to assist in the construction of dwelling units to the BPL rural households belonging to SCs, STs and freed bonded labour categories. However, from the year 1993-94 onwards, the scope of the scheme was extended to cover the rural BPL from the non-SC and ST subject to the condition that the benefits would not be more than 40 per cent of the total allocation of IAY. The benefits of the scheme have also been extended to the families of ex-servicemen and 3 per cent of the houses are reserved for the rural BPL physically and mentally challenged persons. To facilitate immediate/timely relief to the victims of emergencies like riots, arson and fire and other natural calamities, the District Collector/Magistrate at the district level has been authorized to utilize the fund from the district's allocation of IAY. To impart transparency to the selection procedure, a permanent IAY waitlist based on the results of the BPL Census 2002 has already been prepared. This permanent waitlist will be displayed at every Gram Panchayat and go through a three-stage appeal process.

The Twelfth Finance Commission has recommended Rs. 803.00 crores as grants for the Local Bodies and distributed among the Gram Panchayats of the state to utilize towards operation and maintenance of water supply and sanitation and other basic civic services, based on the 2001 census population figures. The scheme has extended for improvement/maintenance of Gram Panchayat/Panchayat Samiti roads and PRI buildings of the state. As per the mandate of the Constitution, the operation and maintenance of water supply and sanitation shall be the responsibility of the Gram Panchayat. For instance, Rs 160.60 crores received from the Government of India has been released to Gram Panchayats and it will be responsible for the operation and maintenance of about 2.25 lakhs of hand pumps and 1800 nos. of piped water schemes under Swajaldhara.

Provision of Urban Amenities in Rural Areas:

To bridge the rural-urban gap and achieving socio-economic development, the Planning Commission of India has formulated an innovative scheme namely, Provision of Urban Amenities in Rural Areas (PURA). The scheme aims at meeting social and physical

infrastructure in an identified rural cluster consisting of 10-15 villages within a radius of 4-5kms. Around selected towns to enhance their growth potential with a focus on the following areas;

- a) Road Transportation and Power connectivity.
- b) Electronic connectivity in form of reliable telecom, internet and I.T. services.
- c) Knowledge connectivity in form of up-grading existing schools to the next higher level.
- d) Market connectivity would enable rural farmers to get the price for their products.
- e) Connectivity of water supply and sanitation.
- f) Up-gradation of health facilities.

These facilities are expected to be created by the implementing agencies by converging resources of the on-going Central and State Government programmes. If there is any gap that cannot be funded under any scheme or the available funds under the existing schemes are insufficient for the purpose, such gaps will be funded through PURA. The PURA builds on the existing schemes while providing funds for critical gaps.

Targeted Rural Initiatives for Poverty Termination and Infrastructure:

Targeted Rural Initiatives for Poverty Termination and Infrastructure (TRIPTI) is a World Bank-assisted livelihood project that has been implemented in the state of Odisha. The project recognizes the progress under Mission Shakti Movements in Odisha that has demonstrated considerable achievement in the field of social mobilization of the poor. The project emphasizes on strengthening and creation of organizations of rural poor women SHGs and Federation at Panchayat, Block and District level with distinct roles and responsibilities. Focus is given on microfinance through the provision of financial services to poor and under-served communities with avenues for stimulating rural economic development through local enterprise.

Cement Concrete (CC) Road in Rural Areas:

The Panchayati Raj Department, Government of Odisha has taken initiative in the past for construction of Cement Concrete Road in the village under various schemes in order to improve the quality of life and hygienic conditions in the rural villages. It has become a very popular scheme and one of the most sought after schemes in the rural areas. In the past, though Cement Concrete Roads were taken up under different schemes, all the villages have not yet been covered. The State Government has decided to give thrust to the scheme for construction

of intra village Cement Concrete Roads in the villages with the objective of attaining saturation in the State with special focus on Vulnerable Tribal Groups like STs/SCs habitations.

Backward Regions Grant Fund:

The Backward Regions Grant Fund (BRGF) programme is being implemented through Panchayati Raj Institution to address regional imbalances in development. The fund will provide financial resources for supplementing and converging existing developmental inflows in identified districts in Odisha like Balangir, Kalahandi, Phulbani, Boudh, Keonjhar, Rayagada, Deogarh, Koraput, Sambalpur, Dhenkanal, Malkanagiri, Sonepur, Gajapati, Ganjam, Mayurbhanj, Sundargarh, Nabarangpur, Jharsuguda and Nuapada.

