

ADIVASI PARTICIPATION IN DEMOCRATIC ORGANISATIONS
(1983). By R.C. Bhatia and Alka Bhatia. Aarsi Publications, Opposite
Sports Club, Moti Daman-396 220. Pp. 20. Price Rs. 2.59.

THE WORK¹ under review is a brief socio-legal study of tribal (*adivasi*) participation in democratic organisations in the Union Territory of Dadra and Nagar Haveli—a predominantly tribal area. An attempt has been made to investigate the causes for the lack of participation of tribals even after the liberation of the territory from the Portuguese yoke in 1954 and its merger into the Union of India in 1961, and some suggestions given to ensure their effective participation in future.

The authors begin with the statement that “[c]oncept of participation cannot survive in absence of one’s capacity to react.”² Historically, they find the following factors responsible for the lack of this capacity among the tribals: *One*, virtual annihilation of their sensibilities and potentialities by the ruthless Portuguese regime and consequent absence of even minimal reaction to various situations. *Two*, their negligible participation in the liberation movement initiated and carried on by forces in the neighbourhood. *Three*, even after the liberation, their non-proportionate representation on the *Varishta Panchayat*, established to advise and help the provisional administration, and the latter’s failure “to evolve any substantial [a]divasi participational pattern”³ on account of the dominance of the politically strong bureaucracy and the economically powerful elite. *Four*, the carrying over of the system to the period after the merger.

While elaborating the last point, the authors refer to the Dadra and Nagar Haveli Act 1961, *Varishta Panchayat Rules 1962* framed under the Act, and Village Panchayat Regulation 1965. The Act has assigned just an advisory function to the *Varishta Panchayat*, operating at the district level, in matters of administration involving general policy and schemes of development, and has vested real power in the Administrator of the Union Territory appointed under article 239 of the Constitution. The rules simply deal with matters like its meetings, conduct of business and procedure. In the view of the authors, the *Varishta Panchayat* has proved to be practically a no-*entity* because of its advisory status.

The group *gram* (village) *panchayats* established under the Regulation of 1965 have been entrusted with several developmental functions without any realistic assessment of local conditions. There is no rational co-relation

1. R. C. Bhatia and Alka Bhatia, *Adivasi Participation in Democratic Organisations* (1983).

2. *Id.* at 2

3. *Id.* at 6.

between the magnitude of these functions and the available resources. Moreover, there is no scientific resource distribution. As a result, no real opportunity of participation has been afforded to tribals. The authors observe that the legislation "has made the concept of decentralization of power a meaningless ideal . . . [and] drastically tended to gradually increase adivasi dependence on bureaucracy. . . ."⁴ What a contrast with the objective of article 40 of the Constitution.⁵ Again, the grouping of villages for constituting *panchayats* has been faulty as the criteria irrelevant to tribal habitat and way of life were adopted. For example, there is nothing to explain as to why villages having compact features in terms of topography and population were clubbed with other villages. The pattern does not at all fit in what is envisaged in the reports of Balvantray Mehta and Asoka Mehta Committees on *panchayati raj* (1958 and 1971 respectively).

The authors believe that the existing legislation is based on the wrong theory of ineptness of a tribal to handle his own affairs without providing him a reasonable opportunity for the same. As there is a move for major amendments, they caution against the transplantation of legislative measures in force elsewhere without undertaking field study of tribal areas lest an amended or a new law may prove to be another version of an arm-chair legislation. In their view, such a study would help locate areas of functional control in respect of which the *panchayats* can fairly and conveniently be relied upon for the task. This would call for

the rational assessment of the factors like local conditions and problems, interlinking such areas with local needs and the possibility of the execution of such functions with no or least dependence on the administration except by way of financial resources and needful guidance.⁶

Apart from recommending remuneration to *sarpanchas* (heads of *panchayats*) and elected members of *panchayats* as an incentive to activate the latter, the authors suggest that meaningful projects with adequate funds be devised to provide employment to tribals in or around their villages, and the *panchayats* involved to execute the projects through skilled and unskilled tribals. This would ensure effective developmental role of *panchayats* and best utilisation of tribal potentialities.

The authors further suggest spotting out geographically and demographically compact villages which should be basic units in their own right and not be clubbed with other villages. "This will enhance concentration

4. *Id.* at 10.

5. Article 40 directs the state to organise village *panchayats* and endow them with powers to enable them to function as units of self-government,

6. *Supra* note 1 at 14.

on working upon a definite and workable operational area and will be in line with [a]divasi psychology.”⁷ Scantly populated and scattered villages may, however, be grouped as they “elude the concept of operational area”.⁸ This strategy would lead to meaningful participation of tribals in democratic organisations.

Lastly, the authors suggest the replacement of the *Varishta Panchayat* by a body constituted of *sarpanchas*. Though merely an advisory forum, the *Varishta Panchayat*, dominated as it is by the powerful elite, has over the years become a symbol of prestige and acquired the potential to generate factionalism, crime and exploitation. On the other hand, *sarpanchas*, with real work experiences,

will not only be in a better position to co-ordinate the activities of all the villages but also will reflect better in term of the development as a whole. Such a body will only be an extension of the . . . [*panchayats*] with definite powers to have the things executed through the administrative machinery.⁹

The study is evidently revealing and suggestions of the authors worth considering. Unless democracy is truly made operational at the grass-roots level, it will continue to be a farce, and development a far dream.

One may hope that this brief study should stimulate intensive and extensive research in Dadra and Nagar Haveli as also in other tribal belts of the country.

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7. *Id.* at 16.

8. *Ibid.*

9. *Id.* at 19.

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