



South Asia

Regional Knowledge Platform

Role of Panchayati Raj Institutions in Post Tsunami Reconstruction and Rehabilitation

15th April 2005

WORKSHOP PROCEEDINGS

1

Introduction

The recent Tsunami that hit on the 26th December 2004 caused major devastation along the Southern Coast of India accounting for huge losses to livelihoods, village assets and infrastructure besides human lives.

The magnitude and the scale of disaster were so great that it was beyond the management capacity of local governance institutions and called for national and international support. Rescue and relief operations were taken up on a war footing and government – local, state and central, paramilitary forces, NGOs and international relief agencies all plunged into it.

Panchayats have worked very closely with various agencies in the relief operations helping the families from their villages get food, medical and shelter assistance.



The Panchayats have been extremely effective in

- Organizing sites for the construction of temporary shelters
- Resuming drinking water supply and electricity
- Collecting information on damage to life and property
- Distribution of relief materials

With task of relief and rescue behind us, planning for reconstruction and rehabilitation is in full swing in most of the regions affected by the tsunami.

As reconstruction and rehabilitation issues take centre stage in most tsunami affected regions of India, the role, potential and capacities of the village based governance institution- the Panchayat, comes into focus. It is important to understand how agencies involved in reconstruction and rehabilitation(R&R) measures view this village institution? Agencies committing to reconstruct homes and rehabilitate lives of village families bring with them funds, technology, institutional strengths and knowledge. How can these inputs strengthen the village institution to participate in, support, and take responsibility of the R&R activities to eventually guide them on the path of sustainable development? And finally, how can it be ensured that interests of the most vulnerable are taken into consideration and investments made are multiplied?

The workshop on “**Role of Panchayati Raj Institutions in Post Tsunami Reconstruction and Rehabilitation**”, on the 15th of April, 2005 at Kutumbakkam village was designed to address the above defined issues through interactive sessions with village Panchayat leaders, agencies working for R&R and government decision makers at district and state levels. Experiences of successful examples of Panchayats performing the role of effective development change makers were shared and the factors responsible for their success discussed.



The workshop was facilitated by the **basin-South Asia** Regional Knowledge Platform and was supported by the building and social housing foundation, UK, the Swiss Agency for Development and Cooperation and the Poorest Area Civil Society Program of the DFID, India. It was organized by Development Alternatives and hosted by the Trust for Village Self Governance, both members of the **basin-South Asia** Platform.

The workshop was attended by Panchayat representatives from Coastal Tamil Nadu affected by the Tsunami, and those from the interiors who had lessons on village development to share. Representation of Panchayat leaders and CapDeck an institution working on grassroots governance issues in Kerala provided experiences in village level planning and action. Panchayat and NGO representation from flood affected Bihar and Earthquake affected regions of Maharashtra (Latur) also provided very relevant experiences in the reconstruction, rehabilitation and coping mechanisms adopted by Panchayats in the aftermath of natural disasters. The presence of representatives from the UNDP at the workshop was heartening. Being the core members of the UN support cell for post Tsunami response to the Government of Tamil Nadu, they would carry the message from this workshop back for possible deliberation and action.



The key note address by Mr. A K Venkatasubramaniam, (IAS, Retd.); Trustee Catalyst Trust questioned the word “role” of Panchayats. Village development planning and implementation and disaster mitigation being the core functions of the village Panchayat under the Indian Constitution; the need now is to understand the capacities of this institution in handling relief and reconstruction works and the bottlenecks they face in implementing Village development and vulnerability reduction plans.

The workshop thus sought to:

1. Enhance the understanding on the strengths and capacities of PRIs for undertaking disaster response and future mitigation.
2. Facilitate a link between agencies supporting reconstruction and rehabilitation and local Panchayat institutions
3. Promote a dialogue on bottlenecks faced by internal and external facilitating agencies in involving PRIs in habitat development and livelihood rehabilitation at the village level and how these can be addressed.

The discussions of the day provided a guide to the potential of the Panchayat emerging as a strong local institution for sustainable development of the village and defined opportunities for engaging with the Panchayati Raj Institutions.

Disaster management at the Village level:

The workshop emphasized the centrality of the village governance institution in the entire reconstruction and rehabilitation process. Each Panchayat from Tamil Nadu shared its experiences in either relief work– post Tsunami and also their expectations in managing the reconstruction and longer term development activities. The lessons from Bihar and Latur clearly brought out the need for “technical guidance and capacity building” of the Panchayats in reconstruction and rehabilitation work.



Potential of Panchayats to manage and implement post disaster reconstruction and rehabilitation programs:

The 73rd constitutional amendment of India entrusts the village Panchayats to be the sole responsible bodies for the development in villages and function as local self-governance institutions. Their primary duties are:

- Effective habitat development including zoning for safe locations and sites for the site-less.
- Providing basic infrastructure such as roads, electricity, drainage, waste management, safe drinking water and sanitation facilities.
- Providing adequate employment to provide food security and to prevent the starvation and deaths.
- Disaster preparedness and management



Apart from these mandatory responsibilities, there are 29 other areas such as, but not limited to, land and water management, vulnerability reduction, social security, child development etc.” earmarked as the duties of village Panchayats under section 243G of the Constitution of India.

