



IRMA

Revitalizing India's Promise of Tribal Self-Governance

Through research and policy engagement, the *Institute of Rural Management, Anand* (IRMA) is working to make the long-held vision of tribal self-government in India a reality.

SETTING THE SCENE —Panchayat raj, one of the oldest forms of local government in South Asia, is a decentralized system of village-level democracy that was formally enshrined in India's Constitution in 1992. In 1996, the *Panchayati Raj Extension of Scheduled Areas Act* (PESA) extended this governance system to the "scheduled areas" populated by tribal peoples, an economically, politically and culturally vulnerable group that makes up more than 8 percent of India's population. PESA was a landmark legislation that recognized and upheld the right of tribal peoples to self-governance. Often described as "a constitution within the Constitution," it brought together within a single framework the tribal system governed by customs and traditions, and the formal system governed exclusively by laws.

PESA envisaged a radical shift in the way power was perceived and shared, from the state and the economic and political elites to the communities at large in Schedule V areas. However, despite its promise, the legislation has fallen short in delivering on participatory governance in the scheduled

areas. Even after almost 17 years since PESA was passed, there remains a significant legislative gap between the processes of enacting and implementing PESA. In addition, tribal communities are faced with constraints in accessing information they need to govern themselves effectively. This failure has resulted in a crisis in several tribal areas of the country that is marked by a damaging mix of misgovernance, alienation, political extremism and violent insurgency.

WHAT IRMA DID —The hardship, conflict and cultural turmoil experienced by tribal communities in the scheduled areas, combined with the perceived threat of spreading left-wing extremism, has renewed the Indian government's interest in actualizing PESA. At the request of the Ministry of Panchayati Raj, in 2010 IRMA submitted an independent assessment of the promise and reality of self-governance in India. One chapter in the report – *PESA, Left-Wing Extremism and Governance: Concerns and Challenges in India's Tribal Districts* – helped breathe new life into the debate.



IRMA's chapter analyzed the key challenges and failures in implementing PESA, assessed the unfinished legislative agenda, and prepared a number of case studies to illustrate the real-life consequences of the governance gap. It also identified a number of enabling conditions and action items required to revive and realize PESA in the scheduled areas.

THE OUTCOME—In August 2012 the Expert Committee on Leveraging Panchayat Raj Institutions was constituted to look into the issues of implementing PESA. As a result of IRMA's extensive research on the issue, its theme coordinator and

its consultant for PESA were invited to contribute on the issues of tribes and Schedule V areas. The committee's report, *Towards Holistic Panchayat Raj*, made recommendations for moving PESA forward at the highest policy levels that reflected many of IRMA's findings and suggestions. The report was released by the Minister of Panchayati Raj in March 2013. In addition, IRMA participated in deliberations with the National Advisory Council (the highest political think tank in India) as a member of a working group on PESA. The recommendations of the National Advisory Council have now also been finalized.

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