PESA Act and Odisha Panchayat Act

The provisions of the Panchayat Extension to Scheduled Areas (PESA) Act, 1996 came into force on 24.12.1996. The State Act in Odisha for the Scheduled area is known as Gram Panchayat (Amendment) Act 1997, produced out of the Amendment of Odisha Gram Panchayat Act 1964. The state Panchayat laws namely, the Odisha Gram Panchayat Act, the Odisha Panchayat Samiti Act and the Odisha Zilla Parishad Act were amended in conformity with provisions of the Central Act within the scheduled time. Odisha and Madhya Pradesh are the only two states who have accorded statutory recognition to Gram Sabha in the light of section 4(e) of the Central Act. Reservation of Scheduled Tribe members in Schedule Areas: the state laws have been amended to provide a minimum 50 per cent representation of ST members in each panchayat. Provisions have also been made so that all officers or Chairpersons will be reserved for Scheduled Tribes. Powers of Gram Sabha modified after coming into force of PESA. Odisha is the first state to conduct an election as per the provisions of PESA in 2002. Table 4.4 shows that 7 districts fully and 6 districts partially are covered under the Scheduled Areas of the state.² The protective regulations are in force in the Scheduled Areas of the state are:

² The term "Scheduled Areas" has been defined in the Constitution of India as "Such areas as the President may by order declare to be Scheduled Areas". Under paragraph 6 (Part -C) of the Fifth Schedule to the Constitution of India, the revised Presidential order titled "The Scheduled Areas (states of Bihar, Madhya Pradesh & Orissa) Order 1977" has declared three full districts viz. Mayurbhanj, Sundargarh, Koraput and Kuchinda Tahasil of Sambalpur district, Keonjhar, Telkoi, Champua, Barbil Tahasils of Keonjhar district, Khondmal, Baliguda and G. Udayagiri Tahasil of Khondmal district, R. Udayagiri Tahasil, Gumua and Rayagada block of Paralakhemundi Tahasil in Paralakhemundi Sub-division of Gajapati district and Suruda Tahasil (excluding Gazalbadi and Gochha gram Panchayats) of Ghumsur sub-division in Ganjam district, Thuamul and Lanjigarh blocks of Kalahandi district and Nilagiri block of Balasore district as Scheduled Areas of the state. After reorganization of districts in the state 7 districts fully and 6 districts partly are covered under the Scheduled Areas of the state.

- The Odisha (Scheduled Areas) Transfer of Immovable Property (by Scheduled Tribe) Regulation, 1956 (Regulation 2 of 1956).
- The Odisha (Scheduled Areas) Debt Relief Regulation, 1967 (Regulation 1 of 1968).
- The Odisha (Scheduled Areas), Money Lenders' Regulation, 1967 (Regulation 2 of 1968) (Annual Report, 2002-03, S.T. & S.C. Development Dept., Government. of Odisha).

This research shows that there is an increase of elected representatives in the Panchayati Raj system after the introduction of the new PESA Act in Odisha. Gradually after the reservation system was introduced the participation of weaker sections like SCs, STs and women has slowly found to be increased. Of course, over the years the number of Panchayats, Panchayat Samitis and Zilla Parishad has increased in the state. In the Scheduled areas of the state spread over 1966 Gram Panchayats in 118 blocks in full and 3 blocks in part. Accordingly, 24,734 wards out of 87,542 wards, 1,966 offices of Sarpanch out of 6234, 1965 office of Panchayat Samiti members out of 6233 and 256 members of Zilla Parishad out of 854 come under the Scheduled Area. Election of these offices was conducted as per the provision of the PESA Act.

Conclusion

The concept of Panchayati Raj is not a recent one in India. There have been traces wherein the said system has been found working effectively in administration of the small units of the countries, like the villages. This concept has been acknowledged by various Constitutional framers and keeping in mind the Constituent Assembly's intent in mind, this has been given a Constitutional status under Part IX by the virtue of the Seventy Third Amendment. The whole exercise of decentralization of powers is equivalent to that of transfer of power from the British to the Indians. The Panchayati Raj set-up is still in experimental stage. Every experiment has its problems and promises. The Panchayati Raj may have weakness today, but it will be a vital force of tomorrow in shaping and developing the richer and prosperous life of people of India. It requires a movement of the masses. For mobilizing the masses for the new task, the leaders are to be trained. It is needless to say that the Panchayati Raj system acts like the grassroot of democracy and a time may come when Jay Prakash Narayan's dream of "Gram Sabha to Lok Sabha" may materialise through it. Besides, the democratic decentralization took its shape for better administration and developmental perspectives for quick rural developmental and cooperation of local people. State Government does not possess adequate wisdom of local

affairs and problems. In this sense, it constitutes a significant constitution to the theory and practice of nation-building activities in the developing areas. PESA is a most powerful Act, which give major governance power to the tribal people and it protect right over local natural resources, and this Act direct the state government not to make any law, social and religious practice and traditional management practice of community resource. Odisha claims as the second largest tribal dominant state in the country. Mainly there are 62 Tribal communities are living in the state and each one is different from others. The PESA Act was implemented in Odisha in 24th December 1996, and it covers total seven districts of Odisha. The result shows that majority of the tribal are attending Gram Sabha but they are not well aware of its power and functions. And also the study shows that the PESA Act is not effectively working in the state, all plans and programmes are implemented by the government but it is not properly working among tribes, because they are not highly aware of the Act. All the related studies show that it needs to conduct awareness programmes of tribal people relating to their developmental rights and acts. Different Programmes and scheme of Panchayati Raj department have produced various gainful activities for poor tribal villagers to be placed above the poverty line.

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