The workshop brought out the potential of the Panchayat in managing the implementation at the grassroots in the following ways, The Panchayat:

- has the wherewithal to compile and provide the correct data regarding, loss of life and livelihoods, availability of resources, family details and other such local information that is required to assess damage and develop rehabilitation plans.
- is in a unique position to provide contact with all local families and connect them with relief and reconstruction benefits ensuring fairness and avoiding duplication
- has the administrative authority to provide land to the landless from the village common lands thus supporting relocation needs that have emerged post tsunami in South India.
- has the administrative authority to manage physical and institutional assets of the village.
- Constitutionally, is expected to make and implement development plans for the village which include habitat development, livelihood supports and also vulnerability reduction – disaster mitigation measures.

The Panchayat can provide critical support and direct the reconstruction and rehabilitation in many ways: These are:

- › **Planning and design:** Based on correct and actual data of damage and needs of the various village communities provide a village level plan for reconstruction and rehabilitation. Moreover they would be able to help develop designs of houses and community structure in line with the local cultural and lifestyle thus ensuring these are acceptable to the village community.
- › **Educating the village community regarding safety of new construction:** The Village Panchayat will is a position to “educate and convince” the village families about safe construction practices and safety of new structures being constructed. Thus, to a large measure the acceptability of reconstructed houses can be addressed.



- › **Quality Control:** With adequate technical guidance, the Panchayat can provide the necessary manpower to manage quality of the physical reconstruction work. They also have the necessary authority for ensuring that quality measures for construction works are implemented.
- › **Ensuring community participation:** Panchayats being the elected representatives of the families are best placed to motivate families to participate in the process of reconstruction and provide inputs – both time and labor towards the reconstruction.
- › **Facilitation and supports to the implementation of reconstruction plans:** As critical members of the reconstruction committees in the village the Panchayats can provide facilitation of work, land use planning and zoning, decision on location of community assets, conversion of land, allotment of land for the landless and also validating and verifying claims of various families for compensation and new constructions.
- › **Implementing community based disaster mitigation measures:** The Panchayats are best placed to motivate and include the Gram Sabha in order to set in place localized measures to prevent large scale damage in case of natural climatic extremities. Many suggestions came from the workshop participants. These included plantation at the coast line, creation of sand barriers, training of local youth to take immediate evacuation and relief measures, maintaining records of vulnerable families and village resources that need immediate attention in case of a natural calamity.



Interestingly, on 17th December, 9 days prior to the Tsunami all village Panchayats in Tamil Nadu conducted special Grama Sabhas to constitute *Village level Disaster Management Committees*. Basic functions of the Panchayat for preparedness and response were defined. These local Panchayat committees are best placed to implement disaster response and future disaster preparedness and mitigation measures.

Capacity needs and limitations faced by Panchayats today:

For the village level disaster management plan to be activated, it is important that Panchayats are strengthened in the enforcement and implementation of the plan. They need to be equipped with information skills and technologies to manage disaster situations more effectively within the framework of overall governance and the longer-term development agenda of the village.

The workshop revealed that first critical need of the Panchayats is information about their constitutional portfolios. Most Panchayats are unaware of their jurisdiction and areas of operation. Beyond this, they suffer from:

Poor information about technical possibilities and solutions. It was discussed that simple and local solutions can be found for most seemingly complex problems and Panchayats can easily implement the solutions provided they have basic orientation and technical guidance. Many examples were quoted at the workshop relating to tree cover to address the needs for water harvesting, and also provide economic benefits to village communities in Tamil Nadu, safe construction methods in Latur and simple protection mechanisms for the village during floods in Bihar.



Inadequate management capacities and orientation for technical decision making.

The Panchayats need to build up capacities in management and also technical decision making to be able to manage the reconstruction. Lessons from Latur again revealed that given the supports, Panchayats were able to make appropriate decisions regarding selection of technologies, training of artisans, and orientation of families towards safe construction practices. Decisions on technologies and systems of construction, house design and location were all taken by the village Panchayat based on technical guidance and consensus in the Gram Sabha.



Lack of trust of the Gram Sabhas. Many Panchayats, although constitutionally elected do not carry the trust of the entire Gram Sabhas with them. Many constituents in the village feel they are not adequately represented. The Panchayats need to examine this issue and need to carry their constituents with them rather than their politicians. It is sad but true that many of the Panchayats have become politicized to a point that party politics and not village development is the basis of local election agendas. The lessons from Latur clearly brought out that Panchayats need to be the voice of the village first and must gain confidence of the Gram Sabha as a whole. The Panchayat operations are not transparent to the Gram Sabha and hence corruption and unfair practices are rampant. Lessons from Latur revealed that conflicts must be sorted out in a transparent manner. In village Jawali, Latur, 131 village meetings were held over the course of 2 years during the reconstruction after the 1994 earthquake and every conflict was resolved through an open forum and a meeting could not be adjourned till an acceptable solution was found for the conflict.

Lack of a platform to advocate for common issues. Panchayats across the country face similar problems of planning for local development, management control of local natural resources – such as water bodies, sand, stone, forests etc., availing funds for implementing their plans, accessing training to build up their capacities etc. However, each Panchayat operates in isolation. A common forum to share experiences, learn from each other and advocate their common cause is absent. The Panchayats need to be regionally united so that they can advocate for their administrative authority and enhance their capacities to design and implement development programs on a united front.

Lack of focus on core issues and motivation. The Panchayat leaders at the workshop felt that they should to exercise their constitutional right to administer the village and not wait for the district and state departments to invite them to do so. In order to do so, they felt the need to focus on village based development issues and not caste or petty politics.

The Panchayats present at the workshop defined three core needs of a village today;

- › Employment – alternative non-farm opportunities,
- › Housing, and
- › habitat infrastructure

They however felt inadequately equipped to design solutions and implement action plans for fulfilling these needs in a cost effective and sustainable manner. The Panchayats therefore emphasized on their own need for intensive training and links with technical support agencies. Further, they felt that in most cases, Panchayat members themselves need to be motivated to take on their responsibilities.



The Panchayat leaders expressed a need to identify the pressing issues and unite to find solutions for these and to seek technical assistance and financial access to convert their plans into actions. The Panchayat leaders at the workshop felt that they needed to have greater financial control on the Panchayat funds. There is currently a restriction on them for expenditure. They also need funds to train and equip themselves to manage disaster mitigation and reconstruction programs.



Opportunities to engage with Panchayati Raj institutions:

Local self-governance has existed in India in the name of village council, caste Panchayats, village Panchayats etc. Since independence, there have been many half-hearted attempts to revive this local self-governance as the Village Panchayats. The 73rd, 74th amendment of the Indian Constitution has been the latest and perhaps the most significant step in this direction. Yet, the Panchayats are sidelined in most decision-making and implementation in practice. As a result, Panchayat leaders have become merely agents of district / state governments to implement state and central schemes. The Panchayats however are the only “sustainable local institution” to take the process of development. The opportunities to engage with and engage the Panchayats in the reconstruction process are manifold. Some of these discussed at the workshop are enumerated below:

Inclusion in the dialogue on reconstruction and rehabilitation: In the area of reconstruction and rehabilitation post Tsunami disaster in South India, most Panchayats expressed their frustration in being kept out of the entire process of dialogue for reconstruction programs in the state of Tamil Nadu. The Panchayats feel that they are being bypassed and needed to work directly with the revenue and other responsible district and state government departments to insist on their basic constitutional right to be active participants and drivers of the reconstruction process. It was felt that discussions between the state government, district government and NGOs (National and INGOs) and funding agencies had largely ignored this primary institution of the village while planning for reconstruction in the villages.

Designing the reconstruction and rehabilitation plan. With the actual data provided by the village Panchayats, technical institutions can assist the Panchayats to develop comprehensive and futuristic reconstruction and rehabilitation plans. These plans could be funded through government programs, funds available for each Panchayat as well as reconstruction funds pouring from varied national and international funding sources. It was felt that the State government should insist that NGOs and other agencies undertaking reconstruction project form partnerships with the Panchayats of the villages they intend to work in. Capacities of the Panchayat must be built up so that they are able to respond to and cope with any future natural extremity.

Leveraging finance for livelihood creation at the village level. The Panchayats as the primary managers of village common assets can use these to leverage finances from local banks. The Panchayats can thus raise funds for the creation of new livelihoods and productive public assets. It was mentioned that this may be more viable than the SHG credit process as the banks lend at much lower rate of interest than what the SHG and SHG federations traditionally charge. The Panchayats could also set up systems to save infrastructure expenses such as electricity costs in the village and divert these budgets to development activities in the villages.



From reconstruction and rehabilitation to long-term sustainable development:

Reconstruction and rehabilitation is intricately linked to long-term development. The Village Panchayat is the only institution that can provide continuity; growth and indeed sustenance to the process of redevelopment initiated in the villages through the reconstruction and rehabilitation intervention. Management of the reconstructed physical assets and social networks and economic growth of the village is the responsibility of the local government - the village Panchayat. Their participation in the process of reconstruction and rehabilitation which includes decision making in reconstruction, construction management, maintenance of community assets, ensuring livelihoods and supports for the vulnerable is, therefore, central.

There have been a series of meetings in Tamil Nadu where some Panchayat leaders have pressed for their inclusion in the process of reconstruction. This is however not a phenomenon in other states. This workshop has contributed in defining some of the challenges and that they need to overcome in their mission and possible strategies to do so.

It is hoped that, NGOs and other agencies providing funding and implementation support would in view of the findings from this workshop enter into a constructive dialogue with relevant Panchayats for ensuring that reconstruction and rehabilitation does indeed transform into a long term sustainable development process.



South Asia
Regional Knowledge Platform

Role of Panchayati Raj Institutions in Post Tsunami Reconstruction and Rehabilitation

15th April 2005



SDC



Development Alternatives



Trust for Village Self Governance



POOREST AREAS CIVIL SOCIETY PROGRAMME

